

# SENATE BILL No. 423

June 11, 2013, Introduced by Senators COLBECK, GREEN, MOOLENAAR, EMMONS, PAPPAGEORGE, MARLEAU, ROBERTSON, KOWALL, PROOS, MEEKHOF, JANSEN and SCHUITMAKER and referred to the Committee on Education.

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 sections 1167 and 1259.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           SEC. 1167. (1) THE BOARD OF A SCHOOL DISTRICT OR BOARD OF  
2 DIRECTORS OF A PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT INSTRUCTION  
3 THAT FOCUSES ON THE FOLLOWING TOPICS IS PROVIDED DURING THE SCHOOL  
4 YEAR IN A GRADE- AND AGE-LEVEL APPROPRIATE MANNER FOR ALL OF ITS  
5 PUPILS IN GRADES K TO 12:

6           (A) THE CORE PRINCIPLES OF THE DECLARATION OF INDEPENDENCE,  
7 INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

8           (i) WE HOLD THESE TRUTHS TO BE SELF-EVIDENT, THAT ALL MEN ARE

1   CREATED EQUAL, THAT THEY ARE ENDOWED BY THEIR CREATOR WITH CERTAIN  
2   UNALIENABLE RIGHTS, THAT AMONG THESE ARE LIFE, LIBERTY, AND THE  
3   PURSUIT OF HAPPINESS.

4       (ii) THE PURPOSE OF GOVERNMENT IS TO SECURE OUR UNALIENABLE  
5   RIGHTS.

6       (iii) GOVERNMENT DERIVES ITS JUST POWERS FROM THE CONSENT OF THE  
7   GOVERNED.

8       (B) THE CORE PRINCIPLES OF OUR UNITED STATES CONSTITUTION,  
9   INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

10      (i) OUR CONSTITUTION HAS BEEN ESTABLISHED TO ENSURE JUSTICE,  
11   ENSURE DOMESTIC TRANQUILITY, PROVIDE FOR THE COMMON DEFENSE,  
12   PROMOTE THE GENERAL WELFARE, AND SECURE THE BLESSINGS OF LIBERTY  
13   FOR OURSELVES AND OUR POSTERITY.

14      (ii) ALL LEGISLATIVE POWERS ARE VESTED IN A CONGRESS OF THE  
15   UNITED STATES WHICH CONSISTS OF A SENATE AND A HOUSE OF  
16   REPRESENTATIVES.

17      (iii) THE LEGISLATIVE POWERS DELEGATED BY THE PEOPLE TO THE  
18   CONGRESS ARE LIMITED AND ENUMERATED IN ARTICLE I, SECTION 8 OF THE  
19   UNITED STATES CONSTITUTION.

20      (iv) THE EXECUTIVE POWER IS VESTED IN A PRESIDENT.

21      (v) THE POWERS DELEGATED BY THE PEOPLE TO THE PRESIDENT ARE  
22   LIMITED AND DELINEATED IN ARTICLE II, SECTION 2 OF THE UNITED  
23   STATES CONSTITUTION.

24      (vi) THE JUDICIAL POWERS SHALL BE VESTED IN 1 SUPREME COURT AND  
25   IN SUCH INFERIOR COURTS AS THE CONGRESS MAY FROM TIME TO TIME  
26   ORDAIN AND ESTABLISH.

27      (vii) THE POWERS DELEGATED BY THE PEOPLE TO THE JUDICIAL BRANCH

1 ARE LIMITED AND DELINEATED IN ARTICLE III, SECTION 2 OF THE UNITED  
2 STATES CONSTITUTION.

3 (viii) EVERY STATE IN THE UNION SHALL HAVE A REPUBLICAN FORM OF  
4 GOVERNMENT.

5 (ix) OUR CONSTITUTION CAN BE AMENDED IN ACCORDANCE WITH THE  
6 STIPULATIONS OF ARTICLE V OF THE UNITED STATES CONSTITUTION.

