

# HOUSE BILL No. 4104

January 28, 1999, Introduced by Reps. Raczkowski and Gilbert and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending section 1279 (MCL 380.1279), as amended by 1997 PA  
175, and by adding section 1304.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1279. (1) The board of a school district or public  
2 school academy shall administer state assessments to high school  
3 pupils in the subject areas of communications skills, mathemat-  
4 ics, science, and, beginning with pupils scheduled to graduate in  
5 2000, social studies. ~~The~~ SUBJECT TO SUBSECTION (14), THE  
6 board shall include on the pupil's high school transcript all of  
7 the following:  
8       (a) For each high school graduate who has completed a  
9 subject area assessment under this section, the pupil's scaled  
10 score on the assessment.

1 (b) If the pupil's scaled score on a subject area assessment  
2 falls within the range required under subsection (2) for a cate-  
3 gory established under subsection (2), an indication that the  
4 pupil has achieved state endorsement for that subject area.

5 (c) The number of school days the pupil was in attendance at  
6 school each school year during high school and the total number  
7 of school days in session for each of those school years.

8 (2) The department shall develop scaled scores for reporting  
9 subject area assessment results for each of the subject areas  
10 under this section. Subject to approval by the state board, the  
11 superintendent of public instruction shall establish 3 categories  
12 for each subject area indicating basic competency, above average,  
13 and outstanding, and shall establish the scaled score range  
14 required for each category. The department shall design and dis-  
15 tribute to school districts, intermediate school districts,  
16 public school academies, and nonpublic schools a simple and con-  
17 cise document that describes these categories in each subject  
18 area and indicates the scaled score ranges for each category in  
19 each subject area. A school district or public school academy  
20 may award a high school diploma to a pupil who successfully com-  
21 pletes local school district or public school academy require-  
22 ments established in accordance with state law for high school  
23 graduation, regardless of whether the pupil is eligible for any  
24 state endorsement.

25 (3) The assessments administered for the purposes of this  
26 section shall be administered to pupils during the last 30 school  
27 days of grade 11. The department shall ensure that the

1 assessments are scored and the scores are returned to pupils,  
2 their parents or legal guardians, and school districts or public  
3 school academies not later than the beginning of the pupil's  
4 first semester of grade 12. Not later than fall 1999, the  
5 department shall arrange for those portions of a pupil's assess-  
6 ment that cannot be scored mechanically to be scored in Michigan  
7 by persons who are Michigan teachers, retired Michigan teachers,  
8 or Michigan school administrators and who have been trained in  
9 scoring the assessments. The returned scores shall indicate the  
10 pupil's scaled score for each subject area assessment, the range  
11 of scaled scores for each subject area, and the range of scaled  
12 scores required for each category established under  
13 subsection (2). In reporting the scores to pupils, parents, and  
14 schools, the department shall provide specific, meaningful, and  
15 timely feedback on the pupil's performance on the assessment.

16       (4) For each pupil who does not achieve state endorsement in  
17 1 or more subject areas, the board of the school district or  
18 public school academy in which the pupil is enrolled shall pro-  
19 vide that there be at least 1 meeting attended by at least the  
20 pupil and a member of the school district's or public school  
21 academy's staff or a local or intermediate school district con-  
22 sultant who is proficient in the measurement and evaluation of  
23 pupils. The school district or public school academy may provide  
24 the meeting as a group meeting for pupils in similar  
25 circumstances. If the pupil is a minor, the school district or  
26 public school academy shall invite and encourage the pupil's  
27 parent, legal guardian, or person in loco parentis to attend the

1 meeting and shall mail a notice of the meeting to the pupil's  
2 parent, legal guardian, or person in loco parentis. The purpose  
3 of this meeting and any subsequent meeting under this subsection  
4 shall be to determine an educational program for the pupil  
5 designed to have the pupil achieve state endorsement in each  
6 subject area in which he or she did not achieve state  
7 endorsement. In addition, a school district or public school  
8 academy may provide for subsequent meetings with the pupil con-  
9 ducted by a high school counselor or teacher designated by the  
10 pupil's high school principal, and shall invite and encourage the  
11 pupil's parent, legal guardian, or person in loco parentis to  
12 attend the subsequent meetings. The school district or public  
13 school academy shall provide special programs for the pupil or  
14 develop a program using the educational programs regularly pro-  
15 vided by the district unless the board of the school district or  
16 public school academy decides otherwise and publishes and  
17 explains its decision in a public justification report.

