

HOUSE BILL NO. 5190

July 01, 2021, Introduced by Reps. Farrington, Yaroch, Wozniak, Allor, Howell, Bollin, Scott, Lightner, Alexander, Marino and Thanedar 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 2020 PA 158 and section 1278b as
amended by 2018 PA 230.

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

1 school academy shall not award a high school diploma to a pupil
2 unless the pupil meets all of the following:

3 (a) Has successfully completed all of the following credit
4 requirements of the Michigan merit standard before graduating from
5 high school:

6 (i) At least 4 credits in mathematics that are aligned with
7 subject area content expectations developed by the department and
8 approved by the state board under section 1278b, including
9 completion of at least algebra I, geometry, and algebra II, or an
10 integrated sequence of this course content that consists of 3
11 credits, and an additional mathematics credit, such as
12 trigonometry, statistics, precalculus, calculus, applied math,
13 accounting, business math, a retake of algebra II, or a course in
14 financial literacy as described in section 1165. A pupil may
15 complete algebra II over 2 years with 2 credits awarded or over 1.5
16 years with 1.5 credits awarded for the purposes of this section and
17 section 1278b. A pupil also may partially or fully fulfill the
18 algebra II requirement by completing a department-approved formal
19 career and technical education program or curriculum, such as a
20 program or curriculum in electronics, machining, construction,
21 welding, engineering, computer science, or renewable energy, and in
22 that program or curriculum successfully completing the same content
23 as the algebra II benchmarks assessed on the department-prescribed
24 state high school assessment, as determined by the department. The
25 department shall post on its website guidelines for implementation
26 of the immediately preceding sentence. Each pupil must successfully
27 complete at least 1 mathematics course during his or her final year
28 of high school enrollment. This subparagraph does not require
29 completion of mathematics courses in any particular sequence.

1 (ii) At least 3 credits in social science that are aligned with
 2 subject area content expectations developed by the department and
 3 approved by the state board under section 1278b, including
 4 completion of at least 1 credit in United States history and
 5 geography, 1 credit in world history and geography, 1/2 credit in
 6 economics, and the civics course described in section 1166(2). ~~The~~
 7 **Lastly, applying to pupils entering grade 8 in 2022, the** 1/2-credit
 8 economics requirement may be satisfied by completion of at least a
 9 1/2-credit course in personal ~~economics~~**finance** that includes a
 10 financial literacy component as described in section 1165, if that
 11 course covers the subject area content expectations for economics
 12 developed by the department and approved by the state board under
 13 section 1278b.

14 (iii) At least 1 credit in subject matter that includes both
 15 health and physical education aligned with guidelines developed by
 16 the department and approved by the state board under section 1278b,
 17 or at least 1/2 credit in health aligned with guidelines developed
 18 by the department and approved by the state board under section
 19 1278b and at least 1/2 credit awarded by the school district or
 20 public school academy for approved participation in extracurricular
 21 athletics or other extracurricular activities involving physical
 22 activity.

23 (iv) At least 1 credit in visual arts, performing arts, or
 24 applied arts, as defined by the department, that is aligned with
 25 guidelines developed by the department and approved by the state
 26 board under section 1278b. A school district or public school
 27 academy is strongly encouraged to offer visual arts and performing
 28 arts courses.

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

1 (b) Meets the online course or learning experience requirement
2 of this subsection. A school district or public school academy
3 shall provide the basic level of technology and internet access
4 required by the state board to complete the online course or
5 learning experience. For a pupil to meet this requirement, the
6 pupil ~~shall~~**must** meet either of the following, as determined by the
7 school district or public school academy:

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

10 (ii) The pupil's school district or public school academy has
11 integrated an online experience throughout the high school
12 curriculum by ensuring that each teacher of each course that
13 provides the required credits of the Michigan merit curriculum has
14 integrated an online experience into the course.

