

SHIFT ASSESSMENT OVERSIGHT FROM EDUCATION DEPT. TO TREASURY DEPT.

Mary Ann Cleary, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5581 (reported without amendment)

Sponsor: Rep. Bob Genetski

Committee: Education

Complete to 5-22-14

A SUMMARY OF HOUSE BILL 5581 AS REPORTED FROM COMMITTEE

House Bill 5581 would amend the Revised School Code to transfer the oversight for statewide assessments to the Department of Treasury from the Michigan Department of Education. A description of the bill follows.

The bill requires that the Department of Treasury maintain a statewide program of assessment—which may be known as the Michigan Educational Assessment Program (MEAP)—to measure educational progress in the basic skills of reading, mathematics, language arts, science, and other general subject areas identified by the Department of Treasury. The program would be required to do all of the following:

- Establish meaningful achievement goals in the basic skills, and identify those students with the greatest educational need in those skills.
- Provide the state with the information needed to allocate state funds and professional services in a manner best calculated to equalize educational opportunities for students to achieve competence.
- Provide school systems with strong incentives to introduce educational programs to improve the education of students in the basic skills, and model programs to raise the level of achievement of students.
- Develop a system for educational self-renewal that would continuously evaluate the programs, and by this means help each school to discover and introduce program changes that were most likely to improve the quality of education.
- Provide the public periodically with information concerning the progress of the state system of education.

Further, the bill requires that the programs extend current state efforts to conduct periodic and comprehensive assessment of educational progress.

Under the bill, the assessment program would have to cover all public school students annually in all of grades 3 to 10, as required under the No Child Left Behind Act of 2001. If the federal government required assessments at additional grade levels, then the Department of Treasury would have to ensure that Michigan complied with those requirements.

Under the bill the Department of Treasury would have to supervise the assessment program, and the department would be authorized to utilize the assistance of appropriate testing organizations or testing specialists.

The board of a school district or charter school that operated any of the grades covered by the assessment program would be required to administer the assessments each year to all students in each grade specified, and the grading of the assessments and reporting of the results would be prescribed by the Department of Treasury.

The Department of Treasury would be required to ensure that:

- Any contractor used for scoring an assessment, supplied an individual report for each student that would allow the student's parents and teachers to assess and remedy problems before the student moved to the next grade.
- Any contractor used for scoring, developing, or processing an assessment met quality management standards commonly used in the assessment industry, including at least meeting level 3 of the Capability Maturity Model developed by the Software Engineering Institute of Carnegie Mellon University;
- Any contract it entered into for scoring or administering an assessment included specific deadlines for all steps of the assessment process, including but not limited to, deadlines for the correct testing materials to be supplied to school and for the correct results to be returned to schools, plus penalties for noncompliance with these deadlines.
- The assessment instruments met all of the following: (1) were designed to test students on basic skills in all subjects tested for each grade level tested; (2) complied with requirements of the No Child Left Behind Act of 2001; (3) were consistent with the Code of Fair Testing Practices in Education prepared by the Joint Committee on Testing Practices of the American Psychological Association; and (4) were factually accurate. If the Department of Treasury determined that a question was not factually accurate and should be removed from an assessment instrument, the department would ensure that the question was removed.

House Bill 5581 would require the assessment program to assess competencies in the basic skills, and to collect and utilize other relevant information essential to the program. Based on information from the program, the public schools would be required to identify students who had extraordinary need for assistance, as well as to identify students who had demonstrated extraordinary competence in multiple subject areas who should be recommended for advancement.

In addition, the bill would require the Department of Treasury to ensure that information from the assessment program would be given to each school as soon as possible after tests are administered, to assist in each school's efforts to improve the achievement of students in the basic skills.

Finally, generally, the bill would amend four sections of the Revised School Code to transfer to the Department of Treasury most assessment responsibilities that now rest

with the state Superintendent of Public Instruction—in particular, assuring fidelity between the education assessment program and (1) the state recommend model core curriculum content standards and (2) the workforce readiness evaluation; test administration and scoring; timely reporting of test results that are standards-specific; test length and duration; accommodations for students with disabilities; and access to the assessment program by students in non-public schools.

The bill would repeal Public Act 38 of 1970, MCL 388.1081 to 388.1086 which concerns the early assessment of education progress and remedial assistance; and also sections 1279 and 1279d of the Revised School Code, 1976 PA 451, MCL 380.1279 and 380.1279d. Section 1279 concerns high school state assessments, while section 1279d concerns irregularities in scoring or administering MEAP exams or the Michigan high school Merit exam.

FISCAL IMPACT:

House Bill 5581 would transfer the oversight of student assessments from the Superintendent of Public Instruction (Department of Education) to the Department of Treasury. Presumably, this would coincide with a transfer of student assessment staff and the related appropriations from the Department of Education to the Department of Treasury. Possible fiscal impacts would include transition costs of moving the administration of assessments to a new department. The extent of the financial impact would depend on the scope of the transition, including, for example, whether existing staff were retained or replaced, whether staff levels were changed, and whether staff and administration were physically relocated.

While the Department of Treasury would assume the costs of administration, the assessment contract costs likely would remain in the School Aid budget, and the overall state fiscal impact of this change should be minimal as obligations for testing would be the same, regardless of the administrative department.

POSITIONS:

The Great Lakes Education Project supports the bill. (5-21-14)

The Michigan Department of Education opposes the bill. (5-21-14)

The Michigan Association of School Boards opposes the bill. (5-21-14)

The Michigan Association of School Administrators opposes the bill. (5-21-14)

Wayne RESA opposes the bill. (5-21-14)

The Michigan School Counselor Association opposes the bill. (5-21-14)

The Michigan Elementary and Middle School Principals Association opposes the bill. (5-21-14)

The Michigan Association of Intermediate School Administrators opposes the bill. (5-21-14)

Middle Cities Education Association opposes the bill. (5-21-14)

ESA Legislative Group opposes the bill. (5-21-14)

Region 8 MAISA opposes the bill. (5-21-14)

Oakland Schools opposes the bill. (5-21-14)

AFT Michigan opposes the bill. (5-21-14)

Calhoun ISD opposes the bill. (5-21-14)

Michigan Education opposes the bill. (5-21-14)

Legislative Analyst: J. Hunault
Fiscal Analyst: Karen Shapiro

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