18       (5) A pupil who wants to repeat an assessment administered  
19 under this section may repeat the assessment, without charge to  
20 the pupil, in the next school year or after graduation. An indi-  
21 vidual may repeat an assessment at any time the school district  
22 or public school academy administers an applicable assessment  
23 instrument or during a retesting period under subsection (7).

24       (6) The department shall ensure that the length of the  
25 assessments used for the purposes of this section and the com-  
26 bined total time necessary to administer all of the assessments,  
27 including social studies, are the shortest possible that will

1 still maintain the degree of reliability and validity of the  
2 assessment results determined necessary by the department. The  
3 department shall ensure that the maximum total combined length of  
4 time that schools are required to set aside for administration of  
5 all of the assessments used for the purposes of this section,  
6 including social studies, does not exceed 8 hours. However, this  
7 subsection does not limit the amount of time that individuals may  
8 have to complete the assessments.

9       (7) The department shall establish, schedule, and arrange  
10 periodic retesting periods throughout the year for individuals  
11 who desire to repeat an assessment under this section. The  
12 department shall coordinate the arrangements for administering  
13 the repeat assessments and shall ensure that the retesting is  
14 made available at least within each intermediate school district  
15 and, to the extent possible, within each school district.

16       (8) A school district or public school academy shall provide  
17 accommodations to a pupil with disabilities for the assessments  
18 required under this section, as provided under section 504 of  
19 title V of the rehabilitation act of 1973, Public Law 93-112, 29  
20 U.S.C. 794; subtitle A of title II of the Americans with disabili-  
21 ties act of 1990, Public Law 101-336, 42 U.S.C. 12131 to 12134;  
22 and the implementing regulations for those statutes.

23       (9) For the purposes of this section, the state board shall  
24 develop or select and approve assessment instruments to measure  
25 pupil performance in communications skills, mathematics, social  
26 studies, and science. The assessment instruments shall be based

1 on the state board model core academic content standards  
2 objectives.

3 (10) All assessment instruments developed or selected and  
4 approved by the state under any statute or rule for a purpose  
5 related to K to 12 education shall be objective-oriented and con-  
6 sistent with the state board model core academic content stan-  
7 dards objectives.

8 (11) A person who has graduated from high school after 1996  
9 and who has not previously taken an assessment under this section  
10 may take an assessment used for the purposes of this section,  
11 without charge to the person, at the school district from which  
12 he or she graduated from high school at any time that school dis-  
13 trict administers the assessment or during a retesting period  
14 scheduled under subsection (7) and have his or her scaled score  
15 on the assessment included on his or her high school transcript.  
16 If the person's scaled score on a subject area assessment falls  
17 within the range required under subsection (2) for a category  
18 established under subsection (2), the school district shall also  
19 indicate on the person's high school transcript that the person  
20 has achieved state endorsement for that subject area.

21 (12) Not later than July 1 of each year until 2000, the  
22 department shall submit a comprehensive report to the legislature  
23 on the status of the assessment program under this section. The  
24 report shall include at least all of the following:

25 (a) The annual pupil assessment data.

26 (b) A description of the feedback provided to pupils,  
27 parents, and schools.

1 (c) A description of any significant alterations made in the  
2 program by the department or state board during the period cov-  
3 ered by the report.

4 (d) Any recommendations by the department or state board for  
5 legislative changes to the program.

6 (e) An update of the reports of the assessment advisory com-  
7 mittees of the state board.

