

HOUSE BILL No. 4102

January 24, 2013, Introduced by Reps. Potvin, Lauwers, Daley and Victory and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1278a and 1278b (MCL 380.1278a and 380.1278b), section 1278a as amended by 2009 PA 205 and section 1278b as amended by 2010 PA 80.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1278a. (1) Except as otherwise provided in this section
2 or section 1278b, beginning with pupils entering grade 8 in 2006,
3 the board of a school district or board of directors of a public
4 school academy shall not award a high school diploma to a pupil
5 unless the pupil meets all of the following:

6 (a) Has successfully completed all of the following credit
7 requirements of the Michigan merit standard before graduating from
8 high school:

9 (i) At least 4 credits in mathematics that are aligned with

1 subject area content expectations developed by the department and
2 approved by the state board under section 1278b, including
3 completion of at least algebra I, geometry, and algebra II, or an
4 integrated sequence of this course content that consists of 3
5 credits, and an additional mathematics credit, such as
6 trigonometry, statistics, precalculus, calculus, applied math,
7 accounting, business math, a retake of algebra II, a course in
8 financial literacy as described in section 1165. A pupil may
9 complete algebra II over 2 years with 2 credits awarded or over 1.5
10 years with 1.5 credits awarded for the purposes of this section and
11 section 1278b. A pupil also may partially or fully fulfill the
12 algebra II requirement by completing a department-approved formal
13 career and technical education program or curriculum that has
14 appropriate embedded mathematics content, such as a program or
15 curriculum in electronics, machining, construction, welding,
16 engineering, ~~or~~ renewable energy, **COMPUTER SCIENCE, OR OTHER**
17 **APPROPRIATE CONCENTRATION AS DETERMINED BY THE DEPARTMENT**. Not
18 later than 30 days after the effective date of the 2013 amendatory
19 act that ~~added~~ **AMENDED** the immediately preceding sentence, the
20 department shall post on its website and submit to the senate and
21 house standing committees on education guidelines for
22 implementation of the **AMENDMENT TO THE** immediately preceding
23 sentence. Each pupil must successfully complete at least 1
24 mathematics course during his or her final year of high school
25 enrollment. This subparagraph does not require completion of
26 mathematics courses in any particular sequence.

27 (ii) At least 3 credits in social science that are aligned with

1 subject area content expectations developed by the department and
2 approved by the state board under section 1278b, including
3 completion of at least 1 credit in United States history and
4 geography, 1 credit in world history and geography, 1/2 credit in
5 economics, and the civics course described in section 1166(2).

6 (iii) At least 1 credit in subject matter that includes both
7 health and physical education aligned with guidelines developed by
8 the department and approved by the state board under section 1278b.

9 (iv) At least 1 credit in visual arts, performing arts, or
10 applied arts, as defined by the department, that is aligned with
11 guidelines developed by the department and approved by the state
12 board under section 1278b.

13 (v) The credit requirements specified in section 1278b(1).

14 (b) Meets the online course or learning experience requirement
15 of this subsection. A school district or public school academy
16 shall provide the basic level of technology and internet access
17 required by the state board to complete the online course or
18 learning experience. For a pupil to meet this requirement, the
19 pupil shall meet either of the following, as determined by the
20 school district or public school academy:

21 (i) Has successfully completed at least 1 course or learning
22 experience that is presented online, as defined by the department.

23 (ii) The pupil's school district or public school academy has
24 integrated an online experience throughout the high school
25 curriculum by ensuring that each teacher of each course that
26 provides the required credits of the Michigan merit curriculum has
27 integrated an online experience into the course.

1 ~~—— (2) In addition to the requirements under subsection (1),~~
 2 ~~beginning with pupils entering grade 3 in 2006, the board of a~~
 3 ~~school district or board of directors of a public school academy~~
 4 ~~shall not award a high school diploma to a pupil unless the pupil~~
 5 ~~has successfully completed during grades 9 to 12 at least 2~~
 6 ~~credits, as determined by the department, in a language other than~~
 7 ~~English, or the pupil has successfully completed at any time during~~
 8 ~~grades K to 12 course work or other learning experiences that are~~
 9 ~~substantially equivalent to 2 credits in a language other than~~
 10 ~~English, based on guidelines developed by the department. For the~~
 11 ~~purposes of this subsection, all of the following apply:~~

