A bill to amend 1976 PA 451, entitled "The revised school code,"
(MCL 380.1 to 380.1852) by adding sections 1278e and 1278f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SEC. 1278E. (1) BY ENACTING THIS SECTION, THIS STATE TERMINATES ALL PLANS, PROGRAMS, ACTIVITIES, EFFORTS, AND EXPENDITURES RELATING TO THE IMPLEMENTATION OF THE EDUCATIONAL INITIATIVE COMMONLY REFERRED TO AS THE COMMON CORE STANDARDS, OR ANY DERIVATIVE OR PERMUTATION OF THAT EDUCATIONAL INITIATIVE INCLUDING, BUT NOT LIMITED TO, THE MICHIGAN COLLEGE AND CAREER READY STANDARDS THAT HAVE BEEN ADOPTED BY THE LEGISLATURE, THE STATE BOARD, OR THE DEPARTMENT AND INCLUDING, BUT NOT LIMITED TO, ANY ASSESSMENTS, DATA COLLECTION, AND INSTRUCTIONS BASED ON OR INVOLVING THAT EDUCATIONAL INITIATIVE. TO FURTHER PROTECT STATE AND
LOCAL CONTROL OF PUBLIC EDUCATION, THE STATE BOARD AND THE
DEPARTMENT ARE PROHIBITED FROM ADOPTING, ALIGNING TO, OR
IMPLEMENTING ANY OTHER NATIONAL OR MULTISTATE CONSORTIUM STANDARDS
FROM ANY SOURCE OR REQUIRING THE USE OF ANY ASSESSMENTS ALIGNED
WITH ANY OTHER NATIONAL OR MULTISTATE CONSORTIUM STANDARDS FROM ANY
SOURCE, AND, SUBJECT TO SECTION 1278F, THE STATE BOARD AND THE
DEPARTMENT SHALL DO ALL OF THE FOLLOWING:

(A) RESPECT AND SUPPORT THE ULTIMATE RIGHT OF A PARENT TO OPT
HIS OR HER CHILD OUT OF PUBLIC SCHOOL, AND OUT OF ANY PUBLIC SCHOOL
ACTIVITY, PRACTICE, OR TESTING THAT THE PARENT FINDS UNACCEPTABLE,
WITH NO NEGATIVE REPERCUSSIONS TO, OR FINANCIAL IMPACT ON, THE
CHILD, PARENT, OR SCHOOL AND WITH NO INTERFERENCE FROM THIS STATE.
THIS SUBDIVISION DOES NOT PROHIBIT THIS STATE FROM FUNDING PUBLIC
EDUCATION ON A PER-PUPIL BASIS.

(B) WITHIN 90 DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION,
ADOPT AND IMPLEMENT STATE ACADEMIC CONTENT STANDARDS FOR EACH OF
GRADES KINDERGARTEN TO 12 IN ENGLISH LANGUAGE ARTS, MATHEMATICS,
SCIENCE, AND SOCIAL STUDIES. THE STATE ACADEMIC CONTENT STANDARDS
SHALL BE THE SAME AS THE ACADEMIC STANDARDS IN EFFECT IN
MASSACHUSETTS DURING THE 2008-2009 SCHOOL YEAR, EXCEPT THAT ANY
REFERENCE IN THOSE STANDARDS TO "MASSACHUSETTS" SHALL BE CHANGED IN
ALL APPROPRIATE INSTANCES TO A REFERENCE TO "MICHIGAN" AND ANY
STATE HISTORY OR GOVERNMENT CONTENT STANDARDS SHALL BE CHANGED TO
REFLECT THE HISTORY AND GOVERNMENT OF THIS STATE. WITHIN 10 DAYS
AFTER THE STATE ACADEMIC CONTENT STANDARDS ARE ADOPTED, THE
DEPARTMENT SHALL DISTRIBUTE THE STANDARDS TO ALL PUBLIC SCHOOLS IN
THIS STATE AND MAKE THE STANDARDS AVAILABLE TO THE PUBLIC ON THE
DEPARTMENT WEBSITE.