15 (2) ~~In~~**Except as otherwise provided in this subsection, in**
16 addition to the requirements under subsection (1), beginning with
17 pupils entering grade 3 in 2006 **and lastly applying to pupils**
18 **entering grade 8 in 2022**, the board of a school district or board
19 of directors of a public school academy shall not award a high
20 school diploma to a pupil unless the pupil has successfully
21 completed during grades K to 12 at least 2 credits that are grade-
22 appropriate in a language other than English or course work or
23 other learning experiences that are substantially equivalent to 2
24 credits in a language other than English, based on guidelines
25 developed by the department. **In addition to the requirements under**
26 **subsections (1) and (7), beginning with pupils entering grade 8 in**
27 **2023, the board of a school district or board of directors of a**
28 **public school academy shall not award a high school diploma to a**
29 **pupil unless the pupil has successfully completed during grades K**

1 to 12 at least 1 and a 1/2 credits that are grade-appropriate in a
2 language other than English or course work or other learning
3 experiences that are substantially equivalent to 1 and a 1/2
4 credits in a language other than English, based on guidelines
5 developed by the department. A pupil may partially or fully fulfill
6 1 credit of ~~this requirement~~ **the requirement under this subsection**
7 by completing a department-approved formal career and technical
8 education program or curriculum or by completing visual or
9 performing arts instruction that is in addition to the requirements
10 under subsection (1)(a)(iv). The board of a school district or board
11 of directors of a public school academy is strongly encouraged to
12 ensure that all pupils complete at least 1 credit in a language
13 other than English in grades K to 6. For the purposes of this
14 subsection, both of the following apply:

15 (a) American Sign Language is considered to be a language
16 other than English.

17 (b) The pupil may meet all or part of this requirement with
18 online course work.

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

28 (4) For the purposes of this section and section 1278b, all of
29 the following apply:

1 (a) A pupil is considered to have completed a credit if the
2 pupil successfully completes the subject area content expectations
3 or guidelines developed by the department that apply to the credit.
4 For a career and technical education credit, a school district or
5 public school academy may supplement those content expectations and
6 guidelines with additional guidelines developed by the school
7 district or public school academy.

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

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

26 (5) If a high school is designated by the superintendent of
27 public instruction as a specialty school and the high school meets
28 the requirements of subsection (6), then the pupils of the high
29 school are not required to successfully complete the 4 credits in

1 English language arts required under section 1278b(1) (a) or the 3
2 credits in social science required under subsection (1) (a) (ii) and
3 the school district or public school academy is not required to
4 ensure that each pupil is offered the curriculum necessary for
5 meeting those English language arts or social science credit
6 requirements. The superintendent of public instruction may
7 designate up to 15 high schools that meet the requirements of this
8 subsection as specialty schools. Subject to this maximum number,
9 the superintendent of public instruction shall designate a high
10 school as a specialty school if the superintendent of public
11 instruction finds that the high school meets all of the following
12 criteria:

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

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

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

25 (a) The high school clearly states to prospective pupils and
26 their parents that it does not meet the requirements of the
27 Michigan merit standard under this section and section 1278b but is
28 a designated specialty school that is exempt from some of those
29 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~~ **portion of the SAT examination and the science**
8 **portion of the applicable state assessment** for the pupils of the
9 high school exceed by at least 10% the mean scores on the
10 mathematics and science portions of the ~~ACT examination~~ **portion of**
11 **the SAT examination and the science portion of the applicable state**
12 **assessment** for the pupils of the school district in which the
13 greatest number of the pupils of the high school reside.

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

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

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

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

1 (7) In addition to the requirements under subsections (1) and
2 (2), beginning with pupils entering grade 8 in 2023, 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 a 1/2-credit course in personal finance
6 that includes a financial literacy component as described in
7 section 1165 and that covers the subject area content expectations
8 developed by the department and approved by the state board under
9 section 1278b for the course.

