

TESTING-OUT

What the Michigan Merit Curriculum Law Says

380.1278(a)(4)(c) A school district or public school academy shall also grant a student a credit if the student earns a qualifying score, as determined by the department, on the assessments developed or selected for the subject area by the department or the student earns a qualifying score, as determined by the school district or public school academy, on 1 or more assessments developed or selected by the school district or public school academy that measure a student's understanding of the subject area content expectations or guidelines that apply to the credit.

Other law in effect regarding testing-out

Credit Awarded to Pupil Not Enrolled in Course

380.1279(b) The board of a school district shall grant high school credit in any course to a pupil enrolled in high school, but who is not enrolled in the course, who has exhibited a reasonable level of mastery of the subject matter of the course by attaining a grade of not less than C+ in a final exam in the course, or, if there is no final exam, by exhibiting that mastery through the basic assessment used in the course which may consist of a portfolio, performance, paper, project, or presentation. For the purpose of earning credit under this section, any high school pupil may take the final examination in any course. Credit earned under this section shall be based on a "pass" grade and shall not be included in a computation of grade point average for any purpose. Credit earned under this section may or may not be counted toward graduation, as the board of the school district may determine, but the board's determination shall apply equally to all such credit for all pupils and credit earned under this section shall be counted toward fulfillment of a requirement for a subject area course and shall be counted toward fulfillment of a requirement as to course sequence. Once credit is earned under this section, a pupil may not receive credit thereafter for a course lower in course sequence concerning the same subject area.

History: Add. 1993, Act 335, Imd. Eff. Dec. 31, 1993 **Popular Name:** Act 451

Questions & Answers

1. Q: Is the previous law on testing-out, outlined above, still in effect?

A: Yes. However, the two laws do different things. "Testing-out" in the Michigan Merit Curriculum is an option to demonstrate that a student meets or exceeds the content expectations associated with the subject credit area. The existing testing-out law speaks specifically about courses. In the MMC, the instruction needed to test-out does not necessarily have to be delivered in a traditional "course sequence," and testing-out can occur at any time, under reasonable rules and regulations developed by the school district. The final assessment(s) should be aligned with the content expectations or guidelines to assign credit. Districts may have to revisit current policies to make sure the two laws are compatible.

2. Q: If a student "tests out" of a class, say Algebra I, but NEVER takes the Algebra I class (they knew the material, but didn't put in time IN CLASS), can they receive graduation credit?

A: Yes. If students test out of the CREDIT for Algebra I, then the earned credit would count as a required credit for graduation under the Michigan Merit Curriculum. Part of the reform initiative is to change the way we think about "seat time" as the criteria for learning - if a student knows the content and can demonstrate this knowledge on course/credit assessment(s), they will earn the credit.

3. Q: Can a student test-out of a credit required for graduation under the Michigan Merit Curriculum? To test-out, does a student need to have a C+ or better?

A: Yes. Public Acts 123 and 124 require a school district or public school academy to grant a student credit if the student earns: 1) a qualifying score, as determined by the department, on the assessments developed or selected for the subject area by the department; OR, 2) the student earns a qualifying score, as determined by the school district or public school academy, on one or more assessments developed or selected by the school district or public school academy that measure a student's understanding of the subject area content expectations or guidelines that apply to the credit.

In addition, based on a previous law still in effect, if using a final exam to measure proficiency, a student must attain a grade of not less than C+, or, if there is no final exam, by exhibiting that mastery through the basic assessment used in the course which may consist of a portfolio, performance, paper, project, or presentation. This law also requires that credits earned through testing not be included in a computation of grade point average for any purpose.

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4. Q: Can a student test-out of any of the new credit areas required for graduation? Even Civics?

A: Yes. The law (380.1278a) allows students to test-out of any of the credit areas required for graduation and does not limit this to specific credit areas. Prior to this law, Department guidelines and policies stated that students may not test-out of Civics due to a legal requirement, which mandated students take a one-semester Civics "course." The new law (380.1278a and 380.1278b) no longer requires students to take classes or courses but refers instead to students earning "credit" when considered proficient in the course/credit content expectations. Therefore, a student could test-out of Civics.

5. Q: For testing-out, does there have to be a single test such as a final or end of course exam that covers all the content expectations for that credit area?

A: No. There does not have to be a single, final, end-of -course exam but yes, all the content expectations need to be reasonably covered in whatever assessment or assessments are used for testing-out. Whether a student takes a class or requests to test-out, the law states that the award of credit to the student must be based upon the student's proficiency of the content expectations in that credit area.

6. Q: If there doesn't need to be a single test or final exam for testing-out, what are the other options?

A: In speaking about testing-out, the law allows to be used:

- "...assessments developed or selected for the subject area by the department..." OR
- "...1 or more assessments developed or selected by the school district or public school academy that measure a pupil's understanding of the subject area content expectations or guidelines that apply to the credit."

It is clear that both the state and the local district do not necessarily need to develop one, large comprehensive exam, but may use multiple assessments, as long as the content expectations are assessed in the process.

7. Q: What are some examples of multiple assessments?

A: Following are some examples, not intended to be limiting:

- A series of smaller tests, perhaps used in class by the teacher over the course of the class, which, taken together cover all the content expectations.
- An assessment consisting of the end-of-marking-period exams used by the teacher, or the first and second semester exams, again as long as, combined, they cover the content expectations.
- A written assessment plus a demonstration, performance, or participation element.
- No written assessment but a “portfolio, performance, paper, project, or presentation” (380.1279b).

