

Act No. 25
Public Acts of 1997
Approved by the Governor
June 15, 1997
Filed with the Secretary of State
June 16, 1997
EFFECTIVE DATE: June 16, 1997

STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1997

Introduced by Reps. Profit, Palamara, Willard, Schauer, Scranton, LaForge, Bogardus, Goschka, McBryde, Tesanovich, Cropsey and Lowe
Reps. Anthony, Banks, Bodem, Brackenridge, Brater, Brewer, Callahan, Cassis, Cherry, Crissman, Dalman, DeHart, DeVuyt, Dobb, Dobronski, Freeman, Gagliardi, Gire, Godchaux, Green, Gubow, Hale, Hanley, Jansen, Kaza, Kelly, Kukuk, Law, Leland, Llewellyn, Middleton, Murphy, Nye, Oxender, Prusi, Rhead, Richner, Rocca, Schermesser, Schroer, Scott, Sikkema, Thomas, Varga, Vaughn, Voorhees, Wallace, Wetters and Wojno named co-sponsors

ENROLLED HOUSE BILL No. 4492

AN ACT to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 1279 (MCL 380.1279), as amended by 1995 PA 289.

The People of the State of Michigan enact:

Sec. 1279. (1) The board of a school district or public school academy shall award a state-endorsed high school diploma to an eligible high school graduate as provided in this section.

(2) For pupils scheduled to graduate from high school in 1997, if a pupil achieves the academic objectives required by the state board, as measured by an assessment developed under subsection (7), for a state-endorsed high school diploma, or meets the requirements described in former subsection (1)(c) for a state-endorsed diploma, in 1 or more of the subject areas of communications skills, mathematics, and science, the pupil's school district or public school academy shall award a state endorsement on the pupil's diploma in each of the subject areas in which the pupil demonstrated the required proficiency. Beginning with pupils scheduled to graduate in 1998, if a pupil achieves the objectives required by the state board, as measured by an assessment instrument developed under subsection (7), for a state-endorsed high school diploma in 1 or more of the subject areas of communications skills, mathematics, science, and, beginning with pupils scheduled to graduate in 2000, social studies, the pupil's school district or public school academy shall award a state endorsement on the pupil's diploma in each of the subject areas in which the pupil demonstrated the required proficiency. A school district or public school academy shall not award a state endorsement to a pupil unless the pupil meets the applicable requirements for the endorsement, as described in this subsection. A school district or public school academy may award a high school diploma to a pupil who successfully completes local school district or public school academy requirements established in accordance with state law for high school graduation, regardless of whether the pupil is eligible for any state endorsement.

(3) A pupil who does not achieve the requirements of subsection (2) may be reevaluated each school year until the pupil achieves an applicable requirement for a state-endorsed diploma. In addition, the board of the school district or public school academy in which the pupil is enrolled shall provide that there be at least 1 meeting attended by at least the pupil and a member of the school district's or public school academy's staff or a local or intermediate school district consultant who is proficient in the measurement and evaluation of pupils. The school district or public school academy may provide the meeting as a group meeting for pupils in similar circumstances. If the pupil is a minor, the school district or public school academy shall invite and encourage the pupil's parent, legal guardian, or person in loco parentis to attend the meeting and shall mail a notice of the meeting to the pupil's parent, legal guardian, or person in loco parentis. The purpose of this meeting and any subsequent meeting under this subsection shall be to determine an educational program for the pupil designed to have the pupil reach proficiency in each subject or skill area in which he or she was assessed by the testing as not proficient. In addition, a school district or public school academy may provide for subsequent meetings with the pupil conducted by a high school counselor or teacher designated by the pupil's high school principal, and shall invite and encourage the pupil's parent, legal guardian, or person in loco parentis to attend the subsequent meetings. The school district or public school academy shall provide special programs for the pupil or develop a program using the educational programs regularly provided by the district unless the board of the school district or public school academy decides otherwise and publishes and explains its decision in a public justification report. A pupil may be reevaluated at any time the school district or public school academy administers an applicable assessment instrument.

(4) For a state-endorsed diploma, a pupil must achieve the requirements of subsection (2) in addition to any other requirements established by law or by the board of the school district or public school academy for a high school diploma. If the board of a school district or public school academy determines that a pupil qualifies for a state-endorsed diploma, the board shall indicate on the pupil's high school diploma and transcript that the pupil achieved the proficiency necessary for receipt of a state-endorsed diploma.

(5) An individual may repeat any of the tests or assessment instruments specified in subsection (2) at any time the school district or public school academy regularly offers the test or assessment. If an individual described in this subsection achieves the requirements of subsection (2) and completes all other applicable requirements for a high school diploma, the individual shall be awarded a state-endorsed diploma as otherwise provided in this section.

(6) A school district or public school academy shall provide accommodations to a pupil with disabilities for the proficiency testing or assessment required under this section, as provided under section 504 of title V of the rehabilitation act of 1973, Public Law 93-112, 29 U.S.C. 794; subtitle A of title II of the Americans with disabilities act of 1990, Public Law 101-336, 42 U.S.C. 12131 to 12134; and the implementing regulations for those statutes.

(7) For the purposes of this section, the state board shall develop or select and approve assessment instruments to determine pupil proficiency in communications skills, mathematics, social studies, and science. The assessment instruments shall be based on the state board model core academic content standards objectives.

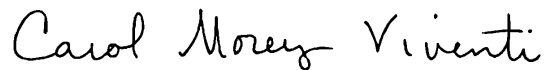
(8) All assessment instruments developed or selected and approved by the state under any statute or rule for a purpose related to K to 12 education shall be objective-oriented and consistent with the state board model core academic content standards objectives.

(9) Upon payment of a reasonable fee any person may take the state-endorsed diploma test and, upon demonstrating the required proficiency in a subject area, have his or her high school diploma state-endorsed for that subject area.

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved -----

Governor.