

HCR11, As Adopted by Senate, October 24, 2013

Substitute for House Concurrent Resolution No. 11.

A concurrent resolution to authorize the State Board of Education and the Michigan Department of Education to move forward and expend resources to implement the use of the Common Core State Standards so long as the conditions of this concurrent resolution are met.

Whereas, Noting that the Tenth Amendment to the United States Constitution states, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people," and recognizing that there is no constitutional provision delegating the power to educate children to the federal government, the Michigan Legislature declares that the federal government has no constitutional authority to dictate how children in the state of Michigan are to be educated; and

Whereas, Article VI, Section 231, of the FY 2013-14 Department of Education budget (2013 PA 59) states, "Funds appropriated in part 1 shall not be used to fund implementation of common core state standards or smarter balanced assessments unless an affirmative action of the legislature authorizing implementation of said standards or assessments is provided."; and

Whereas, Article IX, Section 17, of the Michigan Constitution states, "No money shall be paid out of the state treasury except in pursuance of appropriations made by law."; and

Whereas, Article VIII, Section 1, of the Michigan Constitution states, "Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged."; and

Whereas, Article VIII, Section 3, of the Michigan Constitution states, "Leadership and general supervision over all public education, including adult education and instructional programs in state institutions, except as to institutions of higher education granting baccalaureate degrees, is vested in a state board of education. It shall serve as the general planning and coordinating body for all public education, including higher education, and shall advise the legislature as to the financial requirements in connection therewith."; and

Whereas, The Common Core State Standards were adopted by the State Board of Education in June 2010. The standards were developed by the National Governors Association and the Council of Chief State School Officers and are not a mandate by the federal government; and

Whereas, Adopting high educational expectations and ensuring that all of our students are receiving a high-quality education to develop independent thought and compete globally through a transparent and accountable system is paramount. With the previously-mentioned facts in mind, the House Subcommittee on Common Core State Standards has had dozens of hours of study and held extensive committee hearings with testimony from a diverse set of experts, educators, and the public to examine the Common Core State Standards adopted by the State Board of Education; and

Whereas, The extensive hearings led to this action by the Legislature with a belief that education "standards" define minimum expectations of what students should know at the conclusion of a course of study but not the methods, curriculum, or the entirety of what students are taught; and

Whereas, The Michigan Legislature recognizes that a high-quality education to develop independent thought is an important part of being a successful person; and

Whereas, Michigan students compete nationally and internationally for work opportunities and better careers, and, as such, a high-quality education is an important base for their success in this global competition; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we authorize, pursuant to 2013 PA 59, the State Board of Education and the Michigan Department of Education to continue to implement the use of aspects of the Common Core State Standards, as they are known today, so long as the conditions of this concurrent resolution are met; and be it further

Resolved, That any future education standards or student assessment tools approved by the State Board of Education shall be presented in a report or in testimony to the standing education committees of both chambers of the legislature before final board approval; and be it further

Resolved, That implementation of the Common Core State Standards by the State Board of Education and the Michigan Department of Education is contingent on the ability of Michigan to add different college- and career-ready standards that are in the best interest of the students of Michigan, with no ramifications from the federal government; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education may implement Common Core State Standards so long as such standards do not dictate curriculum or prescribe a particular method of instruction. Parents who choose to educate their children at home, pursuant to Section 1561 of the Revised School Code, 1976 PA 451, MCL 380.1561, retain their independence and control over their children's education and are not subject to Common Core State Standards or the Smarter Balanced Assessment; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education may implement Common Core State Standards so long as control over the creation and implementation of curriculum, textbooks, educational materials, and instructional methods shall remain under the control of the local school districts and not the federal government; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education may implement Common Core State Standards so long as the authority and flexibility, as permitted under Section 1278 of the Revised School Code, 1976 PA 451, MCL 380.1278, to develop or adopt a different set of standards remains with locally elected school boards should they determine other college- and career-ready standards are appropriate for their students, including teaching high school Euclidean geometry and classic English literature; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education may implement Common Core State Standards so long as, consistent with Section 1278 of the Revised School Code, 1976 PA 451, MCL 380.1278, the standards shall not include attitudes, beliefs, or value systems that are not essential in the legal, economic, and social structure of our society, and to the personal and social responsibility of its citizens, as determined by locally elected school boards; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education may implement Common Core State Standards so long as Michigan's students and parents are assured of the safety and security of their personally identifiable student information by knowing that no non-education-related information on students or their families, including, but not limited to, religion, political affiliations, or biometric data, will be collected, tracked, housed, reported, sold, or shared with the federal government or outside entities; and be it further

Resolved, That the State Board of Education and the Michigan Department of Education shall issue a full report, which is to be submitted to both chambers of the Legislature by December 1, 2013. In preparation for receipt of this report, the State Board of Education may take steps to remove conflicts of interest and provide the State Board of Education and the Michigan Department of Education the necessary latitude and objectivity to develop their recommendations for Michigan's student assessment tools. The Legislature is not committed to any specific assessment tool, but believes that any state assessment should be a computer-adaptive test that provides real-time results, is given twice each school year, and assists in the evaluation of individual teachers. The Department of Education shall put out a competitive bid through a request for proposal (RFP) for an assessment that aligns with Michigan's college- and career-ready standards. Any assessment must be capable of being implemented for grades 3 through 11 by September 1, 2014. The Legislature intends to evaluate all assessment options in the FY 2014-15 school aid budget based on this RFP. Until that time, the Michigan Department of Education can continue to participate in the development of assessment options and recommendations only; and be it further

Resolved, That the state of Michigan, pursuant to Section 1279c of the Revised School Code, 1976 PA 451, MCL 380.1279c, shall test only for proficiency in basic and advanced academic skills and subject matter, and testing shall not be used to measure pupils' values or attitudes. Local school districts shall have the authority to align their locally-developed or commercially-available assessment tests to the set of standards that they use in their daily curriculum to better serve the students in their districts; and be it further

Resolved, That the Michigan Department of Education will provide an official way for parents, teachers, administrators, and the public to provide feedback on the implementation of the Common Core State Standards and appropriate assessment aligned with those standards. This can be an obvious placement on the department website or a person specifically designated and responsible for following up on comments received. These comments will be considered as discussion continues regarding the standards and assessment; and be it further

Resolved, That copies of this resolution be transmitted to the State Board of Education and the Michigan Department of Education.