12 ~~—— (a) American sign language is considered to be a language~~
 13 ~~other than English.~~

14 ~~—— (b) The pupil may meet all or part of this requirement with~~
 15 ~~online course work.~~

16 (2) ~~(3)~~ The requirements under this section and section 1278b
 17 for a high school diploma are in addition to any local requirements
 18 imposed by the board of a school district or board of directors of
 19 a public school academy. The board of a school district or board of
 20 directors of a public school academy, as a local requirement for a
 21 high school diploma, may require a pupil to complete the Michigan
 22 merit examination under section 1279g or may require a pupil to
 23 participate in the MIAccess assessments if appropriate for the
 24 pupil.

25 (3) ~~(4)~~ For the purposes of this section and section 1278b,
 26 all of the following apply:

27 (a) A pupil is considered to have completed a credit if the

1 pupil successfully completes the subject area content expectations
2 or guidelines developed by the department that apply to the credit.

3 (b) A school district or public school academy shall base its
4 determination of whether a pupil has successfully completed the
5 subject area content expectations or guidelines developed by the
6 department that apply to a credit at least in part on the pupil's
7 performance on the assessments developed or selected by the
8 department under section 1278b or on 1 or more assessments
9 developed or selected by the school district or public school
10 academy that measure a pupil's understanding of the subject area
11 content expectations or guidelines that apply to the credit.

12 (c) A school district or public school academy shall also
13 grant a pupil a credit if the pupil earns a qualifying score, as
14 determined by the department, on the assessments developed or
15 selected for the subject area by the department under section 1278b
16 or the pupil earns a qualifying score, as determined by the school
17 district or public school academy, on 1 or more assessments
18 developed or selected by the school district or public school
19 academy that measure a pupil's understanding of the subject area
20 content expectations or guidelines that apply to the credit.

21 (4) ~~(5)~~—If a high school is designated by the superintendent
22 of public instruction as a specialty school and the high school
23 meets the requirements of subsection ~~(6)~~, ~~(5)~~, then the pupils of
24 the high school are not required to successfully complete the 4
25 credits in English language arts required under section 1278b(1)(a)
26 or the 3 credits in social science required under subsection
27 (1)(a)(ii) and the school district or public school academy is not

1 required to ensure that each pupil is offered the curriculum
2 necessary for meeting those English language arts or social science
3 credit requirements. The superintendent of public instruction may
4 designate up to 15 high schools that meet the requirements of this
5 subsection as specialty schools. Subject to this maximum number,
6 the superintendent of public instruction shall designate a high
7 school as a specialty school if the superintendent of public
8 instruction finds that the high school meets all of the following
9 criteria:

10 (a) The high school incorporates a significant reading and
11 writing component throughout its curriculum.

12 (b) The high school uses a specialized, innovative, and
13 rigorous curriculum in such areas as performing arts, foreign
14 language, extensive use of internships, or other learning
15 innovations that conform to pioneering innovations among other
16 leading national or international high schools.

17 (5) ~~(6)~~—A high school that is designated by the superintendent
18 of public instruction as a specialty school under subsection ~~(5)~~
19 (4) is only exempt from requirements as described under subsection
20 ~~(5)~~—(4) as long as the superintendent of public instruction finds
21 that the high school continues to meet all of the following
22 requirements:

23 (a) The high school clearly states to prospective pupils and
24 their parents that it does not meet the requirements of the
25 Michigan merit standard under this section and section 1278b but is
26 a designated specialty school that is exempt from some of those
27 requirements and that a pupil who enrolls in the high school and

1 subsequently transfers to a high school that is not a specialty
2 school meeting the requirements of this subsection will be required
3 to comply with the requirements of the Michigan merit standard
4 under this section and section 1278b.

5 (b) For the most recent year for which the data are available,
6 the mean scores on both the mathematics and science portions of the
7 ACT examination for the pupils of the high school exceed by at
8 least 10% the mean scores on the mathematics and science portions
9 of the ACT examination for the pupils of the school district in
10 which the greatest number of the pupils of the high school reside.

11 (c) For the most recent year for which the data are available,
12 the high school had a graduation rate of at least 85%, as
13 determined by the department.

