

# HOUSE BILL No. 4192

February 9, 2017, Introduced by Reps. Glenn, Hoitenga, Dianda, Howrylak, Graves, Wentworth, Lower, Bellino, Barrett, Miller, Marino, VanderWall, Victory, Tedder, LaFave, Webber, Hornberger, Allor, Hernandez, Runestad, Kesto, Robinson, Sheppard, Canfield, Lucido, Noble, Johnson, Howell and Chatfield and referred to the Committee on Michigan Competitiveness.

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:**

1           **SEC. 1278E. (1) BY ENACTING THIS SECTION, THIS STATE**  
2 **TERMINATES ALL PLANS, PROGRAMS, ACTIVITIES, EFFORTS, AND**  
3 **EXPENDITURES RELATING TO THE IMPLEMENTATION OF MICHIGAN K-12**  
4 **SCIENCE STANDARDS AND THE EDUCATIONAL INITIATIVE COMMONLY REFERRED**  
5 **TO AS THE COMMON CORE STANDARDS, OR ANY DERIVATIVE OR PERMUTATION**  
6 **OF THAT EDUCATIONAL INITIATIVE INCLUDING, BUT NOT LIMITED TO, THE**  
7 **MICHIGAN COLLEGE AND CAREER READY STANDARDS THAT HAVE BEEN ADOPTED**  
8 **BY THE LEGISLATURE, THE STATE BOARD, OR THE DEPARTMENT AND**  
9 **INCLUDING, BUT NOT LIMITED TO, ANY ASSESSMENTS, DATA COLLECTION,**  
10 **AND INSTRUCTIONS BASED ON OR INVOLVING THAT EDUCATIONAL INITIATIVE.**  
11 **TO FURTHER PROTECT STATE AND LOCAL CONTROL OF PUBLIC EDUCATION, THE**

1 STATE BOARD AND THE DEPARTMENT ARE PROHIBITED FROM ADOPTING,  
2 ALIGNING TO, OR IMPLEMENTING ANY OTHER NATIONAL OR MULTISTATE  
3 CONSORTIUM STANDARDS FROM ANY SOURCE OR REQUIRING THE USE OF ANY  
4 ASSESSMENTS ALIGNED WITH ANY OTHER NATIONAL OR MULTISTATE  
5 CONSORTIUM STANDARDS FROM ANY SOURCE, AND, SUBJECT TO SECTION  
6 1278F, THE STATE BOARD AND THE DEPARTMENT SHALL DO ALL OF THE  
7 FOLLOWING:

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

15 (B) BEGINNING WITH THE 2017-2018 SCHOOL YEAR, IMPLEMENT STATE  
16 ACADEMIC CONTENT STANDARDS FOR EACH OF GRADES KINDERGARTEN TO 12 IN  
17 ENGLISH LANGUAGE ARTS, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES.  
18 THE STATE ACADEMIC CONTENT STANDARDS SHALL BE THE SAME AS THE  
19 ACADEMIC STANDARDS IN EFFECT IN MASSACHUSETTS DURING THE 2008-2009  
20 SCHOOL YEAR, EXCEPT THAT ANY REFERENCE IN THOSE STANDARDS TO  
21 "MASSACHUSETTS" SHALL BE CHANGED IN ALL APPROPRIATE INSTANCES TO A  
22 REFERENCE TO "MICHIGAN" AND ANY STATE HISTORY OR GOVERNMENT CONTENT  
23 STANDARDS SHALL BE CHANGED TO REFLECT THE HISTORY AND GOVERNMENT OF  
24 THIS STATE. WITHIN 10 DAYS AFTER THE STATE ACADEMIC CONTENT  
25 STANDARDS ARE IMPLEMENTED, THE DEPARTMENT SHALL DISTRIBUTE THE  
26 STANDARDS TO ALL PUBLIC SCHOOLS IN THIS STATE AND MAKE THE  
27 STANDARDS AVAILABLE TO THE PUBLIC ON THE DEPARTMENT WEBSITE.

1           (C) THE SUPERINTENDENT OF PUBLIC INSTRUCTION, THE STATE BOARD,  
2 THE DEPARTMENT, OR ANY OTHER STATE PUBLIC EMPLOYEE OR AUTHORITY  
3 SHALL NOT ADOPT OR IMPLEMENT ANY NATIONAL OR MULTISTATE CONSORTIUM  
4 STANDARD FROM ANY SOURCE, OR THE USE OF ANY ASSESSMENTS ALIGNED  
5 WITH A NATIONAL OR MULTISTATE CONSORTIUM STANDARD, THAT CEDES  
6 CONTROL OF MICHIGAN EDUCATIONAL STANDARDS IN ANY MANNER, INCLUDING,  
7 BUT NOT LIMITED TO, MATHEMATICS STANDARDS, ENGLISH LANGUAGE ARTS  
8 STANDARDS, THE NEXT GENERATION SCIENCE STANDARDS, HISTORY  
9 STANDARDS, SOCIAL STUDIES STANDARDS, OR SEX EDUCATION STANDARDS.  
10 THIS STATE SHALL RETAIN SOLE CONTROL OVER THE DEVELOPMENT,  
11 ESTABLISHMENT, AND REVISION OF COURSE OF STUDY STANDARDS FOR GRADES  
12 K TO 12. THE SUPERINTENDENT OF PUBLIC INSTRUCTION, THE STATE BOARD,  
13 THE DEPARTMENT, OR ANY OTHER STATE PUBLIC EMPLOYEE OR AUTHORITY  
14 SHALL NOT JOIN ANY CONSORTIUM OR ANY OTHER ORGANIZATION IF  
15 PARTICIPATION IN THAT CONSORTIUM OR ORGANIZATION WOULD CEDE ANY  
16 MEASURE OF CONTROL OVER ANY ASPECT OF MICHIGAN PUBLIC EDUCATION TO  
17 THAT CONSORTIUM OR ORGANIZATION.