8. Q: Can students be required to demonstrate knowledge in addition to taking an assessment?

A: Yes. If students taking the class are required to demonstrate knowledge beyond taking a test, a student wishing to test-out may be required to do the same. For example, in some classes, students may be required to demonstrate proficiency by:

- Giving a speech.
- Demonstrating minimum proficiency in dialoguing in a language other than English.
- Writing a college-level research paper.
- Designing and carrying out a scientific experiment.
- Participating in a cooperative learning experience.
- Constructing a project.
- Participating in a community service project.
- Other

8. Q: Does a testing-out assessment require a written exam?

A: Yes. The testing-out provisions of the new graduation requirements law did not eliminate or supersede all the testing-out provisions of the old law (380.1279b). The old law was based on the assumption that there were final exams but stated that credit could still be earned “...if there is no final exam, by exhibiting master through the basic assessment used in the course, which may consist of a portfolio, performance, paper, project, or presentation.” These provisions of the old law still apply.

9. Q: Can a middle school student test-out of a credit required under the Michigan Merit Curriculum for high school graduation?

A: Yes. The law states if a student successfully completes one or more high school credits before entering high school, the student **must be given graduation credit** for that credit **if:** 1) the district determines a student has met Michigan Department of Education high school course/credit content expectations; and, 2) the district uses an assessment to certify that the student is proficient in the course/credit content expectations, and the expected level of proficiency is the same as for high school. While a student must receive graduation credit for credit earned prior to high school, a district continues to have the ability to establish graduation requirements beyond the Michigan Merit Curriculum.

In other words, if middle school students meet the same expectations and proficiency level as high school students, they must receive credit. This is true even if textbooks and other resources are different. The key is mastering the course content expectations, being measured by the same assessment(s) as in high school, and performing at the same level of proficiency (passing standards) as in high school. (Updated 8.07 in Earning Credit section)

10. Q: The old law says that “Credit earned under this section may or may not be counted toward graduation, as the board of the school district may determine...” Does this provision still apply?

A: No, in this case the new law supersedes the old law. The new law (380.1278a) states that if a student earns a qualifying score on the assessments developed for testing-out, the district SHALL grant credit.

11. Q: May a school or district establish requirements on how often testing-out is allowed, that is, how often the end-of-course exams and/or other assessments are given?

A: Yes. Testing-out is not meant to be “testing on demand,” but to provide students reasonable opportunities to demonstrate they were proficient on the content expectations and did not need to take the course or the class. A school or district may establish reasonable times when end-of-course exams and/or other related assessments would be given. These should be at times convenient to both the student and the school, for example: before the school year starts, at semester time, in the winter or spring before students begin scheduling for the next year, etc.

12. Q: If a student is taking a class and then decides to test-out, is the school obligated to allow them to do so?

A: Yes, but under certain locally determined conditions. The school is obligated to allow the student an opportunity to test-out, but it may be according to the reasonable rules or timeframes described in the answer to the previous question. A school has the right, for instance, to make clear to students that if they decide to earn credit by taking a class but then, after a period of time, want to get out, they are obligated to attend and participate in that class until such point (e.g. semester time) when test-out assessments will be administered. A school has a reasonable right to exercise supervision over students such that it decides it cannot have testing-out occurring at all times during the year, with students entering and leaving classes.

13. Q: Can a district have a policy which limits the number of classes a student could test-out of, for example: two high school classes over four years?

A: No. The new law does not provide for any limitation and allows a student to attempt to test-out of all the credit areas required for graduation in the Merit Curriculum. The credits required for graduation, however, number 18 and most high school master schedules allow for additional credits to be earned in elective areas or in areas required by local graduation requirements.

14. Q: Can a school district deny credit to a student who is enrolled in a course and has not met the district attendance policy?

A: Yes. However, a student who fails to earn credit for not meeting a district’s attendance policy may still request to test-out of a subject regardless of the amount of class time or attendance. The opportunity to do so, however, may be limited by the testing-out timelines of the local district. (Updated 10.07)

15. Q: If a student passes the Calculus Advanced Placement (AP) test prior to entering high school, but has not taken Algebra II, can the district approve the AP test as an assessment to validate student proficiency in Algebra II?

A: Yes. A district or public school academy can determine the AP Calculus test measures a student’s understanding of the Algebra II and/or Geometry content expectations that apply to the credit.

16. Q: Will the number of students graduating high school early increase as a result of allowing students to test-out?

A: The state high school graduation requirements are the minimum credits students should know and be able to do for success in college and the workplace. There are many reasons why a student who has met the state high school graduation requirements may be required or want to continue to attend high school. For example, many districts may have additional graduation requirements students will need to complete or may offer early college credit earning opportunities in their school or in coordination with a college or university. In addition, many students may wish to continue to attend high school and graduate with their classmates or participate in extra-curricular activities.

17. Q: Can a district determine who is eligible to test-out? For example, can a district establish a policy that would exclude 8th or 9th grade students from testing-out?

A: While districts can determine when test-out assessments will be administered, all interested students must have the opportunity to test-out.