



OFFICE OF THE STATE BUDGET Presented February 11, 2010

Race To The Top Education Reform

Proposal

The Executive Budget assumes Michigan will be successful in receiving federal Race To The Top (RT3) competitive funds; however, if the RT3 federal funding is not received, those items now contained in state law will still be required of the Michigan Department of Education (MDE) and schools unless the law is changed. The Governor's proposal to implement the recently enacted RT3 state legislation is summarized below:

- MDE is required to develop student growth measures based on assessments and other objective criteria that are to be used by districts for purposes of teacher and school administrator evaluations and compensation systems, as well as in public school academy contracts. The Executive Budget includes 14.0 FTEs and \$25 million in fiscal year 2010 and \$17 million in fiscal year 2011 for MDE from RT3 funds to begin implementation; however, until the federal funds are received or state replacement funds are identified, MDE will not be able to implement these requirements.

In addition, if the RT3 funding is not awarded, districts will still incur costs for implementing the student growth measures into teacher and school administrator evaluations and compensation systems under state law.

- Federal funding of \$15.9 million in fiscal year 2010 and \$4.4 million in fiscal year 2011 is appropriated to the Center for Educational Performance and Information (CEPI) to complete the federally-required components of the statewide longitudinal data system, most notably the linking of individual teacher and student achievement data. CEPI has applied for a competitive federal grant, as well as RT3 funding to do this work. If neither is awarded, replacement state funds will need to be identified, as the receipt of federal State Fiscal Stabilization Funds being used to support school aid is now dependent upon completion of the system by September 30, 2011.
- Public Act 204 of 2009 established a new School Reform/Redesign Officer (SRRO), responsible for overseeing the turnaround and redesign of schools identified in the bottom five percent of Michigan's lowest achieving schools. If the identified schools fail to submit or implement SRRO-approved turnaround plans, the school is placed in a statewide redesign district and managed by the SRRO. Other package components included the creation of schools of excellence and cyber schools, an alternative process for teacher certification, a required certification of school

DRAFT ANALYSIS: Role of ISDs in RTTT Implementation

- **Teacher Evaluation**
- **Professional Development**
- **Vending Turnaround Services for Failing Schools**

Teacher Evaluation

- Develop instruments for evaluation
 - 3 major kinds of instruments
 - Formative
 - Interim benchmark
 - Summative
 - 2 major roles
 - Develop specifications for:
 - High-quality assessments
 - Technology utilization
 - Develop review procedures for approving and endorsing assessments
- Mechanism for funding & focus of development
 - Competitive grants to ISD consortia for development of assessments in subject/grade combinations not currently being tested
 - Competitive grants to ISD consortia for development of assessments in areas not currently under development by the state as part of a multi-state consortium (will not begin until fall 2011)
 - Incentives for ISD consortia to market & administer approved assessments to LEAs (ISDs will assume administrative costs for the assessments)
- Michigan will seek federal funding to allow the MDE to assume responsibility for development and administration of ISD developed assessments

Professional Development

- Coordinate professional development through ISD Regional Data Initiatives (RDI)
 - Create an interoperability framework among the 8 RDIs, the state-wise longitudinal data system, and local student information system
 - Develop common professional development programs
- Professional Learning Communities will be the coordination and delivery mechanism for
 - Training teachers and principal in accessing and using data
 - Developing data collection policies and sharing best practices across consortia
- End Game: Be able to use data on student performance and best practices to inform professional development plans for individual teachers and principals then use data on their future performance to inform future decisions on PD.

Vending Turnaround Services for Failing Schools

- ISDs will have the opportunity to be put on a list of vendors approved to work with LEAs on implementing turnaround models other than closure
 - MDE will issue an RFP in late spring 2010 for ISDs and other vendors to submit applications for inclusion on the approved vendor list
 - All vendors will be required to participate in a state-run training program and pass regular evaluations to remain on the list.
- Approved vendors will be able to play 2 roles in turnaround
 - Leader role: direct responsibility for the turnaround process
 - Support role: responsible for coaching, providing PD, mentoring, or other instructional supports as specified in the individual district plan

A Framework for Michigan Educator Evaluations (Under the New School Reform Laws)

*A Joint Proposal from
American Federation of Teachers-Michigan
Michigan Education Association
Michigan Association of Secondary School Principals*

New state legislation requiring annual performance evaluations of all teachers and administrators offers challenges and opportunities. Meaningful evaluations that are completed in timely, transparent, and efficient ways are the goals of this suggested framework. This framework represents a set of agreed upon common principles. We have left plenty of room for local districts to incorporate previous best practices, as well as to design improvements to current processes.

Specifically the new law requires:

- Involvement of teachers and school administrators, the board of a school district or intermediate school district or board of directors of a public school academy
- Rigorous, transparent, and fair performance evaluation systems
- Evaluation based on multiple rating categories
- Evaluation with student growth as measured by national, state or local assessments or other objective criteria as a significant factor
- Evaluations to inform decisions regarding:
 - Individual professional learning opportunities with ample time for improvement
 - Promotion, retention, and professional development opportunities, including coaching, and instruction support
 - Tenure and/or certification decisions based on rigorous, streamlined, transparent and fair procedures.
 - Removal of ineffective teachers and administrators after opportunities to improve have been deemed unsuccessful based on decisions made by use of rigorous, streamlined, transparent and fair procedures.

