

# HOUSE BILL No. 5581

May 14, 2014, Introduced by Reps. Genetski, Franz, MacMaster, Victory, Schmidt, O'Brien, Hooker, Somerville, Foster, Daley, Kurtz, Rendon, Kelly, McBroom, Lyons, Pscholka, Callton, Graves, MacGregor, McMillin, Rogers and Haines and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1278, 1279a, 1279c, and 1279g (MCL 380.1278, 380.1279a, 380.1279c, and 380.1279g), sections 1278, 1279a, and 1279c as amended by 2004 PA 596 and section 1279g as amended by 2008 PA 349, and by adding section 1279f; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1278. (1) In addition to the requirements for  
2 accreditation under section 1280 specified in that section, if the  
3 board of a school district wants all of the schools of the school  
4 district to be accredited under section 1280, the board shall  
5 provide to all pupils attending public school in the district a  
6 core academic curriculum in compliance with subsection (3) in each

1 of the curricular areas specified in the state board recommended  
2 model core academic curriculum content standards developed under  
3 subsection (2). The state board model core academic curriculum  
4 content standards shall encompass academic and cognitive  
5 instruction only. For purposes of this section, the state board  
6 model core academic curriculum content standards shall not include  
7 attitudes, beliefs, or value systems that are not essential in the  
8 legal, economic, and social structure of our society and to the  
9 personal and social responsibility of citizens of our society.

10 (2) Recommended model core academic curriculum content  
11 standards shall be developed and periodically updated by the state  
12 board, shall be in the form of knowledge and skill content  
13 standards that are recommended as state standards for adoption by  
14 public schools in local curriculum formulation and adoption, and  
15 shall be distributed to each school district in the state. The  
16 recommended model core academic curriculum content standards shall  
17 set forth desired learning objectives in math, science, reading,  
18 history, geography, economics, American government, and writing for  
19 all children at each stage of schooling and be based upon the  
20 "Michigan K-12 program standards of quality" to ensure that high  
21 academic standards, academic skills, and academic subject matters  
22 are built into the instructional goals of all school districts for  
23 all children. The ~~state board also~~ **DEPARTMENT OF TREASURY** shall  
24 ensure that the Michigan educational assessment program and the  
25 Michigan merit examination are based on the state recommended model  
26 core curriculum content standards, are testing only for proficiency  
27 in basic and advanced academic skills and academic subject matter,

1 and are not used to measure pupils' values or attitudes.

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

5 (a) Establish a core academic curriculum for its pupils at the  
6 elementary, middle, and secondary school levels. The core academic  
7 curriculum shall define academic objectives to be achieved by all  
8 pupils and shall be based upon the school district's educational  
9 mission, long-range pupil goals, and pupil performance objectives.  
10 The core academic curriculum may vary from the model core academic  
11 curriculum content standards recommended by the state board  
12 pursuant to subsection (2).

13 (b) After consulting with teachers and school building  
14 administrators, determine the aligned instructional program for  
15 delivering the core academic curriculum and identify the courses  
16 and programs in which the core academic curriculum will be taught.

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

19 (5) For all pupils, the subjects or courses, and the delivery  
20 of those including special assistance, that constitute the  
21 curriculum the pupils engage in shall assure the pupils have a  
22 realistic opportunity to learn all subjects and courses required by  
23 the district's core academic curriculum. A subject or course  
24 required by the core academic curriculum pursuant to subsection (3)  
25 shall be provided to all pupils in the school district by a school  
26 district, a consortium of school districts, or a consortium of 1 or  
27 more school districts and 1 or more intermediate school districts.

1           (6) To the extent practicable, the state board may adopt or  
2 develop academic objective-oriented high standards for knowledge  
3 and life skills, and a recommended core academic curriculum, for  
4 special education pupils for whom it may not be realistic or  
5 desirable to expect achievement of initial mastery of the state  
6 board recommended model core academic content standards objectives  
7 or of a high school diploma.

8           (7) The state board shall make available to all nonpublic  
9 schools in this state, as a resource for their consideration, the  
10 model core academic curriculum content standards developed for  
11 public schools pursuant to subsection (2) for the purpose of  
12 assisting the governing body of a nonpublic school in developing  
13 its core academic curriculum.

