

**SUBSTITUTE FOR  
SENATE BILL NO. 1013**

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending section 1280 (MCL 380.1280), as amended by 2006 PA 123.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1280. (1) The board of a school district that does not  
2 want to be subject to the measures described in this section shall  
3 ensure that each public school within the school district is  
4 accredited.

5           (2) As used in subsection (1), and subject to subsection (6),  
6 "accredited" means certified by the superintendent of public  
7 instruction as having met or exceeded standards established under  
8 this section for 6 areas of school operation: administration and  
9 school organization, curricula, staff, school plant and facilities,  
10 school and community relations, and school improvement plans and  
11 student performance. The building-level evaluation used in the  
12 accreditation process shall include, but is not limited to, school

1 data collection, self-study, visitation and validation,  
2 determination of performance data to be used, and the development  
3 of a school improvement plan.

4 (3) The department shall develop and distribute to all public  
5 schools proposed accreditation standards. Upon distribution of the  
6 proposed standards, the department shall hold statewide public  
7 hearings for the purpose of receiving testimony concerning the  
8 standards. After a review of the testimony, the department shall  
9 revise and submit the proposed standards to the superintendent of  
10 public instruction. After a review and revision, if appropriate, of  
11 the proposed standards, the superintendent of public instruction  
12 shall submit the proposed standards to the senate and house  
13 committees that have the responsibility for education legislation.  
14 Upon approval by these committees, the department shall distribute  
15 to all public schools the standards to be applied to each school  
16 for accreditation purposes. The superintendent of public  
17 instruction shall review and update the accreditation standards  
18 annually using the process prescribed under this subsection.

19 (4) The superintendent of public instruction shall develop and  
20 distribute to all public schools standards for determining that a  
21 school is eligible for summary accreditation under subsection (6).  
22 The standards shall be developed, reviewed, approved, and  
23 distributed using the same process as prescribed in subsection (3)  
24 for accreditation standards, and shall be finally distributed and  
25 implemented not later than December 31, 1994.

26 (5) The standards for accreditation or summary accreditation  
27 under this section shall include as criteria pupil performance on

1 Michigan education assessment program (MEAP) tests and on the  
2 Michigan merit examination under section 1279g, ~~and, until the~~  
3 ~~Michigan merit examination has been fully implemented, the~~  
4 ~~percentage of pupils achieving state endorsement under section~~  
5 ~~1279, but shall not be based solely on pupil performance on MEAP~~  
6 ~~tests or the Michigan merit examination. or on the percentage of~~  
7 ~~pupils achieving state endorsement under section 1279.~~ The  
8 standards shall also include as criteria multiple year change in  
9 pupil performance on MEAP tests and the Michigan merit examination.  
10 ~~and, until after the Michigan merit examination is fully~~  
11 ~~implemented, multiple year change in the percentage of pupils~~  
12 ~~achieving state endorsement under section 1279.~~ If it is necessary  
13 for the superintendent of public instruction to revise  
14 accreditation or summary accreditation standards established under  
15 subsection (3) or (4) to comply with this subsection, the revised  
16 standards shall be developed, reviewed, approved, and distributed  
17 using the same process as prescribed in subsection (3).

18 (6) If the superintendent of public instruction determines  
19 that a public school has met the standards established under  
20 subsection (4) or (5) for summary accreditation, the school is  
21 considered to be accredited without the necessity for a full  
22 building-level evaluation under subsection (2).

23 (7) If the superintendent of public instruction determines  
24 that a school has not met the standards established under  
25 subsection (4) or (5) for summary accreditation but that the school  
26 is making progress toward meeting those standards, or if, based on  
27 a full building-level evaluation under subsection (2), the

1 superintendent of public instruction determines that a school has  
2 not met the standards for accreditation but is making progress  
3 toward meeting those standards, the school is in interim status and  
4 is subject to a full building-level evaluation as provided in this  
5 section.

6 (8) If a school has not met the standards established under  
7 subsection (4) or (5) for summary accreditation and is not eligible  
8 for interim status under subsection (7), the school is unaccredited  
9 and subject to the measures provided in this section.

10 (9) ~~Beginning with the 2002-2003 school year, if~~ **IF** at least  
11 5% of a public school's answer sheets from the administration of  
12 the Michigan educational assessment program (MEAP) tests are lost  
13 by the department or by a state contractor and if the public school  
14 can verify that the answer sheets were collected from pupils and  
15 forwarded to the department or the contractor, the department shall  
16 not assign an accreditation score or school report card grade to  
17 the public school for that subject area for the corresponding year  
18 for the purposes of determining state accreditation under this  
19 section. The department shall not assign an accreditation score or  
20 school report card grade to the public school for that subject area  
21 until the results of all tests for the next year are available.

22 (10) Subsection (9) does not preclude the department from  
23 determining whether a public school or a school district has  
24 achieved adequate yearly progress for the school year in which the  
25 answer sheets were lost for the purposes of the no child left  
26 behind act of 2001, Public Law 107-110. However, the department  
27 shall ensure that a public school or the school district is not

1 penalized when determining adequate yearly progress status due to  
2 the fact that the public school's MEAP answer sheets were lost by  
3 the department or by a state contractor, but shall not require a  
4 public school or school district to retest pupils or produce scores  
5 from another test for this purpose.

