

**SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 5190**

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:

6           (a) Has successfully completed all of the following credit  
7 requirements of the Michigan merit standard before graduating from



1 high school:

2 (i) At least 4 credits in mathematics that are aligned with  
 3 subject area content expectations developed by the department and  
 4 approved by the state board under section 1278b, including  
 5 completion of at least algebra I, geometry, and algebra II, or an  
 6 integrated sequence of this course content that consists of 3  
 7 credits, and an additional mathematics credit, such as  
 8 trigonometry, statistics, precalculus, calculus, applied math,  
 9 accounting, business math, a retake of algebra II, or, **for only**  
 10 **pupils entering grade 8 before 2023**, a course in financial literacy  
 11 as described in section 1165. A pupil may complete algebra II over  
 12 2 years with 2 credits awarded or over 1.5 years with 1.5 credits  
 13 awarded for the purposes of this section and section 1278b. A pupil  
 14 also may partially or fully fulfill the algebra II requirement by  
 15 completing a department-approved formal career and technical  
 16 education program or curriculum, such as a program or curriculum in  
 17 electronics, machining, construction, welding, engineering,  
 18 computer science, or renewable energy, and in that program or  
 19 curriculum successfully completing the same content as the algebra  
 20 II benchmarks assessed on the department-prescribed state high  
 21 school assessment, as determined by the department. The department  
 22 shall post on its website guidelines for implementation of the  
 23 immediately preceding sentence. Each pupil must successfully  
 24 complete at least 1 mathematics course during his or her final year  
 25 of high school enrollment. This subparagraph does not require  
 26 completion of mathematics courses in any particular sequence.

27 (ii) At least 3 credits in social science that are aligned with  
 28 subject area content expectations developed by the department and  
 29 approved by the state board under section 1278b, including



1 completion of at least 1 credit in United States history and  
 2 geography, 1 credit in world history and geography, 1/2 credit in  
 3 economics, and the civics course described in section 1166(2). ~~The~~  
 4 **For only pupils entering grade 8 before 2023, the** 1/2-credit  
 5 economics requirement may be satisfied by completion of at least a  
 6 1/2-credit course in personal economics that includes a financial  
 7 literacy component as described in section 1165, if that course  
 8 covers the subject area content expectations for economics  
 9 developed by the department and approved by the state board under  
 10 section 1278b. **The 1/2 credit in economics required under this**  
 11 **subparagraph cannot be fulfilled by completion of the 1/2 credit**  
 12 **course in personal finance described in subsection (3).**

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

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

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

29 (b) Meets the online course or learning experience requirement



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

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

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

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



1 at least 1 credit in a language other than English in grades K to  
2 6. For the purposes of this subsection, both of the following  
3 apply:

4 (a) American Sign Language is considered to be a language  
5 other than English.

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

8 **(3) Beginning with pupils entering grade 8 in 2023, the board**  
9 **of a school district or board of directors of a public school**  
10 **academy shall not award a high school diploma to a pupil unless the**  
11 **pupil completes a 1/2 credit course in personal finance that aligns**  
12 **with subject area content expectations developed by the department**  
13 **and approved by the state board under section 1278b. The 1/2 credit**  
14 **course in personal finance must fulfill 1/2 credit of mathematics**  
15 **required under subsection (1) (a) (i), 1/2 credit of visual arts,**  
16 **performing arts, or applied arts required under subsection**  
17 **(1) (a) (iv), or 1/2 credit of a language other than English required**  
18 **under subsection (2), as determined by the board of the school**  
19 **district or board of directors of the public school academy in**  
20 **which the pupil is enrolled. The 1/2 credit course in personal**  
21 **finance required under this subsection may be fulfilled through a**  
22 **department-approved formal career and technical education program**  
23 **or curriculum that aligns with the subject area content**  
24 **expectations developed by the department and approved by the state**  
25 **board for the credit under section 1278b.**

26 **(4) ~~(3)~~—**The requirements under this section and section 1278b  
27 for a high school diploma are in addition to any local requirements  
28 imposed by the board of a school district or board of directors of  
29 a public school academy. The board of a school district or board of



1 directors of a public school academy, as a local requirement for a  
2 high school diploma, may require a pupil to complete the Michigan  
3 merit examination under section 1279g or may require a pupil to  
4 participate in the MIAccess assessments if appropriate for the  
5 pupil.