7 (x) CONGRESS SHALL MAKE NO LAW RESPECTING AN ESTABLISHMENT OF  
8 RELIGION OR PROHIBITING THE FREE EXERCISE OF RELIGION.

9 (xi) CONGRESS SHALL MAKE NO LAW ABRIDGING THE FREEDOM OF  
10 SPEECH.

11 (xii) CONGRESS SHALL MAKE NO LAW ABRIDGING THE FREEDOM OF THE  
12 PRESS.

13 (xiii) CONGRESS SHALL MAKE NO LAW ABRIDGING THE RIGHT OF THE  
14 PEOPLE PEACEABLY TO ASSEMBLE.

15 (xiv) CONGRESS SHALL MAKE NO LAW ABRIDGING THE RIGHT OF THE  
16 PEOPLE TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES.

17 (xv) THE RIGHT OF THE PEOPLE TO KEEP AND BEAR ARMS SHALL NOT BE  
18 INFRINGED.

19 (xvi) THE POWERS NOT DELEGATED TO THE UNITED STATES BY THE  
20 CONSTITUTION OR PROHIBITED BY IT TO THE STATES ARE RESERVED TO THE  
21 STATES RESPECTIVELY, OR TO THE PEOPLE.

22 (C) THE CORE PRINCIPLES OF OUR STATE CONSTITUTION, INCLUDING,  
23 BUT NOT LIMITED TO, THE FOLLOWING:

24 (i) ALL POLITICAL POWER IS INHERENT IN THE PEOPLE.

25 (ii) GOVERNMENT IS INSTITUTED FOR EQUAL BENEFIT, SECURITY, AND  
26 PROTECTION OF THE PEOPLE.

27 (iii) NO PERSON SHALL BE DENIED THE EQUAL PROTECTION OF THE LAWS

1 BECAUSE OF RELIGION, RACE, COLOR, OR NATIONAL ORIGIN.

2 (iv) EVERY PERSON SHALL BE AT LIBERTY TO WORSHIP GOD ACCORDING  
3 TO THE DICTATES OF HIS OR HER OWN CONSCIENCE. A PERSON'S CIVIL AND  
4 POLITICAL RIGHTS, PRIVILEGES, AND CAPACITIES SHALL NOT BE  
5 DIMINISHED OR ENLARGED ON ACCOUNT OF HIS OR HER RELIGIOUS BELIEF.

6 (v) NO LAW IMPAIRING THE OBLIGATION OF CONTRACT SHALL BE  
7 ENACTED.

8 (vi) RELIGION, MORALITY, AND KNOWLEDGE BEING NECESSARY TO GOOD  
9 GOVERNMENT AND THE HAPPINESS OF MANKIND, SCHOOLS AND THE MEANS OF  
10 EDUCATION SHALL FOREVER BE ENCOURAGED.

11 (vii) THE LEGISLATURE SHALL MAINTAIN AND SUPPORT A SYSTEM OF  
12 FREE PUBLIC ELEMENTARY AND SECONDARY SCHOOLS AS DEFINED BY LAW.

13 (viii) EVERY PERSON HAS A RIGHT TO KEEP AND BEAR ARMS FOR THE  
14 DEFENSE OF HIMSELF OR HERSELF AND THIS STATE.

15 (ix) THE PUBLIC HEALTH AND GENERAL WELFARE OF THE PEOPLE OF THE  
16 STATE ARE DECLARED TO BE MATTERS OF PRIMARY PUBLIC CONCERN. THE  
17 LEGISLATURE SHALL PASS SUITABLE LAWS FOR THE PROTECTION AND  
18 PROMOTION OF PUBLIC HEALTH.

