

# HOUSE BILL NO. 5857

February 24, 2022, Introduced by Reps. Rabhi, Brenda Carter, Aiyash and Jones and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending sections 1166, 1278, and 1278a (MCL 380.1166, 380.1278,  
and 380.1278a), section 1166 as amended by 2016 PA 391, section  
1278 as amended by 2016 PA 170, and section 1278a as amended by  
2020 PA 158.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1166. (1) In all public and nonpublic schools in this  
2 state regular courses of instruction ~~shall~~**must** be given in the  
3 ~~constitution~~**Constitution** of the United States, in ~~the~~**this state's**

1 constitution, ~~of Michigan,~~ and in the history and present form of  
 2 government of the United States, ~~Michigan,~~ **this state**, and its  
 3 political subdivisions. Instruction ~~shall~~ **must** begin not later than  
 4 the opening of ~~the eighth~~ grade ~~,—8~~ or its equivalent, except in  
 5 schools maintaining a junior high school, in which case it may  
 6 begin in ~~the ninth~~ grade **9**.

7 (2) A high school in this state shall require a 1-semester  
 8 course of study of 5 periods per week in civics. The course ~~shall~~  
 9 **described in this subsection must** include the form and functions of  
 10 the federal, state, and local governments and ~~shall~~ **must** stress the  
 11 rights and responsibilities of citizens. A diploma ~~shall~~ **must** not  
 12 be issued by a high school to a pupil who has not successfully  
 13 completed this course. ~~This~~ **Beginning with the 2023-2024 school**  
 14 **year, the course described in this subsection must include, as much**  
 15 **as is possible, coverage of the criteria described in section**  
 16 **1278(1)(c).** The course requirement **under this subsection** is not a  
 17 graduation requirement for a high school pupil who has enlisted or  
 18 been inducted into military service.

19 (3) By not later than May 1, 2018 or the next update of the  
 20 state curriculum content standards after ~~the effective date of this~~  
 21 ~~subsection,~~ **March 29, 2017**, whichever occurs first, the state board  
 22 shall revise the state curriculum content standards for high school  
 23 social studies to ensure that those content standards cover the  
 24 same content as covered by the 100 questions on the civics portion  
 25 of the naturalization test used by the United States Citizenship  
 26 and Immigration Services as of December 1, 2016.

27 (4) Beginning with the first state high school social studies  
 28 assessment administered after the state academic curriculum content  
 29 standards are revised as required under subsection (3), the

1 superintendent of public instruction shall ensure that the high  
2 school social studies assessment includes questions related to the  
3 learning objectives in the state curriculum **content** standards for  
4 high school social studies as revised under subsection (3).

5 (5) As used in this section, "state curriculum content  
6 standards" means the state board recommended model **core academic**  
7 curriculum content standards developed and periodically updated  
8 under section 1278.

9 Sec. 1278. (1) In addition to the requirements for  
10 accreditation under section 1280 specified in that section, if the  
11 board of a school district wants all of the schools of the school  
12 district to be accredited under section 1280, the board shall  
13 provide to all pupils attending public school in the district a  
14 core academic curriculum in compliance with subsection (3) in each  
15 of the curricular areas specified in the state board recommended  
16 model core academic curriculum content standards developed under  
17 subsection (2). The state board model core academic curriculum  
18 content standards ~~shall~~**must** encompass academic and cognitive  
19 instruction only. For purposes of this section, the state board  
20 model core academic curriculum content standards ~~shall~~**must** not  
21 include attitudes, beliefs, or value systems that are not essential  
22 in the legal, economic, and social structure of our society and to  
23 the personal and social responsibility of citizens of our society.

24 (2) Recommended model core academic curriculum content  
25 standards ~~shall~~**must** be developed and periodically updated by the  
26 state board, ~~shall~~**must** be in the form of knowledge and skill  
27 content standards that are recommended as state standards for  
28 adoption by public schools in local curriculum formulation and  
29 adoption, and ~~shall~~**must** be distributed to each school district in

