



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 981 (Substitute S-1 as reported)
Senate Bill 982 (Substitute S-1 as reported)
Sponsor: Senator Wayne Kuipers
Committee: Education

CONTENT

Senate Bill 981 (S-1) would amend the Revised School Code to require the Superintendent of Public Instruction, beginning after the 2010-2011 school year, to designate a school district as a turnaround school district if the Superintendent determined that 25% or more of the pupils in the district were enrolled in schools that were in the lowest achieving 5% in the State, as defined for the purposes of the Federal Incentive Grant Program under the American Recovery and Reinvestment Act. The bill also would do the following:

- Require the Superintendent to appoint a review team to evaluate a turnaround school district, identify the reasons for its low achievement, and make recommendations for corrective measures.
- Require the Superintendent, after receiving the review team's evaluation, to appoint a chief educational officer (CEO) for the turnaround school.
- Require the CEO to report to the Superintendent the turnaround school district's educational performance goals, which would have to include at least an 80% graduation rate, at least 80% attendance, and, for a school district that operated a high school, an average score of at least 18 on the college entrance exam portion of the Michigan Merit Exam.
- Specify that the CEO would have all the powers and duties of the school board that previously operated the turnaround district, except those related to taxation and borrowing.
- Authorize the CEO to terminate any contract or portion of a contract that applied to the turnaround school district, with certain limitations.
- Permit the CEO to modify school district policies and renegotiate collective bargaining agreements as necessary to achieve the educational goals.
- Require the CEO to adopt and implement a parental involvement plan and provide a copy to the parent or guardian of each pupil enrolled in the turnaround school district.
- Permit the Superintendent to appoint a new CEO for the school district if, after three full school years, the district had failed to meet its educational goals, had failed to make adequate progress implementing the review team's recommendations, or had not made specified improvements in student performance.
- Specify that, except as otherwise provided by law, an individual could be employed to teach by a turnaround school district only if he or she held a valid Michigan teaching certificate.
- Require the Superintendent to create a high-performing review team to evaluate and identify high-performing public school academies (PSAs) in Michigan and similar high-performing schools in other states, or contract with an entity to do so.
- Require the Department of Education to publish an annual watch list identifying schools that were in danger of being determined to be among the lowest achieving 5% of all public schools in the State.
- Establish requirements for contracts between a CEO and an educational management company.

In addition, the Superintendent currently may impose certain measures if a school has been unaccredited for three consecutive years. The bill would extend this to a school that was among the lowest achieving 5% of all public schools in the State. Currently, the measures that may be imposed include school closure. Under the bill, the Superintendent could take action to impose any of the school intervention models provided for the lowest achieving schools under the Federal Incentive Grant Program: the turnaround model, restart model, transformation model, and school closure.

The bill also would require the board of a school district, intermediate school district, or PSA to adopt and implement an evaluation system for all teachers and administrators that evaluated their job performance at least annually, based at least partly upon data on change in student achievement.

Senate Bill 982 (S-1) would amend the public employment relations Act to identify the chief educational officer operating a turnaround school district as the employer of district employees for the purposes of collective bargaining, if the Superintendent of Public Instruction designated the district as a turnaround school district.

The two bills are tie-barred to one another and to Senate Bills 638, 925, 926, 965, and a bill that has not yet been introduced.

(Under Senate Bill 638, a teacher in a neighborhood public school (proposed by Senate Bill 636) would not be considered a teacher for the purpose of continuing tenure. Senate Bill 925 would provide for the creation of "schools of excellence", and Senate Bill 926 would require the creation of a teacher identifier system with the ability to match an individual teacher to pupils whom the teacher taught. Senate Bill 965 would require the Superintendent of Public Instruction to establish an alternative teacher certification process.)

MCL 380.449 et al. (S.B. 981)
423.215 (S.B. 982)

Legislative Analyst: Curtis Walker

FISCAL IMPACT

State: The Department of Education would incur administrative costs associated with the legislation. Specifically, the following requirements would require additional staff time and administrative expense:

- Determination of the lowest achieving 5% of all public schools in the State
- Posting of all Federal work rules and formula and a list of the 5% lowest achieving schools.
- Determination of which schools meet the "turnaround" criteria and notifying those schools of that determination.
- Appointment of review teams to evaluate turnaround schools.
- Appointment of chief educational officers for turnaround schools.
- Creation of a high-performing school review team to identify people or entities that operate high-performing public schools, or contracting with an entity to do so.
- Publication of a "watch list" of public schools in danger of meeting the turnaround criteria, and notification to schools on the watch list.
- Submission of a quarterly report on progress being made in improving pupil proficiency.

To the extent that the establishment of turnaround schools would result in the retention of students who otherwise would have dropped out, the State would incur additional costs equal to the number of students staying in school, multiplied by the additional years in school, multiplied by the turnaround school's per-pupil funding.

Local: Under the legislation, school districts would be responsible for all costs associated with the appointment of a chief educational officer. No additional funds are provided under the legislation, so the additional costs of employing a chief educational officer would have to be absorbed by the school districts in which the turnaround schools were located.

If not already being done, districts and public school academies would incur costs associated with the annual evaluation of teachers and school administrators, with the job performance evaluated at least in part based upon data on change in student achievement, as outlined in the legislation

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Fiscal Analyst: Kathryn Summers

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.