

# SENATE BILL No. 1013

January 16, 2008, Introduced by Senator KUIPERS and referred to the Committee on Education.

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

1 student performance. The building-level evaluation used in the  
2 accreditation process shall include, but is not limited to, school  
3 data collection, self-study, visitation and validation,  
4 determination of performance data to be used, and the development  
5 of a school improvement plan.

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

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

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

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

25           (7) If the superintendent of public instruction determines  
26 that a school has not met the standards established under  
27 subsection (4) or (5) for summary accreditation but that the school

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

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

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

24 (10) Subsection (9) does not preclude the department from  
25 determining whether a public school or a school district has  
26 achieved adequate yearly progress for the school year in which the  
27 answer sheets were lost for the purposes of the no child left

1 behind act of 2001, Public Law 107-110. However, the department  
2 shall ensure that a public school or the school district is not  
3 penalized when determining adequate yearly progress status due to  
4 the fact that the public school's MEAP answer sheets were lost by  
5 the department or by a state contractor, but shall not require a  
6 public school or school district to retest pupils or produce scores  
7 from another test for this purpose.

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

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

21 (13) A school that has ~~been unaccredited for 3 consecutive~~  
22 ~~years~~ **FAILED TO ACHIEVE YEARLY PROGRESS UNDER THE NO CHILD LEFT**  
23 **BEHIND ACT OF 2001, PUBLIC LAW 107-110, AS DETERMINED BY THE**  
24 **DEPARTMENT, FOR 5 OR MORE CONSECUTIVE YEARS** is subject to 1 or more  
25 of the following measures, as determined by the superintendent of  
26 public instruction:

27 (a) The superintendent of public instruction or his or her

1 designee shall appoint at the expense of the affected school  
2 district an administrator of the school until the school ~~becomes~~  
3 ~~accredited.~~ **HAS MADE ADEQUATE YEARLY PROGRESS UNDER THE NO CHILD**  
4 **LEFT BEHIND ACT OF 2001, PUBLIC LAW 107-110, AS DETERMINED BY THE**  
5 **DEPARTMENT, FOR 2 CONSECUTIVE YEARS.**

6 (b) A parent, legal guardian, or person in loco parentis of a  
7 child who attends the school may send his or her child to any  
8 ~~accredited public school with an appropriate grade level within the~~  
9 school district **THAT IS MAKING ADEQUATE YEARLY PROGRESS UNDER THE**  
10 **NO CHILD LEFT BEHIND ACT OF 2001, PUBLIC LAW 107-110, AS DETERMINED**  
11 **BY THE DEPARTMENT, AND THAT OFFERS AN APPROPRIATE GRADE LEVEL.**

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

17 (d) The school shall be closed.

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

26 (15) Beginning with the 2008-2009 school year, a high school  
27 shall not be accredited by the department unless the department

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