

SUBSTITUTE FOR
HOUSE BILL NO. 4493

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 1278 and 1279g (MCL 380.1278 and 380.1279g),
section 1278 as amended by 2004 PA 596 and section 1279g as amended
by 2008 PA 349, and by adding section 1168.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1168. (1) THE BOARD OF A SCHOOL DISTRICT OR BOARD OF
2 DIRECTORS OF A PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT THE SCHOOL
3 DISTRICT'S OR PUBLIC SCHOOL ACADEMY'S SOCIAL STUDIES CURRICULUM FOR
4 GRADES 8 TO 12 INCLUDES AGE- AND GRADE-APPROPRIATE INSTRUCTION
5 ABOUT GENOCIDE, INCLUDING, BUT NOT LIMITED TO, THE HOLOCAUST AND
6 THE ARMENIAN GENOCIDE. THE LEGISLATURE RECOMMENDS A COMBINED TOTAL
7 OF 6 HOURS OF THIS INSTRUCTION DURING GRADES 8 TO 12.

8 (2) SUBSECTION (1) DOES NOT PRECLUDE A SCHOOL DISTRICT OR

1 PUBLIC SCHOOL ACADEMY FROM INCLUDING INSTRUCTION DESCRIBED IN
2 SUBSECTION (1) IN OTHER SUBJECT AREAS.

3 (3) THE GOVERNOR'S COUNCIL ON GENOCIDE AND HOLOCAUST EDUCATION
4 IS CREATED AS A TEMPORARY COMMISSION DESCRIBED IN SECTION 4 OF
5 ARTICLE V OF THE STATE CONSTITUTION OF 1963.

6 (4) THE GOVERNOR'S COUNCIL ON GENOCIDE AND HOLOCAUST EDUCATION
7 SHALL CONSIST OF 15 MEMBERS APPOINTED BY THE GOVERNOR. MEMBERS
8 SHALL BE INDIVIDUALS WHO HAVE A PARTICULAR INTEREST OR EXPERTISE IN
9 GENOCIDE EDUCATION OR HOLOCAUST EDUCATION, OR BOTH.

10 (5) IF THE GOVERNOR DETERMINES THAT SUFFICIENT PRIVATE FUNDING
11 IS AVAILABLE FOR THE OPERATIONS OF THE GOVERNOR'S COUNCIL ON
12 GENOCIDE AND HOLOCAUST EDUCATION, THE GOVERNOR SHALL APPOINT THE
13 MEMBERS OF THE GOVERNOR'S COUNCIL ON GENOCIDE AND HOLOCAUST
14 EDUCATION WITHIN 60 DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION.

15 (6) IF A VACANCY OCCURS ON THE GOVERNOR'S COUNCIL ON GENOCIDE
16 AND HOLOCAUST EDUCATION, THE GOVERNOR SHALL MAKE AN APPOINTMENT FOR
17 THE UNEXPIRED TERM IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT.

18 (7) THE GOVERNOR MAY REMOVE A MEMBER OF THE GOVERNOR'S COUNCIL
19 ON GENOCIDE AND HOLOCAUST EDUCATION FOR INCOMPETENCE, DERELICTION
20 OF DUTY, MALFEASANCE, MISFEASANCE, OR NONFEASANCE IN OFFICE, OR ANY
21 OTHER GOOD CAUSE.

22 (8) THE FIRST MEETING OF THE GOVERNOR'S COUNCIL ON GENOCIDE
23 AND HOLOCAUST EDUCATION SHALL BE CALLED BY THE GOVERNOR. AT THE
24 FIRST MEETING, THE GOVERNOR'S COUNCIL ON GENOCIDE AND HOLOCAUST
25 EDUCATION SHALL ELECT FROM AMONG ITS MEMBERS A CHAIRPERSON AND
26 OTHER OFFICERS AS IT CONSIDERS NECESSARY OR APPROPRIATE. AFTER THE
27 FIRST MEETING, THE GOVERNOR'S COUNCIL ON GENOCIDE AND HOLOCAUST

1 EDUCATION SHALL MEET AT LEAST QUARTERLY, OR MORE FREQUENTLY AT THE
2 CALL OF THE CHAIRPERSON OR IF REQUESTED BY 8 OR MORE MEMBERS.