19 (2) IN ORDER TO ENCOURAGE A SCHOOL CULTURE THAT RESPECTS AND  
20 VALUES OUR CIVIC HERITAGE, THE BOARD OF A SCHOOL DISTRICT OR  
21 INTERMEDIATE SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC  
22 SCHOOL ACADEMY SHALL ALLOW AND ENCOURAGE ANY PUBLIC SCHOOL TEACHER,  
23 EDUCATOR, OR ADMINISTRATOR TO READ OR POST IN A PUBLIC SCHOOL  
24 BUILDING, IN A CLASSROOM, OR AT ANY PUBLIC SCHOOL EVENT EXCERPTS OR  
25 PORTIONS OF WRITINGS, DOCUMENTS, AND RECORDS THAT REFLECT THE  
26 HISTORY OF THE UNITED STATES, INCLUDING, BUT NOT LIMITED TO, ANY OF  
27 THE FOLLOWING:

1 (A) THE DECLARATION OF INDEPENDENCE.

2 (B) THE CONSTITUTION OF THE UNITED STATES.

3 (C) THE FEDERALIST PAPERS.

4 (D) THE ANTI-FEDERALIST PAPERS.

5 (E) THE BILL OF RIGHTS.

6 (F) THE PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES.

7 (G) THE NORTHWEST ORDINANCES.

8 (3) A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY, AND ITS  
9 PROFESSIONAL SCHOOL PERSONNEL, MAY DEVELOP CURRICULA AND MATERIALS  
10 FOR THE INSTRUCTION REQUIRED UNDER THIS SECTION THAT ARE ALIGNED  
11 WITH THE STATE BOARD RECOMMENDED MODEL CORE ACADEMIC CURRICULUM  
12 CONTENT STANDARDS DEVELOPED UNDER SECTION 1278 AND ARE GRADE AND  
13 AGE-LEVEL APPROPRIATE.

14 SEC. 1259. (1) ON REAL PROPERTY THAT IT CONTROLS, A SCHOOL  
15 DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY  
16 MAY DISPLAY DOCUMENTS AND OBJECTS OF HISTORICAL SIGNIFICANCE THAT  
17 HAVE FORMED AND INFLUENCED THE LEGAL SYSTEM OR REPUBLICAN FORM OF  
18 FREE REPRESENTATIVE GOVERNMENT OF THE UNITED STATES BASED ON THE  
19 RULE OF LAW FOUND IN THE CONSTITUTION OF THE UNITED STATES AND THE  
20 BILL OF RIGHTS. THE DOCUMENTS AND OBJECTS THAT MAY BE DISPLAYED  
21 INCLUDE, BUT ARE NOT LIMITED TO, ALL OF THE FOLLOWING:

22 (A) THE DOCUMENTS LISTED IN SECTION 1167(2).

23 (B) THE MAGNA CARTA.

24 (C) THE FEDERALIST PAPERS.

25 (D) THE ANTI-FEDERALIST PAPERS.

26 (E) THE MAYFLOWER COMPACT.

27 (F) THE STATE CONSTITUTION OF 1963 OR ANOTHER CONSTITUTION OF

1 THIS STATE.

2 (G) THE NATIONAL MOTTO.

3 (H) THE NATIONAL ANTHEM.

4 (I) THE WRITINGS, SPEECHES, DOCUMENTS, AND PROCLAMATIONS OF  
5 THE FOUNDING FATHERS AND PRESIDENTS OF THE UNITED STATES.

6 (J) THE NORTHWEST ORDINANCES.

7 (K) ANOTHER DOCUMENT OR OBJECT OF HISTORICAL SIGNIFICANCE IN  
8 FORMING OR INFLUENCING THE UNITED STATES OR ITS LEGAL OR  
9 GOVERNMENTAL SYSTEM OR THAT EXEMPLIFIES THE DEVELOPMENT OF THE RULE  
10 OF LAW.

