

SUBSTITUTE FOR  
SENATE BILL NO. 1075

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 section 1168.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           SEC. 1168. (1) THE BOARD OF A SCHOOL DISTRICT OR BOARD OF  
2 DIRECTORS OF A PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT THE SCHOOL  
3 DISTRICT'S OR PUBLIC SCHOOL ACADEMY'S SOCIAL STUDIES CURRICULUM FOR  
4 GRADES 8 TO 12 INCLUDES AGE- AND GRADE-APPROPRIATE INSTRUCTION  
5 ABOUT GENOCIDE, INCLUDING, BUT NOT LIMITED TO, THE HOLOCAUST. THE  
6 LEGISLATURE RECOMMENDS A COMBINED TOTAL OF 6 HOURS OF THIS  
7 INSTRUCTION DURING GRADES 8 TO 12.

1           (2) SUBSECTION (1) DOES NOT PRECLUDE A SCHOOL DISTRICT OR  
2 PUBLIC SCHOOL ACADEMY FROM INCLUDING INSTRUCTION DESCRIBED IN  
3 SUBSECTION (1) IN OTHER SUBJECT AREAS.

4           (3) THE GOVERNOR'S COUNCIL ON GENOCIDE AND HOLOCAUST EDUCATION  
5 IS CREATED AS A TEMPORARY COMMISSION DESCRIBED IN SECTION 4 OF  
6 ARTICLE V OF THE STATE CONSTITUTION OF 1963.

7           (4) THE GOVERNOR'S COUNCIL ON GENOCIDE AND HOLOCAUST EDUCATION  
8 SHALL CONSIST OF 15 MEMBERS APPOINTED BY THE GOVERNOR. MEMBERS  
9 SHALL BE INDIVIDUALS WHO HAVE A PARTICULAR INTEREST OR EXPERTISE IN  
10 GENOCIDE EDUCATION OR HOLOCAUST EDUCATION, OR BOTH.

11           (5) IF THE GOVERNOR DETERMINES THAT SUFFICIENT PRIVATE FUNDING  
12 IS AVAILABLE FOR THE OPERATIONS OF THE GOVERNOR'S COUNCIL ON  
13 GENOCIDE AND HOLOCAUST EDUCATION, THE GOVERNOR SHALL APPOINT THE  
14 MEMBERS OF THE GOVERNOR'S COUNCIL ON GENOCIDE AND HOLOCAUST  
15 EDUCATION WITHIN 60 DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION.

16           (6) IF A VACANCY OCCURS ON THE GOVERNOR'S COUNCIL ON GENOCIDE  
17 AND HOLOCAUST EDUCATION, THE GOVERNOR SHALL MAKE AN APPOINTMENT FOR  
18 THE UNEXPIRED TERM IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT.

19           (7) THE GOVERNOR MAY REMOVE A MEMBER OF THE GOVERNOR'S COUNCIL  
20 ON GENOCIDE AND HOLOCAUST EDUCATION FOR INCOMPETENCE, DERELICTION  
21 OF DUTY, MALFEASANCE, MISFEASANCE, OR NONFEASANCE IN OFFICE, OR ANY  
22 OTHER GOOD CAUSE.

23           (8) THE FIRST MEETING OF THE GOVERNOR'S COUNCIL ON GENOCIDE  
24 AND HOLOCAUST EDUCATION SHALL BE CALLED BY THE GOVERNOR. AT THE  
25 FIRST MEETING, THE GOVERNOR'S COUNCIL ON GENOCIDE AND HOLOCAUST  
26 EDUCATION SHALL ELECT FROM AMONG ITS MEMBERS A CHAIRPERSON AND  
27 OTHER OFFICERS AS IT CONSIDERS NECESSARY OR APPROPRIATE. AFTER THE

1 FIRST MEETING, THE GOVERNOR'S COUNCIL ON GENOCIDE AND HOLOCAUST  
2 EDUCATION SHALL MEET AT LEAST QUARTERLY, OR MORE FREQUENTLY AT THE  
3 CALL OF THE CHAIRPERSON OR IF REQUESTED BY 8 OR MORE MEMBERS.

