

SENATE BILL NO. 318

March 25, 2021, Introduced by Senators ANANICH, HOLLIER, MCBROOM, BRINKS, WOJNO, GEISS, SANTANA, BAYER, CHANG and BULLOCK and referred to the Committee on Education and Career Readiness.

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

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

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

(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). The
6 1/2-credit economics requirement may be satisfied by completion of
7 at least a 1/2-credit course in personal economics that includes a
8 financial literacy component as described in section 1165, if that
9 course covers the subject area content expectations for economics
10 developed by the department and approved by the state board under
11 section 1278b.

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

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

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

28 (b) Meets the online course or learning experience requirement
29 of this subsection. A school district or public school academy

1 shall provide the basic level of technology and internet access
2 required by the state board to complete the online course or
3 learning experience. For a pupil to meet this requirement, the
4 pupil shall meet either of the following, as determined by the
5 school district or public school academy:

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

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

13 (2) In addition to the requirements under subsection (1),
14 ~~beginning with pupils entering grade 3 in 2006,~~ the board of a
15 school district or board of directors of a public school academy
16 shall not award a high school diploma to a pupil unless the pupil
17 has successfully completed during grades K to 12 at least 2 credits
18 that are grade-appropriate in a language other than English or
19 course work or other learning experiences that are substantially
20 equivalent to 2 credits in a language other than English, based on
21 guidelines developed by the department. A pupil may partially or
22 fully fulfill 1 credit of this requirement by completing a
23 department-approved formal career and technical education program
24 or curriculum or by completing visual or performing arts
25 instruction that is in addition to the requirements under
26 subsection (1) (a) (iv). The board of a school district or board of
27 directors of a public school academy is strongly encouraged to
28 ensure that all pupils complete at least 1 credit in a language
29 other than English in grades K to 6. For the purposes of this

1 subsection, both of the following apply:

2 (a) American Sign Language is considered to be a language
3 other than English.

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

6 (3) The requirements under this section and section 1278b for
7 a high school diploma are in addition to any local requirements
8 imposed by the board of a school district or board of directors of
9 a public school academy. The board of a school district or board of
10 directors of a public school academy, as a local requirement for a
11 high school diploma, may require a pupil to complete the Michigan
12 merit examination under section 1279g or may require a pupil to
13 participate in the MIAccess assessments if appropriate for the
14 pupil.

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

17 (a) A pupil is considered to have completed a credit if the
18 pupil successfully completes the subject area content expectations
19 or guidelines developed by the department that apply to the credit.
20 For a career and technical education credit, a school district or
21 public school academy may supplement those content expectations and
22 guidelines with additional guidelines developed by the school
23 district or public school academy.

24 (b) A school district or public school academy shall base its
25 determination of whether a pupil has successfully completed the
26 subject area content expectations or guidelines developed by the
27 department that apply to a credit at least in part on the pupil's
28 performance on ~~the~~ assessments developed or selected by the
29 department ~~under section 1278b~~ or on 1 or more assessments

1 developed or selected by the school district or public school
2 academy that measure a pupil's understanding of the subject area
3 content expectations or guidelines that apply to the credit.

4 (c) A school district or public school academy shall also
5 grant a pupil a credit if the pupil earns a qualifying score, as
6 determined by the department, on ~~the~~ assessments developed or
7 selected for the subject area by the department ~~under section 1278b~~
8 or the pupil earns a qualifying score, as determined by the school
9 district or public school academy, on 1 or more assessments
10 developed or selected by the school district or public school
11 academy that measure a pupil's understanding of the subject area
12 content expectations or guidelines that apply to the credit.

13 (5) If a high school is designated by the superintendent of
14 public instruction as a specialty school and the high school meets
15 the requirements of subsection (6), then the pupils of the high
16 school are not required to successfully complete the 4 credits in
17 English language arts required under section 1278b(1)(a) or the 3
18 credits in social science required under subsection (1)(a)(ii) and
19 the school district or public school academy is not required to
20 ensure that each pupil is offered the curriculum necessary for
21 meeting those English language arts or social science credit
22 requirements. The superintendent of public instruction may
23 designate up to 15 high schools that meet the requirements of this
24 subsection as specialty schools. Subject to this maximum number,
25 the superintendent of public instruction shall designate a high
26 school as a specialty school if the superintendent of public
27 instruction finds that the high school meets all of the following
28 criteria:

29 (a) The high school incorporates a significant reading and

1 writing component throughout its curriculum.