18           (2) THE BOARD OF EACH SCHOOL DISTRICT AND BOARD OF DIRECTORS  
19 OF EACH PUBLIC SCHOOL ACADEMY, CONSIDERING THE ACADEMIC CONTENT  
20 STANDARDS IMPLEMENTED UNDER THIS SECTION, SHALL DO ALL OF THE  
21 FOLLOWING:

22           (A) ESTABLISH A FUNDAMENTAL ACADEMIC CURRICULUM FOR ITS PUPILS  
23 AT THE ELEMENTARY, MIDDLE, AND SECONDARY SCHOOL LEVELS. THE  
24 FUNDAMENTAL ACADEMIC CURRICULUM SHALL DEFINE ACADEMIC OBJECTIVES TO  
25 BE ACHIEVED BY ALL PUPILS AND SHALL BE BASED UPON THE SCHOOL  
26 DISTRICT'S EDUCATIONAL MISSION, LONG-RANGE PUPIL GOALS, AND PUPIL  
27 PERFORMANCE OBJECTIVES. THE FUNDAMENTAL ACADEMIC CURRICULUM MAY

1 VARY FROM THE STATE ACADEMIC CONTENT STANDARDS IMPLEMENTED UNDER  
2 THIS SECTION.

3 (B) AFTER CONSULTING WITH TEACHERS AND SCHOOL BUILDING  
4 ADMINISTRATORS, DETERMINE THE ALIGNED INSTRUCTIONAL PROGRAM FOR  
5 DELIVERING THE SCHOOL DISTRICT'S OR PUBLIC SCHOOL ACADEMY'S  
6 FUNDAMENTAL ACADEMIC CURRICULUM AND IDENTIFY THE COURSES AND  
7 PROGRAMS IN WHICH THE FUNDAMENTAL ACADEMIC CURRICULUM WILL BE  
8 TAUGHT.

9 (C) PROVIDE ADEQUATE TIME AND TRANSPARENCY FOR PUBLIC REVIEW  
10 AND COMMENT ON THE ALIGNED INSTRUCTIONAL PROGRAMS BY ALL INTERESTED  
11 MEMBERS OF THE COMMUNITY BEFORE FINAL IMPLEMENTATION.

12 (3) THIS SECTION SHALL NOT BE CONSTRUED TO PROMOTE ANY  
13 RELIGIOUS OR NONRELIGIOUS DOCTRINE, PROMOTE DISCRIMINATION FOR OR  
14 AGAINST A PARTICULAR SET OF RELIGIOUS BELIEFS OR NONBELIEFS, OR  
15 PROMOTE DISCRIMINATION FOR OR AGAINST RELIGION OR NONRELIGION.

16 (4) THIS SECTION DOES NOT REQUIRE ANY SCHOOL DISTRICT OR  
17 PUBLIC SCHOOL ACADEMY TO UTILIZE ALL OR ANY PART OF THE ACADEMIC  
18 CONTENT STANDARDS IMPLEMENTED UNDER THIS SECTION. THE STATE BOARD  
19 AND THE DEPARTMENT SHALL NOT IMPOSE ANY FINANCIAL CONSEQUENCE ON A  
20 SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY THAT IMPLEMENTS ACADEMIC  
21 CONTENT STANDARDS DIFFERING FROM THOSE IMPLEMENTED BY THIS STATE  
22 UNDER THIS SECTION.

23 SEC. 1278F. (1) THE DEPARTMENT SHALL IMPLEMENT VALIDATED STATE  
24 ASSESSMENTS OF PUPIL ACHIEVEMENT USING THE ASSESSMENT USED IN  
25 MASSACHUSETTS DURING THE 2008-2009 SCHOOL YEAR AND ALIGNED TO THE  
26 ACADEMIC STANDARDS IN EFFECT IN MASSACHUSETTS DURING THE 2008-2009  
27 SCHOOL YEAR. THESE ASSESSMENTS SHALL BE READY FOR USE BY THE FIRST

1 SPRING AFTER NEW STATEWIDE ACADEMIC CONTENT STANDARDS ARE  
2 IMPLEMENTED UNDER SECTION 1278E(1) (B) . THE DEPARTMENT SHALL NOT  
3 REVISE THE ASSESSMENTS UNDER THIS SUBSECTION AGAIN FOR A PERIOD OF  
4 AT LEAST 5 YEARS . THE NEW ASSESSMENTS IMPLEMENTED UNDER THIS  
5 SUBSECTION AND ALL FUTURE ASSESSMENTS IMPLEMENTED BY THE DEPARTMENT  
6 SHALL MEET ALL OF THE FOLLOWING:

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

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

11 (C) SHALL NOT COLLECT ANY OF THE FOLLOWING:

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

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

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