

SENATE BILL NO. 1091

June 23, 2022, Introduced by Senators DALEY and HORN and referred to the Committee on Education and Career Readiness.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1278f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1278f. (1) Beginning with pupils entering grade 8 in
2 2022, the parent or legal guardian of a pupil who has completed
3 grade 9, a teacher who is currently teaching the pupil, who
4 currently teaches in or whose expertise is in a subject area
5 proposed to be modified by the twenty-first century skills

curriculum, or who is determined by the principal to have qualifications otherwise relevant to developing a twenty-first century skills curriculum, or a school counselor or school employee qualified to act in a counseling role under section 1233 or 1233a may request a twenty-first century skills curriculum under this section for the pupil that modifies certain Michigan merit standard requirements under section 1278a(1)(a) or section 1278b(1) or requirements under section 1278a(2). If the request for a twenty-first century skills curriculum is made by the pupil's parent or legal guardian or, if the pupil is at least age 18 or is an emancipated minor, by the pupil, the school district or public school academy shall develop a twenty-first century skills curriculum for the pupil. A teacher, school counselor, or school employee qualified to act in a counseling role under section 1233 or 1233a may contact a pupil's parent or legal guardian to discuss the possibility and potential benefits of a twenty-first century skills curriculum under this section for the pupil. If all of the requirements under this section for completing a twenty-first century skills curriculum are met, then the board of a school district or board of directors of a public school academy may award a high school diploma to a pupil who successfully completes his or her twenty-first century skills curriculum even if it does not meet the requirements of the Michigan merit standard required under section 1278a(1)(a) and section 1278b(1) and requirements under section 1278a(2). All of the following apply to a twenty-first century skills curriculum under this section:

(a) The twenty-first century skills curriculum must be developed by at least a teacher described in this subdivision or the pupil's high school counselor or another designee qualified to

1 act in a counseling role under section 1233 or 1233a selected by
2 the high school principal. In addition, for a pupil who receives
3 special education services, a school psychologist should also be
4 included in the development of the twenty-first century skills
5 curriculum. A teacher who develops the twenty-first century skills
6 curriculum must be a teacher who is currently teaching the pupil,
7 who currently teaches in or whose expertise is in a subject area
8 being modified by the twenty-first century skills curriculum, or
9 who is determined by the principal to have qualifications that are
10 otherwise relevant. This subdivision does not require an in-person
11 meeting.

12 (b) Credits required in a pupil's twenty-first century skills
13 curriculum under this section are not required to fully be aligned
14 with subject area content expectations developed by the department
15 and approved by the state board under section 1278b if all of the
16 following are met:

17 (i) The pupil's twenty-first century skills curriculum under
18 this section incorporates as much of the subject area content
19 expectations of the Michigan merit standard required under section
20 1278a(1)(a) and section 1278b(1) as is practicable for the pupil.

21 (ii) The pupil's twenty-first century skills curriculum under
22 this section establishes measurable goals that the pupil must
23 achieve while enrolled in high school.

24 (iii) The pupil's twenty-first century skills curriculum under
25 this section provides for a method to evaluate whether the pupil
26 has achieved the measurable goals described in subparagraph (ii).

27 (iv) The pupil's twenty-first century skills curriculum under
28 this section aligns with the pupil's educational development plan
29 under section 1278b(11).

(c) Before it takes effect, the twenty-first century skills curriculum must be approved by the superintendent of the school district or chief executive of the public school academy or his or her designee and the pupil's parent or legal guardian. The board of the school district or board of directors of the public school academy in which the pupil is enrolled shall attempt to notify the pupil's parent or legal guardian at least 3 times through at least 2 modes of communication once the twenty-first century skills curriculum for the pupil is approved by the superintendent or chief executive, as applicable, as described in this subdivision. For purposes of this subdivision, if a parent or legal guardian does not respond within 30 days after the first notice as described in the preceding sentence is sent, the parent or legal guardian is considered to have approved of the twenty-first century skills curriculum.

(d) The pupil's parent or legal guardian shall communicate with each of the pupil's teachers to monitor the pupil's progress toward the goals contained in the pupil's twenty-first century skills curriculum.

(e) Revisions may be made in the twenty-first century skills curriculum if the revisions are developed and approved in the same manner as the original twenty-first century skills curriculum.

(f) Subject to subdivision (p), the mathematics and social science credit requirements under section 1278a and the science and English language arts credit requirements under section 1278b(1) may be modified as part of a twenty-first century skills curriculum as follows:

(i) Not more than a total of 2 of the credit requirements described in this subdivision may be modified under this section.

