

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 209

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1278 (MCL 380.1278), as amended by 2004 PA 596,
and by adding sections 1167 and 1279h.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1167. (1) THE BOARD OF A SCHOOL DISTRICT OR BOARD OF
2 DIRECTORS OF A PUBLIC SCHOOL ACADEMY IS ENCOURAGED TO PROVIDE
3 INSTRUCTION THAT FOCUSES ON THE FOLLOWING TOPICS DURING THE SCHOOL
4 YEAR IN A GRADE- AND AGE-LEVEL APPROPRIATE MANNER FOR ALL OF ITS
5 PUPILS IN GRADES K TO 12:

6 (A) THE ENTIRE CONTENTS OF THE DECLARATION OF INDEPENDENCE,
7 INCLUDING, BUT NOT LIMITED TO, A COMPLETE READING OF THE ENTIRE
8 TEXT AND INSTRUCTION IN AT LEAST THE FOLLOWING CORE PRINCIPLES:

9 (i) WE HOLD THESE TRUTHS TO BE SELF-EVIDENT, THAT ALL MEN ARE

1 CREATED EQUAL, THAT THEY ARE ENDOWED BY THEIR CREATOR WITH CERTAIN
2 UNALIENABLE RIGHTS, THAT AMONG THESE ARE LIFE, LIBERTY, AND THE
3 PURSUIT OF HAPPINESS.

4 (ii) THE PURPOSE OF GOVERNMENT IS TO SECURE OUR UNALIENABLE
5 RIGHTS.

6 (iii) GOVERNMENT DERIVES ITS JUST POWERS FROM THE CONSENT OF
7 THE GOVERNED.

8 (B) THE ENTIRE CONTENTS OF THE UNITED STATES CONSTITUTION,
9 INCLUDING, BUT NOT LIMITED TO, A COMPLETE READING OF THE ENTIRE
10 TEXT AND INSTRUCTION IN AT LEAST THE FOLLOWING CORE PRINCIPLES:

11 (i) OUR CONSTITUTION HAS BEEN ESTABLISHED TO ENSURE JUSTICE,
12 ENSURE DOMESTIC TRANQUILITY, PROVIDE FOR THE COMMON DEFENSE,
13 PROMOTE THE GENERAL WELFARE, AND SECURE THE BLESSINGS OF LIBERTY
14 FOR OURSELVES AND OUR POSTERITY.

15 (ii) ALL LEGISLATIVE POWERS ARE VESTED IN A CONGRESS OF THE
16 UNITED STATES WHICH CONSISTS OF A SENATE AND A HOUSE OF
17 REPRESENTATIVES.

18 (iii) THE LEGISLATIVE POWERS DELEGATED BY THE PEOPLE TO THE
19 CONGRESS ARE LIMITED AND ENUMERATED IN ARTICLE I, SECTION 8 OF THE
20 UNITED STATES CONSTITUTION.

21 (iv) THE EXECUTIVE POWER IS VESTED IN A PRESIDENT.

22 (v) THE POWERS DELEGATED BY THE PEOPLE TO THE PRESIDENT ARE
23 LIMITED AND DELINEATED IN ARTICLE II, SECTION 2 OF THE UNITED
24 STATES CONSTITUTION.

25 (vi) THE JUDICIAL POWERS SHALL BE VESTED IN 1 SUPREME COURT
26 AND IN SUCH INFERIOR COURTS AS THE CONGRESS MAY FROM TIME TO TIME
27 ORDAIN AND ESTABLISH.

1 (vii) THE POWERS DELEGATED BY THE PEOPLE TO THE JUDICIAL
2 BRANCH ARE LIMITED AND DELINEATED IN ARTICLE III, SECTION 2 OF THE
3 UNITED STATES CONSTITUTION.

4 (viii) EVERY STATE IN THE UNION SHALL HAVE A REPUBLICAN FORM
5 OF GOVERNMENT.

6 (ix) OUR CONSTITUTION CAN BE AMENDED IN ACCORDANCE WITH THE
7 STIPULATIONS OF ARTICLE V OF THE UNITED STATES CONSTITUTION.

8 (x) CONGRESS SHALL MAKE NO LAW RESPECTING AN ESTABLISHMENT OF
9 RELIGION OR PROHIBITING THE FREE EXERCISE OF RELIGION.

10 (xi) CONGRESS SHALL MAKE NO LAW ABRIDGING THE FREEDOM OF
11 SPEECH.

12 (xii) CONGRESS SHALL MAKE NO LAW ABRIDGING THE FREEDOM OF THE
13 PRESS.

14 (xiii) CONGRESS SHALL MAKE NO LAW ABRIDGING THE RIGHT OF THE
15 PEOPLE PEACEABLY TO ASSEMBLE.

16 (xiv) CONGRESS SHALL MAKE NO LAW ABRIDGING THE RIGHT OF THE
17 PEOPLE TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES.

