

REPEAL COMMON CORE; ADOPT 2008-09 MASSACHUSETTS STANDARDS

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House Bill 4192 as introduced
Sponsor: Rep. Gary Glenn
Committee: Michigan Competitiveness
Complete to 2-14-17

Analysis available at
<http://www.legislature.mi.gov>

BRIEF SUMMARY:

House Bill 4192 would amend the Revised School Code, adding two sections to the part of the Code that defines curriculum and graduation requirements.

Generally speaking, the two sections would terminate Michigan's implementation of Common Core (an initiative which defines what K-12 students should know in certain disciplines at the end of each grade level), and replace it with Massachusetts' 2008-2009 standards. Beginning with the 2017-2018 school year, each school district and public school academy (PSA), or charter school, would be required to adopt its own fundamental academic curriculum, which could, but would not be required to, follow the new state standards. [See **Background** for the current status of the implementation of the Common Core in Michigan.]

DETAILED SUMMARY:

Repeal of Common Core

By enacting the bill, Michigan would terminate all plans, programs, activities, efforts, and expenditures relating to the implementation of Michigan K-12 science standards and the educational initiative commonly referred to as the Common Core standards. The bill goes on to make clear that the termination includes Michigan college- and career-ready standards, assessments, and data collection.

Additionally, the bill would prohibit Michigan from adopting, aligning to, or implementing standards or assessments adopted nationally or by a group of other states.

Under HB 4192, the State Board and MDE must do all of the following:

- Respect and support the ultimate **right of a parent to opt his or her child out** of public school and any public school activity that the parent finds unacceptable, with no negative repercussions, financial impact on the child, parent, or school, or interference from the state. Utilization of an opt-out would not interfere with state funding of public education on a per-pupil basis.
- Implement the Massachusetts academic standards from 2008-2009 as the effective **Michigan academic content standards** for grade K-12 in English language arts, mathematics, science, and social studies, beginning in the 2017-2018 school year.

(References to "Massachusetts" throughout the standards will be replaced with "Michigan," and any state or government content standards will be changed to reflect the history and government of Michigan).

- Within 10 days after implementing the new state standards, the Michigan Department of Education (MDE) must **distribute the standards** to all public schools in the state and make them available on the MDE website.
- The superintendent of public instruction, State Board of Education, MDE, or any other state public employee or authority **may not adopt any national or multistate consortium standard**, or use any assessment aligned with those standards. Likewise, those individuals may not join any consortium or organization if participation would cede control over Michigan public education to those entities.

Under HB 4192, the board of each school district, and the board of directors of each PSA, must do all of the following:

- **Establish a fundamental academic curriculum** for their elementary, middle school, and high school students, based on the district's educational mission, long-term pupil goals, and pupil performance objectives. This curriculum may vary from the state academic content standards implemented by the MDE under the bill.
- After consultation with teachers and administrators, **determine the aligned instructional program** for delivery the district or PSA's fundamental academic curriculum, and identify the courses and programs in which the curriculum will be taught.
- Provide adequate time and transparency for **public review and comment** on the aligned instructional programs by all interested members of the community before final implementation.

This section may not be construed to promote or oppose any religious beliefs or nonbeliefs, or to promote discrimination for or against any religion or nonreligion. Also, it does not require a school district or PSA to utilize all or part of the statewide academic content standards. The State Board or MDE may not impose any financial consequence on a school that implements different academic content standards from those implemented by the state.

Assessments

The bill would require the MDE to implement validated state assessments using the assessments used in Massachusetts during the 2008-2009 school year and aligned to the academic standards in place in Massachusetts during that time period. The assessments would have to be ready for use in the first spring after the new statewide academic content standards are implemented (presumably spring of 2018, as it is the first spring following implementation at the beginning of the 2017-2018 school year).

The bill would provide that the MDE could not revise the assessments for five years after implementation. Finally, the assessments must fulfill the following requirements:

- Must not require, but may use, computer technology.
- Must be available within 30 days after administration on the MDE website, available to be viewed by administrators, teachers and parents.
- Must not collect specified personal information about the student or student's family.

The new assessment may not take effect unless approved by the Michigan House and Senate by concurrent resolution. Additionally, the House Education Reform committee and Senate Education committee must conduct at least one public meeting on the assessment, with two weeks' notice.

Proposed MCL 380.1278e and 380.1278f

BACKGROUND:

What is Common Core? The Common Core Standards Initiative is said to be the largest-ever American effort to set uniform standards for what students in kindergarten through 12th grade should know in each grade, in preparation for entering college and the workforce. Currently, standards have been developed for English and language arts (ELA)¹ and mathematics.² Developed by governors, chief state school experts, and education experts from 48 states, the standards are an attempt to facilitate comparisons between schools and between states, and to ensure that all American students are held to the same standards.