This framework addresses all the requirements above. The framework is applicable for probationary (NOTE: Probationary teachers will have additional evaluation procedures to meet the requirements of the Tenure Act) and tenured teaching staff as well as building and district administrators. It connects several school mandates, such as the required School Improvement Plan, and integrates several required district-reporting requirements into one streamlined process. The framework seeks to eliminate

duplication, as well as remain cost effective with reasonable expectations of the capacity of the people who must do the work.

The Philosophy

This framework is built on the premise that student performance improves when all the educators work diligently towards that common purpose. Individual teachers improve individual student achievement when they work in collaborative environments with personal accountability for their students.

To be successful, districts must develop

- Common Goals
- Common Language
- Common Understandings
- Common Professional Training

Common professional training is essential to assure that evaluators and staff are thoroughly trained in all aspects of the evaluation process being used in the district.)

This philosophy is grounded in 21st Century life where people work in groups, share common goals, design individual goals based on these common goals, and where performance is measured against the attainment of both individual and common goals. In addition, it is understood that the evaluation process must not only be embedded in the district's and group's improvement goals, but must be a more holistic view comprised of multiple measures. Therefore, we recommend that local districts abandon or modify systems which rely exclusively or primarily on classroom observations.

The Framework

The Professional Growth Plan (PGP), is the foundation of an annual evaluation., It is the common evaluation measurement for all teachers and administrators (i.e. educators). Educators will be evaluated annually based on their performance in meeting the goals in the PGP. The common goals in the PGP will be developed in conjunction with professional groups established in the building or district, with the input of administrators, and including data on individual student growth. The district and/or building School Improvement Plan that is required by law will serve as the common foundation from which the professional groups and PGP common goals will be developed. Teacher and administrator goals will be developed by the individual and his/her supervisor, and must be based on the district's and school's goals and the individual's needs, and must also be based in significant part on student growth data.

Suggested Content of the PGP

- School Improvement Plan goals
- Student Growth Improvement goals
- Professional development plan to meet goals
- Indicators/Evidence of Success for meeting goals
- Monitoring Process and Timelines for assessing goals attainment
- Evaluation Tools to be used for assessing goals attainment

Three Part PGP Development Process

PART ONE: The Professional Group and Group Goals (e.g. Professional Learning Communities, subject area departments, learning groups, interdisciplinary teams, etc.).

Professional groups will develop their goals based on the school improvement plan goals and student performance data for the group.

All educators are part of various professional groups (i.e. teams) The professional groups will determine their group goals and the criteria for determining success developed from student growth data and the school improvement plan. Group goals shall also include a delineation of responsibilities needed to meet the goals and suggested timelines for meeting the goals. Professional groups will provide data and information to their supervisor on the goals and progress towards meeting their goals.

Some Suggested Evaluation Tools applicable to both groups and individuals (not an exhaustive list)

Surveys (360, Parent, Student, etc)

Observation Rubrics

Portfolio based on Rubrics

Presentation/Demonstration/Exhibition

Rubrics

Assessment/Other Student Data

Checklists

Curriculum/Coursework

Case Studies

Action Research Projects

Step Two: The Individual Professional Growth Plan (PGP)

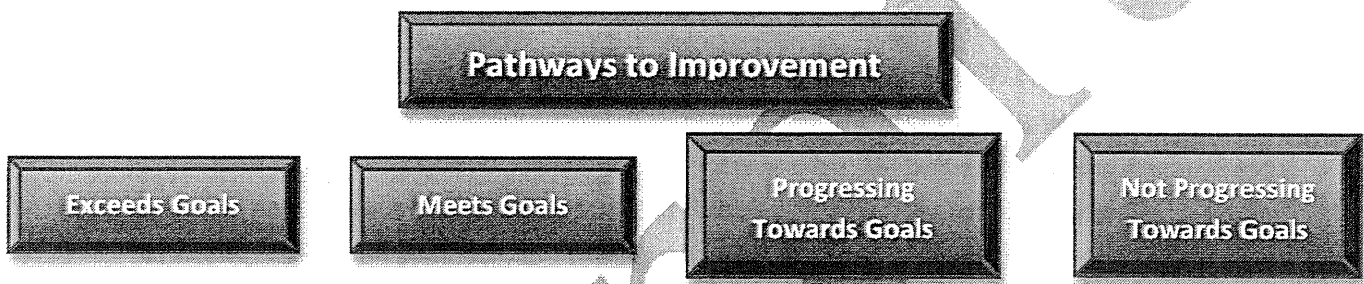
An individual PGP that includes, in significant part, the use of student growth goals based on current student performance data will be developed to reinforce or change the educator's instructional practices.* Each Individual's goals must be consistent with the school improvement plan and the professional group's goals and be based on

student data. The individual's PGP will be developed in collaboration with the individual's supervisor and will include the applicable components of the group goals. The Individual's PGP shall include goals, a delineation of resources and responsibilities needed to meet the goals and suggested timelines for meeting the goals.