18 (xv) A WELL-REGULATED MILITIA BEING NECESSARY TO THE SECURITY
19 OF A FREE STATE, THE RIGHT OF THE PEOPLE TO KEEP AND BEAR ARMS
20 SHALL NOT BE INFRINGED.

21 (xvi) THE POWERS NOT DELEGATED TO THE UNITED STATES BY THE
22 CONSTITUTION OR PROHIBITED BY IT TO THE STATES ARE RESERVED TO THE
23 STATES RESPECTIVELY, OR TO THE PEOPLE.

24 (xvii) NO PERSON SHALL BE HELD TO ANSWER FOR A CAPITAL, OR
25 OTHER INFAMOUS CRIME, UNLESS ON A PRESENTMENT OR INDICTMENT OF A
26 GRAND JURY, EXCEPT IN CASES ARISING IN THE LAND OR NAVAL FORCES, OR
27 IN THE MILITIA, WHERE IN ACTUAL SERVICE IN TIME OF WAR OR PUBLIC

1 DANGER; NOR SHALL ANY PERSON BE SUBJECT FOR THE SAME OFFENCE TO BE
2 TWICE PUT IN JEOPARDY OF LIFE OR LIMB; NOR SHALL BE COMPELLED IN
3 ANY CRIMINAL CASE TO BE A WITNESS AGAINST HIMSELF, NOR BE DEPRIVED
4 OF LIFE, LIBERTY, OR PROPERTY, WITHOUT DUE PROCESS OF LAW; NOR
5 SHALL PRIVATE PROPERTY BE TAKEN FOR PUBLIC USE, WITHOUT JUST
6 COMPENSATION.

7 (xviii) THE RIGHT OF A CITIZEN TO VOTE SHALL NOT BE DENIED OR
8 ABRIDGED BY THE UNITED STATES OR ANY STATE ON ACCOUNT OF RACE,
9 COLOR, PREVIOUS CONDITION OF SERVITUDE, SEX, FAILURE TO PAY TAXES,
10 OR AGE OVER 18.

11 (C) THE ENTIRE CONTENTS OF THE STATE CONSTITUTION OF 1963,
12 INCLUDING, BUT NOT LIMITED TO, A COMPLETE READING OF THE ENTIRE
13 TEXT AND INSTRUCTION IN AT LEAST THE FOLLOWING CORE PRINCIPLES:

14 (i) ALL POLITICAL POWER IS INHERENT IN THE PEOPLE.

15 (ii) GOVERNMENT IS INSTITUTED FOR EQUAL BENEFIT, SECURITY, AND
16 PROTECTION OF THE PEOPLE.

17 (iii) NO PERSON SHALL BE DENIED THE EQUAL PROTECTION OF THE
18 LAWS BECAUSE OF RELIGION, RACE, COLOR, OR NATIONAL ORIGIN.

19 (iv) EVERY PERSON SHALL BE AT LIBERTY TO WORSHIP GOD ACCORDING
20 TO THE DICTATES OF HIS OR HER OWN CONSCIENCE. A PERSON'S CIVIL AND
21 POLITICAL RIGHTS, PRIVILEGES, AND CAPACITIES SHALL NOT BE
22 DIMINISHED OR ENLARGED ON ACCOUNT OF HIS OR HER RELIGIOUS BELIEF.

23 (v) NO LAW IMPAIRING THE OBLIGATION OF CONTRACT SHALL BE
24 ENACTED.

25 (vi) RELIGION, MORALITY, AND KNOWLEDGE BEING NECESSARY TO GOOD
26 GOVERNMENT AND THE HAPPINESS OF MANKIND, SCHOOLS AND THE MEANS OF
27 EDUCATION SHALL FOREVER BE ENCOURAGED.

1 (vii) THE LEGISLATURE SHALL MAINTAIN AND SUPPORT A SYSTEM OF
2 FREE PUBLIC ELEMENTARY AND SECONDARY SCHOOLS AS DEFINED BY LAW.

3 (viii) THE RIGHT OF ALL INDIVIDUALS, FIRMS, CORPORATIONS AND
4 VOLUNTARY ASSOCIATIONS TO FAIR AND JUST TREATMENT IN THE COURSE OF
5 LEGISLATIVE AND EXECUTIVE INVESTIGATIONS AND HEARINGS SHALL NOT BE
6 INFRINGED.

7 (ix) EVERY PERSON HAS A RIGHT TO KEEP AND BEAR ARMS FOR THE
8 DEFENSE OF HIMSELF OR HERSELF AND THIS STATE.

9 (x) THE PUBLIC HEALTH AND GENERAL WELFARE OF THE PEOPLE OF THE
10 STATE ARE DECLARED TO BE MATTERS OF PRIMARY PUBLIC CONCERN. THE
11 LEGISLATURE SHALL PASS SUITABLE LAWS FOR THE PROTECTION AND
12 PROMOTION OF PUBLIC HEALTH.