4 (9) A MAJORITY OF THE MEMBERS OF THE GOVERNOR'S COUNCIL ON  
5 GENOCIDE AND HOLOCAUST EDUCATION APPOINTED AND SERVING CONSTITUTE A  
6 QUORUM FOR THE TRANSACTION OF BUSINESS AT A MEETING OF THE COUNCIL.  
7 A MAJORITY OF THE MEMBERS PRESENT AND SERVING ARE REQUIRED FOR  
8 OFFICIAL ACTION OF THE COUNCIL. A MEMBER MAY NOT VOTE BY PROXY.

9 (10) THE BUSINESS THAT THE GOVERNOR'S COUNCIL ON GENOCIDE AND  
10 HOLOCAUST EDUCATION MAY PERFORM SHALL BE CONDUCTED AT A PUBLIC  
11 MEETING OF THE COUNCIL HELD IN COMPLIANCE WITH THE OPEN MEETINGS  
12 ACT, 1976 PA 267, MCL 15.261 TO 15.275.

13 (11) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR  
14 RETAINED BY THE GOVERNOR'S COUNCIL ON GENOCIDE AND HOLOCAUST  
15 EDUCATION IN THE PERFORMANCE OF AN OFFICIAL FUNCTION IS SUBJECT TO  
16 THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.

17 (12) MEMBERS OF THE GOVERNOR'S COUNCIL ON GENOCIDE AND  
18 HOLOCAUST EDUCATION SHALL SERVE WITHOUT COMPENSATION. HOWEVER, IF  
19 FUNDING IS AVAILABLE FOR THIS PURPOSE FROM PRIVATE SOURCES, MEMBERS  
20 OF THE COUNCIL MAY BE REIMBURSED FOR THEIR ACTUAL AND NECESSARY  
21 EXPENSES INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES AS  
22 MEMBERS OF THE COUNCIL.

23 (13) STATE FUNDS SHALL NOT BE USED FOR THE OPERATIONS OF THE  
24 GOVERNOR'S COUNCIL ON GENOCIDE AND HOLOCAUST EDUCATION.

25 (14) THE GOVERNOR'S COUNCIL ON GENOCIDE AND HOLOCAUST  
26 EDUCATION SHALL DO ALL OF THE FOLLOWING:

27 (A) IDENTIFY, TO THE EXTENT POSSIBLE, ALL SOURCES OF

1 STRATEGIES AND CONTENT FOR PROVIDING AND ENHANCING GENOCIDE  
2 EDUCATION TO STUDENTS.

3 (B) ADVISE THE SUPERINTENDENT OF PUBLIC INSTRUCTION, SCHOOL  
4 DISTRICTS, PUBLIC SCHOOL ACADEMIES, AND NONPUBLIC SCHOOLS IN THIS  
5 STATE ON STRATEGIES AND CONTENT FOR PROVIDING AND ENHANCING  
6 GENOCIDE EDUCATION TO STUDENTS.

7 (C) IDENTIFY, TO THE EXTENT POSSIBLE, ALL PROGRAMS AND  
8 RESOURCES TO TRAIN TEACHERS IN PROVIDING GENOCIDE EDUCATION TO  
9 STUDENTS AND SHARE THESE PROGRAMS AND RESOURCES WITH THE  
10 SUPERINTENDENT OF PUBLIC INSTRUCTION, SCHOOL DISTRICTS, PUBLIC  
11 SCHOOL ACADEMIES, AND NONPUBLIC SCHOOLS IN THIS STATE.

12 (D) PROMOTE, WITHIN THE SCHOOLS AND GENERAL POPULATION OF THIS  
13 STATE, IMPLEMENTATION OF GENOCIDE EDUCATION. THIS DUTY INCLUDES,  
14 BUT IS NOT LIMITED TO, BOTH OF THE FOLLOWING:

15 (i) IN ACCORDANCE WITH 2004 PA 10, ENGENDERING AND COORDINATING  
16 EVENTS, ACTIVITIES, AND EDUCATION THAT WILL APPROPRIATELY  
17 MEMORIALIZE THE VICTIMS OF THE HOLOCAUST, SUCH AS OBSERVANCE OF  
18 HOLOCAUST REMEMBRANCE DAY AND THE DAYS OF REMEMBRANCE.

19 (ii) ENGENDERING AND COORDINATING EVENTS, ACTIVITIES, AND  
20 EDUCATION THAT WILL APPROPRIATELY MEMORIALIZE THE VICTIMS OF OTHER  
21 GENOCIDES.