What is the history of Common Core in Michigan? Common Core is not currently formalized in Michigan statute. The Michigan Board of Education (eight officials elected in statewide elections) unanimously adopted the standards in 2010. Soon after, Michigan joined the Smarter Balanced Assessment Consortium, one of two state consortia that received federal money to develop Common Core-aligned examinations, and began a planned five-year transition process. Local school districts also began working to ensure that their curricula aligned with Common Core standards.

However, by 2013, opposition to Common Core had increased, leading to an attempt to defund implementation of Common Core-aligned curricula and testing. Language was inserted into the Fiscal Year 2014 budget (approved June 13, 2013) prohibiting the MDE from using any funding to implement programs or assessments related to Common Core.³ Specifically, the budget bill provided that "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." (Part 1 lists line item appropriations to the MDE.)

¹ Common Core standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects; http://www.corestandards.org/wp-content/uploads/ELA_Standards1.pdf

² Common Core standards for mathematics; http://www.corestandards.org/wp-content/uploads/Math_Standards1.pdf

³ Public Act 59 of 2013, Sec. 231; <https://www.legislature.mi.gov/documents/2013-2014/publicact/pdf/2013-PA-0059.pdf>

Following four months of uncertainty, on October 24, 2013, the House and Senate took that affirmative action to authorize funding as long as certain conditions were met. Among other requirements, House Concurrent Resolution 11 authorized funding of Common Core so long as "such standards do not dictate curriculum or prescribe a particular method of instruction[]" and "the authority and flexibility...to develop or adopt a different set of standards remains with locally elected school boards[.]"⁴ (A concurrent resolution does not have the force of law, but expresses the legislative intent of both the House and Senate.)

After the 44-year-old Michigan Educational Assessment Program (MEAP) was retired in 2013, Michigan children in grades 3-8 began taking the M-STEP in spring of 2015;⁵ it will be administered for the third time between April 11, 2017 and May 12, 2017.

Which states have adopted Common Core? Michigan is one of 43 states, the District of Columbia, four territories, and the Department of Defense Education Activity (which oversees education on military bases worldwide) that have adopted and implemented the standards⁶ (including Minnesota, which has only adopted the ELA standards). Three other states⁷ initially adopted Common Core, but have since backed out. Four states and one territory⁸ never adopted Common Core.

What role did the federal government play? While the federal government did not play a role in developing the Common Core standards, or require states to adopt them, the U.S. Department of Education did incentivize adoption, by linking federal grant money to adoption of Common Core, and funded the state-led consortia which developed the Common Core-aligned tests.

Are Common Core standards the same as curricula? No. The Common Core standards list measurable goals for each grade level. For example, the first goal for kindergartners is "count to 100 by 10s." For mathematics, the number of pages listing goals ranges from four pages for kindergarten, first, and second grade math to seven pages for 6th grade. Each district, administration, and teacher is then responsible for developing curricula in order to achieve those goals.

This topic was previously addressed in SB 826, which was introduced during the 2015-2016 legislative session and reported by the Senate Education Committee on April 27, 2016.

⁴ House Concurrent Resolution 11; <http://www.legislature.mi.gov/documents/2013-2014/concurrentresolutionadopted/House/pdf/2013-HACRS-0011.pdf>

⁵ M-STEP Assessment Transition; http://www.michigan.gov/documents/mde/Assessment_Transition_FINAL_11-13-14_473989_7.pdf

⁶ Adopted and implemented Common Core: Alabama, (American Samoa), Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, (Guam), Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota*, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, (Northern Marianas), Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, (U.S. Virgin Islands), Utah, Vermont, Washington, (Washington D.C.), West Virginia, Wisconsin, Wyoming, (Department of Defense Education Activity)

*denotes that Minnesota adopted ELA, but not mathematics, Common Core standards

⁷ Adopted, but later backed out: Indiana, Oklahoma, South Carolina

⁸ Never adopted: Alaska, Nebraska, (Puerto Rico), Texas, Virginia

FISCAL IMPACT:

The bill could create significant upfront costs for both the Michigan Department of Education as well as school districts in having to transition to another new set of content standards, fundamental academic curricula, and assessments. It's possible that some costs related to revised standards and curricula could be absorbed by current staffing at both the department and districts, although potentially at the expense of other activities. However, there could be real costs for professional development and training for teachers and other staff related to revised standards and curricula. Most significantly, the bill could create additional assessment costs, but there are not enough data with which to estimate the costs of the proposed assessments. When Michigan transitioned from the MEAP to the M-STEP, the School Aid budget included an additional \$27.4 million spread over two years in the FY 2014-15 and FY 2015-16 budgets for that purpose.

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