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

21           (9) Any course that would have been considered a nonessential  
22 elective course under Snyder v Charlotte School Dist, 421 Mich 517  
23 (1984), on April 13, 1990 shall continue to be offered to resident  
24 pupils of nonpublic schools on a shared time basis.

25           Sec. 1279a. If the ~~superintendent of public instruction~~  
26 **DEPARTMENT OF TREASURY** has reason to suspect that there are  
27 irregularities in a school district's or public school academy's

1 administration of, or preparation of pupils for, a Michigan  
2 educational assessment program (MEAP) test or the Michigan merit  
3 examination, the ~~superintendent of public instruction~~ **DEPARTMENT OF**  
4 **TREASURY** shall not report the suspected irregularities to any  
5 person or entity not involved in the scoring or administration of  
6 the test before notifying the school district or public school  
7 academy of the suspected irregularities and allowing at least 5  
8 business days for school officials to respond.

9       Sec. 1279c. The ~~state board, the superintendent of public~~  
10 ~~instruction, DEPARTMENT OF TREASURY~~, the board of each school  
11 district, and each public school academy shall ensure that the  
12 Michigan educational assessment program (MEAP) tests and the  
13 Michigan merit examination are not used to measure pupils' values  
14 or attitudes.

15       **SEC. 1279F. (1) TO CONTINUE THE ASSESSMENT PROGRAM UNDER**  
16 **FORMER 1970 PA 38, THE DEPARTMENT OF TREASURY SHALL MAINTAIN A**  
17 **STATEWIDE PROGRAM OF ASSESSMENT OF EDUCATIONAL PROGRESS IN THE**  
18 **BASIC SKILLS AS PROVIDED UNDER THIS SECTION. THE PROGRAM MAY BE**  
19 **KNOWN AS THE MICHIGAN EDUCATIONAL ASSESSMENT PROGRAM (MEAP) AND**  
20 **SHALL ASSESS BASIC SKILLS IN READING, MATHEMATICS, LANGUAGE ARTS,**  
21 **SCIENCE, AND OTHER GENERAL SUBJECT AREAS IDENTIFIED BY THE**  
22 **DEPARTMENT OF TREASURY. THE PROGRAM SHALL DO ALL OF THE FOLLOWING:**

23       **(A) ESTABLISH MEANINGFUL ACHIEVEMENT GOALS IN THE BASIC SKILLS**  
24 **FOR STUDENTS AND IDENTIFY THOSE STUDENTS WITH THE GREATEST**  
25 **EDUCATIONAL NEED IN THESE SKILLS.**

26       **(B) PROVIDE THE STATE WITH THE INFORMATION NEEDED TO ALLOCATE**  
27 **STATE FUNDS AND PROFESSIONAL SERVICES IN A MANNER BEST CALCULATED**

1 TO EQUALIZE EDUCATIONAL OPPORTUNITIES FOR STUDENTS TO ACHIEVE  
2 COMPETENCE IN THESE BASIC SKILLS.

3 (C) PROVIDE SCHOOL SYSTEMS WITH STRONG INCENTIVES TO INTRODUCE  
4 EDUCATIONAL PROGRAMS TO IMPROVE THE EDUCATION OF STUDENTS IN THESE  
5 BASIC SKILLS AND MODEL PROGRAMS TO RAISE THE LEVEL OF ACHIEVEMENT  
6 OF STUDENTS.

7 (D) DEVELOP A SYSTEM FOR EDUCATIONAL SELF-RENEWAL THAT WOULD  
8 CONTINUOUSLY EVALUATE THE PROGRAMS AND BY THIS MEANS HELP EACH  
9 SCHOOL TO DISCOVER AND INTRODUCE PROGRAM CHANGES THAT ARE MOST  
10 LIKELY TO IMPROVE THE QUALITY OF EDUCATION.

11 (E) PROVIDE THE PUBLIC PERIODICALLY WITH INFORMATION  
12 CONCERNING THE PROGRESS OF THE STATE SYSTEM OF EDUCATION. THE  
13 PROGRAMS SHALL EXTEND CURRENT STATE EFFORTS TO CONDUCT PERIODIC AND  
14 COMPREHENSIVE ASSESSMENT OF EDUCATIONAL PROGRESS.