13 (2) A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY, AND ITS
14 PROFESSIONAL SCHOOL PERSONNEL, MAY DEVELOP CURRICULA AND MATERIALS
15 FOR THE INSTRUCTION DESCRIBED IN THIS SECTION THAT ARE ALIGNED WITH
16 THE STATE BOARD RECOMMENDED MODEL CORE ACADEMIC CURRICULUM CONTENT
17 STANDARDS DEVELOPED UNDER SECTION 1278 AND ARE GRADE AND AGE-LEVEL
18 APPROPRIATE.

19 Sec. 1278. (1) In addition to the requirements for
20 accreditation under section 1280 specified in that section, if the
21 board of a school district wants all of the schools of the school
22 district to be accredited under section 1280, the board shall
23 provide to all pupils attending public school in the district a
24 core academic curriculum in compliance with subsection (3) in each
25 of the curricular areas specified in the state board recommended
26 model core academic curriculum content standards developed under
27 subsection (2). The state board model core academic curriculum

1 content standards shall encompass academic and cognitive
2 instruction only. For purposes of this section, the state board
3 model core academic curriculum content standards shall not include
4 attitudes, beliefs, or value systems that are not essential in the
5 legal, economic, and social structure of our society and to the
6 personal and social responsibility of citizens of our society.

7 (2) Recommended model core academic curriculum content
8 standards shall be developed and periodically updated by the state
9 board, shall be in the form of knowledge and skill content
10 standards that are recommended as state standards for adoption by
11 public schools in local curriculum formulation and adoption, and
12 shall be distributed to each school district in the state. The
13 recommended model core academic curriculum content standards shall
14 set forth desired learning objectives in math, science, reading,
15 history, geography, economics, American government, and writing for
16 all children at each stage of schooling and be based upon the
17 "Michigan K-12 program standards of quality" to ensure that high
18 academic standards, academic skills, and academic subject matters
19 are built into the instructional goals of all school districts for
20 all children. **NOT LATER THAN MAY 1, 2016, FOR EACH GRADE LEVEL FOR**
21 **WHICH THERE IS A STATE ASSESSMENT FOR SOCIAL STUDIES, THE STATE**
22 **BOARD SHALL UPDATE THE STATE BOARD RECOMMENDED MODEL CORE ACADEMIC**
23 **CURRICULUM CONTENT STANDARDS DEVELOPED UNDER THIS SUBSECTION TO**
24 **ENSURE THAT THEY COVER THE INSTRUCTION DESCRIBED IN SECTION 1167.**

25 The state board also shall ensure that the Michigan educational
26 assessment program and the Michigan merit examination are based on
27 the state recommended model core curriculum content standards, are

1 testing only for proficiency in basic and advanced academic skills
2 and academic subject matter, and are not used to measure pupils'
3 values or attitudes.

4 (3) The board of each school district, considering academic
5 curricular objectives defined and recommended pursuant to
6 subsection (2), shall do both of the following:

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

15 (b) After consulting with teachers and school building
16 administrators, determine the aligned instructional program for
17 delivering the core academic curriculum and identify the courses
18 and programs in which the core academic curriculum will be taught.

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

21 (5) For all pupils, the subjects or courses, and the delivery
22 of those including special assistance, that constitute the
23 curriculum the pupils engage in shall assure the pupils have a
24 realistic opportunity to learn all subjects and courses required by
25 the district's core academic curriculum. A subject or course
26 required by the core academic curriculum pursuant to subsection (3)
27 shall be provided to all pupils in the school district by a school

1 district, a consortium of school districts, or a consortium of 1 or
2 more school districts and 1 or more intermediate school districts.

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

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

16 (8) Excluding special education pupils, pupils having a
17 learning disability, and pupils with extenuating circumstances as
18 determined by school officials, a pupil who does not score
19 satisfactorily on the 4th or 7th grade Michigan educational
20 assessment program reading test shall be provided special
21 assistance reasonably expected to enable the pupil to bring his or
22 her reading skills to grade level within 12 months.

23 (9) Any course that would have been considered a nonessential
24 elective course under Snyder v Charlotte School Dist, 421 Mich 517
25 (1984), on April 13, 1990 shall continue to be offered to resident
26 pupils of nonpublic schools on a shared time basis.

27 **SEC. 1279H. BEGINNING WITH STATE ASSESSMENTS CONDUCTED DURING**

1 THE 2015-2016 SCHOOL YEAR, FOR EACH GRADE LEVEL FOR WHICH THERE IS
2 A STATE ASSESSMENT FOR SOCIAL STUDIES, THE SUPERINTENDENT OF PUBLIC
3 INSTRUCTION SHALL ENSURE THAT STATE ASSESSMENTS INCLUDE QUESTIONS
4 RELATED TO THE INSTRUCTION DESCRIBED IN AND DOCUMENTS ENUMERATED IN
5 SECTION 1167, INCLUDING AT LEAST THE DECLARATION OF INDEPENDENCE
6 AND THE CONSTITUTION OF THE UNITED STATES.

7 Enacting section 1. This amendatory act takes effect 90 days
8 after the date it is enacted into law.