1 the state. The recommended model core academic curriculum content  
2 standards ~~shall~~**must** set forth desired learning objectives in math,  
3 science, reading, history, geography, economics, American  
4 government, and writing for all children at each stage of schooling  
5 and be based upon the "Michigan K-12 Program Standards of Quality"  
6 to ensure that high academic standards, academic skills, and  
7 academic subject matters are built into the instructional goals of  
8 all school districts for all children. The state board shall ensure  
9 that the recommended model core academic curriculum content  
10 standards for history for grades 8 to 12 include learning  
11 objectives concerning genocide, including, but not limited to, the  
12 Holocaust and the Armenian Genocide. The state board also shall  
13 ensure that the state assessment program and the Michigan merit  
14 examination are based on the state recommended model core  
15 curriculum content standards, are testing only for proficiency in  
16 basic and advanced academic skills and academic subject matter, and  
17 are not used to measure pupils' values or attitudes. **By not later**  
18 **than May 30, 2023, the state board shall ensure that the**  
19 **recommended model core academic curriculum content standards for**  
20 **American government for grades K to 12 meet all of the following**  
21 **criteria:**

22 (a) Provide for, by the end of grade 3, sufficient instruction  
23 for pupils to ensure pupils understand the concept of voting for a  
24 political candidate or a proposal, the concept of becoming a  
25 political candidate, and citizen participation in public meetings.

26 (b) Provide for, by the end of grade 8, instruction that  
27 covers the branches and levels of government, including, but not  
28 limited to, the role of the boards of canvassers, clerks, poll  
29 workers, and the secretary of state, in administering elections.

1 (c) Provide for, by the end of grade 11, at a minimum,  
2 instruction on the mechanics of democracy that must include, but is  
3 not limited to, the voter registration process for in-person and  
4 absentee voting, the registration process for political candidates,  
5 the process for making comments at a public meeting, the process  
6 for contacting public officials about issues, the means by which  
7 voting districts are drawn, and the process through which votes are  
8 counted and election results are certified.

9 (3) The board of each school district, considering academic  
10 curricular objectives defined and recommended ~~pursuant to~~ **under**  
11 subsection (2), shall do both of the following:

12 (a) Establish a core academic curriculum for its pupils at the  
13 elementary, middle, and secondary school levels. The core academic  
14 curriculum ~~shall~~ **must** define academic objectives to be achieved by  
15 all pupils and ~~shall~~ **must** be based upon the school district's  
16 educational mission, long-range pupil goals, and pupil performance  
17 objectives. The core academic curriculum may vary from the model  
18 core academic curriculum content standards recommended by the state  
19 board ~~pursuant to~~ **under** subsection (2).

20 (b) After consulting with teachers and school building  
21 administrators, determine the aligned instructional program for  
22 delivering the core academic curriculum and identify the courses  
23 and programs in which the core academic curriculum will be taught.

24 (4) The board may supplement the core academic curriculum by  
25 providing instruction through additional classes and programs.

26 (5) For all pupils, the subjects or courses, and the delivery  
27 of those including special assistance, that constitute the  
28 curriculum the pupils engage in ~~shall~~ **must** assure the pupils have a  
29 realistic opportunity to learn all subjects and courses required by

1 the district's core academic curriculum. A subject or course  
 2 required by the core academic curriculum ~~pursuant to~~ **under**  
 3 subsection (3) ~~shall~~ **must** be provided to all pupils in the school  
 4 district by a school district, a consortium of school districts, or  
 5 a consortium of 1 or more school districts and 1 or more  
 6 intermediate school districts.

7 (6) To the extent practicable, the state board may adopt or  
 8 develop academic objective-oriented high standards for knowledge  
 9 and life skills, and a recommended core academic curriculum, for  
 10 special education pupils for whom it may not be realistic or  
 11 desirable to expect achievement of initial mastery of the state  
 12 board recommended model core academic content standards objectives  
 13 or of a high school diploma.

14 (7) The state board shall make available to all nonpublic  
 15 schools in this state, as a resource for their consideration, the  
 16 model core academic curriculum content standards developed for  
 17 public schools ~~pursuant to~~ **under** subsection (2) for the purpose of  
 18 assisting the governing body of a nonpublic school in developing  
 19 its core academic curriculum.

20 (8) Excluding special education pupils, pupils having a  
 21 learning disability, and pupils with extenuating circumstances as  
 22 determined by school officials, a pupil who does not score  
 23 satisfactorily on the ~~fourth or seventh-grade~~ **4 or 7** state  
 24 assessment program reading test ~~shall~~ **must** be provided special  
 25 assistance reasonably expected to enable the pupil to bring his or  
 26 her reading skills to grade level within 12 months.

