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## BILL ANALYSIS



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Senate Bill 826 (as introduced 3-1-16)  
Sponsor: Senator Patrick J. Colbeck  
Committee: Education

Date Completed: 4-19-16

**CONTENT**

The bill would amend the Revised School Code to do the following:

- **Terminate all plans, programs, efforts, and expenditures relating to the implementation of Common Core standards.**
- **Prohibit the State Board of Education and the Department of Education from adopting or implementing any other national or multistate consortium standard, or the use of any assessments aligned with such a standard, that would cede control of Michigan educational standards.**
- **Require the State Board and the Department to adopt for all grades State academic content standards in English language arts, math, and social science, and require the standards to be substantially the same as those used in Massachusetts during the 2008-2009 school year.**
- **Require the State Board to develop academic content standards independently, instead of as part of a multistate consortium.**
- **Require the board of a school district and the board of directors of a public school academy (PSA) to establish a fundamental academic curriculum for its pupils and to determine the aligned instructional program for delivering that curriculum.**
- **Require the Department to adopt validated State assessments of pupil achievement based on the assessment used in Massachusetts during the 2008-2009 school year.**
- **Prohibit the Department from revising the assessments for five years.**
- **Specify that the assessments could not require computer technology or collect certain pupil data, and would have to be available on the Department's website.**
- **Prohibit the Department from implementing new standards or an assessment without legislative approval by concurrent resolution.**

**Termination of Common Core**

By enacting the bill, the State would terminate all plans, programs, activities, efforts, and expenditures relating to the implementation of the educational initiative referred to as the Common Core standards, or any derivative or permutation of that educational initiative, including the Michigan college and career ready standards that have been adopted by the Legislature, the State Board, or the Department and including any assessments, data collection, and instructions based on or involving that educational initiative.

To further protect State and local control of public education, the bill would prohibit the State Board and the Department from adopting, aligning to, or implementing any other national or multistate consortium standards from any source or requiring the use of any assessments aligned with any other national or multistate consortiums standards from any source.

## Responsibilities of Department, State Board

Subject to provisions of the bill concerning the adoption of State assessments, the State Board and the Department would have to take the actions described below.

The State Board and the Department would have to respect and support the ultimate right of a parent to opt his or her child out of public school, and out of any public school activity, practice, or testing that the parent found unacceptable, with no repercussions to, or financial impact on, the child, parent, or school and with no interference from the State. This provision would not prohibit the State from funding public education on a per-pupil basis.

Within 90 days after the bill's effective date, the State Board and Department would have to adopt and implement State academic content standards for each of grades kindergarten to 12 in English language arts, mathematics, science, and social studies. The State academic content standards would have to be the same as the standards in effect in Massachusetts during the 2008-2009 school year, except that any reference in those standards to "Massachusetts" would have to be changed in all appropriate instances to a reference to "Michigan" and State history or government content standards would have to be changed to reflect Michigan history and government. Within 10 days after the State academic content standards were adopted, the Department would have to distribute them to all public schools in the State and make the standards available to the public on the Department website.

As part of the process of conversion away from the Common Core standards, the Superintendent of Public Instruction, the State Board, the Department, and any other State public employee or authority would have to take all steps necessary to terminate areas of Federal control of the Michigan educational process. Those individuals or entities could not adopt or implement any national or multistate consortium standard from any source, or the use of any assessments aligned with a national or multistate consortium standard, that ceded control of Michigan educational standards in any manner, including mathematics standards, English language arts standards, the next generation science standards, history standards, social studies standards, or sexuality standards. The State would have to retain sole control over the development, establishment, and revision of course of study standards for grades K to 12. The Superintendent, the State Board, the Department, or any other State public employee or authority could not join any consortium or organization if participation in it would cede any measure of control over any aspect of Michigan public education to that consortium or organization.