*Per state legislation, the assessments of students who have not been present in the classroom or the school during the majority of the school year (as determined locally) shall not be included in determining student growth data

Step Three: Paths to Improvement

As of an outcome of this evaluation process, we propose that different pathways to improvement be implemented to address the requirements of Section 1249. In addition it provides guidance for the requirements of Section 1250.



It is our belief that every educator seeks continuous improvement. Many educators are successful in buildings that are struggling. Many administrators do stellar work in their buildings, yet the district continues to flounder. Rather than continue with the environment of isolated pockets of excellence, the professional group process, which can be implemented throughout the system, offers our educators holistic performance growth opportunities in their educational experiences.

Collective Bargaining

In this framework all aspects of the proposal such as the evaluation processes, timelines, instruments or tools, level of proficiency, significant student growth measure, professional group composition and processes, etc. are subject to collective bargaining at the local level.

In Summary

We believe this Three Part Professional Growth Plan Framework has much potential. Already many educators are making great strides in student achievement using the

collaborative team approach. We believe our framework is meaningful, manageable for all, connects many school initiatives, and is flexible enough to fit the needs of any district, any educator, non tenured or tenured teacher, building administrator and central office educator.

Draft



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Race to the Top Legislation Summary and Action Plan

In December 2009, signed by the Governor in January 2010, the Michigan Legislature enacted significant and sweeping school reforms. It is evident that many of these reforms would have not been possible without the promise of significant Federal dollars authorized under the American Recovery and Reinvestment Act (ARRA) Race to the Top (RTTT) Grant Program. It is also important to note that these public acts were given immediate effect and will impact, in most cases, all school districts and buildings. School Districts should begin working to come into compliance immediately while some decisions will be delayed pending information or decisions from the Michigan Department of Education.

Michigan faces the opportunity to apply and receive, if their application is selected by the U.S. Department of Education, from \$200 to \$400 million to enable the state and local school districts to implement these reforms as well as other requirements made of them in the grant program stipulations.

This summary is intended to inform Local and Intermediate School Districts and PSAs relative to the reforms enacted but to also begin to drive local decision-making about processes, procedures and policies that will need to be changed at the local level as well as practices that may well change.

Bill Summary:

- ☐ **HB 4787 (PA 204 of 2009)** - Failing Schools Reform – School Reform Officer supervises bottom 5%, Compulsory Attendance to Age 18 effective with YOG 2016, personal curriculum modifications
- ☐ **HB 4788 (PA 201 of 2009)**- Public Employee Relations Act (PERA) Reform
- ☐ **HB 5596 (PA 202 of 2009)** - Alternative Teacher Certification
- ☐ **SB 926 (PA 203 of 2009)** – School Aid, CEPI teacher ID system (matching teachers to students through MSDS) & “Basic Instructional Supplies” claims
- ☐ **SB 981 (PA 205 of 2009)** - Multi-Sectional School Code Bill - charter expansion, Schools of Excellence creation, Cyber Schools, mandatory administrator certification, performance evaluation, merit pay, Algebra II modification,)

HB 4787 (PA 204 of 2009) – Failing Schools Reform

☐ SHORT SUMMARY

- Amends the Revised School Code to include the following provisions:
 - **Reform Failing Schools** - Would allow the state to impose reforms on or take over the lowest achieving 5% of all public schools as defined by USED. In the process, some collective bargaining agreements could be modified or eliminated.
 - **Raises the Compulsory Attendance Age** - Would raise the compulsory attendance age from 16 to 18 beginning with Year of Graduation (YOG) of 2016 generally
 - **Modify MMC Graduation Requirements** - Would allow a student to modify math requirements through a Personal Curriculum earlier in their high school career.

☐ DETAILED BILL CONTENT

Would amend the Revised School Code to:

- **Reform Failing Schools (MCL 380.1280c):**
 - Starting with Fall 2010, each year the State Superintendent must **publish a list identifying the lowest achieving 5%** of all public schools as defined by USED and posted by MDE no later than September 1.
 - The State Superintendent would **issue an order placing those schools under supervision** of the state **school reform/redesign officer (SRRO)**.
 - Within 90 days of being identified, the school board must submit a **redesign plan** to the SRRO requiring implementation under one of four failing school intervention models provided for under RTTT (Turnaround, Restart, School Closure or Transformation). These models are defined in the USED Race to the Top Grant.
 - The plan must allow for **modification of collective bargaining** agreements via an executed addendum.
 - The redesign plan provided by the school board must be approved, modified or disallowed by the SRRO within 30 days of receipt.
 - If the SRRO changes the plan, the school board has 30 days to resubmit.
 - **If the SRRO disapproves the plan**, or determines the plan is not working, he or she may:
 - ☐ Place the school into the state school reform/redesign district.
 - ☐ Impose one of the four intervention models specified in RTTT beginning with the next school year.
 - ☐ The SRRO acts as superintendent and has overall powers of a School Board (except taxation and borrowing) and may impose reforms and modify collective bargaining agreements (per subsection 8). The SRRO will oversee all aspects of operation (fiscal, contracts, curriculum, etc.).
 - ☐ If better education results are the outcome, the SRRO may seek approval from State Superintendent to appoint a CEO; such CEO would have the same powers as the SRRO over the district.
 - ☐ Under a restart model, the SRRO may contract with an educational management company to run a school under the SRRO oversight; under this model collective bargaining agreements would not be maintained.
 - ☐ Under a turnaround model, the collective bargaining agreements would be sustained (re: pay and benefits) as would seniority.
- Such disapprovals may be appealed on the basis that the board met all elements required; the final decision is the State Superintendent.
The SRRO could recommend a school be released from the above requirements if significant improvements in student achievement are made.

