

**SCHOOL & SCHOOL DISTRICT TRANSPARENCY
DASHBOARDS; SCHOOL LETTER GRADING
ACCOUNTABILITY SYSTEM; REPEAL OF STATE
ACCREDITATION PROGRAM**

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**House Bill 5112 (Substitute H-7)
Sponsor: Rep. Lisa Posthumus Lyons**

**House Bill 4154 (Substitute H-1)
Sponsor: Rep. Ken Yonker
Committee: Education**

Complete to 12-5-13

**A REVISED SUMMARY OF HOUSE BILLS 5112 (H-7) & 4152 (H-1) AS REPORTED
FROM COMMITTEE**

The bills would amend the Revised School Code to establish an annual school transparency dashboard for each public school and school district, and also a school accountability system that assigns a letter grade to each public school based on the school's performance and student growth; and would repeal the state school accreditation system. The transparency and accountability systems would be put in place by July 1, 2016, and administered by the Michigan Department of Education.

The bills are tie-barred to each other, meaning they could not go into effect unless both were enacted into law. A detailed description of each bill follows.

House Bill 5112 (H-7)

Transparency Dashboards for Schools

The bill requires that not later than July 1, 2016, the Department of Education develop and implement an annual school transparency dashboard for each public school and for each school district. The annual school transparency dashboard for each school would have to include all of the following:

- The Department of Education would be required to compile and publish for each public school all of the following metrics for the two most recent school years: (1) student proficiency in reading and mathematics, based on results from state assessment; (2) student growth in reading and mathematics, based on learning gains as determined by the department; and (3) the average ratio of students to teachers.
- If the school operated grade 3, the department would also be required to compile and publish for the school for the two most recent school years, the percentage of

students in grade 3 who achieved a score of at least proficient in reading on the grade 3 state assessment.

- If the school operated all or some of grades 9 to 12, the department would also be required to compile and publish for the school all of the following metrics for the two most recent school years: (1) the number and percentage of students enrolled in at least one course for college credit, either at the school or through dual enrollment; (2) if the school operated grade 11, the composite ACT score for students enrolled; and (3) the graduation and dropout rates for students enrolled.

Under the bill, the governing body of the school could include up to three additional metrics they selected. If the governing body included one or more additional metrics, then it would be required to maintain and make available for public inspection the documentation that substantiated the accuracy of those additional metrics. The bill specifies that any of the following could be included as an additional metric: (1) accreditation status with a regional or other accrediting body; (2) the number of college level equivalent courses offered by the school, and the number and percentage of students enrolled in those courses; (3) the number and percentage of teachers and administrators who are highly qualified; (4) the average daily attendance; (5) the percentage of graduates who entered college as a freshman within two years after graduating from high school; and (6) another metric selected by the governing board.

The bill specifies that the governing body could include a narrative explaining one or more of the metrics, or add additional information.

Dashboards for School Districts

House Bill 5112 (H-7) requires that the dashboard for a school district include all of the information required for each school's dashboard, in the form and manner prescribed by the Department of Education.

Responsibilities of the Department of Education

The bill specifies that after the implementation of the school transparency dashboard, all of the following would apply:

- Before August 1 of each year, the Department of Education would notify each public school and school district of all of the following: (1) for each public school it operated, the metrics determined by the department, as described in the school dashboard section, above; (2) the detailed formula and factors for determining each metric; and (3) the building-level data used to generate each metric.
- On August 15 of each year, the Department of Education would post the school transparency dashboard for each public school and school district on its website, with a link from the homepage, and would report to the legislature all of that information.

Responsibilities of the School District or Charter School

For each school it operated, the school district or charter school would be required to: (1) include the information, above, in the posting of information under section 18(2) of the State School Aid Act; and (2) prominently display the school transparency dashboard for the school district or charter school, and for each school it operated, on its website, with a link on its homepage and, if the school maintained a homepage for a particular school, then also a link on that school's homepage. The school district or charter school could also include the additional local metrics, and/or the narrative information.

Accountability System to Assign Letter Grades for Performance and Growth

House Bill 5112 (H-7) requires that not later than July 1, 2016, the Department of Education develop and implement a school accountability system that assigns letter grades to each public school, based on the school's performance and student growth.