10 Sec. 1278b. (1) Except as otherwise provided in this section
11 or section 1278a, ~~beginning with pupils entering grade 8 in 2006,~~
12 as part of the requirements under section 1278a the board of a
13 school district or board of directors of a public school academy
14 shall not award a high school diploma to a pupil unless the pupil
15 has successfully completed all of the following credit requirements
16 of the Michigan merit standard before graduating from high school:

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

20 (b) At least 3 credits in science that are aligned with
21 subject area content expectations developed by the department and
22 approved by the state board under this section, including
23 completion of at least biology and either chemistry, physics,
24 anatomy, or agricultural science, or successfully completing a
25 program or curriculum that provides the same content as the
26 chemistry or physics benchmarks, as determined by the department. A
27 student may fulfill the requirement for the third science credit by
28 completing a department-approved computer science program or
29 curriculum or formal career and technical education program or

1 curriculum. The legislature strongly encourages pupils to complete
 2 a fourth credit in science, such as forensics, astronomy, Earth
 3 science, agricultural science, environmental science, geology,
 4 physics, chemistry, physiology, or microbiology.

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

7 (2) If a pupil successfully completes 1 or more of the high
 8 school credits required under subsection (1) or under section
 9 1278a(1) before entering high school, the pupil ~~shall~~**must** be given
 10 high school credit for that credit.

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

13 (a) Develop subject area content expectations that apply to
 14 the credit requirements of the Michigan merit standard that are
 15 required under subsection (1) (a) and (b) and section 1278a(1) (a) (i)
 16 and (ii) **and a 1/2-credit course in personal finance required under**
 17 **section 1278a(7)** and develop guidelines for the remaining credit
 18 requirements of the Michigan merit standard that are required under
 19 this section and section 1278a(1) (a), for the online course or
 20 learning experience required under section 1278a(1) (b), and for the
 21 requirements for a language other than English under section
 22 1278a(2). All of the following apply to these subject area content
 23 expectations and guidelines:

24 (i) All subject area content expectations ~~shall~~**must** be
 25 consistent with the state board recommended model core academic
 26 curriculum content standards under section 1278. Subject area
 27 content expectations or guidelines ~~shall~~**must** not include
 28 attitudes, beliefs, or value systems that are not essential in the
 29 legal, economic, and social structure of our society and to the

1 personal and social responsibility of citizens of our society. The
2 subject area content expectations ~~shall~~**must** require pupils to
3 demonstrate critical thinking skills.

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

6 (iii) The subject area content expectations ~~shall~~**must** state in
7 clear and measurable terms what pupils are expected to know upon
8 completion of each credit.

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

13 (v) The department shall complete development of the subject
14 area content expectations or guidelines that apply to each of the
15 other credits required in the Michigan merit standard under
16 subsection (1) and section 1278a(1)(a) not later than 1 year before
17 the beginning of the school year in which a pupil entering high
18 school in 2007 would normally be expected to complete the credit.

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

25 (vii) Until all of the subject area content expectations and
26 guidelines have been developed by the department and approved by
27 the state board, the department shall submit a report at least
28 every 6 months to the senate and house standing committees
29 responsible for education legislation on the status of the

1 development of the subject area content expectations and
2 guidelines. The report ~~shall~~**must** detail any failure by the
3 department to meet a deadline established under subparagraph (iv) or
4 (v) and the reasons for that failure.

5 (b) Develop and implement a process for developing the subject
6 area content expectations and guidelines required under this
7 section. This process ~~shall~~**must** provide for all of the following:

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

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

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

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

14 (D) Representatives from the business community.

15 (E) Representatives from vocational and career and technical
16 education providers.

17 (F) Government officials, including officials from the
18 legislature.

19 (G) Parents of public school pupils.

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

22 (iii) An opportunity for the public to review and provide input
23 on the proposed subject area content expectations or guidelines
24 before they are submitted to the state board for approval. The time
25 period allowed for this review and input ~~shall~~**must** be at least 15
26 business days.

27 (c) Determine the basic level of technology and internet
28 access required for pupils to complete the online course or
29 learning experience requirement of section 1278a(1)(b), and submit

1 that determination to the state board for approval.

2 (d) Develop and make available material to assist school
3 districts and public school academies in implementing the
4 requirements of this section and section 1278a. This ~~shall~~**must**
5 include developing guidelines for alternative instructional
6 delivery methods as described in subsection (7).

7 (4) The state board shall approve subject area content
8 expectations and guidelines developed by the department under
9 subsection (3) before those subject area content expectations and
10 guidelines may take effect. The state board also shall approve the
11 basic level of technology and internet access required for pupils
12 to complete the online course or learning experience requirement of
13 section 1278a(1)(b).