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

7 (6) A high school that is designated by the superintendent of
8 public instruction as a specialty school under subsection (5) is
9 only exempt from requirements as described under subsection (5) as
10 long as the superintendent of public instruction finds that the
11 high school continues to meet all of the following requirements:

12 (a) The high school clearly states to prospective pupils and
13 their parents that it does not meet the requirements of the
14 Michigan merit standard under this section and section 1278b but is
15 a designated specialty school that is exempt from some of those
16 requirements and that a pupil who enrolls in the high school and
17 subsequently transfers to a high school that is not a specialty
18 school meeting the requirements of this subsection will be required
19 to comply with the requirements of the Michigan merit standard
20 under this section and section 1278b.

21 (b) For the most recent year for which the data are available,
22 the mean scores on both the mathematics ~~and science portions of the~~
23 ~~ACT examination~~ **portion of the SAT examination and the science**
24 **portion of the applicable state assessment** for the pupils of the
25 high school exceed by at least 10% the mean scores on the
26 ~~mathematics and science portions of the ACT examination~~ **portion of**
27 **the SAT examination and the science portion of the applicable state**
28 **assessment** for the pupils of the school district in which the
29 greatest number of the pupils of the high school reside.

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

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

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

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

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

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

27 (b) At least 3 credits in science that are aligned with
28 subject area content expectations developed by the department and
29 approved by the state board under this section, including

1 completion of at least biology and either chemistry, physics,
2 anatomy, or agricultural science, or successfully completing a
3 program or curriculum that provides the same content as the
4 chemistry or physics benchmarks, as determined by the department. A
5 student may fulfill the requirement for the third science credit by
6 completing a department-approved computer science program or
7 curriculum or formal career and technical education program or
8 curriculum. The legislature strongly encourages pupils to complete
9 a fourth credit in science, such as forensics, astronomy, Earth
10 science, agricultural science, environmental science, geology,
11 physics, chemistry, physiology, or microbiology.

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

14 (2) If a pupil successfully completes 1 or more of the high
15 school credits required under subsection (1) or under section
16 1278a(1) before entering high school, the pupil ~~shall~~**must** be given
17 high school credit for that credit.

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

20 (a) Develop subject area content expectations that apply to
21 the credit requirements of the Michigan merit standard that are
22 required under subsection (1)(a) and (b) and section 1278a(1)(a)(i)
23 and (ii) and develop guidelines for the remaining credit
24 requirements of the Michigan merit standard that are required under
25 this section and section 1278a(1)(a), for the online course or
26 learning experience required under section 1278a(1)(b), and for the
27 requirements for a language other than English under section
28 1278a(2). All of the following apply to these subject area content
29 expectations and guidelines:

1 (i) All subject area content expectations ~~shall~~**must** be
2 consistent with the state board recommended model core academic
3 curriculum content standards under section 1278. Subject area
4 content expectations or guidelines ~~shall~~**must** not include
5 attitudes, beliefs, or value systems that are not essential in the
6 legal, economic, and social structure of our society and to the
7 personal and social responsibility of citizens of our society. The
8 subject area content expectations ~~shall~~**must** require pupils to
9 demonstrate critical thinking skills.

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

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

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

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

25 (vi) If the department has not completed development of the
26 subject area content expectations that apply to a particular credit
27 required in the Michigan merit standard under subsection (1) or
28 section 1278a(1)(a) by the date required under this subdivision, a
29 school district or public school academy may align the content of

1 the credit with locally adopted standards.

2 (vii) Until all of the subject area content expectations and
3 guidelines have been developed by the department and approved by
4 the state board, the department shall submit a report at least
5 every 6 months to the senate and house standing committees
6 responsible for education legislation on the status of the
7 development of the subject area content expectations and
8 guidelines. The report ~~shall~~**must** detail any failure by the
9 department to meet a deadline established under subparagraph (iv) or
10 (v) and the reasons for that failure.

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

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

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

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

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

20 (D) Representatives from the business community.

21 (E) Representatives from vocational and career and technical
22 education providers.

23 (F) Government officials, including officials from the
24 legislature.

25 (G) Parents of public school pupils.

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

28 (iii) An opportunity for the public to review and provide input
29 on the proposed subject area content expectations or guidelines

1 before they are submitted to the state board for approval. The time
2 period allowed for this review and input ~~shall~~**must** be at least 15
3 business days.

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

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

13 (4) The state board ~~shall~~**must** approve subject area content
14 expectations and guidelines developed by the department under
15 subsection (3) before those subject area content expectations and
16 guidelines may take effect. The state board also shall approve the
17 basic level of technology and internet access required for pupils
18 to complete the online course or learning experience requirement of
19 section 1278a(1)(b).