- If the SRRO approves the redesign plan, the school board must implement it at the start of the next school year. Regular monitoring reports to the SRRO are required.
 - The law creates a **State School Reform/Redesign School District** which is defined to receive state aid and is subject to leadership and supervision of the State Board of Education.
 - The **SRRO would be hired by and directly responsible to the State Superintendent**. The position would be exempt from classified civil service. The SRRO would submit a report annually to the Legislature.
 - **Raise Compulsory Attendance Age (MCL 380.1561):**
 - Beginning with 2009-10 sixth graders or YOG 2016, the compulsory attendance age would be **increased from age 16 to age 18**. All existing alternative options to public schools (private schools, homeschoolers, etc.) would still apply. **Parents** would be able to sign a **waiver** to allow a student to **stop attending school at age 16**. The law further defines “**juvenile disorderly person**”.
 - **Modify Graduation Requirements (MCL 380.1278b):**
 - The law expands (to include a **teacher**) individuals who **may initiate** a Personal Curriculum on behalf of a student. The law would also allow a student to modify math requirements through a Personal Curriculum after completing ninth grade and after having **completed 1.5 math credits**
 - This law made no changes to mandate kindergarten or change the start date.
- **RECOMMENDED ACTIONS AT THE DISTRICT OR BUILDING LEVEL:**
- Failing Schools:**
- Districts should have a **process** in place to **monitor the annual posting** of “failing schools” to determine the local district / building impact
 - Districts would be advised to **annually monitor their School Improvement planning and assessment process** at the district and building level; clear identification of **existing improvement strategies** should be identified as well as a **process for monitoring progress**
 - District Human Resource Offices should **monitor status of contractual obligations with negotiated groups** including: major terms and conditions, salary / compensation provisions, benefit levels, employee contribution to benefit plans, total cost of negotiated agreements, etc.
- Increasing the Compulsory Attendance Age:**
- District Central Office and Building officials need to **closely monitor regular daily attendance**; each building should have a **key contact** for truancy issues
 - Districts and Buildings need to **engage fully in the Truancy Referral process** and support ISD truancy efforts; such **referral intervention** should be **considered at the earliest possible time** that lack of regular daily attendance becomes a concern
 - Districts should **review school policies** to ensure that such policies support rather than hinder regular daily attendance; districts need a consistent response and process relative to regular daily attendance at each building
- Modifications to the MMC Graduation Requirements:**
- District policy and process should be amended to **allow for a teacher** or other appropriate school official to be able to **initiate a Personal Curriculum** on behalf of a student; parent engagement should be reviewed in that context
 - District Personal Curriculum (PC) Modification processes should be revised to allow for a **PC development following completion of Grade 9** (rather than Grade 10) and after **completing** (not necessarily passing) **1.5 math credits** (rather than the previous requirement of successfully completing 2.5 credits)

Implementation Planning for HB 4787 – PA 204 of 2009

Legal Provision	District Response or Action	Individual(s) Responsible	Timeline	Monitoring Process
Identification of Failing Schools (MCL 380.1280c)	District review MDE Posting			
	Identification of Current SI strategies			
	Monitor for SI progress			
	Track current negotiation status			
Increasing the Compulsory Attendance Age to Age 18 (MCL 380.1561)	Monitor at building and district level regular daily attendance; identify a key contact person at each building			
	Fully engage in the truancy referral process			
	Review School Policies to support regular attendance			
Modifications to the MMC (MCL 380.1278b)	Review process to allow a teacher to initiate a Personal Curriculum (PC)			
	Review graduation requirements relative to when PCs are made available			

HB 4788 (PA 201 of 2009) – PERA Reform

- **SHORT SUMMARY:**
 - Would amend the **Public Employment Relations Act** (PERA) specific to prohibited subjects of collective bargaining.
- **DETAILED BILL CONTENT (MCL 423.215):**
 - Would allow **modification of collective bargaining agreements in failing schools** that are redesigned or taken over by the state (under HB 4787); recognizes the SRRO or the CEO as the “public school employer” if the school is part of the State School Reform/Redesign District
 - Provisions relative to **non-instructional services** are still a prohibited subject of bargaining only if the bargaining unit presently providing such services is given the **opportunity to bid** on the contract.
 - Composition of **‘site based decision making bodies’ are no longer a prohibited subject of bargaining**; the language was changed to only continue to include composition of ‘school improvement committees’ as a prohibited subject of collective bargaining.
- **RECOMMENDED ACTIONS AT THE DISTRICT OR BUILDING LEVEL:**
 - Districts , as earlier recommended, should have a **current view of negotiated contract terms and costs**; no action is authorized unless state identified
 - District **policies relative to contracting for non-instructional services** should be reviewed and revised as appropriate to allow for the bargaining unit providing such services to be allowed to bid on such service provision should the district consider privatization of such services
 - District **negotiation strategies** should be reviewed and revised as appropriate to ensure that the composition of a ‘site based decision making body’ is **no longer considered a prohibited subject of bargaining**; Note: composition of ‘school improvement committees’ is still a prohibited subject of bargaining