27 (9) Any course that would have been considered a nonessential  
 28 elective course under ~~Snyder v Charlotte School Dist,~~ **Snyder v**  
 29 **Charlotte School Dist**, 421 Mich 517 (1984), on April 13, 1990 ~~shall~~

1 **must** continue to be offered to resident pupils of nonpublic schools  
2 on a shared time basis.

3 (10) As used in this section, "Armenian Genocide", "genocide",  
4 and "Holocaust" mean those terms as defined in section 1168.

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

10 (a) Has successfully completed all of the following credit  
11 requirements of the Michigan merit standard before graduating from  
12 high school:

13 (i) At least 4 credits in mathematics that are aligned with  
14 subject area content expectations developed by the department and  
15 approved by the state board under section 1278b, including  
16 completion of at least algebra I, geometry, and algebra II, or an  
17 integrated sequence of this course content that consists of 3  
18 credits, and an additional mathematics credit, such as  
19 trigonometry, statistics, precalculus, calculus, applied math,  
20 accounting, business math, a retake of algebra II, or a course in  
21 financial literacy as described in section 1165. A pupil may  
22 complete algebra II over 2 years with 2 credits awarded or over 1.5  
23 years with 1.5 credits awarded for the purposes of this section and  
24 section 1278b. A pupil also may partially or fully fulfill the  
25 algebra II requirement by completing a department-approved formal  
26 career and technical education program or curriculum, such as a  
27 program or curriculum in electronics, machining, construction,  
28 welding, engineering, computer science, or renewable energy, and in  
29 that program or curriculum successfully completing the same content

1 as the algebra II benchmarks assessed on the department-prescribed  
2 state high school assessment, as determined by the department. The  
3 department shall post on its website guidelines for implementation  
4 of the immediately preceding sentence. Each pupil must successfully  
5 complete at least 1 mathematics course during his or her final year  
6 of high school enrollment. This subparagraph does not require  
7 completion of mathematics courses in any particular sequence.

8 (ii) At least 3 credits in social science that are aligned with  
9 subject area content expectations developed by the department and  
10 approved by the state board under section 1278b, including  
11 completion of at least 1 credit in United States history and  
12 geography, 1 credit in world history and geography, 1/2 credit in  
13 economics, and the civics course described in section 1166(2).

14 **Beginning with the 2023-2024 school year, to the extent that the**  
15 **criteria described in section 1278(1)(c) are not covered in the**  
16 **civics course described in section 1166(2), the uncovered criteria**  
17 **must be covered in the other credit requirements in this**  
18 **subparagraph, as appropriate.** The 1/2-credit economics requirement  
19 may be satisfied by completion of at least a 1/2-credit course in  
20 personal economics that includes a financial literacy component as  
21 described in section 1165, if that course covers the subject area  
22 content expectations for economics developed by the department and  
23 approved by the state board under section 1278b.

24 (iii) At least 1 credit in subject matter that includes both  
25 health and physical education aligned with guidelines developed by  
26 the department and approved by the state board under section 1278b,  
27 or at least 1/2 credit in health aligned with guidelines developed  
28 by the department and approved by the state board under section  
29 1278b and at least 1/2 credit awarded by the school district or



1 public school academy for approved participation in extracurricular  
2 athletics or other extracurricular activities involving physical  
3 activity.

4 (iv) At least 1 credit in visual arts, performing arts, or  
5 applied arts, as defined by the department, that is aligned with  
6 guidelines developed by the department and approved by the state  
7 board under section 1278b. A school district or public school  
8 academy is strongly encouraged to offer visual arts and performing  
9 arts courses.

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

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

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

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

25 (2) In addition to the requirements under subsection (1),  
26 ~~beginning with pupils entering grade 3 in 2006,~~ the board of a  
27 school district or board of directors of a public school academy  
28 shall not award a high school diploma to a pupil unless the pupil  
29 has successfully completed during grades K to 12 at least 2 credits

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

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

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

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

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

29 (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 For a career and technical education credit, a school district or  
4 public school academy may supplement those content expectations and  
5 guidelines with additional guidelines developed by the school  
6 district or public school academy.

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

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

25 (5) If a high school is designated by the superintendent of  
26 public instruction as a specialty school and the high school meets  
27 the requirements of subsection (6), then the pupils of the high  
28 school are not required to successfully complete the 4 credits in  
29 English language arts required under section 1278b(1)(a) or the 3

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

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

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

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

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

1 school meeting the requirements of this subsection will be required  
2 to comply with the requirements of the Michigan merit standard  
3 under this section and section 1278b.

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