



# **Michigan Public Act 601 of 2018 A-F Peer Review Panel Report**

## Preface from the Chair

October 31, 2019

Dear Michigan Education Stakeholders:

Pursuant to Public Act 601 of 2018, a five-member A-F Peer Review Panel was created with members appointed by Governor Gretchen Whitmer, Michigan House Speaker Lee Chatfield, and Michigan Senate Majority Leader Mike Shirkey.

Over the past three months, the A-F Peer Review Panel has met to review and discuss the accountability system created by section 1280g of the Revised School Code and the proposed implementation provided to the Panel by the Michigan Department of Education (MDE). This extensive review of the enacted law and proposed accountability system by the Department has been guided by a common vision set forth at the first meeting:

***To support the Michigan Department of Education in creating a single, transparent, and coherent school accountability system that best helps schools, districts, parents, and communities understand the performance of their schools, prompt school improvement, and identify appropriate supports for schools to be successful.***

The findings and recommendations made by the A-F Peer Review Panel reflect our combined professional experience in K-12 education as well as a shared understanding of the purpose of accountability systems.

Respectfully,



Daniel J. Quinn, Ph.D.  
Chair, A-F Peer Review Panel

## **Establishment and Membership**

Public Act 601 of 2018 A-F Peer Review Panel was established in July of 2019 following appointments made by Governor Gretchen Whitmer, Michigan House Speaker Lee Chatfield, and Michigan Senate Majority Leader Mike Shirkey.

The Public Act 601 of 2018 A-F Peer Review Panel consists of:

- Daniel J. Quinn, Ph.D., Chair
- Daveda J. Colbert, Ph.D.
- Sunil J. Joy, M.P.P.
- David Stuit, Ph.D.
- Jonathan Williams, M.P.P.A.

## **Purpose**

The A-F Peer Review Panel is charged with reviewing the Michigan Department of Education's standards and procedures in formulating and implementing Public Act 601 of 2018 (Section 1280g of the Revised School Code). The Panel is required to submit findings to the Michigan Department of Education and standing committees of the Michigan House of Representatives and the Michigan Senate having jurisdiction over education legislation.

# Executive Report

## Background on Michigan Public Act 601 of 2018:

Passed in December 2018 by the state legislature and signed into law by Governor Rick Snyder, Public Act 601 creates an additional system of public school accountability in Michigan. The law’s primary intent is to assign A-F letter grades or ranking labels to public schools in Michigan, across eight separate indicators. In addition, the law requires the Michigan Department of Education identify and categorize schools with lower performance or large disparities among student subgroups using select indicators from Public Act 601 of 2018.

The A-F Peer Review Panel has reviewed the Department’s proposed standards and procedures—including the report of the Accountability Standard Setting Workshop—and has made the following findings and recommendations. The Panel recommends making changes to PA 601, so that it complies with the requirements of the federal Every Student Succeeds Act.<sup>1</sup> Detailed recommendations for ESSA compliance are outlined in **Finding J**.

## Finding A

*Proficiency: Pupil Proficiency in Mathematics and English Language Arts.*

Proficiency as presented to the Panel is consistent with the federal Every Student Succeeds Act, Public Law 114-95 and Public Act 601 of 2018.

### Recommendation for Finding A:

In addition to reporting an overall proficiency grade for each school per the statutory requirements of Public Act 601 of 2018, the Panel encourages the Department to publish schools’ proficiency rates by subject (i.e., Mathematics and English Language Arts), assessment type (e.g., M-STEP, PSAT, and SAT), student subgroup, and grade-level. This will provide stakeholders with richer information on schools’ relative strengths and weaknesses and facilitate more informed discussion regarding school improvement strategies.

## Finding B

*Growth: Pupils Who Achieve Adequate Growth in Mathematics and English Language Arts.*

Based on the preliminary data presented by the Department from the standard setting workshop report, individual members of the Panel are concerned about the strong correlation between proficiency and growth and the potential impact on high-poverty schools.