11 (2) A DISPLAY DESCRIBED IN SUBSECTION (1) MAY INCLUDE, BUT  
12 SHALL NOT BE LIMITED TO, DOCUMENTS THAT CONTAIN WORDS ASSOCIATED  
13 WITH A RELIGION. HOWEVER, THE DISPLAY SHALL NOT SEEK TO ESTABLISH  
14 OR PROMOTE RELIGION OR OTHER PHILOSOPHY. THE DISPLAY OF A DOCUMENT  
15 CONTAINING WORDS ASSOCIATED WITH A RELIGION SHALL BE IN THE SAME  
16 MANNER AND APPEARANCE GENERALLY AS OTHER DOCUMENTS AND OBJECTS  
17 DISPLAYED AND SHALL NOT BE PRESENTED OR DISPLAYED IN ANY FASHION  
18 THAT RESULTS IN CALLING ATTENTION TO IT APART FROM THE OTHER  
19 DISPLAYED DOCUMENTS AND OBJECTS. THE DISPLAY ALSO SHALL BE  
20 ACCOMPANIED BY A PROMINENT SIGN QUOTING THE FIRST AMENDMENT TO THE  
21 CONSTITUTION OF THE UNITED STATES AS FOLLOWS: "CONGRESS SHALL MAKE  
22 NO LAW RESPECTING AN ESTABLISHMENT OF RELIGION, OR PROHIBITING THE  
23 FREE EXERCISE THEREOF; OR ABRIDGING THE FREEDOM OF SPEECH, OR OF  
24 THE PRESS; OR THE RIGHT OF THE PEOPLE PEACEABLY TO ASSEMBLE, AND TO  
25 PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES.".

26 Sec. 1278. (1) In addition to the requirements for  
27 accreditation under section 1280 specified in that section, if the

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

14 (2) Recommended model core academic curriculum content  
15 standards shall be developed and periodically updated by the state  
16 board, shall be in the form of knowledge and skill content  
17 standards that are recommended as state standards for adoption by  
18 public schools in local curriculum formulation and adoption, and  
19 shall be distributed to each school district in the state. The  
20 recommended model core academic curriculum content standards shall  
21 set forth desired learning objectives in math, science, reading,  
22 history, geography, economics, American government, and writing for  
23 all children at each stage of schooling and be based upon the  
24 "Michigan K-12 program standards of quality" to ensure that high  
25 academic standards, academic skills, and academic subject matters  
26 are built into the instructional goals of all school districts for  
27 all children. **NOT LATER THAN MAY 1, 2014, THE STATE BOARD SHALL**

1    **UPDATE THE STATE BOARD RECOMMENDED MODEL CORE ACADEMIC CURRICULUM**  
2    **CONTENT STANDARDS DEVELOPED UNDER THIS SUBSECTION TO ENSURE THAT**  
3    **THEY COVER THE INSTRUCTION REQUIRED UNDER SECTION 1167.** The state  
4    board also shall ensure that the Michigan educational assessment  
5    program and the Michigan merit examination are based on the state  
6    recommended model core curriculum content standards, are testing  
7    only for proficiency in basic and advanced academic skills and  
8    academic subject matter, and are not used to measure pupils' values  
9    or attitudes.

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

13        (a) Establish a core academic curriculum for its pupils at the  
14    elementary, middle, and secondary school levels. The core academic  
15    curriculum shall define academic objectives to be achieved by all  
16    pupils and shall be based upon the school district's educational  
17    mission, long-range pupil goals, and pupil performance objectives.  
18    The core academic curriculum may vary from the model core academic  
19    curriculum content standards recommended by the state board  
20    pursuant to subsection (2).

21        (b) After consulting with teachers and school building  
22    administrators, determine the aligned instructional program for  
23    delivering the core academic curriculum and identify the courses  
24    and programs in which the core academic curriculum will be taught.

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

27        (5) For all pupils, the subjects or courses, and the delivery



1 of those including special assistance, that constitute the  
2 curriculum the pupils engage in shall assure the pupils have a  
3 realistic opportunity to learn all subjects and courses required by  
4 the district's core academic curriculum. A subject or course  
5 required by the core academic curriculum pursuant to subsection (3)  
6 shall be provided to all pupils in the school district by a school  
7 district, a consortium of school districts, or a consortium of 1 or  
8 more school districts and 1 or more intermediate school districts.