Implementation Planning for HB 4788 – PA 201 of 2009

Legal Provision	District Response or Action	Individual(s) Responsible	Timeline	Monitoring Process
PERA amendments (MCL 423.215)	Review and Track current contract terms, conditions, etc.			
	Review contracting policy and process re: non-instructional services bidding			
	Review negotiation processes to ensure that composition of SBDM body is no longer a prohibited subject of bargaining			

HB 5596 (PA 202 of 2009) – Alternative Teacher Certification

□ SHORT SUMMARY:

- Would amend the Revised School Code to require the following:
 - Superintendent of Public Instruction to establish a process for a person to earn an **interim teaching certificate**.
 - That certificate must **qualify the person to teach in the public schools**.
 - After **three years of satisfactory performance** that alternatively certified teacher **may receive a full teaching certificate** under specific provisions.

□ DETAILED BILL CONTENT (MCL 380.1531 I):

- The law requires the State Superintendent to **establish a process** for a person to earn an **“interim teaching certificate”** in Michigan. Further, it requires the State Superintendent to also qualify such individuals to earn a Michigan Teaching Certificate.
- The process **cannot allow for** an interim certificate for **special education**.
- The process will **grant a participant an ‘interim teaching certificate’ if**:
 - The participant is in an **approved alternative teaching program** and such program meets the following requirements:
 - Includes an **‘intensive training’** program of at least **12 college credit hours** in specific subject areas (child development, family and community relationships, diverse learners, and instructional strategies), and
 - Includes a **field-based classroom experience**
 - Has a **proven record** (in one or more states) or is modeled after a program with a proven record
 - **Accepts for participation** only persons who meet the following requirements:
 - Hold a bachelor's, master's, doctorate, or professional **degree with a 3.0 GPA** (or equivalent)
 - **Pass basic skills and subject area examinations** as applicable
- Individuals with an Interim Teaching Certificate **can be employed to teach** in public schools if:
 - The employing district or PSA **provides intensive observation and coaching**, and
 - The person is **making satisfactory progress toward** meeting requirements for being awarded a **Michigan Teaching Certificate** (under Section 380.1531).
- Requires the State Superintendent to develop **standards for granting a teaching certificate** after a person taught under an interim certificate for three years and has demonstrated satisfactory performance.

□ RECOMMENDED ACTIONS AT THE DISTRICT OR BUILDING LEVEL:

- Districts should **review their teacher hiring practices** to provide for the employment of an ‘interim teaching certificated’ individual; such an individual could not be employed to fill a special education position
- District teacher employment practices should attend to **how that ‘interim teacher’ is supported as required** by the statutes noted above (intensive observation, coaching, regular **monitoring of progress** in the position)
- Districts should **keep specific records of individual employed with an ‘interim teaching certificate’** along with documentation of progress; after the individual has ‘satisfactorily taught for three years’, districts will be required to provide MDE evidence for application for a Michigan Teaching Certificate

Implementation Planning for HB 5596 – PA 202 of 2009

Legal Provision	District Response or Action	Individual(s) Responsible	Timeline	Monitoring Process
Alternative Teacher Certification (MCL 380.1531I)	Review current teacher hiring practices; ensure that employment of an ‘interim teacher’ is an option			
	Review current teacher mentoring processes to meet the requirements for ‘interim teachers’			
	Determine a process to track ‘interim teacher’ review and evidence			

SB 926 (PA 203 of 2009) – Multi-Sectional School Aid Bill

☐ **SHORT SUMMARY:**

- Would amend multiple sections of the School Aid Act (MCL 388.1606, 388.1611, 388.1694a and 388.1701) to require **CEPI to develop a teacher ID system**, add a provision for "**basic instructional supplies**" claims, and make some reforms to accommodate **Cyber Schools**.

☐ **DETAILED BILL CONTENT:**

- **Cyber School Accommodations (MCL 388.1606)**
 - Would provide a blanket **seat-time waiver** for pupils in cyber schools; considers "participation" to be compliance with "regular daily attendance" (participation is not defined).
 - Would provide cyber schools with a **full foundation** allowance for **full-time enrollees**.
 - Public School Academy (PSA) is now defined only in the Revised School Code by reference.
- **CEPI Teacher ID System (MCL 388.1694a)**
 - Would require the Center for Educational Performance Information (CEPI), in cooperation with MDE, to "**work toward the creation and implementation**" of a **teacher identifier system**.
 - That system would have to:
 - ☐ **match an individual teacher to individual pupils** the teacher has taught
 - ☐ make accessible individual **pupil assessment records**
 - ☐ enable pupil **achievement data to be correlated to teacher** who has taught the pupil
 - ☐ **enable data access** to school administrators, board members, and teachers in order to **improve instruction and pupil achievement**
 - The system would be subject to applicable laws regarding **student privacy**.
- Access to "**Basic Instructional Supplies**" (MCL 388.1766c)
 - Would amend Section 101 to add language (subsection 11) stating that a school board or ISD shall **ensure** that all teachers and principals have "**adequate access to basic instructional supplies**".
 - The **MDE** will have to develop and publish on its website a **definition of "basic instructional supplies"** as well as a claims process.
 - A teacher or principal could **file a complaint** with the department, asserting the district's failure to provide adequate supplies.
 - The department would be required to facilitate the process by providing a **phone and on-line system for filing a claim**.
 - **MDE** would be **required to investigate** claims. The district would have **3 business days to provide the supplies** or provide a plan for corrective action.
 - If the **Department is not satisfied** with the District or ISD response, the department could then **deduct the cost of the supplies from the district's next school aid payment and procure** interim supplies for a teacher or principal.
 - The bill includes whistleblower language to protect employees who file claims; Cyber Schools are exempted from this provision.