3 (9) A MAJORITY OF THE MEMBERS OF THE GOVERNOR'S COUNCIL ON
4 GENOCIDE AND HOLOCAUST EDUCATION APPOINTED AND SERVING CONSTITUTE A
5 QUORUM FOR THE TRANSACTION OF BUSINESS AT A MEETING OF THE COUNCIL.
6 A MAJORITY OF THE MEMBERS PRESENT AND SERVING ARE REQUIRED FOR
7 OFFICIAL ACTION OF THE COUNCIL. A MEMBER MAY NOT VOTE BY PROXY.

8 (10) THE BUSINESS THAT THE GOVERNOR'S COUNCIL ON GENOCIDE AND
9 HOLOCAUST EDUCATION MAY PERFORM SHALL BE CONDUCTED AT A PUBLIC
10 MEETING OF THE COUNCIL HELD IN COMPLIANCE WITH THE OPEN MEETINGS
11 ACT, 1976 PA 267, MCL 15.261 TO 15.275.

12 (11) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR
13 RETAINED BY THE GOVERNOR'S COUNCIL ON GENOCIDE AND HOLOCAUST
14 EDUCATION IN THE PERFORMANCE OF AN OFFICIAL FUNCTION IS SUBJECT TO
15 THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.

16 (12) MEMBERS OF THE GOVERNOR'S COUNCIL ON GENOCIDE AND
17 HOLOCAUST EDUCATION SHALL SERVE WITHOUT COMPENSATION. HOWEVER, IF
18 FUNDING IS AVAILABLE FOR THIS PURPOSE FROM PRIVATE SOURCES, MEMBERS
19 OF THE COUNCIL MAY BE REIMBURSED FOR THEIR ACTUAL AND NECESSARY
20 EXPENSES INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES AS
21 MEMBERS OF THE COUNCIL.

22 (13) STATE FUNDS SHALL NOT BE USED FOR THE OPERATIONS OF THE
23 GOVERNOR'S COUNCIL ON GENOCIDE AND HOLOCAUST EDUCATION.

24 (14) THE GOVERNOR'S COUNCIL ON GENOCIDE AND HOLOCAUST
25 EDUCATION SHALL DO ALL OF THE FOLLOWING:

26 (A) IDENTIFY, TO THE EXTENT POSSIBLE, ALL SOURCES OF
27 STRATEGIES AND CONTENT FOR PROVIDING AND ENHANCING GENOCIDE

1 EDUCATION TO STUDENTS.

2 (B) ADVISE THE SUPERINTENDENT OF PUBLIC INSTRUCTION, SCHOOL
3 DISTRICTS, PUBLIC SCHOOL ACADEMIES, AND NONPUBLIC SCHOOLS IN THIS
4 STATE ON STRATEGIES AND CONTENT FOR PROVIDING AND ENHANCING
5 GENOCIDE EDUCATION TO STUDENTS.

6 (C) IDENTIFY, TO THE EXTENT POSSIBLE, ALL PROGRAMS AND
7 RESOURCES TO TRAIN TEACHERS IN PROVIDING GENOCIDE EDUCATION TO
8 STUDENTS AND SHARE THESE PROGRAMS AND RESOURCES WITH THE
9 SUPERINTENDENT OF PUBLIC INSTRUCTION, SCHOOL DISTRICTS, PUBLIC
10 SCHOOL ACADEMIES, AND NONPUBLIC SCHOOLS IN THIS STATE.

11 (D) PROMOTE, WITHIN THE SCHOOLS AND GENERAL POPULATION OF THIS
12 STATE, IMPLEMENTATION OF GENOCIDE EDUCATION. THIS DUTY INCLUDES,
13 BUT IS NOT LIMITED TO, ALL OF THE FOLLOWING:

14 (i) IN ACCORDANCE WITH 2004 PA 10, ENGENDERING AND
15 COORDINATING EVENTS, ACTIVITIES, AND EDUCATION THAT WILL
16 APPROPRIATELY MEMORIALIZE THE VICTIMS OF THE HOLOCAUST, SUCH AS
17 OBSERVANCE OF HOLOCAUST REMEMBRANCE DAY AND THE DAYS OF
18 REMEMBRANCE.

