

SENATE BILL NO. 1043

July 23, 2020, Introduced by Senators MCCANN, BAYER, POLEHANKI, WOJNO, BRINKS, ALEXANDER, MCMORROW, GEISS, CHANG, BULLOCK, IRWIN, HERTEL, MOSS, MCBROOM, ANANICH and SANTANA and referred to the Committee on Education and Career Readiness.

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending section 104 (MCL 388.1704), as amended by 2019 PA 58.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 104. (1) In order to receive state aid under this
2 article, a district ~~shall~~**must** comply with sections 1249, 1278a,
3 1278b, ~~1279,~~1279g, and 1280b of the revised school code, MCL
4 380.1249, 380.1278a, 380.1278b, ~~380.1279,~~380.1279g, and 380.1280b,
5 and 1970 PA 38, MCL 388.1081 to 388.1086. Subject to subsection
6 (2), from the state school aid fund money appropriated in section

1 11, there is allocated for ~~2019-2020-2020-2021~~ an amount not to
2 exceed ~~\$32,009,400.00~~ **\$29,509,400.00** for payments on behalf of
3 districts for costs associated with complying with those provisions
4 of law. In addition, from the federal funds appropriated in section
5 11, there is allocated for ~~2019-2020-2020-2021~~ an amount estimated
6 at \$6,250,000.00 ~~—~~ funded from DED-OESE, title VI, state assessment
7 funds, and from DED-OSERS, section 504 of part B of the individuals
8 with disabilities education act, Public Law 94-142, plus any
9 carryover federal funds from previous year appropriations, for the
10 purposes of complying with the every student succeeds act, Public
11 Law 114-95.

12 (2) The results of each test administered as part of the
13 Michigan student test of educational progress (M-STEP), including
14 tests administered to high school students, must include an item
15 analysis that lists all items that are counted for individual pupil
16 scores and the percentage of pupils choosing each possible
17 response. The department shall work with the center to identify the
18 number of students enrolled at the time assessments are given by
19 each district. In calculating the percentage of pupils assessed for
20 a district's scorecard, the department shall use only the number of
21 pupils enrolled in the district at the time the district
22 administers the assessments and shall exclude pupils who enroll in
23 the district after the district administers the assessments.

24 (3) The department shall distribute federal funds allocated
25 under this section in accordance with federal law and with
26 flexibility provisions outlined in Public Law 107-116, and in the
27 education flexibility partnership act of 1999, Public Law 106-25.

28 (4) From the funds allocated in subsection (1), there is
29 allocated an amount not to exceed ~~\$2,500,000.00~~ **\$0.00** to an

1 intermediate district described in this subsection for **the**
 2 **continuation of** statewide implementation of the Michigan
 3 kindergarten entry observation tool (MKEO), ~~beginning in the fall~~
 4 ~~of 2019,~~ utilizing the Maryland-Ohio observational tool, also
 5 referred to as the Kindergarten Readiness Assessment, as piloted
 6 under this subsection in 2017-2018 and implemented in 2018-2019 and
 7 2019-2020. The funding in this subsection is allocated to an
 8 intermediate district in prosperity region 9 with at least 3,000
 9 kindergarten pupils enrolled in its constituent districts. All of
 10 the following apply to the implementation of the kindergarten entry
 11 observation tool under this subsection:

12 (a) ~~The~~ **Subject to subdivision (b),** the department, in
 13 collaboration with all intermediate districts, shall ensure that
 14 the Michigan kindergarten entry observation tool is administered in
 15 each kindergarten classroom to either the full census of
 16 kindergarten pupils enrolled in the classroom or to a
 17 representative sample of not less than 35% of the total
 18 kindergarten pupils enrolled in each classroom. If a district
 19 elects to administer the Michigan kindergarten entry observation
 20 tool to a random sample of pupils within each classroom, the
 21 district's intermediate district shall select the pupils who will
 22 receive the assessment based on the same random method. ~~Beginning~~
 23 ~~in 2020,~~ **the Subject to subdivision (b),** the observation tool must
 24 be administered within 45 days after the start of the school year.