14 (d) For the most recent year for which the data are available,
15 at least 75% of the pupils who graduated from the high school the
16 preceding year are enrolled in a postsecondary institution.

17 (e) All pupils of the high school are required to meet the
18 mathematics credit requirements of subsection (1)(a)(i), with no
19 modification of these requirements under section 1278b(5), and each
20 pupil is offered the curriculum necessary to meet this requirement.

21 (f) All pupils of the high school are required to meet the
22 science credit requirements of section 1278b(1)(b) and are also
23 required to successfully complete at least 1 additional science
24 credit, for a total of at least 4 science credits, with no
25 modification of these requirements under section 1278b(5), and each
26 pupil is offered the curriculum necessary to meet this requirement.

27 Sec. 1278b. (1) Except as otherwise provided in this section

1 or section 1278a, beginning with pupils entering grade 8 in 2006,
2 as part of the requirements under section 1278a the board of a
3 school district or board of directors of a public school academy
4 shall not award a high school diploma to a pupil unless the pupil
5 has successfully completed all of the following credit requirements
6 of the Michigan merit standard before graduating from high school:

7 (a) At least 4 credits in English language arts that are
8 aligned with subject area content expectations developed by the
9 department and approved by the state board under this section.

10 (b) At least 3 credits in science that are aligned with
11 subject area content expectations developed by the department and
12 approved by the state board under this section, including
13 completion of at least biology and either chemistry or physics. The
14 legislature strongly encourages pupils to complete a fourth credit
15 in science, such as forensics, astronomy, Earth science,
16 agricultural science, environmental science, geology, physics or
17 chemistry, physiology, or microbiology.

18 (c) The credit requirements specified in section 1278a(1) (a) (i)
19 to (iv).

20 (2) If a pupil successfully completes 1 or more of the high
21 school credits required under subsection (1) or under section
22 1278a(1) before entering high school, the pupil shall be given high
23 school credit for that credit.

24 (3) For the purposes of this section and section 1278a, the
25 department shall do all of the following:

26 (a) Develop subject area content expectations that apply to
27 the credit requirements of the Michigan merit standard that are

1 required under subsection (1)(a) and (b) and section 1278a(1)(a)(i)
2 and (ii) and develop guidelines for the remaining credit
3 requirements of the Michigan merit standard that are required under
4 this section and section 1278a(1)(a) ~~, AND~~ for the online course or
5 learning experience required under section 1278a(1)(b). ~~, and for~~
6 ~~the requirements for a language other than English under section~~
7 ~~1278a(2).~~ All of the following apply to these subject area content
8 expectations and guidelines:

9 (i) All subject area content expectations shall be consistent
10 with the state board recommended model core academic curriculum
11 content standards under section 1278. Subject area content
12 expectations or guidelines shall not include attitudes, beliefs, or
13 value systems that are not essential in the legal, economic, and
14 social structure of our society and to the personal and social
15 responsibility of citizens of our society. The subject area content
16 expectations shall require pupils to demonstrate critical thinking
17 skills.

18 (ii) The subject area content expectations and the guidelines
19 must be approved by the state board under subsection (4).

20 (iii) The subject area content expectations shall state in clear
21 and measurable terms what pupils are expected to know upon
22 completion of each credit.

23 (iv) The department shall complete the development of the
24 subject area content expectations that apply to algebra I and the
25 guidelines for the online course or learning experience under
26 section 1278a(1)(b) not later than August 1, 2006.

27 (v) The department shall complete development of the subject

1 area content expectations or guidelines that apply to each of the
2 other credits required in the Michigan merit standard under
3 subsection (1) and section 1278a(1)(a) not later than 1 year before
4 the beginning of the school year in which a pupil entering high
5 school in 2007 would normally be expected to complete the credit.

6 (vi) If the department has not completed development of the
7 subject area content expectations that apply to a particular credit
8 required in the Michigan merit standard under subsection (1) or
9 section 1278a(1)(a) by the date required under this subdivision, a
10 school district or public school academy may align the content of
11 the credit with locally adopted standards.