9 (6) To the extent practicable, the state board may adopt or  
10 develop academic objective-oriented high standards for knowledge  
11 and life skills, and a recommended core academic curriculum, for  
12 special education pupils for whom it may not be realistic or  
13 desirable to expect achievement of initial mastery of the state  
14 board recommended model core academic content standards objectives  
15 or of a high school diploma.

16 (7) The state board shall make available to all nonpublic  
17 schools in this state, as a resource for their consideration, the  
18 model core academic curriculum content standards developed for  
19 public schools pursuant to subsection (2) for the purpose of  
20 assisting the governing body of a nonpublic school in developing  
21 its core academic curriculum.

22 (8) Excluding special education pupils, pupils having a  
23 learning disability, and pupils with extenuating circumstances as  
24 determined by school officials, a pupil who does not score  
25 satisfactorily on the 4th or 7th grade Michigan educational  
26 assessment program reading test shall be provided special  
27 assistance reasonably expected to enable the pupil to bring his or

1 her reading skills to grade level within 12 months.

2 (9) Any course that would have been considered a nonessential  
3 elective course under Snyder v Charlotte School Dist, 421 Mich 517  
4 (1984), on April 13, 1990 shall continue to be offered to resident  
5 pupils of nonpublic schools on a shared time basis.

6 Sec. 1279g. (1) The board of a school district or board of  
7 directors of a public school academy shall comply with this section  
8 and shall administer the Michigan merit examination to pupils in  
9 grade 11, and to pupils in grade 12 who did not take the complete  
10 Michigan merit examination in grade 11, as provided in this  
11 section.

12 (2) For the purposes of this section, the department of  
13 **TECHNOLOGY**, management, and budget shall contract with 1 or more  
14 providers to develop, supply, and score the Michigan merit  
15 examination. The Michigan merit examination shall consist of all of  
16 the following:

17 (a) Assessment instruments that measure English language arts,  
18 mathematics, reading, and science and are used by colleges and  
19 universities in this state for entrance or placement purposes. This  
20 shall include a writing component in which the pupil produces an  
21 extended writing sample. The Michigan merit examination shall not  
22 require any other extended writing sample.

23 (b) One or more tests from 1 or more test developers that  
24 assess a pupil's ability to apply at least reading and mathematics  
25 skills in a manner that is intended to allow employers to use the  
26 results in making employment decisions. The department of  
27 **TECHNOLOGY**, management, and budget and the superintendent of public

1 instruction shall ensure that any test or tests selected under this  
2 subdivision have all the components necessary to allow a pupil to  
3 be eligible to receive the results of a nationally recognized  
4 evaluation of workforce readiness if the pupil's test performance  
5 is adequate.

6 (c) A social studies component.

7 (d) Any other component that is necessary to obtain the  
8 approval of the United States department of education to use the  
9 Michigan merit examination for the purposes of the no child left  
10 behind act of 2001, Public Law 107-110.

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

13 (a) The department of **TECHNOLOGY**, management, and budget and  
14 the superintendent of public instruction shall ensure that any  
15 contractor used for scoring the Michigan merit examination supplies  
16 an individual report for each pupil that will identify for the  
17 pupil's parents and teachers whether the pupil met expectations or  
18 failed to meet expectations for each standard, to allow the pupil's  
19 parents and teachers to assess and remedy problems before the pupil  
20 moves to the next grade.

21 (b) The department of **TECHNOLOGY**, management, and budget and  
22 the superintendent of public instruction shall ensure that any  
23 contractor used for scoring, developing, or processing the Michigan  
24 merit examination meets quality management standards commonly used  
25 in the assessment industry, including at least meeting level 2 of  
26 the capability maturity model developed by the software engineering  
27 institute of Carnegie Mellon university for the first year the

1 Michigan merit examination is offered to all grade 11 pupils and at  
2 least meeting level 3 of the capability maturity model for  
3 subsequent years.