19 (ii) IN ACCORDANCE WITH 2002 PA 558, ENGENDERING AND
20 COORDINATING EVENTS, ACTIVITIES, AND EDUCATION THAT WILL
21 APPROPRIATELY MEMORIALIZE THE VICTIMS OF THE ARMENIAN GENOCIDE,
22 SUCH AS OBSERVANCE OF THE MICHIGAN DAYS OF REMEMBRANCE OF THE
23 ARMENIAN GENOCIDE.

24 (iii) ENGENDERING AND COORDINATING EVENTS, ACTIVITIES, AND
25 EDUCATION THAT WILL APPROPRIATELY MEMORIALIZE THE VICTIMS OF OTHER
26 GENOCIDES.

27 (E) SECURE PRIVATE FUNDING FOR THE GOVERNOR'S COUNCIL ON

1 GENOCIDE AND HOLOCAUST EDUCATION. THE GOVERNOR'S COUNCIL ON
2 GENOCIDE AND HOLOCAUST EDUCATION MAY ALSO APPLY FOR AND ACCEPT
3 GRANTS AND RECEIVE GIFTS, DONATIONS, AND OTHER FINANCIAL SUPPORT
4 FROM PRIVATE SOURCES, IN ACCORDANCE WITH STATE LAW, FOR THE PURPOSE
5 OF CARRYING OUT ITS DUTIES UNDER THIS SECTION.

6 (F) CARRY OUT ANY OTHER TASKS THAT IT CONSIDERS TO BE
7 ADVISABLE TO SUPPORT THE ABILITY OF THIS STATE TO MEET ITS GOALS IN
8 PROVIDING GENOCIDE EDUCATION.

9 (G) SUBMIT AN ANNUAL REPORT TO THE LEGISLATURE ON THE PROGRESS
10 AND STATUS OF THE COUNCIL.

11 (15) WITH RESPECT TO ITS DUTIES, THE GOVERNOR'S COUNCIL ON
12 GENOCIDE AND HOLOCAUST EDUCATION IS AN ADVISORY BODY ONLY. THERE IS
13 NO RIGHT OR OBLIGATION ON THE PART OF THIS STATE OR ITS
14 SUBDIVISIONS, OFFICIALS, OR EMPLOYEES TO IMPLEMENT THE FINDINGS OR
15 RECOMMENDATIONS OF THE GOVERNOR'S COUNCIL ON GENOCIDE AND HOLOCAUST
16 EDUCATION UNLESS FURTHER LEGISLATION IS ENACTED THAT SPECIFICALLY
17 AUTHORIZES IMPLEMENTATION OF THOSE FINDINGS OR RECOMMENDATIONS.

18 (16) AS USED IN THIS SECTION:

19 (A) "ARMENIAN GENOCIDE" MEANS THE SYSTEMATIC, BUREAUCRATIC,
20 STATE-SPONSORED PERSECUTION AND MURDER OF APPROXIMATELY 1,500,000
21 ARMENIANS BY THE OTTOMAN TURKISH EMPIRE AND ITS COLLABORATORS.

22 (B) "GENOCIDE" MEANS ANY OF THE FOLLOWING ACTS COMMITTED WITH
23 INTENT TO DESTROY, IN WHOLE OR IN PART, A NATIONAL, ETHNICAL,
24 RACIAL, OR RELIGIOUS GROUP, AS SUCH: KILLING MEMBERS OF THE GROUP;
25 CAUSING SERIOUS BODILY OR MENTAL HARM TO MEMBERS OF THE GROUP;
26 DELIBERATELY INFLECTING ON THE GROUP CONDITIONS OF LIFE CALCULATED
27 TO BRING ABOUT ITS PHYSICAL DESTRUCTION IN WHOLE OR IN PART;

1 IMPOSING MEASURES INTENDED TO PREVENT BIRTHS WITHIN THE GROUP; OR
2 FORCIBLY TRANSFERRING CHILDREN OF THE GROUP TO ANOTHER GROUP.