12 (vii) Until all of the subject area content expectations and
13 guidelines have been developed by the department and approved by
14 the state board, the department shall submit a report at least
15 every 6 months to the senate and house standing committees
16 responsible for education legislation on the status of the
17 development of the subject area content expectations and
18 guidelines. The report shall detail any failure by the department
19 to meet a deadline established under subparagraph (iv) or (v) and
20 the reasons for that failure.

21 (b) Develop and implement a process for developing the subject
22 area content expectations and guidelines required under this
23 section. This process shall provide for all of the following:

24 (i) Soliciting input from all of the following groups:

25 (A) Recognized experts in the relevant subject areas.

26 (B) Representatives from 4-year colleges or universities,
27 community colleges, and other postsecondary institutions.

1 (C) Teachers, administrators, and school personnel who have
2 specialized knowledge of the subject area.

3 (D) Representatives from the business community.

4 (E) Representatives from vocational and career and technical
5 education providers.

6 (F) Government officials, including officials from the
7 legislature.

8 (G) Parents of public school pupils.

9 (ii) A review of the subject area content expectations or
10 guidelines by national experts.

11 (iii) An opportunity for the public to review and provide input
12 on the proposed subject area content expectations or guidelines
13 before they are submitted to the state board for approval. The time
14 period allowed for this review and input shall be at least 15
15 business days.

16 (c) Determine the basic level of technology and internet
17 access required for pupils to complete the online course or
18 learning experience requirement of section 1278a(1)(b), and submit
19 that determination to the state board for approval.

20 (d) Develop and make available material to assist school
21 districts and public school academies in implementing the
22 requirements of this section and section 1278a. This shall include
23 developing guidelines for alternative instructional delivery
24 methods as described in subsection (7).

25 (4) The state board shall approve subject area content
26 expectations and guidelines developed by the department under
27 subsection (3) before those subject area content expectations and

1 guidelines may take effect. The state board also shall approve the
2 basic level of technology and internet access required for pupils
3 to complete the online course or learning experience requirement of
4 section 1278a(1)(b).

5 (5) The parent or legal guardian of a pupil who has completed
6 grade 9, a teacher who is currently teaching the pupil, who
7 currently teaches in or whose expertise is in a subject area
8 proposed to be modified by the personal curriculum, or who is
9 determined by the principal to have qualifications otherwise
10 relevant to developing a personal curriculum, or a school counselor
11 or school employee qualified to act in a counseling role under
12 section 1233 or 1233a may request a personal curriculum under this
13 subsection for the pupil that modifies certain of the Michigan
14 merit standard requirements under subsection (1) or section
15 1278a(1)(a). A teacher, school counselor, or school employee
16 qualified to act in a counseling role under section 1233 or 1233a
17 may contact a pupil's parent or legal guardian to discuss the
18 possibility and potential benefits of a personal curriculum under
19 this subsection for the pupil. If all of the requirements under
20 this subsection for a personal curriculum are met, then the board
21 of a school district or board of directors of a public school
22 academy may award a high school diploma to a pupil who successfully
23 completes his or her personal curriculum even if it does not meet
24 the requirements of the Michigan merit standard required under
25 subsection (1) and section 1278a(1)(a). All of the following apply
26 to a personal curriculum:

27 (a) The personal curriculum shall be developed by a group that

1 includes at least the pupil, at least 1 of the pupil's parents or
2 the pupil's legal guardian, a teacher described in this
3 subdivision, and the pupil's high school counselor or another
4 designee qualified to act in a counseling role under section 1233
5 or 1233a selected by the high school principal. In addition, for a
6 pupil who receives special education services, a school
7 psychologist should also be included in this group. The teacher
8 included in the group developing the personal curriculum shall be a
9 teacher who is currently teaching the pupil, who currently teaches
10 in or whose expertise is in a subject area being modified by the
11 personal curriculum, or who is determined by the principal to have
12 qualifications otherwise relevant to the group.

13 (b) The personal curriculum shall incorporate as much of the
14 subject area content expectations of the Michigan merit standard
15 required under subsection (1) and section 1278a(1)(a) as is
16 practicable for the pupil; shall establish measurable goals that
17 the pupil must achieve while enrolled in high school and shall
18 provide a method to evaluate whether the pupil achieved these
19 goals; and shall be aligned with the pupil's educational
20 development plan developed under subsection (11).