4 (c) The department of **TECHNOLOGY**, management, and budget and  
5 the superintendent of public instruction shall ensure that any  
6 contract for scoring, administering, or developing the Michigan  
7 merit examination includes specific deadlines for all steps of the  
8 assessment process, including, but not limited to, deadlines for  
9 the correct testing materials to be supplied to schools and for the  
10 correct results to be returned to schools, and includes penalties  
11 for noncompliance with these deadlines.

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

14 (i) Is designed to test pupils on grade level content  
15 expectations or course content expectations, as appropriate, in all  
16 subjects tested.

17 (ii) Complies with requirements of the no child left behind act  
18 of 2001, Public Law 107-110.

19 (iii) Is consistent with the code of fair testing practices in  
20 education prepared by the joint committee on testing practices of  
21 the American psychological association.

22 (iv) Is factually accurate. If the superintendent of public  
23 instruction determines that a question is not factually accurate  
24 and should be excluded from scoring, the state board and the  
25 superintendent of public instruction shall ensure that the question  
26 is excluded from scoring.

27 (4) A school district or public school academy that operates a

1 high school shall include on each pupil's high school transcript  
2 all of the following:

3 (a) For each high school graduate who has completed the  
4 Michigan merit examination under this section, the pupil's scaled  
5 score on each subject area component of the Michigan merit  
6 examination.

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

10 (5) The superintendent of public instruction shall work with  
11 the provider or providers of the Michigan merit examination to  
12 produce Michigan merit examination subject area scores for each  
13 pupil participating in the Michigan merit examination, including  
14 scaling and merging of test items for the different subject area  
15 components. The superintendent of public instruction shall design  
16 and distribute to school districts, public school academies,  
17 intermediate school districts, and nonpublic schools a simple and  
18 concise document that describes the scoring for each subject area  
19 and indicates the scaled score ranges for each subject area.

20 (6) The Michigan merit examination shall be administered each  
21 year after March 1 and before June 1 to pupils in grade 11. The  
22 superintendent of public instruction shall ensure that the Michigan  
23 merit examination is scored and the scores are returned to pupils,  
24 their parents or legal guardians, and schools not later than the  
25 beginning of the pupil's first semester of grade 12. The returned  
26 scores shall indicate at least the pupil's scaled score for each  
27 subject area component and the range of scaled scores for each

1 subject area. In reporting the scores to pupils, parents, and  
2 schools, the superintendent of public instruction shall provide  
3 standards-specific, meaningful, and timely feedback on the pupil's  
4 performance on the Michigan merit examination.

5 (7) A school district or public school academy shall  
6 administer the complete Michigan merit examination to a pupil only  
7 once and shall not administer the complete Michigan merit  
8 examination to the same pupil more than once. If a pupil does not  
9 take the complete Michigan merit examination in grade 11, the  
10 school district or public school academy shall administer the  
11 complete Michigan merit examination to the pupil in grade 12. If a  
12 pupil chooses to retake the college entrance examination component  
13 of the Michigan merit examination, as described in subsection  
14 (2)(a), the pupil may do so through the provider of the college  
15 entrance examination component and the cost of the retake is the  
16 responsibility of the pupil unless all of the following are met:

17 (a) The pupil has taken the complete Michigan merit  
18 examination.

19 (b) The pupil did not qualify for a Michigan promise grant  
20 under section 6 of the Michigan promise grant act, 2006 PA 479, MCL  
21 390.1626, based on the pupil's performance on the complete Michigan  
22 merit examination.

23 (c) The pupil meets the income eligibility criteria for free  
24 breakfast, lunch, or milk, as determined under the Richard B.  
25 Russell national school lunch act, 42 USC 1751 to 1769i.

