

HOUSE BILL NO. 4836

September 04, 2025, Introduced by Reps. Paquette, Markkanen, Kunse, Outman, Woolford, Wortz, Thompson and Wozniak and referred to Committee on Education and Workforce.

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending section 104b (MCL 388.1704b), as amended by 2018 PA
265.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 104b. (1) In order to receive state aid under this
2 article, a district shall comply with this section and shall
3 administer the Michigan merit examination to pupils in grade 11,
4 and to pupils in grade 12 who did not take the complete Michigan
5 merit examination in grade 11, as provided in this section. The

1 Michigan merit examination consists of a college entrance test, a
2 work skills test, and the summative assessment known as the
3 Michigan student test of educational progress (M-STEP).

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

9 (a) Assessment instruments that measure English language arts,
10 mathematics, reading, and science, and are used by the majority of
11 colleges and universities in this state for entrance purposes. This
12 may include 1 or more writing components. In selecting assessment
13 instruments to fulfill the requirements of this subdivision, the
14 department may consider the degree to which those assessment
15 instruments are aligned to this state's content standards.

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

25 **Beginning with the 2025-2026 school year, a pupil may elect not to**
26 **take a test described in this subdivision through a waiver that is**
27 **developed by the department, made available on the department's**
28 **website, and both signed by the pupil's parent or legal guardian**
29 **and submitted to the pupil's school district, intermediate school**

1 district, or public school academy by not later than February 28 of
2 the school year in which the test will be administered. The
3 department shall consult with an individual who represents business
4 in this state, an individual who represents manufacturing in this
5 state, and an individual who represents skilled trades
6 organizations in this state to develop an informational letter
7 about the purpose and benefits of the workforce readiness
8 assessment. A school district, intermediate school district, or
9 public school academy shall ensure that the informational letter is
10 provided to all pupils described in subsection (1) and the parents
11 or legal guardians of those pupils by not later than December 31 of
12 the school year in which the test will be administered.

13 (c) A social studies component.

14 (d) Any other component that is necessary to obtain the
15 approval of the United States Department of Education to use the
16 Michigan merit examination for the purposes of the no child left
17 behind act of 2001, Public Law 107-110, or the every student
18 succeeds act, Public Law 114-95.

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

21 (a) The department of technology, management, and budget and
22 the superintendent shall ensure that any contractor used for
23 scoring the Michigan merit examination supplies an individual
24 report for each pupil that will identify for the pupil's parents **or**
25 **legal guardians** and teachers whether the pupil met expectations or
26 failed to meet expectations for each standard, to allow the pupil's
27 parents **or legal guardians** and teachers to assess and remedy
28 problems before the pupil moves to the next grade.

29 (b) The department of technology, management, and budget and

1 the superintendent shall ensure that any contractor used for
2 scoring, developing, or processing the Michigan merit examination
3 meets quality management standards commonly used in the assessment
4 industry, including at least meeting level 2 of the capability
5 maturity model developed by the Software Engineering Institute of
6 Carnegie Mellon University for the first year the Michigan merit
7 examination is offered to all grade 11 pupils and at least meeting
8 level 3 of the capability maturity model for subsequent years.

9 (c) The department of technology, management, and budget and
10 the superintendent shall ensure that any contract for scoring,
11 administering, or developing the Michigan merit examination
12 includes specific deadlines for all steps of the assessment
13 process, including, but not limited to, deadlines for the correct
14 testing materials to be supplied to schools and for the correct
15 results to be returned to schools, and includes penalties for
16 noncompliance with these deadlines.

17 (d) The superintendent shall ensure that the Michigan merit
18 examination meets all of the following:

19 (i) Is designed to test pupils on this state's content
20 standards in all subjects tested.

21 (ii) Complies with requirements of the no child left behind act
22 of 2001, Public Law 107-110 or the every student succeeds act,
23 Public Law 114-95.

24 (iii) Is consistent with the code of fair testing practices in
25 education prepared by the Joint Committee on Testing Practices of
26 the American Psychological Association.

27 (iv) Is factually accurate. If the superintendent determines
28 that a question is not factually accurate and should be excluded
29 from scoring, the state board and the superintendent shall ensure

1 that the question is excluded from scoring.

2 (4) A district shall include on each pupil's high school
3 transcript all of the following:

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

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

11 (5) The superintendent shall work with the provider or
12 providers of the Michigan merit examination to produce Michigan
13 merit examination subject area scores for each pupil participating
14 in the Michigan merit examination. To the extent that the
15 department determines that additional test items beyond those
16 included in the college entrance component of the Michigan merit
17 examination are required in a particular subject area, the
18 department shall ensure that all test items in that subject area
19 are scaled and merged for the purposes of producing a Michigan
20 merit examination subject area score. The superintendent shall
21 design and distribute to districts, intermediate districts, and
22 nonpublic schools a simple and concise document that describes the
23 scoring for each subject area and indicates the scaled score ranges
24 for each subject area.