1 (ii) Not more than 1 credit requirement described in this
2 subdivision may be modified under this section for each subject
3 area described in this subdivision.

4 (iii) Subject to subparagraphs (i) and (ii), a credit of any of
5 the credit requirements described in this subdivision may be
6 modified if the pupil's twenty-first century skills curriculum
7 requires that the pupil complete any of the following in place of
8 that credit:

9 (A) A credit in mathematics, social science, science, or
10 English language arts that, except as otherwise provided under
11 subdivision (b), is aligned with subject area content expectations
12 developed by the department and approved by the state board under
13 section 1278b for such a credit. A credit applied under this sub-
14 subparagraph is in addition to the number of those credits
15 otherwise required under section 1278a or 1278b(1).

16 (B) A credit in a subject matter that includes both health and
17 physical education aligned with guidelines developed by the
18 department and approved by the state board under section 1278b for
19 such a credit. A credit applied under this sub-subparagraph is in
20 addition to the number of those credits otherwise required under
21 section 1278a.

22 (C) A credit in visual arts, performing arts, or applied arts,
23 as defined by the department, aligned with guidelines developed by
24 the department and approved by the state board under section 1278b
25 for such a credit. A credit applied under this sub-subparagraph is
26 in addition to the number of those credits otherwise required under
27 section 1278a.

28 (D) A credit in a language other than English aligned with
29 guidelines developed by the department and approved by the state

board under section 1278b for such a credit. A credit applied under this sub-subparagraph is in addition to the number of those credits otherwise required under section 1278a.

(E) A credit obtained through a computer science program or computer coding program that aligns with the recommended model core academic curriculum content standards under section 1278.

(F) A credit obtained through a state-approved career and technical education program.

(g) A credit of the health and physical education, visual arts, performing arts, or applied arts, and language other than English credit requirements under section 1278a may be modified if the pupil's twenty-first century skills curriculum requires that the pupil complete any of the following in place of that credit:

(i) A credit in mathematics, social science, science, or English language arts that, except as otherwise provided under subdivision (b), is aligned with subject area content expectations developed by the department and approved by the state board under section 1278b for such a credit. A credit applied under this subparagraph is in addition to the number of those credits otherwise required under section 1278a or section 1278b(1).

(ii) A credit in a subject matter that includes both health and physical education aligned with guidelines developed by the department and approved by the state board under section 1278b for such a credit. A credit applied under this subparagraph is in addition to the number of those credits otherwise required under section 1278a.

(iii) A credit in visual arts, performing arts, or applied arts, as defined by the department, that is aligned with guidelines developed by the department and approved by the state board under

1 section 1278b for such a credit. A credit applied under this
2 subparagraph is in addition to the number of those credits
3 otherwise required under section 1278a.

4 (iv) A credit in a language other than English aligned with
5 guidelines developed by the department and approved by the state
6 board under section 1278b for such a credit. A credit applied under
7 this subparagraph is in addition to the number of those credits
8 otherwise required under section 1278a.

9 (v) A credit obtained through a computer science program or
10 computer coding program that aligns with the recommended model core
11 academic curriculum content standards under section 1278.

12 (vi) A credit obtained through a state-approved career and
13 technical education program.

14 (h) If a pupil is enrolled in a state-approved career and
15 technical education program or curriculum, the pupil may modify the
16 health and physical education credit requirements under section
17 1278a through his or her twenty-first century skills curriculum, if
18 the twenty-first century skills curriculum requires, in place of a
19 1/2 credit in physical education, that the pupil complete a 30-hour
20 educational training course designed by the Occupational Safety and
21 Health Administration within the United States Department of Labor
22 relating to occupational safety and health standards applicable to
23 general industry or construction.

24 (i) If the parent or legal guardian of a pupil requests as
25 part of the pupil's twenty-first century skills curriculum a
26 modification of the Michigan merit standard requirements because
27 the pupil is a child with a disability, the school district or
28 public school academy shall allow that modification because of the
29 pupil's disability if the pupil's parent or legal guardian and the

pupil's individualized education program team determine that the modification is consistent with both the pupil's educational development plan under section 1278b(11) and the pupil's individualized education program. If the superintendent of public instruction has reason to believe that a school district or a public school academy is allowing modifications inconsistent with the requirements of this subdivision, the superintendent of public instruction shall monitor the school district or public school academy to ensure that the school district's or public school academy's policies, procedures, and practices are in compliance with the requirements for modifications under this subdivision. As used in this subdivision, "child with a disability" means that term as defined in 20 USC 1401.