26 (d) The pupil has applied to the provider of the college  
27 entrance examination component for a scholarship or fee waiver to

1 cover the cost of the retake and that application has been denied.

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

6 (8) The superintendent of public instruction shall ensure that  
7 the length of the Michigan merit examination and the combined total  
8 time necessary to administer all of the components of the Michigan  
9 merit examination are the shortest possible that will still  
10 maintain the degree of reliability and validity of the Michigan  
11 merit examination results determined necessary by the  
12 superintendent of public instruction. The superintendent of public  
13 instruction shall ensure that the maximum total combined length of  
14 time that schools are required to set aside for pupils to answer  
15 all test questions on the Michigan merit examination does not  
16 exceed 8 hours if the superintendent of public instruction  
17 determines that sufficient alignment to applicable Michigan merit  
18 curriculum content standards can be achieved within that time  
19 limit.

20 (9) A school district or public school academy shall provide  
21 accommodations to a pupil with disabilities for the Michigan merit  
22 examination, as provided under section 504 of title V of the  
23 rehabilitation act of 1973, 29 USC 794; subtitle A of title II of  
24 the Americans with disabilities act of 1990, 42 USC 12131 to 12134;  
25 the individuals with disabilities education act amendments of 1997,  
26 Public Law 105-17; and the implementing regulations for those  
27 statutes. The provider or providers of the Michigan merit

1 examination and the superintendent of public instruction shall  
2 mutually agree upon the accommodations to be provided under this  
3 subsection.

4 (10) To the greatest extent possible, the Michigan merit  
5 examination shall be based on grade level content expectations or  
6 course content expectations, as appropriate. Not later than July 1,  
7 2008, the department shall identify specific grade level content  
8 expectations to be taught before and after the middle of grade 11,  
9 so that teachers will know what content will be covered within the  
10 Michigan merit examination.

11 (11) A child who is a student in a nonpublic school or home  
12 school may take the Michigan merit examination under this section.  
13 To take the Michigan merit examination, a child who is a student in  
14 a home school shall contact the school district in which the child  
15 resides, and that school district shall administer the Michigan  
16 merit examination, or the child may take the Michigan merit  
17 examination at a nonpublic school if allowed by the nonpublic  
18 school. Upon request from a nonpublic school, the superintendent of  
19 public instruction shall direct the provider or providers to supply  
20 the Michigan merit examination to the nonpublic school and the  
21 nonpublic school may administer the Michigan merit examination. If  
22 a school district administers the Michigan merit examination under  
23 this subsection to a child who is not enrolled in the school  
24 district, the scores for that child are not considered for any  
25 purpose to be scores of a pupil of the school district.

26 (12) In contracting under subsection (2), the department of  
27 **TECHNOLOGY**, management, and budget shall consider a contractor that



1 provides electronically-scored essays with the ability to score  
2 constructed response feedback in multiple languages and provide  
3 ongoing instruction and feedback.

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

16 (14) IN ADDITION TO THE OTHER REQUIREMENTS OF THIS SECTION AND  
17 THE REQUIREMENTS OF 1970 PA 38, MCL 388.1081 TO 388.1086, BEGINNING  
18 WITH ASSESSMENTS CONDUCTED DURING THE 2014-2015 SCHOOL YEAR, THE  
19 SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL ENSURE THAT THE MICHIGAN  
20 MERIT EXAMINATION AND THE MICHIGAN EDUCATION ASSESSMENT PROGRAM  
21 ASSESSMENTS INCLUDE QUESTIONS RELATED TO THE INSTRUCTION REQUIRED  
22 UNDER AND DOCUMENTS ENUMERATED IN SECTION 1167, INCLUDING AT LEAST  
23 THE DECLARATION OF INDEPENDENCE AND THE CONSTITUTION OF THE UNITED  
24 STATES.

25 (15) ~~(14)~~As used in this section:

26 (a) "English language arts" means reading and writing.

27 (b) "Social studies" means United States history, world

1 history, world geography, economics, and American government.