21 (c) Before it takes effect, the personal curriculum must be
22 agreed to by the pupil's parent or legal guardian and by the
23 superintendent of the school district or chief executive of the
24 public school academy or his or her designee.

25 (d) The pupil's parent or legal guardian shall be in
26 communication with each of the pupil's teachers at least once each
27 calendar quarter to monitor the pupil's progress toward the goals

1 contained in the pupil's personal curriculum.

2 (e) Revisions may be made in the personal curriculum if the
3 revisions are developed and agreed to in the same manner as the
4 original personal curriculum.

5 (f) The English language arts credit requirements of
6 subsection (1)(a) and the science credit requirements of subsection
7 (1)(b) are not subject to modification as part of a personal
8 curriculum under this subsection.

9 (g) The mathematics credit requirements of section
10 1278a(1)(a)(i) may be modified as part of a personal curriculum if
11 the pupil successfully completes at least 3-1/2 total credits of
12 the mathematics credits required under that section before
13 completing high school, including algebra I and geometry, and
14 successfully completes at least 1 mathematics course during his or
15 her final year of high school. The algebra II credit required under
16 that section may be modified as part of a personal curriculum under
17 this subsection if the pupil meets 1 or more of the following:

18 (i) Successfully completes the same content as 1 semester of
19 algebra II, as determined by the department.

20 (ii) Elects to complete the same content as algebra II over 2
21 years, with a credit awarded for each of those 2 years, and
22 successfully completes that content.

23 (iii) Enrolls in a formal career and technical education program
24 or curriculum and in that program or curriculum successfully
25 completes the same content as 1 semester of algebra II, as
26 determined by the department.

27 (iv) Successfully completes 1 semester of statistics or

1 functions and data analysis.

2 (h) The social science credit requirements of section
3 1278a(1) (a) (ii) may be modified as part of a personal curriculum
4 only if all of the following are met:

5 (i) The pupil has successfully completed 2 credits of the
6 social science credits required under section 1278a(1), including
7 the civics course described in section 1166(2).

8 (ii) The modification requires the pupil to complete 1
9 additional credit in English language arts, mathematics, or science
10 or 1 ~~additional~~ credit in a language other than English. This
11 additional credit must be in addition to the number of those
12 credits otherwise required under subsection (1) and section
13 1278a(1). ~~or under section 1278a(2).~~

14 (i) The health and physical education credit requirement under
15 section 1278a(1) (a) (iii) may be modified as part of a personal
16 curriculum only if the modification requires the pupil to complete
17 1 additional credit in English language arts, mathematics, or
18 science or 1 ~~additional~~ credit in a language other than English.
19 This additional credit must be in addition to the number of those
20 credits otherwise required under subsection (1) and section
21 1278a(1). ~~or under section 1278a(2).~~

22 (j) The visual arts, performing arts, or applied arts credit
23 requirement under section 1278a(1) (a) (iv) may be modified as part of
24 a personal curriculum only if the modification requires the pupil
25 to complete 1 additional credit in English language arts,
26 mathematics, or science or 1 ~~additional~~ credit in a language other
27 than English. This additional credit must be in addition to the

1 number of those credits otherwise required under subsection (1) and
2 section 1278a(1). ~~or under section 1278a(2).~~

3 (k) If the parent or legal guardian of a pupil requests as
4 part of the pupil's personal curriculum a modification of the
5 Michigan merit standard requirements that would not otherwise be
6 allowed under this section and demonstrates that the modification
7 is necessary because the pupil is a child with a disability, the
8 school district or public school academy may allow that additional
9 modification to the extent necessary because of the pupil's
10 disability if the group under subdivision (a) determines that the
11 modification is consistent with both the pupil's educational
12 development plan under subsection (11) and the pupil's
13 individualized education program. If the superintendent of public
14 instruction has reason to believe that a school district or a
15 public school academy is allowing modifications inconsistent with
16 the requirements of this subdivision, the superintendent of public
17 instruction shall monitor the school district or public school
18 academy to ensure that the school district's or public school
19 academy's policies, procedures, and practices are in compliance
20 with the requirements for additional modifications under this
21 subdivision. As used in this subdivision, "child with a disability"
22 means that term as defined in 20 USC 1401.