Under the bill, the department would be required to assign a letter grade of A, B, C, D, or F to each public school. It would decide that letter grade based on the following factors:

- For each public school that operated any of grades K to 8, as follows: (1) 50 percent of the grade would be based on student proficiency as measured on state assessments; (2) 25 percent of the grade would be based on annual learning gains on state assessments; and (3) 25 percent of the grade would be based on annual learning gains for students who were in the lowest 30 percent of the school's students in proficiency. The bill specifies that this cohort of students could not be the sole criterion for determining a final letter grade.
- For each public school that operated any of grades 9 to 12, as follows: (1) 50 percent of the grade based on student proficiency as measured on state assessments; (2) 25 percent of the grade based on graduation rate; and (3) 25 percent of the grade based on annual learning gains for students in the lowest 30 percent of the school's students in proficiency. Again, the bill specifies that this cohort of students could not be the sole criterion for determining a final letter grade.

Notifying Schools of Their Letter Grades

The bill specifies that after the implementation of the letter grade system, all of the following would apply:

- Before August 1 of each year, the Department of Education would notify each public school and school district of all of the following, and provide an appeal process that was concluded by August 15: (1) each public school's letter grade for that year and, if available, from the immediately preceding two years; (2) the detailed formula and metrics for the letter grade system; (3) the building-level data used to generate the letter grade; (4) the number of teachers for each school who were rated as effective or highly effective under the performance evaluation system described in Section 1249 of the Code, as well as the total number of teachers teaching in each school; and (5) the number of school administrators who

were rated as effective or highly effective under Section 1249, as well as the total number of administrators in the school.

- On August 15 of each year, the Department of Education would post on its website, with a link from the homepage, and also report to the legislature, all of the information described above.
- The school district or charter school would then be required to include the information described above in the posting of information under Section 18(2) of the State School Aid Act, and publish the information described above on its website, with a link on its homepage, and if the school district or charter school maintained a homepage for each particular school, then also a link of those individual school homepages.

Under the bill, for subsequent school years for which letter grades were assigned, the department would be required to continue using the same number of points required for each letter grade, and the same metrics by which the letter grades were determined when the letter grade system was first implemented.

For any school accountability system or standard subsequently established, the department would be required to ensure that the system or standard was based on the metrics already in use.

House Bill 5112 (H-7) requires that the department assign a letter grade for each public school entity for which the department maintained an entity code.

Further, the bill specifies that if a public school operated both one or more of grades K to 8 and one or more of grades 9 to 12, then the department would be required to calculate and assign a separate grade for the school for each of those separate grade configurations, treating each of the separate grade configurations as a separate public school.

Failing Schools

Under the bill, if the department determined that a public school that had been in operation for at least three school years met *both* of the following criteria, the state school superintendent could either close the school, or place it under the supervision of the state school reform/redesign officer (as described in Section 1280c of the Code). The two criteria are: (1) the school had been assigned a grade of F for two or more years in a period of three consecutive years; and (2) the school had performed in the lowest five percent of all Michigan public schools in learning grains for two or more years during the same period of three consecutive years.

Alternative Education Campus

Under House Bill 5112 (H-7), a school district or charter school could, with the approval of its intermediate school district or authorizing body, apply to the state school superintendent to designate one or more of its schools as an alternative education campus,

if the state superintendent determined the school met one or more of the following criteria:

- The school served a student population in which more than 95 percent of its students had an individualized education plan.
- The school served a student population in which a majority of its students were (1) homeless; (2) had a documented history of serious psychological behavioral disorders (including, but not limited to suicidal behaviors); (3) for a high school, had students over the traditional age for their grade level, and who lacked adequate credit hours to be on track to graduate in four years, (4) were parents or pregnant; (5) had a history of expulsion or multiple suspensions; (6) had a criminal history; or (7) had a legal history of substance abuse or medically documented history of substance abuse.
- The school was a strict discipline academy established under Sections 1311b to 1311m of the Revised School Code.

Under the bill, if a school was designated as an alternative education campus, then the Department of Education would not assign a letter grade to that school, and would instead issue a summary status for that school.