☐ **RECOMMENDED ACTIONS AT THE DISTRICT OR BUILDING LEVEL:**

Cyber Schools:

- Districts would be advised to amend transfer codes in their Student Management System to allow for a transfer to a Cyber School; there was discussion about additional declining enrollment funding that was not enacted

CEPI Teacher ID System:

- Districts should be aware of the following state of current database systems in Michigan and the impact this provision of law could have on their vendor, the cost of such a database augmentation as well as staff costs and training that will be required; districts should assess their involvement in Data for Student Success
 - At the present time, Districts are required to complete and submit the Registry of Educational Personnel (REP); this database already has a Personnel Identification Code (PIC) by which to identify educational personnel
 - At the present time, Districts are required to complete and submit the Michigan Student Database System (MSDS); this database already has a Unique Identification Code (UIC) by which to identify Students
 - At the present time, these two database systems do not have an interface; further, the state does not have a rostering program that maps students to teacher that have taught them – presently or in the past
 - At the present time, Data for Student Success does provide individual student assessment data and is available at the district, building and classroom level (dependent upon permissions); it is important to note, due to the above considerations, this achievement data cannot be correlated to specific teachers; districts across Michigan are increasingly using this data for purposes of School Improvement

Access to “Basic Instructional Supplies”:

- Districts should be aware of the **MDE definition** of “basic instructional supplies” when posted
- Districts would now be advised to have a **policy and process for how “basic instructional supplies” are allocated** at the building and classroom level
- If an individual teacher believes they are not provided such “basis instructional supplies”, it is their responsibility to file a claim with MDE
- Districts should have a **process** in place for how they would **respond to such a ‘claim investigation’ from MDE** and the documentation or evidence that could be provided to support the allocation and dispensation of “basic instructional supplies”

Implementation Planning for SB 926 – PA 203 of 2009

Legal Provision	District Response or Action	Individual(s) Responsible	Timeline	Monitoring Process
Cyber Schools (MCL 388.1606)	Determine if a transfer code for Cyber School transferee is appropriate; initiate			
CEPI Teacher ID (MCL 388.1694a)	Anticipate the work required with your local vendor to implement linking teacher and student data over time			
Access to 'basic instructional supplies' (MCL 388.1766c)	Monitor MDE definition of 'basic instructional supplies'			
	Determine a process to provide evidence for the allocation of district 'basic instructional supplies to the building / classroom level			
	Determine how the district would document such allocation if requested by MDE			

SB 981 (PA 205 of 2009) – Multi-Sectional School Code Bill

☐ SHORT SUMMARY:

- Would amend the Revised School Code to:
 - Create **Schools of Excellence** (new requirements for additional Public School Academies - PSAs).
 - Allow for not more than two statewide **Cyber Schools**.
 - Require **charter school contract renewal** to be based on student achievement.
 - Allow **PSA enrollment priority** under certain conditions.
 - Require **closure of a PSA** under certain conditions.
 - **Mandate administrator certification** and establish an alternative path to administrator certification.
 - Require **annual teacher and administrator evaluation** to be **linked to student growth** as a “significant factor”; provides for removal of an “ineffective teacher” (Tenure Act by reference only).
 - Require teacher and administrator evaluations to be used when considering the **denial or removal of tenure** or the denial of **certification**.
 - Require that additional compensation (**merit pay**) **be based on performance and student growth**.
 - **Modify the Algebra II requirement** for high school graduation.

☐ DETAILED BILL CONTENT:

- **Schools of Excellence** (SOE: a new section of Public School Academy authority):
 - **Defines SOEs (MCL 380.5 and .6, 380.500 et al)** as a public school under the governance of the State Board; provides for a Board of Directors; prohibits any organization by a church or religious organization. SOE contracts are to be competitively issued.
 - An SOE is required to **use appropriately certified teachers** (unless a state university or community college under certain circumstances).
 - According to House Republican Policy, approximately 32 Schools of Excellence (SOE) could open; two will be Cyber Schools, some will include conversion PSAs; another 10 contracts for SOEs could be issued by January 1, 2015; 5 of those must be high schools cannot be located in a school district with a graduation rate over 75%.
 - **High-performing PSAs**, that are able to convert to an SOE, are schools:
 - ☐ Grades K-8:
 - Have 90% MEAP proficient, OR
 - 70% proficient and 50% free/reduced lunch.
 - ☐ High School:
 - Have 80% graduation rate, 80% attendance rate, and 80% post-secondary enrollment rate.
 - If the State Superintendent finds that an authorizing body is not engaging in appropriate continuing oversight, the **State Superintendent may suspend their power as an authorizing body**.
 - The law has specific provisions regarding **recruitment relative to inclusion of students with an IEP and ESL learners**; there must be an open enrollment period of at least two weeks with an open process; pupils must be Michigan residents.
 - An SOE is authorized to give **enrollment priority** to:
 - ☐ Siblings of pupils;
 - ☐ Transfers from other charters who have an agreement with the enrolling charter.