23 (l) If a pupil transfers to a school district or public school
24 academy from out of state or from a nonpublic school, the pupil's
25 parent or legal guardian may request, as part of the pupil's
26 personal curriculum, a modification of the Michigan merit standard
27 requirements that would not otherwise be allowed under this

1 section. The school district or public school academy may allow
2 this additional modification for a transfer pupil if all of the
3 following are met:

4 (i) The transfer pupil has successfully completed at least the
5 equivalent of 2 years of high school credit out of state or at a
6 nonpublic school. The school district or public school academy may
7 use appropriate assessment examinations to determine what credits,
8 if any, the pupil has earned out of state or at a nonpublic school
9 that may be used to satisfy the curricular requirements of the
10 Michigan merit standard and this subdivision.

11 (ii) The transfer pupil's personal curriculum incorporates as
12 much of the subject area content expectations of the Michigan merit
13 standard as is practicable for the pupil.

14 (iii) The transfer pupil's personal curriculum requires the
15 pupil to successfully complete at least 1 mathematics course during
16 his or her final year of high school enrollment. In addition, if
17 the transfer pupil is enrolled in the school district or public
18 school academy for at least 1 full school year, both of the
19 following apply:

20 (A) The transfer pupil's personal curriculum shall require
21 that this mathematics course is at least algebra I.

22 (B) If the transfer pupil demonstrates that he or she has
23 mastered the content of algebra I, the transfer pupil's personal
24 curriculum shall require that this mathematics course is a course
25 normally taken after completing algebra I.

26 (iv) The transfer pupil's personal curriculum includes the
27 civics course described in section 1166(2).

1 (m) If a pupil is at least age 18 or is an emancipated minor,
2 the pupil may act on his or her own behalf under this subsection.

3 (n) This subsection does not apply to a pupil enrolled in a
4 high school that is designated as a specialty school under section
5 ~~1278a(5)~~**1278A(4)** and that is exempt under that section from the
6 English language arts requirement under subsection (1)(a) and the
7 social science credit requirement under section 1278a(1)(a)(ii).

8 (6) If a pupil receives special education services, the
9 pupil's individualized education program, in accordance with the
10 individuals with disabilities education act, title VI of Public Law
11 91-230, shall identify the appropriate course or courses of study
12 and identify the supports, accommodations, and modifications
13 necessary to allow the pupil to progress in the curricular
14 requirements of this section and section 1278a, or in a personal
15 curriculum as provided under subsection (5), and meet the
16 requirements for a high school diploma.

17 (7) The board of a school district or board of directors of a
18 public school academy that operates a high school shall ensure that
19 each pupil is offered the curriculum necessary for the pupil to
20 meet the curricular requirements of this section and section 1278a.
21 The board or board of directors may provide this curriculum by
22 providing the credits specified in this section and section 1278a,
23 by using alternative instructional delivery methods such as
24 alternative course work, humanities course sequences, career and
25 technical education, industrial technology courses, or vocational
26 education, or by a combination of these. School districts and
27 public school academies that operate career and technical education

1 programs are encouraged to integrate the credit requirements of
2 this section and section 1278a into those programs.

3 (8) If the board of a school district or board of directors of
4 a public school academy wants its high school to be accredited
5 under section 1280, the board or board of directors shall ensure
6 that all elements of the curriculum required under this section and
7 section 1278a are made available to all affected pupils. If a
8 school district or public school academy does not offer all of the
9 required credits, the board of the school district or board of
10 directors of the public school academy shall ensure that the pupil
11 has access to the required credits by another means, such as
12 enrollment in a postsecondary course under the postsecondary
13 enrollment options act, 1996 PA 160, MCL 388.511 to 388.524;
14 enrollment in an online course; a cooperative arrangement with a
15 neighboring school district or with a public school academy; or
16 granting approval under section 6(6) of the state school aid act of
17 1979, MCL 388.1606, for the pupil to be counted in membership in
18 another school district.