14 (5) The parent or legal guardian of a pupil who has completed
15 grade 9, a teacher who is currently teaching the pupil, who
16 currently teaches in or whose expertise is in a subject area
17 proposed to be modified by the personal curriculum, or who is
18 determined by the principal to have qualifications otherwise
19 relevant to developing a personal curriculum, or a school counselor
20 or school employee qualified to act in a counseling role under
21 section 1233 or 1233a may request a personal curriculum under this
22 subsection for the pupil that modifies certain of the Michigan
23 merit standard requirements under subsection (1) or section
24 1278a(1)(a). If the request for a personal curriculum is made by
25 the pupil's parent or legal guardian or, if the pupil is at least
26 age 18 or is an emancipated minor, by the pupil, the school
27 district or public school academy shall develop a personal
28 curriculum for the pupil. A teacher, school counselor, or school
29 employee qualified to act in a counseling role under section 1233

1 or 1233a may contact a pupil's parent or legal guardian to discuss
2 the possibility and potential benefits of a personal curriculum
3 under this subsection for the pupil. If all of the requirements
4 under this subsection for completing a personal curriculum are met,
5 then the board of a school district or board of directors of a
6 public school academy may award a high school diploma to a pupil
7 who successfully completes his or her personal curriculum even if
8 it does not meet the requirements of the Michigan merit standard
9 required under subsection (1) and section 1278a(1)(a). All of the
10 following apply to a personal curriculum:

11 (a) The personal curriculum ~~shall~~**must** be developed by a group
12 that includes at least the pupil, at least 1 of the pupil's parents
13 or the pupil's legal guardian, and a teacher described in this
14 subdivision or the pupil's high school counselor or another
15 designee qualified to act in a counseling role under section 1233
16 or 1233a selected by the high school principal. In addition, for a
17 pupil who receives special education services, a school
18 psychologist should also be included in this group. The teacher
19 included in the group developing the personal curriculum ~~shall~~**must**
20 be a teacher who is currently teaching the pupil, who currently
21 teaches in or whose expertise is in a subject area being modified
22 by the personal curriculum, or who is determined by the principal
23 to have qualifications otherwise relevant to the group. This
24 subdivision does not require an in-person meeting of the group.

25 (b) The personal curriculum ~~shall~~**must** incorporate as much of
26 the subject area content expectations of the Michigan merit
27 standard required under subsection (1) and section 1278a(1)(a) as
28 is practicable for the pupil; ~~shall~~**must** establish measurable goals
29 that the pupil must achieve while enrolled in high school and ~~shall~~

1 **must** provide a method to evaluate whether the pupil achieved these
2 goals; and ~~shall~~**must** be aligned with the pupil's educational
3 development plan developed under subsection (11).

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

8 (d) The pupil's parent or legal guardian shall ~~be in~~
9 ~~communication~~**communicate** with each of the pupil's teachers to
10 monitor the pupil's progress toward the goals contained in the
11 pupil's personal curriculum.

12 (e) Revisions may be made in the personal curriculum if the
13 revisions are developed and agreed to in the same manner as the
14 original personal curriculum.

15 (f) The English language arts credit requirements of
16 subsection (1)(a) and the science credit requirements of subsection
17 (1)(b) are not subject to modification as part of a personal
18 curriculum under this subsection.

19 (g) The mathematics credit requirements of section
20 1278a(1)(a)(i) may be modified as part of a personal curriculum if
21 the pupil successfully completes at least 3-1/2 total credits of
22 the mathematics credits required under that section before
23 completing high school, including algebra I and geometry, and
24 successfully completes at least 1 mathematics credit during his or
25 her final 2 years of high school. The algebra II credit required
26 under that section may be modified as part of a personal curriculum
27 under this subsection if the pupil meets 1 or more of the
28 following:

29 (i) Successfully completes the same content as 1 semester of

1 algebra II, as determined by the department.