3 (C) "HOLOCAUST" MEANS THE SYSTEMATIC, BUREAUCRATIC, STATE-
4 SPONSORED PERSECUTION AND MURDER OF APPROXIMATELY 6,000,000 JEWS
5 AND 5,000,000 OTHER INDIVIDUALS BY THE NAZI REGIME AND ITS
6 COLLABORATORS.

7 Sec. 1278. (1) In addition to the requirements for
8 accreditation under section 1280 specified in that section, if the
9 board of a school district wants all of the schools of the school
10 district to be accredited under section 1280, the board shall
11 provide to all pupils attending public school in the district a
12 core academic curriculum in compliance with subsection (3) in each
13 of the curricular areas specified in the state board recommended
14 model core academic curriculum content standards developed under
15 subsection (2). The state board model core academic curriculum
16 content standards shall encompass academic and cognitive
17 instruction only. For purposes of this section, the state board
18 model core academic curriculum content standards shall not include
19 attitudes, beliefs, or value systems that are not essential in the
20 legal, economic, and social structure of our society and to the
21 personal and social responsibility of citizens of our society.

22 (2) Recommended model core academic curriculum content
23 standards shall be developed and periodically updated by the state
24 board, shall be in the form of knowledge and skill content
25 standards that are recommended as state standards for adoption by
26 public schools in local curriculum formulation and adoption, and
27 shall be distributed to each school district in the state. The

recommended model core academic curriculum content standards shall set forth desired learning objectives in math, science, reading, history, geography, economics, American government, and writing for all children at each stage of schooling and be based upon the "Michigan K-12 ~~program standards of quality~~" **PROGRAM STANDARDS OF QUALITY** to ensure that high academic standards, academic skills, and academic subject matters are built into the instructional goals of all school districts for all children. **THE STATE BOARD SHALL ENSURE THAT THE RECOMMENDED MODEL CORE ACADEMIC CURRICULUM CONTENT STANDARDS FOR HISTORY FOR GRADES 8 TO 12 INCLUDE LEARNING OBJECTIVES CONCERNING GENOCIDE, INCLUDING, BUT NOT LIMITED TO, THE HOLOCAUST AND THE ARMENIAN GENOCIDE.** The state board also shall ensure that the Michigan educational assessment program and the Michigan merit examination are based on the state recommended model core curriculum content standards, are testing only for proficiency in basic and advanced academic skills and academic subject matter, and are not used to measure pupils' values or attitudes.

(3) The board of each school district, considering academic curricular objectives defined and recommended pursuant to subsection (2), shall do both of the following:

(a) Establish a core academic curriculum for its pupils at the elementary, middle, and secondary school levels. The core academic curriculum shall define academic objectives to be achieved by all pupils and shall be based upon the school district's educational mission, long-range pupil goals, and pupil performance objectives. The core academic curriculum may vary from the model core academic curriculum content standards recommended by the state board

1 pursuant to subsection (2).

2 (b) After consulting with teachers and school building
3 administrators, determine the aligned instructional program for
4 delivering the core academic curriculum and identify the courses
5 and programs in which the core academic curriculum will be taught.

6 (4) The board may supplement the core academic curriculum by
7 providing instruction through additional classes and programs.

8 (5) For all pupils, the subjects or courses, and the delivery
9 of those including special assistance, that constitute the
10 curriculum the pupils engage in shall assure the pupils have a
11 realistic opportunity to learn all subjects and courses required by
12 the district's core academic curriculum. A subject or course
13 required by the core academic curriculum pursuant to subsection (3)
14 shall be provided to all pupils in the school district by a school
15 district, a consortium of school districts, or a consortium of 1 or
16 more school districts and 1 or more intermediate school districts.

17 (6) To the extent practicable, the state board may adopt or
18 develop academic objective-oriented high standards for knowledge
19 and life skills, and a recommended core academic curriculum, for
20 special education pupils for whom it may not be realistic or
21 desirable to expect achievement of initial mastery of the state
22 board recommended model core academic content standards objectives
23 or of a high school diploma.

24 (7) The state board shall make available to all nonpublic
25 schools in this state, as a resource for their consideration, the
26 model core academic curriculum content standards developed for
27 public schools pursuant to subsection (2) for the purpose of

1 assisting the governing body of a nonpublic school in developing
2 its core academic curriculum.