22 (E) SECURE PRIVATE FUNDING FOR THE GOVERNOR'S COUNCIL ON  
23 GENOCIDE AND HOLOCAUST EDUCATION. THE GOVERNOR'S COUNCIL ON  
24 GENOCIDE AND HOLOCAUST EDUCATION MAY ALSO APPLY FOR AND ACCEPT  
25 GRANTS AND RECEIVE GIFTS, DONATIONS, AND OTHER FINANCIAL SUPPORT  
26 FROM PRIVATE SOURCES, IN ACCORDANCE WITH STATE LAW, FOR THE PURPOSE  
27 OF CARRYING OUT ITS DUTIES UNDER THIS SECTION.

1 (F) CARRY OUT ANY OTHER TASKS THAT IT CONSIDERS TO BE  
2 ADVISABLE TO SUPPORT THE ABILITY OF THIS STATE TO MEET ITS GOALS IN  
3 PROVIDING GENOCIDE EDUCATION.

4 (G) SUBMIT AN ANNUAL REPORT TO THE LEGISLATURE ON THE PROGRESS  
5 AND STATUS OF THE COUNCIL.

6 (15) WITH RESPECT TO ITS DUTIES, THE GOVERNOR'S COUNCIL ON  
7 GENOCIDE AND HOLOCAUST EDUCATION IS AN ADVISORY BODY ONLY. THERE IS  
8 NO RIGHT OR OBLIGATION ON THE PART OF THIS STATE OR ITS  
9 SUBDIVISIONS, OFFICIALS, OR EMPLOYEES TO IMPLEMENT THE FINDINGS OR  
10 RECOMMENDATIONS OF THE GOVERNOR'S COUNCIL ON GENOCIDE AND HOLOCAUST  
11 EDUCATION UNLESS FURTHER LEGISLATION IS ENACTED THAT SPECIFICALLY  
12 AUTHORIZES IMPLEMENTATION OF THOSE FINDINGS OR RECOMMENDATIONS.

13 (16) AS USED IN THIS SECTION:

14 (A) "GENOCIDE" MEANS ANY OF THE FOLLOWING ACTS COMMITTED WITH  
15 INTENT TO DESTROY, IN WHOLE OR IN PART, A NATIONAL, ETHNICAL,  
16 RACIAL, OR RELIGIOUS GROUP, AS SUCH: KILLING MEMBERS OF THE GROUP;  
17 CAUSING SERIOUS BODILY OR MENTAL HARM TO MEMBERS OF THE GROUP;  
18 DELIBERATELY INFLECTING ON THE GROUP CONDITIONS OF LIFE CALCULATED  
19 TO BRING ABOUT ITS PHYSICAL DESTRUCTION IN WHOLE OR IN PART;  
20 IMPOSING MEASURES INTENDED TO PREVENT BIRTHS WITHIN THE GROUP; OR  
21 FORCIBLY TRANSFERRING CHILDREN OF THE GROUP TO ANOTHER GROUP.

22 (B) "HOLOCAUST" MEANS THE SYSTEMATIC, BUREAUCRATIC, STATE-  
23 SPONSORED PERSECUTION AND MURDER OF APPROXIMATELY 6,000,000 JEWS  
24 AND 5,000,000 OTHER INDIVIDUALS BY THE NAZI REGIME AND ITS  
25 COLLABORATORS.

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. **THE STATE BOARD SHALL ENSURE THAT THE RECOMMENDED**

1 **MODEL CORE ACADEMIC CURRICULUM CONTENT STANDARDS FOR HISTORY FOR**  
2 **GRADES 8 TO 12 INCLUDE LEARNING OBJECTIVES CONCERNING GENOCIDE,**  
3 **INCLUDING, BUT NOT LIMITED TO, THE HOLOCAUST.** The state board also  
4 shall ensure that the Michigan educational assessment program and  
5 the Michigan merit examination are based on the state recommended  
6 model core curriculum content standards, are testing only for  
7 proficiency in basic and advanced academic skills and academic  
8 subject matter, and are not used to measure pupils' values or  
9 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 (10) AS USED IN THIS SECTION, "GENOCIDE" AND "HOLOCAUST" MEAN  
7 THOSE TERMS AS DEFINED IN SECTION 1168.