8 ~~-(13) Pupils scheduled to graduate in 1998 who took the~~  
9 ~~assessments used for the purposes of this section during the~~  
10 ~~1996-97 school year may repeat 1 or more of the assessments~~  
11 ~~during the 1997-98 school year. The department, in cooperation~~  
12 ~~with school districts and public school academies, shall make~~  
13 ~~arrangements for repeat assessments to be available for these~~  
14 ~~pupils in each school district that operates a high school during~~  
15 ~~the 1997-98 school year in time for these pupils to repeat the~~  
16 ~~assessments before graduation. The repeat assessments may be~~  
17 ~~administered at times other than regular school hours.~~

18 (13) ~~-(14)-~~ A child who is a student in a nonpublic school  
19 or home school may take an assessment under this section. To  
20 take an assessment, a child who is a student in a home school  
21 shall contact the school district in which the child resides, and  
22 that school district shall administer the assessment, or the  
23 child may take the assessment at a nonpublic school if allowed by  
24 the nonpublic school. Upon request from a nonpublic school, the  
25 department shall supply assessments and the nonpublic school may  
26 administer the assessment.

1       (14) IF A PUPIL'S PARENT OR LEGAL GUARDIAN OR, IF THE PUPIL  
2 IS AT LEAST AGE 18 OR IS AN EMANCIPATED MINOR, THE PUPIL NOTIFIES  
3 THE BOARD OF THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY WITHIN  
4 60 DAYS AFTER RECEIVING THE PUPIL'S SCORES ON THE ASSESSMENTS  
5 ADMINISTERED UNDER THIS SECTION THAT HE OR SHE DOES NOT WANT THE  
6 PUPIL'S SCORES ON THE ASSESSMENTS TO BE INCLUDED ON THE PUPIL'S  
7 HIGH SCHOOL TRANSCRIPT, THEN THE BOARD SHALL NOT INCLUDE THE  
8 PUPIL'S SCORES ON THE PUPIL'S HIGH SCHOOL TRANSCRIPT.

9       (15) The purpose of the assessment under this section is to  
10 assess pupil performance in mathematics, science, social studies,  
11 and communication arts for the purpose of improving academic  
12 achievement and establishing a statewide standard of competency.  
13 The assessment under this section provides a common measure of  
14 data that will contribute to the improvement of Michigan schools'  
15 curriculum and instruction by encouraging alignment with  
16 Michigan's curriculum framework standards. These standards are  
17 based upon the expectations of what pupils should know and be  
18 able to do by the end of grade 11.

19       (16) Not later than 90 days after the effective date of this  
20 subsection, the state board shall appoint an 11-member assessment  
21 administration advisory committee to advise the state board on  
22 Michigan education assessment program (MEAP) tests and on the  
23 assessments used for state endorsements under this section. This  
24 advisory committee shall be composed of representatives of school  
25 districts, intermediate school districts, school administrators,  
26 teachers, and parents, with the appointments reflecting the  
27 geographic and population diversity of school districts in this



1 state. The representatives of school districts and intermediate  
 2 school districts shall be persons who are expert in testing or  
 3 test administration. This advisory committee shall evaluate  
 4 these tests and assessments and make recommendations to the state  
 5 board and department on issues related to administration, scor-  
 6 ing, and reporting and use of results of these tests and assess-  
 7 ments, including, but not limited to, length of the tests and  
 8 assessments; the time of the testing period during the school  
 9 year; feedback provided to pupils, parents, and schools; accurate  
 10 and relevant reporting of results to the general public; the  
 11 selection of a retesting period and procedures and arrangements  
 12 for repeating tests or assessments; local scoring and other gen-  
 13 eral issues regarding scoring of tests and assessments; catego-  
 14 ries of scoring on the MEAP tests and categories of state  
 15 endorsement under this section; and professional development for  
 16 teachers to assist in preparing pupils to have the necessary  
 17 skills and knowledge to succeed on the tests and assessments.

18 (17) As used in this section:

19 (a) "Communications skills" means reading and writing.

20 (b) "Social studies" means geography, history, economics,  
 21 and American government.

22 SEC. 1304. THE BOARD OF A SCHOOL DISTRICT, LOCAL ACT SCHOOL  
 23 DISTRICT, OR INTERMEDIATE SCHOOL DISTRICT OR A SCHOOL OFFICIAL  
 24 HAVING CONTROL OVER A PUBLIC SCHOOL SHALL NOT UNREASONABLY  
 25 RESTRICT A PARENT'S OR LEGAL GUARDIAN'S ACCESS TO HIS OR HER  
 26 CHILD'S CLASSROOM.