3 (8) Excluding special education pupils, pupils having a
4 learning disability, and pupils with extenuating circumstances as
5 determined by school officials, a pupil who does not score
6 satisfactorily on the 4th or 7th grade Michigan educational
7 assessment program reading test shall be provided special
8 assistance reasonably expected to enable the pupil to bring his or
9 her reading skills to grade level within 12 months.

10 (9) Any course that would have been considered a nonessential
11 elective course under Snyder v Charlotte School Dist, 421 Mich 517
12 (1984), on April 13, 1990 shall continue to be offered to resident
13 pupils of nonpublic schools on a shared time basis.

14 (10) **AS USED IN THIS SECTION, "ARMENIAN GENOCIDE", "GENOCIDE",**
15 **AND "HOLOCAUST" MEAN THOSE TERMS AS DEFINED IN SECTION 1168.**

16 Sec. 1279g. (1) The board of a school district or board of
17 directors of a public school academy shall comply with this section
18 and shall administer the Michigan merit examination to pupils in
19 grade 11, and to pupils in grade 12 who did not take the complete
20 Michigan merit examination in grade 11, as provided in this
21 section.

22 (2) For the purposes of this section, the department of
23 **TECHNOLOGY**, management, and budget shall contract with 1 or more
24 providers to develop, supply, and score the Michigan merit
25 examination. The Michigan merit examination shall consist of all of
26 the following:

27 (a) Assessment instruments that measure English language arts,

1 mathematics, reading, and science and are used by colleges and
2 universities in this state for entrance or placement purposes. This
3 shall include a writing component in which the pupil produces an
4 extended writing sample. The Michigan merit examination shall not
5 require any other extended writing sample.

6 (b) One or more tests from 1 or more test developers that
7 assess a pupil's ability to apply at least reading and mathematics
8 skills in a manner that is intended to allow employers to use the
9 results in making employment decisions. The department of
10 **TECHNOLOGY**, management, and budget and the superintendent of public
11 instruction shall ensure that any test or tests selected under this
12 subdivision have all the components necessary to allow a pupil to
13 be eligible to receive the results of a nationally recognized
14 evaluation of workforce readiness if the pupil's test performance
15 is adequate.

16 (c) A social studies component.

17 (d) Any other component that is necessary to obtain the
18 approval of the United States ~~department of education~~ **DEPARTMENT OF**
19 **EDUCATION** to use the Michigan merit examination for the purposes of
20 the no child left behind act of 2001, Public Law 107-110.

21 (3) In addition to all other requirements of this section, all
22 of the following apply to the Michigan merit examination:

23 (a) The department of **TECHNOLOGY**, management, and budget and
24 the superintendent of public instruction shall ensure that any
25 contractor used for scoring the Michigan merit examination supplies
26 an individual report for each pupil that will identify for the
27 pupil's parents and teachers whether the pupil met expectations or

1 failed to meet expectations for each standard, to allow the pupil's
2 parents and teachers to assess and remedy problems before the pupil
3 moves to the next grade.

4 (b) The department of **TECHNOLOGY**, management, and budget and
5 the superintendent of public instruction shall ensure that any
6 contractor used for scoring, developing, or processing the Michigan
7 merit examination meets quality management standards commonly used
8 in the assessment industry, including at least meeting level 2 of
9 the capability maturity model developed by the ~~software engineering~~
10 ~~institute~~ **SOFTWARE ENGINEERING INSTITUTE** of Carnegie Mellon
11 ~~university~~ **UNIVERSITY** for the first year the Michigan merit
12 examination is offered to all grade 11 pupils and at least meeting
13 level 3 of the capability maturity model for subsequent years.

14 (c) The department of **TECHNOLOGY**, management, and budget and
15 the superintendent of public instruction shall ensure that any
16 contract for scoring, administering, or developing the Michigan
17 merit examination includes specific deadlines for all steps of the
18 assessment process, including, but not limited to, deadlines for
19 the correct testing materials to be supplied to schools and for the
20 correct results to be returned to schools, and includes penalties
21 for noncompliance with these deadlines.

22 (d) The superintendent of public instruction shall ensure that
23 the Michigan merit examination meets all of the following:

24 (i) Is designed to test pupils on grade level content
25 expectations or course content expectations, as appropriate, in all
26 subjects tested.