- An SOE shall **work toward operating all grades K through 12** within 6 years of beginning operation.
- **Cyber Schools:**
 - **Defines a “Cyber School” (MCL 380.5 and .6)** as an SOE that provides full-time instruction to pupils through online learning which may be remote from a school facility in grades K through 12.
 - A Cyber School must:
 - **employ appropriately certified teachers** (“assisting adults” are not required to be certified teachers),
 - each **pupil must “participate” for not less than 1,098 hours** during a school year (participation which is not defined is considered to be ‘regular daily attendance’),
 - Two statewide Cyber Schools could open with **initial enrollment of not more than 400 pupils each**; enrollment is open to a **Michigan pupil** previously enrolled in public school.
 - Entities applying for an SOE as a Cyber School must demonstrate **experience in serving urban and at-risk student populations**.
 - Each cyber school **may expand to not more than 1,000 pupils** if they enroll one recovered dropout for each non-dropout pupil.
 - Cyber Schools authorized by a school districts or ISD shall give **enrollment priority** to pupils residing in the district or ISD.
 - Allow the State Superintendent to require an authorizer to **revoke an SOE contract and close the SOE** if the SOE is in the lowest achieving 5% of the state and Phase 2 of restructuring sanctions under NCLB.
- **Amends existing Public School Academy (PSA) sections of the School Code (MCL 380.500 et al particularly MCL 380.551 to .561):**
 - Allows existing high-performing (PSAs) to **“convert” from traditional PSAs under the current cap to become “School of Excellence (SOE)”** if they meet specific criteria; this frees up opportunities for additional PSAs to use those available charters under the existing cap.
 - **If the authorizer of a conversion SOE is a university:**
 - That university is the only authorizer that can replace that PSA under the existing cap
 - The Board of Directors has authority for preference in their selection of an Educational Management Organization
 - Such conversion SOEs shall not be located in a school district that has a graduation rate over 75.5% (for most recent three years)
 - Requires current authorizers to consider a PSA applicants “track record” in operating PSAs; the law further allows some **preference** to authorizers in the selection of new applicants.
 - **Prohibits an authorizer from contracting for a PSA that is located in a school district that has a graduation rate over 75.5%** (based on recent three years).
 - Requires that **authorizers include**, in their **standards for PSA contract renewal, student growth** as measured by assessments and other criteria.
 - Allow **PSA enrollment priority** for:
 - Siblings of pupils;
 - Transfers from other charters who have an agreement with the enrolling charter.

- Allow the State Superintendent to require an authorizer to revoke a PSA contract and close the PSA if the PSA is in the lowest achieving 5% of the state and Phase 2 of restructuring sanctions under NCLB.
- **Administrator Certification/Alternative Certification (MCL 380.1536)**
 - Would require a **certification process** for school **administrators** whose **primary responsibility** is administering **instructional programs**.
 - **Current administrators** would be **grandfathered** in.
 - New administrators hired after the bill's effective date would be required to **enroll in a certification program within 6 months** of employment, and would have **3 years to complete** the certification requirements, or be dismissed.
 - The State Superintendent would be responsible for establishing the rules, procedures and endorsements for administrator certification.
 - An **administrator certificate would be valid for 5 years**, at which time it would have to be renewed.
 - Would require the department to "**recognize alternative pathways**" to administrator certification, based on experience or alternative preparation, as approved by the State Board of Education.
- **Teacher/Administrator Evaluation (MCL 380.1250)**
 - Would require a school district, charter school or ISD to adopt and implement for all teachers and administrators an **annual performance evaluation system** that would evaluate performance in a way that uses **student growth data as a "significant factor"**.
 - The evaluation would have to **be used to determine the effectiveness** of teachers and administrators.
 - Employees would have to be given "ample opportunity for improvement".
 - These **evaluations must be used to inform decisions** regarding:
 - ☐ Promotion, retention, and development of teachers and school administrators.
 - ☐ Whether to grant tenure or full certification.
 - ☐ Whether to remove ineffective tenured or untenured teachers.
- **Merit Pay (compensation and additional compensation – MCL 380.1250)**
 - Would require a school district, charter school or ISD to implement for all teachers and administrators an annual performance evaluation system that would **evaluate performance in a way that uses student growth data as a significant factor** in determining compensation and additional compensation.
 - If a collective bargaining agreement is in effect that prevents compliance, the above requirement would not apply until that agreement expires.
- **Algebra II Modification (MCL 380.1278a)**
 - Students may fulfill the Algebra II requirement over 2 years (for 2 credits), OR
 - **The student earns least 1.5 Algebra II credits over 1.5 years**
 - Clarifies that the **Algebra II requirement** for high school graduation **may be satisfied through a Career Technical Education (CTE)** course if the program:
 - ☐ Is department approved,
 - ☐ Has appropriate embedded mathematics content,
 - ☐ Follows the guidelines that will be established by the MDE.