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<sup>1</sup> Every Student Succeeds Act (ESSA), Public Law 114-95, December 10, 2015.

### **Recommendation for Finding B:**

The Panel recommends using a different measure of student growth to determine letter grades instead of Adequate Growth Percentiles (AGPs). Average student growth percentile or SGP provides a different measure of how effective schools are at improving student achievement from one year to the next and is less dependent on students' demographic and academic backgrounds.

As presented to the Panel, the amount of growth in English Language Arts and Mathematics required to meet the AGP threshold is higher for students who start out below proficiency than for students who are at or above proficiency. Consequently, schools' letter grades as presented for growth (based on AGPs) will be highly correlated with the percentage of their students who are proficient and with the percentage of students who are economically disadvantaged.

High-poverty schools will be more likely to receive "D" and "F" grades under the system presented, while low-poverty schools will be more likely to receive "A" and "B" grades, even though their average student growth results may not be different. An average SGP growth metric or similar growth metric could provide a comparison of how well schools are doing at improving student achievement, regardless of their students' academic and demographic backgrounds.

### **Finding C**

*English Learners Progress: Pupils Who are English Language Learners and Who Achieve Adequate Growth Towards Proficiency in the English Language.*

Similar to the concerns outlined in **Finding B** regarding Adequate Growth Percentiles (AGPs), members of the Panel are concerned about the strong correlation between proficiency and English Learner (EL) growth. Research indicates that English Learner students may require between three to five years to achieve oral fluency and between four and seven years to develop grade-level academic literacy skills.<sup>2</sup> The English Learner growth model should reflect this reality.

### **Recommendation for Finding C:**

The recommendation of the Panel is to use the mean student growth model currently found in the [MISchooldata.org Data Portal](https://mischouldata.org) as the indicator of English Learner progress.

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<sup>2</sup> Kenji Hahta, Yuko Goto Butler and Daria Witt, *How Long Does It Take English Learners to Attain Proficiency?* (Santa Barbara, CA: University of California Linguistic Minority Research Institute, 2000).

## **Finding D**

### *Graduation Rate: The Graduation Rate of Pupils Enrolled in High School.*

The Department has proposed the use of a “best of” graduation rate model, which is not compliant with the federal Every Student Succeeds Act, Public Law 114-95. Federal law requires at minimum the inclusion of a four-year graduation rate.

#### **Recommendation for Finding D:**

The recommendation from the Panel is to use the weighted formula (50 percent four-year; 30 percent five-year; and 20 percent six-year) currently used for the *Michigan School Index*.

## **Finding E**

### *Performance Among Peers: Academic Performance of the Public School’s Pupils on the Applicable State Assessment Compared to Pupil Performance on the Applicable State Assessment for All Public Schools Serving Similar Populations.*

The Panel believes that this indicator has the potential to create winners and losers among schools, and could imply that a school that is performing below their peers is “failing.” For example, if a school’s peers are all performing above the state average, at least one of the schools would still be given an “F” letter grade.

The matching criteria for comparison schools also include inputs that are in part at the discretion of schools (i.e., excluding other factors that are impacted by their context). Factors like class size are within the control of a school, unlike student poverty rates, which are not within the control of a school.

Furthermore, limiting peer comparisons simply to proficiency may not sufficiently distinguish performance among peers. For example, the proposed indicator might not distinguish two peer schools that both have low student proficiency, but differing student growth.

#### **Recommendation for Finding E:**

The recommendation is that this indicator not be assigned A-F letter grades, but instead receive a Ranking Label (i.e., significantly above, above, significantly below, etc.). Additionally, matching criteria should be limited to factors outside of the control of schools (e.g. percentage of students living in poverty, percentage of English Learners, percentage of students with disabilities, percent of students chronically absent, etc.). Lastly, in order to provide a broader picture of peer performance, comparisons should not be solely limited to proficiency, but should at least include growth and/or graduation rates, as applicable.