27 (ii) Complies with requirements of the no child left behind

1 act of 2001, Public Law 107-110.

2 (iii) Is consistent with the code of fair testing practices in
3 education prepared by the joint committee on testing practices of
4 the American ~~psychological association~~. **PSYCHOLOGICAL ASSOCIATION.**

5 (iv) Is factually accurate. If the superintendent of public
6 instruction determines that a question is not factually accurate
7 and should be excluded from scoring, the state board and the
8 superintendent of public instruction shall ensure that the question
9 is excluded from scoring.

10 (4) A school district or public school academy that operates a
11 high school shall include on each pupil's high school transcript
12 all of the following:

13 (a) For each high school graduate who has completed the
14 Michigan merit examination under this section, the pupil's scaled
15 score on each subject area component of the Michigan merit
16 examination.

17 (b) The number of school days the pupil was in attendance at
18 school each school year during high school and the total number of
19 school days in session for each of those school years.

20 (5) The superintendent of public instruction shall work with
21 the provider or providers of the Michigan merit examination to
22 produce Michigan merit examination subject area scores for each
23 pupil participating in the Michigan merit examination, including
24 scaling and merging of test items for the different subject area
25 components. The superintendent of public instruction shall design
26 and distribute to school districts, public school academies,
27 intermediate school districts, and nonpublic schools a simple and

1 concise document that describes the scoring for each subject area
2 and indicates the scaled score ranges for each subject area.

3 (6) The Michigan merit examination shall be administered each
4 year after March 1 and before June 1 to pupils in grade 11. The
5 superintendent of public instruction shall ensure that the Michigan
6 merit examination is scored and the scores are returned to pupils,
7 their parents or legal guardians, and schools not later than the
8 beginning of the pupil's first semester of grade 12. The returned
9 scores shall indicate at least the pupil's scaled score for each
10 subject area component and the range of scaled scores for each
11 subject area. In reporting the scores to pupils, parents, and
12 schools, the superintendent of public instruction shall provide
13 standards-specific, meaningful, and timely feedback on the pupil's
14 performance on the Michigan merit examination.

15 (7) A school district or public school academy shall
16 administer the complete Michigan merit examination to a pupil only
17 once and shall not administer the complete Michigan merit
18 examination to the same pupil more than once. If a pupil does not
19 take the complete Michigan merit examination in grade 11, the
20 school district or public school academy shall administer the
21 complete Michigan merit examination to the pupil in grade 12. If a
22 pupil chooses to retake the college entrance examination component
23 of the Michigan merit examination, as described in subsection
24 (2)(a), the pupil may do so through the provider of the college
25 entrance examination component and the cost of the retake is the
26 responsibility of the pupil unless all of the following are met:

27 (a) The pupil has taken the complete Michigan merit

1 examination.

2 (b) The pupil did not qualify for a Michigan promise grant
3 under section 6 of the Michigan promise grant act, 2006 PA 479, MCL
4 390.1626, based on the pupil's performance on the complete Michigan
5 merit examination.

6 (c) The pupil meets the income eligibility criteria for free
7 breakfast, lunch, or milk, as determined under the Richard B.
8 Russell national school lunch act, 42 USC 1751 to ~~1769i~~-1769J.

9 (d) The pupil has applied to the provider of the college
10 entrance examination component for a scholarship or fee waiver to
11 cover the cost of the retake and that application has been denied.

12 (e) After taking the complete Michigan merit examination, the
13 pupil has not already received a free retake of the college
14 entrance examination component paid for either by this state or
15 through a scholarship or fee waiver by the provider.

16 (8) The superintendent of public instruction shall ensure that
17 the length of the Michigan merit examination and the combined total
18 time necessary to administer all of the components of the Michigan
19 merit examination are the shortest possible that will still
20 maintain the degree of reliability and validity of the Michigan
21 merit examination results determined necessary by the
22 superintendent of public instruction. The superintendent of public
23 instruction shall ensure that the maximum total combined length of
24 time that schools are required to set aside for pupils to answer
25 all test questions on the Michigan merit examination does not
26 exceed 8 hours if the superintendent of public instruction
27 determines that sufficient alignment to applicable Michigan merit

1 curriculum content standards can be achieved within that time
2 limit.