Waiver for Schools Graded A or B.

Not later than July 1, 2016, the Department of Education would be required to establish and implement a waiver system for waiving regulatory or statutory reports and requirements for a public school that consistently maintained a grade of A or B. If the department determined that a school qualified for a waiver, state school superintendent would be required to grant the waiver, effective for as long as the school maintained its A or B grade, and the regulatory or statutory requirement that was waived would not apply during the duration of the waiver.

The bill requires that before implementing the waiver system, the department submit a list of the regulatory and statutory reports and requirements that are proposed to be subject to waiver, to the Senate and House standing committees on education.

USDOE Requirement: Reward, Priority, & Focus Schools

House Bill 5112 (H-7) specifies that as long as is required by the United States Department of Education, the Michigan Department of Education continue to recognize public schools as Reward Schools, Priority Schools, and Focus Schools, by recognizing schools that are assigned a grade of A as Reward Schools; schools assigned a grade of F as Priority Schools, and schools that demonstrate the lowest amount of growth among the bottom-performing 30 percent of their students as Focus Schools.

House Bill 4154 (H-1)

House Bill 4154 (H-1) would repeal Section 1280 (MCL 380.1280) of the Revised School Code, which establishes the Michigan school accreditation program administered by the Michigan Department of Education.

Repeal of Current School Accreditation Program

Currently, the Michigan Department of Education accredits schools as having met or exceeded standards established for six areas of school operations: administration and school organization; curricula; staff; school plant and facilities; school and community relations; and, school improvement plans and student performance. The building-level evaluation used in the accreditation process includes school data collection, self-study, visitation and validation, determination of performance data to be used, and the development of a school improvement plan.

Under current law, the superintendent of public instruction annually reviews and evaluates for accreditation purposes the performance of each school that is unaccredited. Then the Department of Education and the intermediate school district within which the unaccredited school is located can, if asked to do so by the school district, provide technical assistance.

If a school is unaccredited for three consecutive years, it is subject to one or more of the following measures, as determined by the state school superintendent: an administrator of the school is appointed (at the expense of the affected school district); the parents of the students can send their children to any accredited school within the school district; the school aligns itself with an existing research-based school improvement model, or affiliates with a Michigan college or university for assistance; or, the school is closed.

House Bill 4154 (H-1) would repeal Section 1280—the school accreditation section of the Revised School Code—in its entirety. In addition, the bill would amend nine other sections of the Code to eliminate all references to the state school accreditation program.

FISCAL IMPACT:

House Bill 5112 would have likely minimal fiscal impact on the state and no fiscal impact on school districts. The Michigan Department of Education could see increased administrative costs and redirection of staff time in order to create the prescribed letter grade system, generate transparency dashboards for all public schools, and establish the initial waiver process for school districts that earn an A or B.

House Bill 4154 would have an indeterminate, though likely minimal, fiscal impact on the state and local school districts. The Michigan Department of Education could see increased administrative costs and redirection of staff time in order to create a letter grade system (as proposed in the tie-barred bill, House Bill 5112), but would also see a reduction in staff time and administrative costs due to the elimination of the school

accreditation system. Additionally, local school districts may see a reduction in administrative staff time devoted to maintaining school accreditation.

POSITIONS:

The following organizations support House Bill 5112:

The Michigan Association of Public School Academies, the Detroit Regional Chamber of Commerce, the Great Lakes Education Project, Americans for Prosperity, Education Trust-Midwest, Students First, and the Michigan Council of Charter School Authorizers.

The following organizations oppose House Bill 5112:

The Michigan Department of Education, the Michigan Association of School Boards, the Michigan Association of School Administrators, the Michigan Association of Intermediate School Administrators, the American Federation of Teachers-Michigan, the Michigan Association of School Social Workers, Michigan Parents for Schools, Wayne RESA, Oakland Schools, and Friends of Dexter Community Schools.

The following organization is neutral on House Bill 5112:

The Mackinac Center for Public Policy

The following organizations support House Bill 4154:

The Michigan Association of School Boards, the Michigan Association of Public School Academies, the Michigan Department of Education

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.