□ **RECOMMENDED ACTIONS AT THE DISTRICT OR BUILDING LEVEL:**

Schools of Excellence (SOE), Cyber Schools, and Public School Academies (PSA):

- Districts should **be aware of the above provisions**; a District might well have a PSA in their community that would be eligible to become a conversion SOE; an **SOE cannot be located in a school district with a graduation rate higher than 75.5%; new PSAs cannot be located in a school district with a graduation rate higher than 75.5%**
- Districts could be impacted by **additional student decline** given the above increase in PSAs and new SOEs or Cyber Schools as well as priority enrollment options
- Districts could also be **impacted at the high school level with declining enrollment** as many existing PSAs do not offer a high school program; they are being encouraged to do so

Administrator Certification:

- Districts are advised to review and revise their **Human Resources monitoring process** for **Administrator (as defined) Certification**, process for renewal, status of SB-CEUs for administrators; process should note that all Administrator Certificates are valid for five years
- Districts are also advised to **track existing administrators separate from new administrators**; note that existing administrators are grandfathered re: the impact of this law
- Districts are advised to **amend their administrator hiring process to require an Administrator Certificate** in the future or hire conditionally based on the statutory provisions (enroll in a certificate program within 6 months and complete within three years of employment)
- Districts should be aware of the **MDE authorized “alternative pathways”** that administrators can access for certification and note such pathways in their hiring/employment process as appropriate

Teacher and Administrator Evaluation:

- Given that previous law required that teachers be evaluated not less than three years, Districts are advised to complete a comprehensive review of their existing teacher evaluation process
 - The new law requires an **annual evaluation** that is “significantly **linked to student growth**” but it amends a different section of law (School Code 380.1249) than does the present (Tenure Act MCL 38.93)
 - Districts should **review and revise as appropriate their present evaluation system**; the requirements of the new “annual evaluation” of teachers and administrators is much less prescriptive than the Tenure Act and current policy requirements
 - Districts will likely need to **create an annual evaluation process**, define that process, schedule those interviews, determine capacity to complete that task and develop a monitoring system that provides administrators (doing evaluation) with sufficient student growth / progress information in order to complete this evaluation
 - Districts will also need to **track this evaluation outcome** in order to **provide evidence** that the District is also **using this information to determine teacher and administrator effectiveness for other required purposes**:
 - Promotion, retention and development of teachers and administrators
 - Granting of Tenure and full Certification
 - Removal of ineffective teachers or untenured teachers
 - School Improvement Planning purposes
 - Compensation (as noted below)

Merit Pay (additional compensation):

- While districts are not required to implement a true “merit pay” system in the district, they will now be **required to implement an annual evaluation system that evaluates teacher and administrator performance as least in part based on student growth**

- Districts are required to **use the above evaluative data in determining compensation** and additional compensation
- Districts will need to **review existing collective bargaining agreements to determine if current contract language prevents the above action**; if that is the case, the statute allows the District to delay such action until the expiration of such contract

Algebra II Modifications:

- Districts are advised to review and revise accordingly their existing graduation requirements specific to MMC requirements for Algebra II
- Under the new law, students are able to successfully complete the MMC Algebra II requirement in the following ways – without a Personal Curriculum Modification:
 - Completing an Algebra II course during one semester or one year for one credit
 - Completing an Algebra II course over two years for 2 credits OR
 - Completing Algebra II course earning 1.5 credits over 1.5 years
 - Successfully completing Algebra II course requirements in a math-embedded approved CTE course (or in combination with a high school math / Algebra II course)

Implementation Planning for SB 981 – PA 205 of 2009

Legal Provision	District Response or Action	Individual(s) Responsible	Timeline	Monitoring Process
SOE, PSA and Cyber Schools (MCL 380.5, .6, .551 to .561)	Awareness of new requirements			
	Monitor student declines impacted by new law			
Administrator Certification (MCL 380.1536)	Identify administrators currently employed that would be required to be certified			
	Monitor dates of expiration; separate existing (date specific) and new administrators			
	Review/revise administrator hiring process to ensure which positions will require certification; address conditional employment based on statutes			
	Monitor and recognize MDE approved 'alternative pathways to certification			
Teacher / Administrator Evaluation (MCL 380.1250)	Initiate an annual evaluation process that is linked, at least in part, on student growth			
	Monitor individual progress; determine where and how the district will use this information			

Legal Provision	District Response or Action	Individual(s) Responsible	Timeline	Monitoring Process
Merit Pay (MCL 380.1250)	Review contracts; determine impediments to implementation			
	Determine how the district will use evaluation data for purposes of additional compensation			
Algebra II Modifications (MCL 380.1278a)	Review district graduation requirements to ensure that students have access of all options to secure a Michigan diploma			