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

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

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

25 (b) One or more tests from 1 or more test developers that  
26 assess a pupil's ability to apply at least reading and mathematics  
27 skills in a manner that is intended to allow employers to use the

1 results in making employment decisions. The department of  
2 **TECHNOLOGY**, management, and budget and the superintendent of public  
3 instruction shall ensure that any test or tests selected under this  
4 subdivision have all the components necessary to allow a pupil to  
5 be eligible to receive the results of a nationally recognized  
6 evaluation of workforce readiness if the pupil's test performance  
7 is adequate.

8 (c) A social studies component.

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

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

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

23 (b) The department of **TECHNOLOGY**, management, and budget and  
24 the superintendent of public instruction shall ensure that any  
25 contractor used for scoring, developing, or processing the Michigan  
26 merit examination meets quality management standards commonly used  
27 in the assessment industry, including at least meeting level 2 of

1 the capability maturity model developed by the software engineering  
2 institute of Carnegie Mellon university for the first year the  
3 Michigan merit examination is offered to all grade 11 pupils and at  
4 least meeting level 3 of the capability maturity model for  
5 subsequent years.

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

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

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

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

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

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

1 is excluded from scoring.

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

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

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

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

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

1 scores shall indicate at least the pupil's scaled score for each  
2 subject area component and the range of scaled scores for each  
3 subject area. In reporting the scores to pupils, parents, and  
4 schools, the superintendent of public instruction shall provide  
5 standards-specific, meaningful, and timely feedback on the pupil's  
6 performance on the Michigan merit examination.

7 (7) A school district or public school academy shall  
8 administer the complete Michigan merit examination to a pupil only  
9 once and shall not administer the complete Michigan merit  
10 examination to the same pupil more than once. If a pupil does not  
11 take the complete Michigan merit examination in grade 11, the  
12 school district or public school academy shall administer the  
13 complete Michigan merit examination to the pupil in grade 12. If a  
14 pupil chooses to retake the college entrance examination component  
15 of the Michigan merit examination, as described in subsection  
16 (2)(a), the pupil may do so through the provider of the college  
17 entrance 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 did not qualify for a Michigan promise grant  
22 under section 6 of the Michigan promise grant act, 2006 PA 479, MCL  
23 390.1626, based on the pupil's performance on the complete Michigan  
24 merit examination.

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

1 (d) The pupil has applied to the provider of the college  
2 entrance examination component for a scholarship or fee waiver to  
3 cover the cost of the retake and that application has been denied.

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

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

22 (9) A school district or public school academy shall provide  
23 accommodations to a pupil with disabilities for the Michigan merit  
24 examination, as provided under section 504 of title V of the  
25 rehabilitation act of 1973, 29 USC 794; subtitle A of title II of  
26 the Americans with disabilities act of 1990, 42 USC 12131 to 12134;  
27 the individuals with disabilities education act amendments of 1997,

1 Public Law 105-17; and the implementing regulations for those  
2 statutes. The provider or providers of the Michigan merit  
3 examination and the superintendent of public instruction shall  
4 mutually agree upon the accommodations to be provided under this  
5 subsection.

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

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

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

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

18           (14) **IN ADDITION TO THE OTHER REQUIREMENTS OF THIS SECTION AND**  
19 **THE REQUIREMENTS OF 1970 PA 38, MCL 388.1081 TO 388.1086, BEGINNING**  
20 **WITH ASSESSMENTS CONDUCTED DURING THE 2015-2016 SCHOOL YEAR, THE**  
21 **SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL ENSURE THAT THE MICHIGAN**  
22 **MERIT EXAMINATION SOCIAL STUDIES COMPONENT AND THE M-STEP AND ANY**  
23 **SUCCESSOR STATE ASSESSMENT FOR SOCIAL STUDIES, AS APPROPRIATE,**  
24 **INCLUDE QUESTIONS RELATED TO THE LEARNING OBJECTIVES IN THE STATE**  
25 **BOARD RECOMMENDED MODEL CORE ACADEMIC CURRICULUM STANDARDS**  
26 **CONCERNING GENOCIDE, INCLUDING, BUT NOT LIMITED TO, THE HOLOCAUST.**

27           (15) ~~(14)~~As used in this section:



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

2 (B) "GENOCIDE" AND "HOLOCAUST" MEAN THOSE TERMS AS DEFINED IN  
3 SECTION 1168.

4 (C) ~~(b)~~—"Social studies" means United States history, world  
5 history, world geography, economics, and American government.