The State Board and the Department, at least five years after the adoption of the academic content standards described above, would have to adopt new statewide academic content standards for each of grades kindergarten to 12 in English language arts, mathematics, science, and social studies that were distinct from and not directly aligned to the Common Core standards previously adopted by the State Board. The new standards would have to emphasize coherence, focus, and essential knowledge and would need to have evidence of successful application.

When the State Board adopted or revised academic content standards, it would have to develop them independently and not as part of a multistate consortium.

## Responsibilities of School District Board, PSA Board of Directors

The board of each school district and board of directors of each PSA, considering the academic content standards adopted, would have to establish a fundamental academic curriculum for its pupils at the elementary, middle, and secondary school levels. The fundamental academic curriculum would have to define academic objectives to be achieved by all pupils and would have to be based on the school district's educational mission, long-range pupil goals, and

pupil performance objectives. The fundamental academic curriculum could vary from the State academic content standards adopted under the bill.

After consulting with teachers and school building administrators, the board of each school district and board of directors of each PSA would have to determine the aligned instructional program for delivering the district's or PSA's fundamental academic curriculum and identify the courses and programs in which it would be taught.

The board of each school district and board of directors of each PSA would have to provide adequate time and transparency for public review and comment on the aligned instructional programs by all interested members of the community before final adoption.

These provisions could not be construed to promote any religious or nonreligious doctrine, promote discrimination for or against a particular set of religious beliefs or nonbeliefs, or promote discrimination for or against religion or nonreligion.

A school district or PSA would not be required to use all or any part of the academic content standards adopted under the bill. The State Board and the Department could not impose any financial consequences on a district or PSA that adopted academic content standards that differed from those adopted by the State.

#### Adoption of State Assessments

The Department would have to adopt validated State assessments of pupil achievement based on the assessment used in Massachusetts during the 2008-2009 school year and aligned to the academic standards in effect in Massachusetts during that school year. Those assessments would have to be ready for use by the first spring after new statewide academic content standards were adopted. The Department could not revise the assessments again for at least five years. The new assessments adopted under the bill and all future assessments adopted by the Department would have to meet all of the following:

- They could not require, but could use, computer technology.
- Each year, within 30 days after the assessments were administered, they would have to be available on the Department website for all school administrators, teachers, and parents to review.
- The assessments could not collect any of the following: data about the values, attitudes, beliefs, and personality traits of a pupil or a pupil's family; or medical, behavioral, mental, biometric, or psychometric data of a pupil or a pupil's family.

#### Legislative Approval

The Department could not implement new academic content standards or an assessment developed under the bill until the standards or the proposed assessment was approved by both houses of the Legislature by concurrent resolution. The standing committee with jurisdiction over education legislation in each house would have to conduct at least one public hearing on the standards or the assessment and would have to post notice of the public hearing at least two weeks before it was held.

Proposed MCL 380.1278e & 380.1278f

Legislative Analyst: Jeff Mann

#### **FISCAL IMPACT**

The bill would have a significant negative fiscal impact on the Department of Education and local school districts and boards. The Department would experience initial costs to replace the current Common Core standards with the 2008-2009 Massachusetts standards and to distribute the new standards to local districts and boards. The Department then would

experience a greater cost over the next five years to develop new standards. The large costs would result from the prohibition against pooling the costs for research and development with other states. This means that Michigan would incur the total costs. The Department also would experience costs to align the State assessment with the new standards.

Local districts and boards would experience increased costs over the next six to eight years because they would have to implement two different sets of curriculum standards over that time period. Implementing new standards results in initial increased costs in the first few years of implementation before those costs decrease and become ongoing. Since this would occur twice, districts and boards would experience the initial increased implementation costs twice. Implementing new standards also diverts planning time and professional development resources from other education initiatives a district or board otherwise would be undertaking. Since districts have different financial needs, procedures, and resources, the total costs to districts and boards over this period cannot be quantified; however, the total costs and loss of other potential initiatives would be extensive.

Fiscal Analyst: Cory Savino