6 (11) The superintendent of public instruction shall annually  
7 review and evaluate for accreditation purposes the performance of  
8 each school that is unaccredited and as many of the schools that  
9 are in interim status as permitted by the department's resources.

10 (12) The superintendent of public instruction shall, and the  
11 intermediate school district to which a school district is  
12 constituent, a consortium of intermediate school districts, or any  
13 combination thereof may, provide technical assistance, as  
14 appropriate, to a school that is unaccredited or that is in interim  
15 status upon request of the board of the school district in which  
16 the school is located. If requests to the superintendent of public  
17 instruction for technical assistance exceed the capacity, priority  
18 shall be given to unaccredited schools.

19 (13) A school that has been unaccredited for 3 consecutive  
20 years **OR THAT HAS FAILED TO ACHIEVE THE FEDERAL PUPIL PERFORMANCE**  
21 **STANDARD, AS DETERMINED BY THE DEPARTMENT, FOR 5 OR MORE**  
22 **CONSECUTIVE YEARS** is subject to 1 or more of the following  
23 measures, as determined by the superintendent of public  
24 instruction:

25 (a) The superintendent of public instruction or his or her  
26 designee shall appoint at the expense of the affected school  
27 district an administrator of the school until the school becomes

1 accredited OR HAS BEEN DETERMINED BY THE DEPARTMENT TO HAVE  
2 ACHIEVED THE FEDERAL PUPIL PERFORMANCE STANDARD, FOR 2 CONSECUTIVE  
3 YEARS.

4 (b) A parent, legal guardian, or person in loco parentis of a  
5 child who attends the school may send his or her child to any  
6 ~~accredited~~ public school with an appropriate grade level within the  
7 school district **THAT IS EITHER ACCREDITED OR HAS ACHIEVED THE**  
8 **FEDERAL PUPIL PERFORMANCE STANDARD, AS DETERMINED BY THE**  
9 **DEPARTMENT, FOR THE MOST RECENT YEAR FOR WHICH A DETERMINATION HAS**  
10 **BEEN MADE.**

11 (c) The school, with the approval of the superintendent of  
12 public instruction, shall align itself with an existing research-  
13 based school improvement model or establish an affiliation for  
14 providing assistance to the school with a college or university  
15 located in this state.

16 (d) The school shall be closed.

17 (14) The superintendent of public instruction shall evaluate  
18 the school accreditation program and the status of schools under  
19 this section and shall submit an annual report based upon the  
20 evaluation to the senate and house committees that have the  
21 responsibility for education legislation. The report shall address  
22 the reasons each unaccredited school is not accredited and shall  
23 recommend legislative action that will result in the accreditation  
24 of all public schools in this state.

25 (15) Beginning with the 2008-2009 school year, a high school  
26 shall not be accredited by the department unless the department  
27 determines that the high school is providing or has otherwise

1 ensured that all pupils have access to all of the elements of the  
2 curriculum required under sections 1278a and 1278b. If it is  
3 necessary for the superintendent of public instruction to revise  
4 accreditation or summary accreditation standards established under  
5 subsection (3) or (4) to comply with the changes made to this  
6 section by the amendatory act that added this subsection, the  
7 revised standards shall be developed, reviewed, approved, and  
8 distributed using the same process as prescribed in subsection (3).

9 (16) AS USED IN THIS SECTION:

10 (A) "ACHIEVED THE FEDERAL PUPIL PERFORMANCE STANDARD" MEANS  
11 THAT THE DEPARTMENT HAS DETERMINED THAT THE SCHOOL HAS ACHIEVED  
12 ADEQUATE YEARLY PROGRESS UNDER THE NO CHILD LEFT BEHIND ACT OF  
13 2001, PUBLIC LAW 107-110, OR HAS MET A SUCCESSOR FEDERAL STANDARD  
14 THAT THE SUPERINTENDENT OF PUBLIC INSTRUCTION HAS IDENTIFIED AS  
15 BEING A STANDARD ESTABLISHED BY THE FEDERAL GOVERNMENT THAT IS  
16 BASED ON PUPIL PERFORMANCE AND IS REQUIRED TO BE MET IN ORDER TO  
17 RECEIVE FULL FEDERAL FUNDING.

18 (B) "FAILED TO ACHIEVE THE FEDERAL PUPIL PERFORMANCE STANDARD"  
19 MEANS THAT THE DEPARTMENT HAS DETERMINED THAT THE SCHOOL HAS FAILED  
20 TO ACHIEVE ADEQUATE YEARLY PROGRESS UNDER THE NO CHILD LEFT BEHIND  
21 ACT OF 2001, PUBLIC LAW 107-110, OR HAS FAILED TO MEET A SUCCESSOR  
22 FEDERAL STANDARD THAT THE SUPERINTENDENT OF PUBLIC INSTRUCTION HAS  
23 IDENTIFIED AS BEING A STANDARD ESTABLISHED BY THE FEDERAL  
24 GOVERNMENT THAT IS BASED ON PUPIL PERFORMANCE AND IS REQUIRED TO BE  
25 MET IN ORDER TO RECEIVE FULL FEDERAL FUNDING.