25 (6) The Michigan merit examination ~~shall~~**must** be administered
26 in each district during the last 12 weeks of the district's school
27 year. The superintendent shall ensure that the Michigan merit
28 examination is scored and the scores are returned to pupils, their
29 parents or legal guardians, and districts not later than the

1 beginning of the pupil's first semester of grade 12. The returned
2 scores ~~shall~~**must** indicate at least the pupil's scaled score for
3 each subject area component and the range of scaled scores for each
4 subject area. In reporting the scores to pupils, parents, and
5 schools, the superintendent shall provide standards-specific,
6 meaningful, and timely feedback on the pupil's performance on the
7 Michigan merit examination.

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

19 (a) The pupil has taken the complete Michigan merit
20 examination.

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

24 (c) The pupil has applied to the provider of the college
25 entrance examination component for a scholarship or fee waiver to
26 cover the cost of the retake and that application has been denied.

27 (d) After taking the complete Michigan merit examination, the
28 pupil has not already received a free retake of the college
29 entrance examination component paid for either by this state or

1 through a scholarship or fee waiver by the provider.

2 (8) The superintendent shall ensure that the length of the
3 Michigan merit examination and the combined total time necessary to
4 administer all of the components of the Michigan merit examination
5 are the 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. The superintendent
8 shall ensure that the maximum total combined length of time that
9 schools are required to set aside for pupils to answer all test
10 questions on the Michigan merit examination does not exceed 8 hours
11 if the superintendent determines that sufficient alignment to
12 applicable Michigan merit curriculum content standards can be
13 achieved within that time limit.

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

24 (10) To the greatest extent possible, the Michigan merit
25 examination ~~shall~~**must** be based on this state's content standards,
26 as appropriate. Annually, after each administration of the Michigan
27 merit examination, the department shall provide a report of the
28 points per standard so that teachers will know what content will be
29 covered within the Michigan merit examination. The department may

1 augment the college entrance and work skills components of the
2 Michigan merit examination to develop the assessment, depending on
3 the alignment of those components to this state's content
4 standards. If these components do not align to these standards, the
5 department shall produce additional components as required by law,
6 while minimizing the amount of time needed for assessments.

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

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

26 (13) The purpose of the Michigan merit examination is to
27 assess pupil performance in mathematics, science, social studies,
28 and English language arts for the purpose of improving academic
29 achievement and establishing a statewide standard of competency.

1 The assessment under this section provides a common measure of data
2 that will contribute to the improvement of Michigan schools'
3 curriculum and instruction by encouraging alignment with Michigan's
4 curriculum framework standards and promotes pupil participation in
5 higher level mathematics, science, social studies, and English
6 language arts courses. These standards are based ~~upon~~**on** the
7 expectations of what pupils should learn through high school and
8 are aligned with national standards.

9 (14) For a pupil enrolled in a middle college program, other
10 than a middle college operated as a shared educational entity or a
11 specialized shared educational entity, if the pupil receives at
12 least 50% of ~~his or her~~**the pupil's** instruction at the high school
13 while in grade 11, the Michigan merit examination shall be
14 administered to the pupil at the high school at which the pupil
15 receives high school instruction, and the department shall include
16 the pupil's scores on the Michigan merit examination in the scores
17 for that high school for all purposes for which a school's or
18 district's results are reported. The department shall allow the
19 middle college program to use a 5-year graduation rate for
20 determining adequate yearly progress. As used in this subsection,
21 "middle college" means a program consisting of a series of courses
22 and other requirements and conditions, including an early college
23 or other program created under a memorandum of understanding, that
24 allows a pupil to graduate from high school with both a high school
25 diploma and a certificate or degree from a community college or
26 state public university.

27 (15) As used in this section:

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

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

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

2 (16) For each report made by the department that includes the
3 statewide assessment results for a school building, the department
4 shall include the scores for the statewide assessment and the
5 graduation rate for consortium pupils with the scores for the
6 school building in the participating district in which the
7 consortium pupil is enrolled or would otherwise attend. The
8 statewide assessment for a consortium pupil may be administered
9 either at the consortium location or at the school building in the
10 participating district in which the consortium pupil is enrolled or
11 would otherwise attend. For the purposes of this subsection, a
12 consortium pupil is a pupil who is enrolled or participating in a
13 participating district in a school or program operated as a
14 consortium or under a cooperative arrangement formed by 2 or more
15 districts or intermediate districts, including, but not limited to,
16 a consortium or cooperative arrangement operated as a program, a
17 shared educational entity, a specialized educational entity, or a
18 special education center program.

19 Enacting section 1. This amendatory act does not take effect
20 unless Senate Bill No. 349 of the 103rd Legislature is enacted into
21 law.