19 (9) If a pupil is not successfully completing a credit
20 required for graduation under this section and section 1278a, or is
21 identified as being at risk of withdrawing from high school, then
22 the pupil's school district or public school academy shall notify
23 the pupil's parent or legal guardian or, if the pupil is at least
24 age 18 or is an emancipated minor, the pupil, of the availability
25 of tutoring or other supplemental educational support and
26 counseling services that may be available to the pupil under
27 existing state or federal programs, such as those programs or

1 services available under section 31a of the state school aid act of
2 1979, MCL 388.1631a, or under the no child left behind act of 2001,
3 Public Law 107-110.

4 (10) To the extent required by the no child left behind act of
5 2001, Public Law 107-110, the board of a school district or public
6 school academy shall ensure that all components of the curricular
7 requirements under this section and section 1278a are taught by
8 highly qualified teachers. If a school district or public school
9 academy demonstrates to the department that the school district or
10 public school academy is unable to meet the requirements of this
11 section because the school district or public school academy is
12 unable to hire enough highly qualified teachers, the department
13 shall work with the school district or public school academy to
14 develop a plan to allow the school district or public school
15 academy to hire enough highly qualified teachers to meet the
16 requirements of this section.

17 (11) The board of a school district or board of directors of a
18 public school academy shall provide the opportunity for each pupil
19 to develop an educational development plan during grade 7, and
20 shall ensure that each pupil reviews his or her educational
21 development plan during grade 8 and revises it as appropriate
22 before he or she begins high school. An educational development
23 plan shall be developed, reviewed, and revised by the pupil under
24 the supervision of the pupil's school counselor or another designee
25 qualified to act in a counseling role under section 1233 or 1233a
26 selected by the school principal and shall be based on high school
27 readiness scores and a career pathways program or similar career

1 exploration program. An educational development plan shall be
2 designed to assist pupils to identify career development goals as
3 they relate to academic requirements.

4 (12) Except as otherwise provided in this subsection, if a
5 school district or public school academy is unable to implement all
6 of the curricular requirements of this section and section 1278a
7 for pupils entering grade 9 in 2007 or is unable to implement
8 another requirement of this section or section 1278a, the school
9 district or public school academy may apply to the department for
10 permission to phase in 1 or more of the requirements of this
11 section or section 1278a. To apply, the school district or public
12 school academy shall submit a proposed phase-in plan to the
13 department. The department shall approve a phase-in plan if the
14 department determines that the plan will result in the school
15 district or public school academy making satisfactory progress
16 toward full implementation of the requirements of this section and
17 section 1278a. If the department disapproves a proposed phase-in
18 plan, the department shall work with the school district or public
19 school academy to develop a satisfactory plan that may be approved.
20 However, if legislation is enacted that adds section 1290 to allow
21 school districts and public school academies to apply for a
22 contract that waives certain state or federal requirements, then
23 this subsection does not apply but a school district or public
24 school academy may take action as described in subsection (13).
25 This subsection does not apply to a high school that is designated
26 as a specialty school under section ~~1278a(5)~~**1278A(4)** and that is
27 exempt under that section from the English language arts

1 requirement under subsection (1) (a) and the social science credit
2 requirement under section 1278a(1) (a) (ii).

3 (13) If a school district or public school academy does not
4 offer all of the required credits or provide options to have access
5 to the required credits as provided under subsection (8) and if
6 legislation is enacted that adds section 1290 to allow school
7 districts and public school academies to apply for a contract that
8 waives certain state or federal requirements, then the school
9 district or public school academy is encouraged to apply for a
10 contract under section 1290. The purpose of a contract described in
11 this subsection is to improve pupil performance.

12 (14) This section and section 1278a do not prohibit a pupil
13 from satisfying or exceeding the credit requirements of the
14 Michigan merit standard under this section and section 1278a
15 through advanced studies such as accelerated course placement,
16 advanced placement, dual enrollment in a postsecondary institution,
17 or participation in the international baccalaureate program or an
18 early college/middle college program.

19 (15) Not later than April 1 of each year, the department shall
20 submit an annual report to the legislature that evaluates the
21 overall success of the curriculum required under this section and
22 section 1278a, the rigor and relevance of the course work required
23 by the curriculum, the ability of public schools to implement the
24 curriculum and the required course work, and the impact of the
25 curriculum on pupil success, and that details any activities the
26 department has undertaken to implement this section and section
27 1278a or to assist public schools in implementing the requirements

1 of this section and section 1278a.