(C) AS PART OF THE PROCESS OF CONVERSION AWAY FROM THE COMMON
CORE STANDARDS, THE SUPERINTENDENT OF PUBLIC INSTRUCTION, THE STATE
BOARD, THE DEPARTMENT, AND ANY OTHER STATE PUBLIC EMPLOYEE OR
AUTHORITY SHALL TAKE ALL STEPS NECESSARY TO TERMINATE AREAS OF
FEDERAL CONTROL OF THE MICHIGAN EDUCATIONAL PROCESS. THE
SUPERINTENDENT OF PUBLIC INSTRUCTION, THE STATE BOARD, THE
DEPARTMENT, OR ANY OTHER STATE PUBLIC EMPLOYEE OR AUTHORITY SHALL
NOT ADOPT OR IMPLEMENT ANY NATIONAL OR MULTISTATE CONSORTIUM
STANDARD FROM ANY SOURCE, OR THE USE OF ANY ASSESSMENTS ALIGNED
WITH A NATIONAL OR MULTISTATE CONSORTIUM STANDARD, THAT CEDES
CONTROL OF MICHIGAN EDUCATIONAL STANDARDS IN ANY MANNER, INCLUDING,
BUT NOT LIMITED TO, MATHEMATICS STANDARDS, ENGLISH LANGUAGE ARTS
STANDARDS, THE NEXT GENERATION SCIENCE STANDARDS, HISTORY
STANDARDS, SOCIAL STUDIES STANDARDS, OR SEXUALITY STANDARDS. THIS
STATE SHALL RETAIN SOLE CONTROL OVER THE DEVELOPMENT,
ESTABLISHMENT, AND REVISION OF COURSE OF STUDY STANDARDS FOR GRADES
K TO 12. THE SUPERINTENDENT OF PUBLIC INSTRUCTION, THE STATE BOARD,
THE DEPARTMENT, OR ANY OTHER STATE PUBLIC EMPLOYEE OR AUTHORITY
SHALL NOT JOIN ANY CONSORTIUM OR ANY OTHER ORGANIZATION IF
PARTICIPATION IN THAT CONSORTIUM OR ORGANIZATION WOULD CEDE ANY
MEASURE OF CONTROL OVER ANY ASPECT OF MICHIGAN PUBLIC EDUCATION TO
THAT CONSORTIUM OR ORGANIZATION.

(D) NOT EARLIER THAN 5 YEARS AFTER THE ADOPTION OF THE
STANDARDS UNDER SUBDIVISION (B), ADOPT NEW STATEWIDE ACADEMIC
CONTENT STANDARDS FOR EACH OF GRADES KINDERGARTEN TO 12 IN ENGLISH
LANGUAGE ARTS, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES THAT ARE
DISTINCT FROM AND NOT DIRECTLY ALIGNED TO THE COMMON CORE STANDARDS THAT WERE PREVIOUSLY ADOPTED BY THE STATE BOARD. THE NEW STATEWIDE ACADEMIC CONTENT STANDARDS SHALL EMPHASIZE COHERENCE, FOCUS, AND ESSENTIAL KNOWLEDGE AND SHALL HAVE EVIDENCE OF SUCCESSFUL APPLICATION. THE DEPARTMENT SHALL NOT IMPLEMENT NEW STATEWIDE ACADEMIC CONTENT STANDARDS UNDER THIS SUBDIVISION UNTIL THE PROPOSED STANDARDS ARE APPROVED BY BOTH HOUSES OF THE LEGISLATURE BY CONCURRENT RESOLUTION. THE STANDING COMMITTEE HAVING JURISDICTION OVER EDUCATION LEGISLATION IN EACH HOUSE SHALL CONDUCT AT LEAST 1 PUBLIC HEARING ON THE PROPOSED STANDARDS AND SHALL POST NOTICE OF EACH PUBLIC HEARING AT LEAST 2 WEEKS BEFORE HOLDING THE PUBLIC HEARING.