15 (2) THE ASSESSMENT PROGRAM UNDER SUBSECTION (1) SHALL COVER  
16 ALL PUBLIC SCHOOL PUPILS ANNUALLY IN ALL OF GRADES 3 TO 10, AS  
17 REQUIRED UNDER THE NO CHILD LEFT BEHIND ACT OF 2001, PUBLIC LAW  
18 107-110. IF THE FEDERAL GOVERNMENT REQUIRES ASSESSMENTS AT  
19 ADDITIONAL GRADE LEVELS UNDER THE NO CHILD LEFT BEHIND ACT OF 2001,  
20 PUBLIC LAW 107-110, THE DEPARTMENT OF TREASURY SHALL ENSURE THAT  
21 THIS STATE COMPLIES WITH THOSE REQUIREMENTS.

22 (3) THE DEPARTMENT OF TREASURY SHALL SUPERVISE THE ASSESSMENT  
23 PROGRAM AND MAY UTILIZE THE ASSISTANCE OF APPROPRIATE TESTING  
24 ORGANIZATIONS OR TESTING SPECIALISTS. ALL OF THE FOLLOWING APPLY TO  
25 THE ASSESSMENT PROGRAM:

26 (A) THE BOARD OF A SCHOOL DISTRICT, OR THE BOARD OF DIRECTORS  
27 OF A PUBLIC SCHOOL ACADEMY THAT OPERATES ANY OF THE GRADES COVERED

1 BY THE ASSESSMENT PROGRAM, SHALL ADMINISTER THE ASSESSMENTS EACH  
2 SCHOOL YEAR TO ALL PUPILS IN EACH OF THOSE GRADES. THE  
3 ADMINISTRATION AND GRADING OF THE ASSESSMENTS AND REPORTING OF THE  
4 RESULTS SHALL BE AS PRESCRIBED BY THE DEPARTMENT OF TREASURY.

5 (B) THE DEPARTMENT OF TREASURY SHALL ENSURE THAT ANY  
6 CONTRACTOR USED FOR SCORING AN ASSESSMENT INSTRUMENT SUPPLIES AN  
7 INDIVIDUAL REPORT FOR EACH STUDENT THAT WILL ALLOW THE STUDENT'S  
8 PARENTS AND TEACHERS TO ASSESS AND REMEDY PROBLEMS BEFORE THE  
9 STUDENT MOVES TO THE NEXT GRADE.

10 (C) THE DEPARTMENT OF TREASURY SHALL ENSURE THAT ANY  
11 CONTRACTOR USED FOR SCORING, DEVELOPING, OR PROCESSING AN  
12 ASSESSMENT INSTRUMENT MEETS QUALITY MANAGEMENT STANDARDS COMMONLY  
13 USED IN THE ASSESSMENT INDUSTRY, INCLUDING AT LEAST MEETING LEVEL 3  
14 OF THE CAPABILITY MATURITY MODEL DEVELOPED BY THE SOFTWARE  
15 ENGINEERING INSTITUTE OF CARNEGIE MELLON UNIVERSITY.

16 (D) THE DEPARTMENT OF TREASURY SHALL ENSURE THAT ANY CONTRACT  
17 IT ENTERS INTO FOR SCORING OR ADMINISTERING AN ASSESSMENT  
18 INSTRUMENT INCLUDES SPECIFIC DEADLINES FOR ALL STEPS OF THE  
19 ASSESSMENT PROCESS, INCLUDING, BUT NOT LIMITED TO, DEADLINES FOR  
20 THE CORRECT TESTING MATERIALS TO BE SUPPLIED TO SCHOOLS AND FOR THE  
21 CORRECT RESULTS TO BE RETURNED TO SCHOOLS, AND INCLUDES PENALTIES  
22 FOR NONCOMPLIANCE WITH THESE DEADLINES.

23 (E) THE DEPARTMENT OF TREASURY SHALL ENSURE THAT THE  
24 ASSESSMENT INSTRUMENTS MEET ALL OF THE FOLLOWING:

25 (i) ARE DESIGNED TO TEST STUDENTS ON BASIC SKILLS IN ALL  
26 SUBJECTS TESTED FOR EACH GRADE LEVEL TESTED.