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

5 (iii) Enrolls in a formal career and technical education program
6 or curriculum and in that program or curriculum successfully
7 completes the same content as the algebra II benchmarks assessed on
8 the department-prescribed state high school assessment, as
9 determined by the department.

10 (iv) Successfully completes 1 semester of statistics, functions
11 and data analysis, or technical mathematics.

12 (h) The social science credit requirements of section
13 1278a(1) (a) (ii) may be modified as part of a personal curriculum
14 only if all of the following are met:

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

18 (ii) The modification requires the pupil to complete 1
19 additional credit in English language arts, mathematics, or science
20 or 1 additional credit in a language other than English, or
21 requires the pupil to complete a formal career and technical
22 education program. This additional credit must be in addition to
23 the number of those credits otherwise required under subsection (1)
24 and section 1278a(1) or under section 1278a(2).

25 (i) The health and physical education credit requirement under
26 section 1278a(1) (a) (iii) may be modified as part of a personal
27 curriculum only if the modification requires the pupil to complete
28 1 additional credit in English language arts, mathematics, or
29 science or 1 additional credit in a language other than English, or

1 requires the pupil to complete a formal career and technical
2 education program. This additional credit must be in addition to
3 the number of those credits otherwise required under subsection (1)
4 and section 1278a(1) or under section 1278a(2).

5 (j) The visual arts, performing arts, or applied arts credit
6 requirement under section 1278a(1) (a) (iv) may be modified as part of
7 a personal curriculum only if the modification requires the pupil
8 to complete 1 additional credit in English language arts,
9 mathematics, or science or 1 additional credit in a language other
10 than English, or requires the pupil to complete a formal career and
11 technical education program. This additional credit must be in
12 addition to the number of those credits otherwise required under
13 subsection (1) and section 1278a(1) or under section 1278a(2).

14 (k) If the parent or legal guardian of a pupil requests as
15 part of the pupil's personal curriculum a modification of the
16 Michigan merit standard requirements that would not otherwise be
17 allowed under this section and demonstrates that the modification
18 is necessary because the pupil is a child with a disability, the
19 school district or public school academy may allow that additional
20 modification to the extent necessary because of the pupil's
21 disability if the group under subdivision (a) determines that the
22 modification is consistent with both the pupil's educational
23 development plan under subsection (11) and the pupil's
24 individualized education program. If the superintendent of public
25 instruction has reason to believe that a school district or a
26 public school academy is allowing modifications inconsistent with
27 the requirements of this subdivision, the superintendent of public
28 instruction shall monitor the school district or public school
29 academy to ensure that the school district's or public school

1 academy's policies, procedures, and practices are in compliance
2 with the requirements for additional modifications under this
3 subdivision. As used in this subdivision, "child with a disability"
4 means that term as defined in 20 USC 1401.

5 (l) If a pupil transfers to a school district or public school
6 academy from out of state or from a nonpublic school, the pupil's
7 parent or legal guardian may request, as part of the pupil's
8 personal curriculum, a modification of the Michigan merit standard
9 requirements that would not otherwise be allowed under this
10 section. The school district or public school academy may allow
11 this additional modification for a transfer pupil if all of the
12 following are met:

13 (i) The transfer pupil has successfully completed at least the
14 equivalent of 2 years of high school credit out of state or at a
15 nonpublic school. The school district or public school academy may
16 use appropriate assessment examinations to determine what credits,
17 if any, the pupil has earned out of state or at a nonpublic school
18 that may be used to satisfy the curricular requirements of the
19 Michigan merit standard and this subdivision.

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

23 (iii) The transfer pupil's personal curriculum requires the
24 pupil to successfully complete at least 1 mathematics course during
25 his or her final year of high school enrollment. In addition, if
26 the transfer pupil is enrolled in the school district or public
27 school academy for at least 1 full school year, both of the
28 following apply:

29 (A) The transfer pupil's personal curriculum ~~shall~~**must**

1 require that this mathematics course is at least algebra I.

2 (B) If the transfer pupil demonstrates that he or she has
3 mastered the content of algebra I, the transfer pupil's personal
4 curriculum ~~shall~~**must** require that this mathematics course is a
5 course normally taken after completing algebra I.

