

Race to the Top Legislation: A Summary

Bills:

- **HB 4787** - Failing Schools Reform (incl. increased drop-out age, personal curriculum expansion)
- **HB 4788** – Public Employee Relations Act (PERA) Reform
- **HB 5596** - Alternative Teacher Certification
- **SB 981** - Multi-Sectional Bill (incl. charter expansion, cyber schools, performance evaluations, merit pay, Algebra II modification, Charter School revisions, mandatory administrator certification, tenure reform)
- **SB 926** - CEPI teacher ID system & “Basic Instructional Supplies” claims

HB 4787 – 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. In the process, some collective bargaining agreements could be modified or eliminated.
 - Raise Drop-out Age - Would raise the compulsory attendance age from 16 to 18
 - Modify 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:
 - Starting with Fall 2010, each year the State Superintendent must publish a list identifying the lowest achieving 5% of all public schools. Includes high schools with a graduation rate lower than 60 percent.
 - The State Superintendent would issue an order placing those schools under the state school reform/redesign officer (SRRO).
 - Within 90 days, 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, Closure and Transformation). The plan must allow for modification of collective bargaining agreements.
 - Within 30 days, the SRRO must approve or change the redesign plan.
 - If the SRRO changes the plan, the school board has 30 days to resubmit.
 - If the SRRO approves a redesign plan, the school board must implement it at the start of the next school year.
 - If the SRRO does not approve a 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
 - Impose a modification of collective bargaining agreements.
 - Appoint a chief executive officer (CEO) for a school or multiple schools. The CEO would have similar powers to impose reforms and modify collective bargaining agreements.

- Under a restart model, the SRRO or CEO may contract with an educational management company to run a school; under this model collective bargaining agreements would not be maintained.
 - The SRRO could recommend a school be released from the above requirements if significant improvement in student achievement is made.
 - 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 Drop-Out Age:
 - Beginning with current sixth graders, the compulsory attendance age would be increased from age 16 to age 18. All existing exceptions (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.
- Modify Graduation Requirements:
 - Would allow a student to modify math requirements through a Personal Curriculum after ninth grade and after having attempted 1.5 math credits (currently, they must successfully complete 2.5 math credits in order to modify).

HB 4788 – PERA Reform

- SHORT SUMMARY:
 - Would amend the Public Employment Relations Act (PERA).
- DETAILED BILL CONTENT:
 - Would allow modification of collective bargaining agreements in failing schools that are redesigned or taken over by the state (under HB 4787).
 - Before privatizing non-instructional services, a school board must provide the existing bargaining unit the opportunity to bid and treat that bid equally to others.

HB 5596 – 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.
- DETAILED BILL CONTENT:
 - In order to participate in an alternative certification program, a candidate must:
 - Hold a bachelor's, masters, doctorate, or professional degree
 - Have a minimum grade point average of 3.0
 - Pass basic skills and subject area examinations as applicable
 - Alternative teaching programs must demonstrate that they:
 - Provide participants with a minimum of 12 credit hours of instruction in a set list of pedagogical areas including a field-based experience in a classroom setting.
 - Have a proven record of producing successful teachers in one or more other states, or be modeled after such a program.
 - Provide participants with intensive observation and coaching while they are teaching under an interim certificate.

- In order to maintain their interim certificate, a participant must be making progress toward meeting the requirement to be awarded a full teaching certificate.
- Requires the State Superintendent to develop standards for granting a teaching certificate after a person taught under an interim certificate for three years.
- The process could not allow for an interim certificate for special education.

SB 981 – Multi-Sectional Bill

- SHORT SUMMARY:

- Would amend the Revised School Code to:
 - Create Schools of Excellence (new kind of charter school).
 - Allow two statewide cyber schools.
 - Mandate administrator certification and establish an alternative path to administrator certification.
 - Require that teacher and administrator evaluation be linked to student growth.
 - Require merit pay.
 - Modify the Algebra II requirement for high school graduation.
 - Require charter school contract renewal to be based on student achievement.
 - Allow charter school enrollment priority for certain charter schools.
 - Require closure of a charter school if it is in lowest achieving 5% of all public schools and Phase 2 of restructuring sanctions under the No Child Left Behind Act.
 - Require teacher and administrator evaluations to be used when considering the denial or removal of tenure or the denial of certification.

- DETAILED BILL CONTENT:

- Schools of Excellence (a new kind of charter school):
 - According to House Republican Policy, approximately 32 Schools of Excellence could open.
 - Schools of Excellence (SoE) would have to be existing high-performing charter schools that "convert" from traditional charters under the current cap to become "School of Excellence" charters.
 - For every designated SoE, a new charter contract would become available under the current cap.
 - Charters that replace SoEs would have to be located in a school district with a graduation rate lower than 75%.
 - Another 10 contracts for SoEs could be issued by January 1, 2015 if 50% of the new schools are high schools and they are located in a school district with less than 75% graduation rate.
 - High-performing charters are schools that:
 - 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.
- Cyber Schools:
 - Two statewide cyber-SoEs could open with initial enrollment of 400 each.
 - Each cyber school may expand to 1000 pupils if they enroll one recovered dropout for each non-dropout pupil.
- Administrator Certification/Alternative Certification
 - Would require a certification process for school administrators.
 - 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
 - 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."
 - 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
 - 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
 - Students may fulfill the algebra II requirement over 2 years provided they are successfully awarded at least 1.5 credits.
 - 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.
- Charter School Provisions
 - Would require charter school contract renewal to be based on student achievement.
 - Allow charter school enrollment priority for:
 - Siblings of pupils;
 - Transfers from other charters who have an agreement with the enrolling charter.
 - Allow the State Superintendent to close a charter school if it is in the lowest achieving 5% of the state and Phase 2 of restructuring sanctions under NCLB.
- Tenure
 - See Teacher/Administrator Evaluation above.

SB 926 – CEPI Teacher ID System, “Basic Instructional Supplies” Claims, & Cyber School Accommodations

- 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.
- BILL CONTENT:
 - CEPI Teacher ID System
 - Would require the Center for Educational Performance Information (CEPI) to "work toward the development and implementation" of a teacher identifier system.
 - That system would have to:
 - make individual pupil assessment record accessible
 - link an individual teacher to individual pupils the teacher has taught
 - enable student achievement to be correlated to teacher performance
 - enable data access to school administrators, board members, and teachers
 - The system would be subject to applicable laws regarding student privacy.
 - "Basic Instructional Supplies" Claims
 - Would add language stating that a school board or ISD shall ensure “adequate access to basic instructional supplies” for all teachers and principals working in a school.
 - The MDE will have to develop and publish on its website a definition of "basic instructional supplies."
 - A teacher or principal could file a claim 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/web system for filing a claim.
 - The department would be required to investigate claims, and would be allowed to procure interim supplies for a teacher or principal.
 - The department could then deduct the cost of the supplies from the district's next school aid payment.
 - The bill includes whistleblower language to protect employees who file claims.
 - Cyber School Accommodations
 - Would provide a blanket seat-time waiver for pupils in cyber schools.
 - Would provide cyber schools with a full foundation allowance for full-time enrollees.