27 (ii) COMPLY WITH REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT

1 OF 2001, PUBLIC LAW 107-110.

2 (iii) ARE 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.

5 (iv) ARE FACTUALLY ACCURATE. IF THE DEPARTMENT OF TREASURY  
6 DETERMINES THAT A QUESTION IS NOT FACTUALLY ACCURATE AND SHOULD BE  
7 REMOVED FROM AN ASSESSMENT INSTRUMENT, THE DEPARTMENT OF TREASURY  
8 SHALL ENSURE THAT THE QUESTION IS REMOVED FROM THE ASSESSMENT  
9 INSTRUMENT.

10 (4) THE ASSESSMENT PROGRAM SHALL ASSESS COMPETENCIES IN THE  
11 BASIC SKILLS AND COLLECT AND UTILIZE OTHER RELEVANT INFORMATION  
12 ESSENTIAL TO THE ASSESSMENT PROGRAM.

13 (5) BASED ON INFORMATION FROM THE ASSESSMENT PROGRAM, THE  
14 PUBLIC SCHOOLS SHALL IDENTIFY STUDENTS WHO HAVE EXTRAORDINARY NEED  
15 FOR ASSISTANCE TO IMPROVE THEIR COMPETENCE IN THE BASIC SKILLS AND  
16 SHALL IDENTIFY STUDENTS WHO HAVE DEMONSTRATED EXTRAORDINARY  
17 COMPETENCE IN MULTIPLE SUBJECT AREAS WHO SHOULD BE RECOMMENDED FOR  
18 ADVANCEMENT.

19 (6) THE DEPARTMENT OF TREASURY SHALL ENSURE THAT INFORMATION  
20 FROM THE ASSESSMENT PROGRAM IS GIVEN TO EACH SCHOOL AS SOON AS  
21 POSSIBLE TO ASSIST IT IN ITS EFFORTS TO IMPROVE THE ACHIEVEMENT OF  
22 STUDENTS IN THE BASIC SKILLS.

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

1 section.

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

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

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

23 (c) A social studies component.

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

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

3 (a) The department of **TECHNOLOGY**, management, and budget and  
4 ~~the superintendent of public instruction~~**DEPARTMENT OF TREASURY**  
5 shall ensure that any contractor used for scoring the Michigan  
6 merit examination supplies an individual report for each pupil that  
7 will identify for the pupil's parents and teachers whether the  
8 pupil met expectations or failed to meet expectations for each  
9 standard, to allow the pupil's parents and teachers to assess and  
10 remedy problems before the pupil moves to the next grade.

11 (b) The department of **TECHNOLOGY**, management, and budget and  
12 ~~the superintendent of public instruction~~**DEPARTMENT OF TREASURY**  
13 shall ensure that any contractor used for scoring, developing, or  
14 processing the Michigan merit examination meets quality management  
15 standards commonly used in the assessment industry, including at  
16 least meeting level 2-3 of the capability maturity model developed  
17 by the software engineering institute of Carnegie Mellon  
18 university. ~~for the first year the Michigan merit examination is~~  
19 ~~offered to all grade 11 pupils and at least meeting level 3 of the~~  
20 ~~capability maturity model for subsequent years.~~

21 (c) The department of **TECHNOLOGY**, management, and budget and  
22 ~~the superintendent of public instruction~~**DEPARTMENT OF TREASURY**  
23 shall ensure that any contract for scoring, administering, or  
24 developing the Michigan merit examination includes specific  
25 deadlines for all steps of the assessment process, including, but  
26 not limited to, deadlines for the correct testing materials to be  
27 supplied to schools and for the correct results to be returned to

1 schools, and includes penalties for noncompliance with these  
2 deadlines.

3 (d) The ~~superintendent of public instruction~~ **DEPARTMENT OF**  
4 **TREASURY** shall ensure that the Michigan merit examination meets all  
5 of the following:

6 (i) Is designed to test pupils on grade level content  
7 expectations or course content expectations, as appropriate, in all  
8 subjects tested.