(j) If a pupil transfers to a school district or public school academy from out of state or from a nonpublic school, the pupil's parent or legal guardian may request, as part of the pupil's twenty-first century skills curriculum, a modification of the Michigan merit standard requirements that would not otherwise be allowed under this section. The school district or public school academy may allow this additional modification for a transfer pupil if all of the following are met:

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

(ii) The transfer pupil's twenty-first century skills

1 curriculum incorporates as much of the subject area content
2 expectations of the Michigan merit standard as is practicable for
3 the pupil.

4 (iii) The transfer pupil's twenty-first century skills
5 curriculum requires the pupil to successfully complete at least 1
6 mathematics course during his or her final year of high school
7 enrollment. In addition, if the transfer pupil is enrolled in the
8 school district or public school academy for at least 1 full school
9 year, both of the following apply:

10 (A) The transfer pupil's twenty-first century skills
11 curriculum requires that this mathematics course is at least
12 algebra I.

13 (B) If the transfer pupil demonstrates that he or she has
14 mastered the content of algebra I, the transfer pupil's twenty-
15 first century skills curriculum requires that this mathematics
16 course is a course normally taken after completing algebra I.

17 (iv) The transfer pupil's twenty-first century skills
18 curriculum includes the civics course described in section 1166(2).

19 (k) If a pupil is at least age 18 or is an emancipated minor,
20 the pupil may act on his or her own behalf under this section.

21 (l) This section does not apply to a pupil enrolled in a high
22 school that is designated as a specialty school under section
23 1278a(5) and that is exempt under that section from the English
24 language arts requirement under section 1278b(1)(a) and the social
25 science credit requirement under section 1278a(1)(a)(ii).

26 (m) The department or a school district or public school
27 academy shall not limit or discourage the number of pupils with a
28 twenty-first century skills curriculum on any basis other than the
29 best interests of each individual pupil.

1 (n) A school district or public school academy annually shall
2 notify each of its pupils and a parent or legal guardian of each of
3 its pupils that all pupils are entitled to a twenty-first century
4 skills curriculum under this section. The annual notice must
5 include an explanation of what a twenty-first century skills
6 curriculum is and state that if a twenty-first century skills
7 curriculum is requested, the school district or public school
8 academy will grant that request. The school district or public
9 school academy shall provide this annual notice to parents and
10 legal guardians by sending a written notice to each pupil's home or
11 by including the notice in a newsletter, student handbook, or
12 similar communication that is sent to a pupil's home, and also
13 shall post the notice on the school district's or public school
14 academy's website.

15 (o) A pupil's twenty-first century skills curriculum must be
16 aligned with the pupil's educational development plan under section
17 1278b(11) and must be designed so as to allow the pupil to
18 incorporate his or her twenty-first century skills curriculum into
19 his or her educational development plan under section 1278b(11).

20 (p) A pupil who modifies certain credit requirements through a
21 twenty-first century skills curriculum under subdivision (f) must
22 still be required to complete the civics course described in
23 section 1166(2).

24 (2) The department, in conjunction with career education
25 planning district (CEPD) career and technical education (CTE)
26 administrators, shall develop and make available to all school
27 districts and public school academies model information materials
28 that school districts and public school academies may use to
29 implement and streamline the twenty-first century skills-

1 curriculum-development process under this section. These materials
2 must be posted on the department's website and must be made widely
3 available to the parents and legal guardians of pupils, pupils,
4 teachers, school counselors, and other school district and public
5 school academy employees. It is the intent of the legislature that
6 the materials described in this subsection be designed to assist
7 the parents and legal guardians of pupils, pupils, and public
8 schools to more easily develop a twenty-first century skills
9 curriculum under this section. At a minimum, the materials
10 described in this subsection must include models for all of the
11 following:

12 (a) Incorporating a pupil's twenty-first century skills
13 curriculum into his or her educational development plan as provided
14 under subsection (1)(o).

15 (b) Integrating the process of developing a twenty-first
16 century skills curriculum under this section into a school's
17 standard course-scheduling process and the annual educational
18 development plan review and revision process required under section
19 1278b(11).

20 (c) Pathways that provide school districts and public school
21 academies with the most commonly utilized educational tracks for
22 pupils to adopt as their twenty-first century skills curriculum.

23 Enacting section 1. This amendatory act does not take effect
24 unless all of the following bills of the 101st Legislature are
25 enacted into law:

26 (a) Senate Bill No. 1089.

27
28 (b) Senate Bill No. 1090.