3 (9) A school district or public school academy shall provide
4 accommodations to a pupil with disabilities for the Michigan merit
5 examination, as provided under section 504 of title V of the
6 rehabilitation act of 1973, 29 USC 794; subtitle A of title II of
7 the Americans with disabilities act of 1990, 42 USC 12131 to 12134;
8 the individuals with disabilities education act amendments of 1997,
9 Public Law 105-17; and the implementing regulations for those
10 statutes. The provider or providers of the Michigan merit
11 examination and the superintendent of public instruction shall
12 mutually agree upon the accommodations to be provided under this
13 subsection.

14 (10) To the greatest extent possible, the Michigan merit
15 examination shall be based on grade level content expectations or
16 course content expectations, as appropriate. Not later than July 1,
17 2008, the department shall identify specific grade level content
18 expectations to be taught before and after the middle of grade 11,
19 so that teachers will know what content will be covered within the
20 Michigan merit examination.

21 (11) A child who is a student in a nonpublic school or home
22 school may take the Michigan merit examination under this section.
23 To take the Michigan merit examination, a child who is a student in
24 a home school shall contact the school district in which the child
25 resides, and that school district shall administer the Michigan
26 merit examination, or the child may take the Michigan merit
27 examination at a nonpublic school if allowed by the nonpublic

1 school. Upon request from a nonpublic school, the superintendent of
2 public instruction shall direct the provider or providers to supply
3 the Michigan merit examination to the nonpublic school and the
4 nonpublic school may administer the Michigan merit examination. If
5 a school district administers the Michigan merit examination under
6 this subsection to a child who is not enrolled in the school
7 district, the scores for that child are not considered for any
8 purpose to be scores of a pupil of the school district.

9 (12) In contracting under subsection (2), the department of
10 **TECHNOLOGY**, management, and budget shall consider a contractor that
11 provides electronically-scored essays with the ability to score
12 constructed response feedback in multiple languages and provide
13 ongoing instruction and feedback.

14 (13) The purpose of the Michigan merit examination is to
15 assess pupil performance in mathematics, science, social studies,
16 and English language arts for the purpose of improving academic
17 achievement and establishing a statewide standard of competency.
18 The assessment under this section provides a common measure of data
19 that will contribute to the improvement of Michigan schools'
20 curriculum and instruction by encouraging alignment with Michigan's
21 curriculum framework standards and promotes pupil participation in
22 higher level mathematics, science, social studies, and English
23 language arts courses. These standards are based upon the
24 expectations of what pupils should learn through high school and
25 are aligned with national standards.

26 (14) **IN ADDITION TO THE OTHER REQUIREMENTS OF THIS SECTION AND**
27 **THE REQUIREMENTS OF 1970 PA 38, MCL 388.1081 TO 388.1086, BEGINNING**

1 WITH ASSESSMENTS CONDUCTED DURING THE 2015-2016 SCHOOL YEAR, THE
2 SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL ENSURE THAT THE MICHIGAN
3 MERIT EXAMINATION SOCIAL STUDIES COMPONENT AND THE M-STEP AND ANY
4 SUCCESSOR STATE ASSESSMENT FOR SOCIAL STUDIES, AS APPROPRIATE,
5 INCLUDE QUESTIONS RELATED TO THE LEARNING OBJECTIVES IN THE STATE
6 BOARD RECOMMENDED MODEL CORE ACADEMIC CURRICULUM STANDARDS
7 CONCERNING GENOCIDE, INCLUDING, BUT NOT LIMITED TO, THE HOLOCAUST
8 AND THE ARMENIAN GENOCIDE.

9 (15) ~~(14)~~—As used in this section:

10 (A) "ARMENIAN GENOCIDE", "GENOCIDE", AND "HOLOCAUST" MEAN
11 THOSE TERMS AS DEFINED IN SECTION 1168.

12 (B) ~~(a)~~—"English language arts" means reading and writing.

13 (C) ~~(b)~~—"Social studies" means United States history, world
14 history, world geography, economics, and American government.

15 Enacting section 1. This amendatory act takes effect 90 days
16 after the date it is enacted into law.