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

11 (iii) Is consistent with the code of fair testing practices in  
12 education prepared by the joint committee on testing practices of  
13 the American psychological association.

14 (iv) Is factually accurate. If the ~~superintendent of public~~  
15 ~~instruction~~ **DEPARTMENT OF TREASURY** determines that a question is  
16 not factually accurate and should be excluded from scoring, the  
17 ~~state board and the superintendent of public instruction~~ **DEPARTMENT**  
18 **OF TREASURY** shall ensure that the question is excluded from  
19 scoring.

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

23 (a) For each high school graduate who has completed the  
24 Michigan merit examination under this section, the pupil's scaled  
25 score on each subject area component of the Michigan merit  
26 examination.

27 (b) The number of school days the pupil was in attendance at

1 school each school year during high school and the total number of  
2 school days in session for each of those school years.

3 (5) The ~~superintendent of public instruction~~ **DEPARTMENT OF**  
4 **TREASURY** shall work with the provider or providers of the Michigan  
5 merit examination to produce Michigan merit examination subject  
6 area scores for each pupil participating in the Michigan merit  
7 examination, including scaling and merging of test items for the  
8 different subject area components. The ~~superintendent of public~~  
9 ~~instruction~~ **DEPARTMENT OF TREASURY** shall design and distribute to  
10 school districts, public school academies, intermediate school  
11 districts, and nonpublic schools a simple and concise document that  
12 describes the scoring for each subject area and indicates the  
13 scaled score ranges for each subject area.

14 (6) The Michigan merit examination shall be administered each  
15 year after March 1 and before June 1 to pupils in grade 11. The  
16 ~~superintendent of public instruction~~ **DEPARTMENT OF TREASURY** shall  
17 ensure that the Michigan merit examination is scored and the scores  
18 are returned to pupils, their parents or legal guardians, and  
19 schools not later than the beginning of the pupil's first semester  
20 of grade 12. The returned scores shall indicate at least the  
21 pupil's scaled score for each subject area component and the range  
22 of scaled scores for each subject area. In reporting the scores to  
23 pupils, parents, and schools, the ~~superintendent of public~~  
24 ~~instruction~~ **DEPARTMENT OF TREASURY** shall provide standards-  
25 specific, meaningful, and timely feedback on the pupil's  
26 performance on the Michigan merit examination.

27 (7) A school district or public school academy shall

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

12 (a) The pupil has taken the complete Michigan merit  
13 examination.

14 ~~——(b) The pupil did not qualify for a Michigan promise grant~~  
15 ~~under section 6 of the Michigan promise grant act, 2006 PA 479, MCL~~  
16 ~~390.1626, based on the pupil's performance on the complete Michigan~~  
17 ~~merit examination.~~

18 (B) ~~(e)~~—The pupil meets the income eligibility criteria for  
19 free breakfast, lunch, or milk, as determined under the Richard B.  
20 Russell national school lunch act, 42 USC 1751 to 1769i.

21 (C) ~~(d)~~—The pupil has applied to the provider of the college  
22 entrance examination component for a scholarship or fee waiver to  
23 cover the cost of the retake and that application has been denied.

24 (D) ~~(e)~~—After taking the complete Michigan merit examination,  
25 the pupil has not already received a free retake of the college  
26 entrance examination component paid for either by this state or  
27 through a scholarship or fee waiver by the provider.

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

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

27           (10) To the greatest extent possible, the Michigan merit

1 examination shall be based on grade level content expectations or  
2 course content expectations, as appropriate. Not later than July 1,  
3 2008, the department shall identify specific grade level content  
4 expectations to be taught before and after the middle of grade 11,  
5 so that teachers will know what content will be covered within the  
6 Michigan merit examination.

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

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

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

13           (14) As used in this section:

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

15           (b) "Social studies" means United States history, world  
16 history, world geography, economics, and American government.

17           Enacting section 1. The following acts and parts of acts are  
18 repealed:

19           (a) 1970 PA 38, MCL 388.1081 to 388.1086.

20           (b) Sections 1279 and 1279d of the revised school code, 1976  
21 PA 451, MCL 380.1279 and 380.1279d.