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

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

10 (n) This subsection does not apply to a pupil enrolled in a
11 high school that is designated as a specialty school under section
12 1278a(5) and that is exempt under that section from the English
13 language arts requirement under subsection (1)(a) and the social
14 science credit requirement under section 1278a(1)(a)(ii).

15 (o) The department or a school district or public school
16 academy shall not limit or discourage the number of pupils with a
17 personal curriculum on any basis other than the best interests of
18 each individual pupil.

19 (p) A school district or public school academy annually shall
20 notify each of its pupils and a parent or legal guardian of each of
21 its pupils that all pupils are entitled to a personal curriculum
22 under this subsection. The annual notice ~~shall~~**must** include an
23 explanation of what a personal curriculum is and state that if a
24 personal curriculum is requested, the public school or public
25 school academy will grant that request. The school district or
26 public school academy shall provide this annual notice to parents
27 and legal guardians by sending a written notice to each pupil's
28 home or by including the notice in a newsletter, student handbook,
29 or similar communication that is sent to a pupil's home, and also

1 shall post the notice on the school district's or public school
2 academy's website.

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

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

25 (8) If the board of a school district or board of directors of
26 a public school academy wants its high school to be accredited
27 under section 1280, the board or board of directors shall ensure
28 that all elements of the curriculum required under this section and
29 section 1278a are made available to all affected pupils. If a

1 school district or public school academy does not offer all of the
2 required credits, the board of the school district or board of
3 directors of the public school academy shall ensure that the pupil
4 has access to the required credits by another means, such as
5 enrollment in a postsecondary course under the postsecondary
6 enrollment options act, 1996 PA 160, MCL 388.511 to 388.524;
7 enrollment in an online course; a cooperative arrangement with a
8 neighboring school district or with a public school academy; or
9 granting approval under section 6(6) of the state school aid act of
10 1979, MCL 388.1606, for the pupil to be counted in membership in
11 another school district.

12 (9) If a pupil is not successfully completing a credit
13 required for graduation under this section and section 1278a, or is
14 identified as being at risk of withdrawing from high school, then
15 the pupil's school district or public school academy shall notify
16 the pupil's parent or legal guardian or, if the pupil is at least
17 age 18 or is an emancipated minor, the pupil, of the availability
18 of tutoring or other supplemental educational support and
19 counseling services that may be available to the pupil under
20 existing state or federal programs, such as those programs or
21 services available under section 31a of the state school aid act of
22 1979, MCL 388.1631a, or under the no child left behind act of 2001,
23 Public Law 107-110 **or every student succeeds act, Public Law 114-**
24 **95.**

25 (10) To the extent required by the no child left behind act of
26 2001, Public Law 107-110, **or every student succeeds act, Public Law**
27 **114-95**, the board of a school district or public school academy
28 shall ensure that all components of the curricular requirements
29 under this section and section 1278a are taught by highly qualified

1 teachers. If a school district or public school academy
2 demonstrates to the department that the school district or public
3 school academy is unable to meet the requirements of this section
4 because the school district or public school academy is unable to
5 hire enough highly qualified teachers, the department shall work
6 with the school district or public school academy to develop a plan
7 to allow the school district or public school academy to hire
8 enough highly qualified teachers to meet the requirements of this
9 section.

10 (11) The board of a school district or board of directors of a
11 public school academy shall provide the opportunity for each pupil
12 to develop an educational development plan during grade 7, and
13 shall ensure that each pupil reviews his or her educational
14 development plan during grade 8 and revises it as appropriate
15 before he or she begins high school. The board of a school district
16 or board of directors of a public school academy shall also ensure
17 that each pupil reviews and revises his or her educational
18 development plan as appropriate during each year of high school. An
19 educational development plan ~~shall~~**must** be developed, reviewed, and
20 revised by the pupil under the supervision of the pupil's school
21 counselor or another designee qualified to act in a counseling role
22 under section 1233 or 1233a selected by the school principal and
23 ~~shall~~**must** be based on high school readiness scores and a career
24 pathways program or similar career exploration program. An
25 educational development plan ~~shall~~**must** be designed to assist
26 pupils to identify career development goals as they relate to
27 academic requirements. During the process of developing and
28 reviewing a pupil's educational development plan, the pupil ~~shall~~
29 **must** be advised that many of the curricular requirements of this

1 section and section 1278a may be fulfilled through career and
2 technical education. In addition, during the process of developing
3 and reviewing an educational development plan, the pupil ~~shall~~**must**
4 be provided with all of the following:

5 (a) Information on various types of careers and current and
6 projected job openings in this state and those jobs' actual and
7 projected wages.