(2) WHEN THE STATE BOARD ADOPTS OR REVISES ACADEMIC CONTENT STANDARDS UNDER THIS SECTION, THE STATE BOARD SHALL DEVELOP THOSE STANDARDS INDEPENDENTLY AND NOT AS PART OF A MULTISTATE CONSORTIUM. (3) THE BOARD OF EACH SCHOOL DISTRICT AND BOARD OF DIRECTORS OF EACH PUBLIC SCHOOL ACADEMY, CONSIDERING THE ACADEMIC CONTENT STANDARDS ADOPTED UNDER THIS SECTION, SHALL DO ALL OF THE FOLLOWING:

(A) ESTABLISH A FUNDAMENTAL ACADEMIC CURRICULUM FOR ITS PUPILS AT THE ELEMENTARY, MIDDLE, AND SECONDARY SCHOOL LEVELS. THE FUNDAMENTAL 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 FUNDAMENTAL ACADEMIC CURRICULUM MAY VARY FROM THE STATE ACADEMIC CONTENT STANDARDS ADOPTED UNDER THIS SECTION.
(B) After consulting with teachers and school building administrators, determine the aligned instructional program for delivering the school district's or public school academy's fundamental academic curriculum and identify the courses and programs in which the fundamental academic curriculum will be taught.

(C) Provide adequate time and transparency for public review and comment on the aligned instructional programs by all interested members of the community before final adoption.

(4) This section shall not be construed to promote any religious or nonreligious doctrine, promote discrimination for or against a particular set of religious beliefs or nonbeliefs, or promote discrimination for or against religion or nonreligion.

(5) This section does not require any school district or public school academy to utilize all or any part of the academic content standards adopted under this section. The state board and the department shall not impose any financial consequence on a school district or public school academy that adopts academic content standards differing from those adopted by this state under this section.

Sec. 1278f. (1) The department shall adopt validated state assessments of pupil achievement based on the assessment used in Massachusetts during the 2008-2009 school year and aligned to the academic standards in effect in Massachusetts during the 2008-2009 school year. These assessments shall be ready for use by the first spring after new statewide academic content standards are adopted under section 1278e(1)(b). The department shall not revise the
ASSESSMENTS UNDER THIS SUBSECTION AGAIN FOR A PERIOD OF AT LEAST 5 YEARS. THE NEW ASSESSMENTS ADOPTED UNDER THIS SUBSECTION AND ALL FUTURE ASSESSMENTS ADOPTED BY THE DEPARTMENT SHALL MEET ALL OF THE FOLLOWING:

(A) SHALL NOT REQUIRE, BUT MAY USE, COMPUTER TECHNOLOGY.

(B) EACH YEAR, WITHIN 30 DAYS AFTER THE ASSESSMENT IS ADMINISTERED, SHALL BE AVAILABLE ON THE DEPARTMENT WEBSITE FOR ALL SCHOOL ADMINISTRATORS, TEACHERS, AND PARENTS TO REVIEW.

(C) SHALL NOT COLLECT ANY OF THE FOLLOWING:

(i) DATA ABOUT THE VALUES, ATTITUDES, BELIEFS, AND PERSONALITY TRAITS OF A PUPIL OR A PUPIL'S FAMILY.

(ii) MEDICAL, BEHAVIORAL, MENTAL, BIOMETRIC, OR PSYCHOMETRIC DATA OF A PUPIL OR A PUPIL'S FAMILY.

(2) THE DEPARTMENT SHALL NOT IMPLEMENT AN ASSESSMENT DEVELOPED UNDER THIS SECTION UNTIL THE PROPOSED ASSESSMENT IS APPROVED BY BOTH HOUSES OF THE LEGISLATURE BY CONCURRENT RESOLUTION. THE STANDING COMMITTEE HAVING JURISDICTION OVER EDUCATION LEGISLATION IN EACH HOUSE SHALL CONDUCT AT LEAST 1 PUBLIC HEARING ON THE PROPOSED ASSESSMENT AND SHALL POST NOTICE OF EACH PUBLIC HEARING AT LEAST 2 WEEKS BEFORE HOLDING THE PUBLIC HEARING.