

**THE STATE SCHOOL AID ACT OF 1979 (EXCERPT)**  
**Act 94 of 1979**

\*\*\*\*\* 388.1704h.amended THIS AMENDED SECTION IS EFFECTIVE OCTOBER 1, 2024 \*\*\*\*\*

**388.1704h.amended Implementation of a benchmark assessment system for the 2024-2025 school year.**

Sec. 104h. (1) From the state school aid fund money appropriated under section 11, there is allocated for 2024-2025 an amount not to exceed \$11,500,000.00 to districts to implement benchmark assessments during the 2024-2025 school year. All of the following apply to the benchmark assessment system described in this subsection:

(a) The system must provide for all of the following:

(i) That, within the first 9 weeks of the 2024-2025 school year, the district shall administer 1 or more benchmark assessments provided by a provider approved under subsection (6), benchmark assessments described in subdivision (b), or local benchmark assessments, or any combination thereof, to all pupils in grades K to 8 to measure proficiency in reading and mathematics.

(ii) That, in addition to the benchmark assessment or benchmark assessments administered under subparagraph (i), by not later than the last day of the 2024-2025 school year, the district shall administer the benchmark assessment or assessments administered under subparagraph (i) to all pupils in grades K to 8 to measure proficiency in reading and mathematics. To support fall to spring growth calculations, the same benchmark assessment that is administered in the fall must be administered in the spring.

(b) Except as otherwise provided in this section, a district may administer 1 or more of the following benchmark assessments toward meeting the requirements under subdivision (a):

(i) A benchmark assessment in reading for students in grades K to 9 that contains progress monitoring tools and enhanced diagnostic assessments.

(ii) A benchmark assessment in math for students in grades K to 8 that contains progress monitoring tools.

(c) The system must provide that, to the extent practicable, if a district administers a benchmark assessment or benchmark assessments under this section, the district shall administer the same benchmark assessment or benchmark assessments provided by a provider approved under subsection (6), benchmark assessment or benchmark assessments described in subdivision (b), or local benchmark assessment or local benchmark assessments that it administered to pupils in previous school years, as applicable.

(d) The system must provide that, if a district administers a benchmark assessment or benchmark assessments under this section, the district shall provide each pupil's data from the benchmark assessment or benchmark assessments, as available, to the pupil's parent or legal guardian within 30 days of administering the benchmark assessment or benchmark assessments.

(e) The system must provide that, if a local benchmark assessment or local benchmark assessments are administered under subdivision (a), the district shall report to the department and the center, in a form and manner prescribed by the center, the local benchmark assessment or local benchmark assessments that were administered and how that assessment or those assessments measure changes, including any losses, as applicable, in learning, and the district's plan for addressing any losses in learning.

(f) The system must provide that, by not later than 30 days after a benchmark assessment or benchmark assessments are administered under subdivision (a)(ii), or within a time frame specified by the department, the district shall send benchmark assessment data, including grade level, student demographics, and mode of instruction, to the department in a form and manner prescribed by the department, from all benchmark assessments administered in the 2024-2025 school year, excluding data from a local benchmark assessment, as applicable. If available, the data described in this subdivision must include information concerning pupil growth from fall 2024 to spring 2025.

(2) To receive funding under this section, a district must do all of the following:

(a) Apply for the funding in a form and manner prescribed by the department.

(b) Administer 1 or more of the benchmark assessments described in subsection (6), excluding the benchmark assessment described in subsection (4).

(c) Administer the same benchmark assessment or assessments in both the fall and spring, as required under this section.

(d) Meet all reporting requirements pertaining to assessment and mode-of-instruction data outlined in this section.

(3) Subject to subsection (2), the department shall pay an equal amount per membership pupil in grades K to 8 in the district to each district that applies for funding under this section.

(4) The department shall make 1 of the benchmark assessments provided by a provider approved under

subsection (6) available to districts at no cost to the districts for purposes of meeting the requirements under this section. The benchmark assessment described in this subsection must meet all of the following:

- (a) Be aligned to the content standards of this state.
  - (b) Complement the state's summative assessment system.
  - (c) Be internet-delivered and include a standards-based assessment.
  - (d) Provide information on pupil achievement with regard to learning content required in a given year or grade span.
  - (e) Provide timely feedback to pupils and teachers.
  - (f) Be nationally normed.
  - (g) Provide information to educators about student growth and allow for multiple testing opportunities.
- (5) By not later than November 15, 2025, the department shall submit a report to the house and senate appropriations committees, the house and senate appropriations subcommittees on school aid, and the house and senate fiscal agencies regarding the benchmark assessment data received under this section, disaggregated by grade level and demographic subgroup for each district. If information concerning pupil growth is included in the data described in this subsection, it must be incorporated in the report described in this subsection.
- (6) The department shall approve at least 4 but not more than 6 providers of benchmark assessments for the purposes of this section. The department shall inform districts of all of the providers approved under this subsection in an equitable manner. The benchmark assessments, with the exclusion of the benchmark assessment described in subsection (4), provided by approved providers under this subsection must meet all of the following:
- (a) Be aligned to the content standards of this state.
  - (b) Complement the state's summative assessment system.
  - (c) Be internet-delivered and include a standards-based remote, in-person, or both remote and in-person assessment using a computer-adaptive model to target the instructional level of each pupil.
  - (d) Provide information on pupil achievement with regard to learning content required in a given year or grade span.
  - (e) Provide immediate feedback to pupils and teachers.
  - (f) Be nationally normed.
  - (g) Provide multiple measures of growth and provide for multiple testing opportunities.

**History:** Add. 2021, Act 48, Eff. Oct. 1, 2021;—Am. 2022, Act 144, Imd. Eff. July 14, 2022;—Am. 2023, Act 103, Eff. Oct. 1, 2023;—Am. 2024, Act 120, Eff. Oct. 1, 2024.