8 (b) An opportunity to explore careers specific to a pupil's
9 interests and identify career pathways and goals for achieving
10 success in those careers, including, but not limited to, the level
11 and type of educational preparation necessary to accomplish those
12 goals.

13 (c) An opportunity to develop a talent portfolio. A talent
14 portfolio ~~shall~~**must** be developed and revised throughout the
15 implementation of a pupil's educational development plan. A talent
16 portfolio ~~shall~~**must** include, but is not limited to, a record of
17 the pupil's experiences, proficiencies, certifications, or
18 accomplishments that demonstrate talents or marketable skills. The
19 department, in conjunction with the department of ~~talent and~~
20 ~~economic development,~~ **labor and economic opportunity**, shall develop
21 and make available to the public schools model information
22 materials that districts or public school academies may use to
23 comply with this subdivision.

24 (12) Except as otherwise provided in this subsection, if a
25 school district or public school academy is unable to implement all
26 of the curricular requirements of this section and section 1278a
27 for pupils entering grade 9 in 2007 or is unable to implement
28 another requirement of this section or section 1278a, the school
29 district or public school academy may apply to the department for

1 permission to phase in 1 or more of the requirements of this
2 section or section 1278a. To apply, the school district or public
3 school academy shall submit a proposed phase-in plan to the
4 department. The department shall approve a phase-in plan if the
5 department determines that the plan will result in the school
6 district or public school academy making satisfactory progress
7 toward full implementation of the requirements of this section and
8 section 1278a. If the department disapproves a proposed phase-in
9 plan, the department shall work with the school district or public
10 school academy to develop a satisfactory plan that may be approved.
11 ~~However, if legislation is enacted that adds section 1290 to allow~~
12 ~~school districts and public school academies to apply for a~~
13 ~~contract that waives certain state or federal requirements, then~~
14 ~~this subsection does not apply but a school district or public~~
15 ~~school academy may take action as described in subsection (13).~~
16 This subsection does not apply to a high school that is designated
17 as a specialty school under section 1278a(5) and that is exempt
18 under that section from the English language arts requirement under
19 subsection (1) (a) and the social science credit requirement under
20 section 1278a(1) (a) (ii) .

21 ~~(13) If a school district or public school academy does not~~
22 ~~offer all of the required credits or provide options to have access~~
23 ~~to the required credits as provided under subsection (8) and if~~
24 ~~legislation is enacted that adds section 1290 to allow school~~
25 ~~districts and public school academies to apply for a contract that~~
26 ~~waives certain state or federal requirements, then the school~~
27 ~~district or public school academy is encouraged to apply for a~~
28 ~~contract under section 1290. The purpose of a contract described in~~
29 ~~this subsection is to improve pupil performance.~~

1 **(13)** ~~(14)~~—This section and section 1278a do not prohibit a
2 pupil from satisfying or exceeding the credit requirements of the
3 Michigan merit standard under this section and section 1278a
4 through advanced studies such as accelerated course placement,
5 advanced placement, dual enrollment in a postsecondary institution,
6 or participation in the international baccalaureate program or an
7 early college/middle college program.

8 **(14)** ~~(15)~~—Not later than April 1 of each year, the department
9 shall submit an annual report to the legislature that evaluates the
10 overall success of the curriculum required under this section and
11 section 1278a, the rigor and relevance of the course work required
12 by the curriculum, the ability of public schools to implement the
13 curriculum and the required course work, and the impact of the
14 curriculum on pupil success, and that details any activities the
15 department has undertaken to implement this section and section
16 1278a or to assist public schools in implementing the requirements
17 of this section and section 1278a.