THE STATE SCHOOL AID ACT OF 1979 (EXCERPT)
Act 94 of 1979

388.1704c State assessments as condition for receipt of state aid; M-STEP assessments in
English language arts and mathematics; summative assessment system; benchmark
assessments; interim assessments; "English language arts" defined.

Sec. 104c. (1) In order to receive state aid under this article, a district shall administer the state assessments
described in this section.

(2) For the purposes of this section, the department shall develop and administer the Michigan student test
of educational progress (M-STEP) assessments in English language arts and mathematics. These assessments
shall be aligned to state standards.

(3) For the purposes of this section, the department shall implement a summative assessment system that is
proven to be valid and reliable for administration to pupils as provided under this subsection. The summative
assessment system must meet all of the following requirements:

(a) The summative assessment system must measure student proficiency on the current state standards,
must measure student growth for consecutive grade levels in which students are assessed in the same subject
area in both grade levels, and must be capable of measuring individual student performance.

(b) The summative assessments for English language arts and mathematics must be administered to all
public school pupils in grades 3 to 11, including those pupils as required by the federal individuals with
disabilities education act, Public Law 108-446, and by title I of the federal every student succeeds act (ESSA),
Public Law 114-95.

(c) The summative assessments for science must be administered to all public school pupils in at least
grades 5 and 8, including those pupils as required by the federal individuals with disabilities education act,
Public Law 108-446, and by title I of the federal every student succeeds act (ESSA), Public Law 114-95.

(d) The summative assessments for social studies must be administered to all public school pupils in at
least grades 5 and 8, including those pupils as required by the federal individuals with disabilities education
act, Public Law 108-446, and by title I of the federal every student succeeds act (ESSA), Public Law 114-95.

(e) The content of the summative assessments must be aligned to state standards.

(f) The pool of questions for the summative assessments must be subject to a transparent review process
for quality, bias, and sensitive issues involving educator review and comment. The department shall post
samples from tests or retired tests featuring questions from this pool for review by the public.

(g) The summative assessment system must ensure that students, parents, and teachers are provided with
reports that convey individual student proficiency and growth on the assessment and that convey individual
student domain-level performance in each subject area, including representative questions, and individual
student performance in meeting state standards.

(h) The summative assessment system must be capable of providing, and the department shall ensure that
students, parents, teachers, administrators, and community members are provided with, reports that convey
aggregate student proficiency and growth data by teacher, grade, school, and district.

(i) The summative assessment system must ensure the capability of reporting the available data to support
educator evaluations.

(j) The summative assessment system must ensure that the reports provided to districts containing
individual student data are available within 60 days after completion of the assessments.

(k) The summative assessment system must ensure that access to individually identifiable student data
meets all of the following:

(i) Is in compliance with 20 USC 1232g, commonly referred to as the family educational rights and privacy

(ii) Except as may be provided for in an agreement with a vendor to provide assessment services, as
necessary to support educator evaluations pursuant to subdivision (i), or for research or program evaluation
purposes, is available only to the student; to the student's parent or legal guardian; and to a school
administrator or teacher, to the extent that he or she has a legitimate educational interest.

(l) The summative assessment system must ensure that the assessments are pilot tested before statewide
implementation.

(m) The summative assessment system must ensure that assessments are designed so that the maximum
total combined length of time that schools are required to set aside for a pupil to answer all test questions on
all assessments that are part of the system for the pupil's grade level does not exceed that maximum total
combined length of time for the previous statewide assessment system or 9 hours, whichever is less. This
subdivision does not limit the amount of time a district may allow a pupil to complete a test.

(n) The total cost of executing the summative assessment system statewide each year, including, but not
limited to, the cost of contracts for administration, scoring, and reporting, must not exceed an amount equal to 2 times the cost of executing the previous statewide assessment after adjustment for inflation.

(o) Beginning with the 2017-2018 school year, the summative assessment system must not require more than 3 hours in duration, on average, for an individual pupil to complete the combined administration of the math and English language arts portions of the assessment for any 1 grade level.

(p) The summative assessments for English language arts and mathematics for pupils in grades 8 to 10 must be aligned to the college entrance test portion of the Michigan merit examination required under section 104b.

(4) The department shall offer benchmark assessments in the fall and spring of each school year to measure English language arts and mathematics in each of grades K to 2. Full implementation must occur not later than the 2019-2020 school year. These assessments are necessary to determine a pupil's proficiency level before grade 3 and must meet the requirements under section 104d(4).

(5) This section does not prohibit districts from adopting interim assessments.

(6) As used in this section, "English language arts" means that term as defined in section 104b.