20 (5) The parent or legal guardian of a pupil who has completed
21 grade 9, a teacher who is currently teaching the pupil, who
22 currently teaches in or whose expertise is in a subject area
23 proposed to be modified by the personal curriculum, or who is
24 determined by the principal to have qualifications otherwise
25 relevant to developing a personal curriculum, or a school counselor
26 or school employee qualified to act in a counseling role under
27 section 1233 or 1233a may request a personal curriculum under this
28 subsection for the pupil that modifies certain of the Michigan
29 merit standard requirements under subsection (1) or section

1 1278a(1)(a). If the request for a personal curriculum is made by
2 the pupil's parent or legal guardian or, if the pupil is at least
3 age 18 or is an emancipated minor, by the pupil, the school
4 district or public school academy shall develop a personal
5 curriculum for the pupil. A teacher, school counselor, or school
6 employee qualified to act in a counseling role under section 1233
7 or 1233a may contact a pupil's parent or legal guardian to discuss
8 the possibility and potential benefits of a personal curriculum
9 under this subsection for the pupil. If all of the requirements
10 under this subsection for completing a personal curriculum are met,
11 then the board of a school district or board of directors of a
12 public school academy may award a high school diploma to a pupil
13 who successfully completes his or her personal curriculum even if
14 it does not meet the requirements of the Michigan merit standard
15 required under subsection (1) and section 1278a(1)(a). All of the
16 following apply to a personal curriculum:

17 (a) The personal curriculum ~~shall~~**must** be developed by a group
18 that includes at least the pupil, at least 1 of the pupil's parents
19 or the pupil's legal guardian, and a teacher described in this
20 subdivision or the pupil's high school counselor or another
21 designee qualified to act in a counseling role under section 1233
22 or 1233a selected by the high school principal. In addition, for a
23 pupil who receives special education services, a school
24 psychologist should also be included in this group. The teacher
25 included in the group developing the personal curriculum ~~shall~~**must**
26 be a teacher who is currently teaching the pupil, who currently
27 teaches in or whose expertise is in a subject area being modified
28 by the personal curriculum, or who is determined by the principal
29 to have qualifications otherwise relevant to the group. This

1 subdivision does not require an in-person meeting of the group.

2 (b) The personal curriculum ~~shall~~**must** incorporate as much of
3 the subject area content expectations of the Michigan merit
4 standard required under subsection (1) and section 1278a(1)(a) as
5 is practicable for the pupil; ~~shall~~**must** establish measurable goals
6 that the pupil must achieve while enrolled in high school and ~~shall~~
7 **must** provide a method to evaluate whether the pupil achieved these
8 goals; and ~~shall~~**must** be aligned with the pupil's educational
9 development plan developed under subsection (11).

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

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

18 (e) Revisions may be made in the personal curriculum if the
19 revisions are developed and agreed to in the same manner as the
20 original personal curriculum.

21 (f) The English language arts credit requirements of
22 subsection (1)(a) and the science credit requirements of subsection
23 (1)(b) are not subject to modification as part of a personal
24 curriculum under this subsection.

25 (g) The mathematics credit requirements of section
26 1278a(1)(a)(i) may be modified as part of a personal curriculum if
27 the pupil successfully completes at least 3-1/2 total credits of
28 the mathematics credits required under that section before
29 completing high school, including algebra I and geometry, and

1 successfully completes at least 1 mathematics credit during his or
 2 her final 2 years of high school. ~~The algebra II credit required~~
 3 ~~under that section may be modified as part of a personal curriculum~~
 4 ~~under this subsection if the pupil meets 1 or more of the~~
 5 ~~following:~~

6 ~~(i) Successfully completes the same content as 1 semester of~~
 7 ~~algebra II, as determined by the department.~~

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

11 ~~(iii) Enrolls in a formal career and technical education program~~
 12 ~~or curriculum and in that program or curriculum successfully~~
 13 ~~completes the same content as the algebra II benchmarks assessed on~~
 14 ~~the department-prescribed state high school assessment, as~~
 15 ~~determined by the department.~~

16 ~~(iv) Successfully completes 1 semester of statistics, functions~~
 17 ~~and data analysis, or technical mathematics.~~

18 (h) The social science credit requirements of section
 19 1278a(1) (a) (ii) may be modified as part of a personal curriculum
 20 only if all of the following are met:

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

24 (ii) The modification requires the pupil to complete 1
 25 additional credit in English language arts, mathematics, or science
 26 or 1 additional credit in a language other than English, or
 27 requires the pupil to complete a formal career and technical
 28 education program. This additional credit must be in addition to
 29 the number of those credits otherwise required under subsection (1)

1 and section 1278a(1) or under section 1278a(2).