## **Finding F**

### *On Track Attendance: The Rate of Pupils Who are Chronically Absent.*

The data presented to the Panel did not include sufficient information on the students who are eligible or included in this indicator's calculation.

#### **Recommendation for Finding F:**

The recommendation is for common definitions and coding in defining chronic absenteeism. This will ensure comparability across schools and districts on this indicator.

## **Finding G**

### *Assessment Participation: Participation Rate for Each State Assessment.*

The data presented to the Panel indicates that the mean school participation rate is 97 percent for schools statewide. Likewise, there is very little differentiation statewide in assessment participation rates across schools. The federal Every Student Succeeds Act, Public Law 114-95 simply requires that schools meet the assessment participation rate of at least 95 percent for all students.

#### **Recommendation for Finding G:**

The recommendation is that this indicator should use a dichotomous rating scale (schools should be marked as "met" or "not met" based on the assessment participation rate target of 95 percent).

## **Finding H**

### *Subgroup Performance: Pupil Subgroup Performance Compared to the Same Subgroup Statewide and federal Targeted Support and Improvement (TSI) School Identification.*

The Department indicated that it was their desire to have the Accountability Standard Setting Group revisit the standard setting of this indicator.

#### **Recommendation for Finding H:**

The recommendation from the Panel is that the Department should reconsider the Standard Setting Groups' recommendation for this indicator. The Department should consider the subgroup performance indicator in its criteria for identifying TSI schools.

## **Finding I**

### *Federal Comprehensive Support and Improvement (CSI) School Identification.*

Per the statutory requirements of Public Act 601 of 2018, Comprehensive Support and Improvement (CSI) schools identified by the *Michigan School Index* will differ somewhat from those identified by Public Act 601 of 2018. While identified CSI schools will likely have some overlap between both systems, having two sets of CSI schools identified through two separate systems will create confusion for schools and the public.

#### **Recommendation for Finding I:**

The Department should work with appropriate decision-makers to align Comprehensive Support and Improvement (CSI) schools identified through the *Michigan School Index* with those CSI schools identified through Public Act 601 of 2018.

## **Finding J**

### *A Single Accountability System in Michigan.*

Assigning letter grades at the state level imposes a third system on local schools. Implementation of Public Act 601 of 2018 as passed will send mixed signals regarding the performance of public schools in the state. The A-F Peer Review Panel believes that there should to be one accountability system for the state.

#### **Recommendation for Finding J:**

In an effort to create a single, transparent, and coherent accountability system for Michigan, the Michigan Department of Education should work with key decision-makers to reconcile the following requirements of Public Act 601 of 2018:

1. Address language from Public Act 601 of 2018 prohibiting exemptions for alternative education campuses from the school accountability system. Exempting schools from the accountability system is prohibited by the federal Every Student Succeeds Act, Public Law 114-95.
2. Address language exempting certain students—namely those eligible for special education programs—be exempt from the assessment participation rate indicator. The federal Every Student Succeeds Act, Public Law 114-95 requires at least 95 percent of students participate in state assessments. Without including these students, the 95 percent requirement may likely be violated in several cases.
3. Address language that limits schools identified as Comprehensive Support and Improvement (CSI) to five percent of schools. The federal Every Student Succeeds Act, Public Law 114-95 requires the designation of CSI schools on the following criteria: not less than five percent of all Title I schools; schools

graduating less than two-thirds of its students; and schools that fail to improve after being designated as Additional Targeted Support (ATS) schools. Acknowledging these federal requirements, the percent of CSI schools may exceed the five percent cap required under Public Act 601 of 2018.

4. Address the timeline requiring the issuance of A-F letter grades and rankings on September 1 of each year. Michigan's shift from a fall assessment testing window with MEAP and MME to spring testing with M-STEP and PSAT/SAT requires a suitable adjustment in the annual timeline.