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BILL ANALYSIS

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Senate Bill 1013 (as introduced 1-16-08)
Sponsor: Senator Wayne Kuipers
Committee: Education

Date Completed: 4-30-08

CONTENT

The bill would amend the Revised School Code to apply certain measures to a school that failed to meet adequate yearly progress under the No Child Left Behind Act (NCLB) for five or more years, instead of to a school that has been unaccredited for three consecutive years.

Under the Code, a school that has been unaccredited for three consecutive years is subject to one or more of the following measures, as determined by the Superintendent of Public Instruction:

- The Superintendent of Public Instruction or his or her designee must appoint an administrator of the school, at the school's expense, until the school becomes accredited.
- A parent, legal guardian, or person in loco parentis of a child who attends the school may send his or her child to any accredited school with an appropriate grade level within the district.
- The school, with the Superintendent's approval, must align itself with an existing research-based school improvement model or establish an affiliation for providing assistance to the school with a college or university located in the State.
- The school must be closed.

Under the bill, a school would be subject to one or more of those measures if it failed to achieve yearly progress under NCLB, as determined by the Michigan Department of Education (MDE), for five or more consecutive years.

The bill would require an administrator appointed by the Superintendent under those provisions to be appointed until the school had made adequate yearly progress under NCLB for two consecutive years, rather than until the school becomes accredited.

The bill also would revise the provision allowing a parent, legal guardian, or person in loco parentis to send his or her child to an accredited school within the district. Under the bill, the child could be sent to any public school within the school district that was making adequate yearly progress under NCLB as determined by the MDE.

MCL 380.1280

BACKGROUND

The No Child Left Behind Act requires each state to develop assessments of student performance and to evaluate all public school students each year using those assessments.

Each state must increase the goals for student performance each year, until all students achieve proficiency on the assessment tests by the 2013-2014 school year.

In Michigan, the Michigan Education Assessment Program (MEAP) test and the Michigan Merit Exam, along with other measures, are used to evaluate student achievement. According to the MDE, targets for the 2007-2008 school year were increased from 8% to 12% over the previous year. A school that fails to meet those annual improvement targets is considered not to be making adequate yearly progress and is subject to corrective actions.

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would have no fiscal impact on State or local government. The legislation would update the Revised School Code to refer to adequate yearly progress (AYP) as defined by No Child Left Behind, and corrective actions and options available if AYP is not achieved for five consecutive years. Since the bill would make updates to reflect current policy and Federal law, there would be no fiscal impact.

Fiscal Analyst: Kathryn Summers-Coty

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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.