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

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

20 (k) If the parent or legal guardian of a pupil requests as
21 part of the pupil's personal curriculum a modification of the
22 Michigan merit standard requirements that would not otherwise be
23 allowed under this section and demonstrates that the modification
24 is necessary because the pupil is a child with a disability, the
25 school district or public school academy may allow that additional
26 modification to the extent necessary because of the pupil's
27 disability if the group under subdivision (a) determines that the
28 modification is consistent with both the pupil's educational
29 development plan under subsection (11) and the pupil's

1 individualized education program. If the superintendent of public
2 instruction has reason to believe that a school district or a
3 public school academy is allowing modifications inconsistent with
4 the requirements of this subdivision, the superintendent of public
5 instruction shall monitor the school district or public school
6 academy to ensure that the school district's or public school
7 academy's policies, procedures, and practices are in compliance
8 with the requirements for additional modifications under this
9 subdivision. As used in this subdivision, "child with a disability"
10 means that term as defined in 20 USC 1401.

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

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

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

29 (iii) The transfer pupil's personal curriculum requires the

1 pupil to successfully complete at least 1 mathematics course during
2 his or her final year of high school enrollment. In addition, if
3 the transfer pupil is enrolled in the school district or public
4 school academy for at least 1 full school year, both of the
5 following apply:

6 (A) The transfer pupil's personal curriculum ~~shall~~**must**
7 require that this mathematics course is at least algebra I.

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

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

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

16 (n) This subsection does not apply to a pupil enrolled in a
17 high school that is designated as a specialty school under section
18 1278a(5) and that is exempt under that section from the English
19 language arts requirement under subsection (1)(a) and the social
20 science credit requirement under section 1278a(1)(a)(ii).

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

25 (p) A school district or public school academy annually shall
26 notify each of its pupils and a parent or legal guardian of each of
27 its pupils that all pupils are entitled to a personal curriculum
28 under this subsection. The annual notice ~~shall~~**must** include an
29 explanation of what a personal curriculum is and state that if a

1 personal curriculum is requested, the public school or public
2 school academy will grant that request. The school district or
3 public school academy shall provide this annual notice to parents
4 and legal guardians by sending a written notice to each pupil's
5 home or by including the notice in a newsletter, student handbook,
6 or similar communication that is sent to a pupil's home, and also
7 shall post the notice on the school district's or public school
8 academy's website.

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

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

1 this section and section 1278a into those programs.

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

18 (9) If a pupil is not successfully completing a credit
19 required for graduation under this section and section 1278a, or is
20 identified as being at risk of withdrawing from high school, then
21 the pupil's school district or public school academy shall notify
22 the pupil's parent or legal guardian or, if the pupil is at least
23 age 18 or is an emancipated minor, the pupil, of the availability
24 of tutoring or other supplemental educational support and
25 counseling services that may be available to the pupil under
26 existing state or federal programs, such as those programs or
27 services available under section 31a of the state school aid act of
28 1979, MCL 388.1631a, or under the no child left behind act of 2001,
29 Public Law 107-110 **or the every student succeeds act, Public Law**

1 **114-95.**

2 (10) To the extent required by the no child left behind act of
 3 2001, Public Law 107-110 **or the every student succeeds act, Public**
 4 **Law 114-95**, the board of a school district or public school academy
 5 shall ensure that all components of the curricular requirements
 6 under this section and section 1278a are taught by highly qualified
 7 teachers. If a school district or public school academy
 8 demonstrates to the department that the school district or public
 9 school academy is unable to meet the requirements of this section
 10 because the school district or public school academy is unable to
 11 hire enough highly qualified teachers, the department shall work
 12 with the school district or public school academy to develop a plan
 13 to allow the school district or public school academy to hire
 14 enough highly qualified teachers to meet the requirements of this
 15 section.

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

1 pathways program or similar career exploration program. An
2 educational development plan ~~shall~~**must** be designed to assist
3 pupils to identify career development goals as they relate to
4 academic requirements. During the process of developing and
5 reviewing a pupil's educational development plan, the pupil ~~shall~~
6 **must** be advised that many of the curricular requirements of this
7 section and section 1278a may be fulfilled through career and
8 technical education. In addition, during the process of developing
9 and reviewing an educational development plan, the pupil ~~shall~~**must**
10 be provided with all of the following:

11 (a) Information on various types of careers and current and
12 projected job openings in this state and those jobs' actual and
13 projected wages.

14 (b) An opportunity to explore careers specific to a pupil's
15 interests and identify career pathways and goals for achieving
16 success in those careers, including, but not limited to, the level
17 and type of educational preparation necessary to accomplish those
18 goals.

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

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

~~(13) If a school district or public school academy does not offer all of the required credits or provide options to have access to the required credits as provided under subsection (8) and if~~

~~legislation is enacted that adds section 1290 to allow school districts and public school academies to apply for a contract that waives certain state or federal requirements, then the school district or public school academy is encouraged to apply for a contract under section 1290. The purpose of a contract described in this subsection is to improve pupil performance.~~

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

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