25 (b) **The Michigan kindergarten entry observation tool must not**
 26 **be administered in the 2020-2021 school year.**

27 (c) ~~(b)~~ The intermediate district that receives funding under
 28 this subsection, in collaboration with all other intermediate
 29 districts, shall implement a "train the trainer" professional

1 development model on the usage of the Michigan kindergarten entry
2 observation tool. This training model must provide training to
3 intermediate district staff so that they may provide similar
4 training for staff of their constituent districts. This training
5 model must also ensure that the tool produces reliable data and
6 that there are a sufficient number of trainers to train all
7 kindergarten teachers statewide.

8 **(d)** ~~(e)~~—By March 1, 2021, and each year thereafter, the
9 department and the intermediate district that receives funding
10 under this subsection shall report to the house and senate
11 appropriations subcommittees on school aid, the house and senate
12 fiscal agencies, and the state budget director on the results of
13 the statewide implementation, including, but not limited to, an
14 evaluation of the demonstrated readiness of kindergarten pupils
15 statewide and the effectiveness of state and federal early
16 childhood programs that are designed for school readiness under
17 this state's authority, including the great start readiness program
18 and the great start readiness/Head Start blended program, as
19 referenced under section 32d. By September 1, 2021, and each year
20 thereafter, the department and the center shall provide a method
21 for districts and public school academies with kindergarten
22 enrollment to look up and verify their student enrollment data for
23 pupils who were enrolled in a publicly funded early childhood
24 program in the year before kindergarten, including the individual
25 great start readiness program, individual great start
26 readiness/Head Start blended program, individual title I preschool
27 program, individual section 31a preschool program, individual early
28 childhood special education program, or individual developmental
29 kindergarten or program for young 5-year-olds in which each tested

1 child was enrolled. A participating district shall analyze the data
 2 to determine whether high-performing children were enrolled in any
 3 specific early childhood program and, if so, report that finding to
 4 the department and to the intermediate district that receives
 5 funding under this subsection.

6 (e) ~~(d)~~—The department shall approve the language and literacy
 7 domain within the Kindergarten Readiness Assessment for use by
 8 districts as an initial assessment that may be delivered to all
 9 kindergarten pupils to assist with identifying any possible area of
 10 concern for a pupil in English language arts.

11 (f) ~~(e)~~—As used in this subsection:

12 (i) "Kindergarten" includes a classroom for young 5-year-olds,
 13 commonly referred to as "young 5s" or "developmental kindergarten".

14 (ii) "Representative sample" means a sample capable of
 15 producing valid and reliable assessment information on all or major
 16 subgroups of kindergarten pupils in a district.

17 (5) The department may recommend, but may not require,
 18 districts to allow pupils to use an external keyboard with tablet
 19 devices for online M-STEP testing, including, but not limited to,
 20 open-ended test items such as constructed response or equation
 21 builder items.

22 (6) Notwithstanding section 17b, the department shall make
 23 payments on behalf of districts, intermediate districts, and other
 24 eligible entities under this section on a schedule determined by
 25 the department.

26 (7) From the allocation in subsection (1), there is allocated
 27 an amount not to exceed \$500,000.00 for ~~2019-2020~~ **2020-2021** for the
 28 operation of an online reporting tool to provide student-level
 29 assessment data in a secure environment to educators, parents, and

1 pupils immediately after assessments are scored. The department and
2 the center shall ensure that any data collected by the online
3 reporting tool do not provide individually identifiable student
4 data to the federal government.

5 (8) As used in this section:

6 (a) "DED" means the United States Department of Education.

7 (b) "DED-OESE" means the DED Office of Elementary and
8 Secondary Education.

9 (c) "DED-OSERS" means the DED Office of Special Education and
10 Rehabilitative Services.