6 (5) ~~(4)~~—For the purposes of this section and section 1278b,  
7 all of the following apply:

8 (a) A pupil is considered to have completed a credit if the  
9 pupil successfully completes the subject area content expectations  
10 or guidelines developed by the department that apply to the credit.  
11 For a career and technical education credit, a school district or  
12 public school academy may supplement those content expectations and  
13 guidelines with additional guidelines developed by the school  
14 district or public school academy.

15 (b) A school district or public school academy shall base its  
16 determination of whether a pupil has successfully completed the  
17 subject area content expectations or guidelines developed by the  
18 department that apply to a credit at least in part on the pupil's  
19 performance on ~~the~~ assessments developed or selected by the  
20 department ~~under section 1278b~~ or on 1 or more assessments  
21 developed or selected by the school district or public school  
22 academy that measure a pupil's understanding of the subject area  
23 content expectations or guidelines that apply to the credit.

24 (c) A school district or public school academy shall also  
25 grant a pupil a credit if the pupil earns a qualifying score, as  
26 determined by the department, on ~~the~~ assessments developed or  
27 selected for the subject area by the department ~~under section 1278b~~  
28 or the pupil earns a qualifying score, as determined by the school  
29 district or public school academy, 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       **(6)** ~~(5)~~—If a high school is designated by the superintendent  
 5 of public instruction as a specialty school and the high school  
 6 meets the requirements of subsection ~~(6)~~, ~~then~~ **(7)**, the pupils of  
 7 the high school are not required to successfully complete the 4  
 8 credits in English language arts required under section 1278b(1) (a)  
 9 or the 3 credits in social science required under subsection  
 10 (1) (a) (ii) and the school district or public school academy is not  
 11 required to ensure that each pupil is offered the curriculum  
 12 necessary for meeting those English language arts or social science  
 13 credit requirements. The superintendent of public instruction may  
 14 designate up to 15 high schools that meet the requirements of this  
 15 subsection as specialty schools. Subject to this maximum number,  
 16 the superintendent of public instruction shall designate a high  
 17 school as a specialty school if the superintendent of public  
 18 instruction finds that the high school meets all of the following  
 19 criteria:

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

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

27       **(7)** ~~(6)~~—A high school that is designated by the superintendent  
 28 of public instruction as a specialty school under subsection ~~(5)~~  
 29 **(6)** is only exempt from requirements as described under subsection



1 ~~(5)~~ **(6)** as long as the superintendent of public instruction finds  
2 that the high school continues to meet all of the following  
3 requirements:

4 (a) The high school clearly states to prospective pupils and  
5 their parents that it does not meet the requirements of the  
6 Michigan merit standard under this section and section 1278b but is  
7 a designated specialty school that is exempt from some of those  
8 requirements and that a pupil who enrolls in the high school and  
9 subsequently transfers to a high school that is not a specialty  
10 school meeting the requirements of this subsection will be required  
11 to comply with the requirements of the Michigan merit standard  
12 under this section and section 1278b.

13 (b) For the most recent year for which the data are available,  
14 the mean scores on both the mathematics and science portions of the  
15 ~~ACT examination~~ **applicable state assessment** for the pupils of the  
16 high school exceed by at least 10% the mean scores on the  
17 mathematics and science portions of the ~~ACT examination~~ **applicable**  
18 **state assessment** for the pupils of the school district in which the  
19 greatest number of the pupils of the high school reside.

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

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

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



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

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

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

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



1 physics, chemistry, physiology, or microbiology.

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

4 (2) If a pupil successfully completes 1 or more of the high  
5 school credits required under subsection (1) or under section  
6 1278a(1) **or (3)** before entering high school, the pupil ~~shall~~**must**  
7 be given high school credit for that credit.

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

10 (a) Develop subject area content expectations that apply to  
11 the credit requirements of the Michigan merit standard that are  
12 required under subsection (1) (a) and (b) and section 1278a(1) (a) (i)  
13 and (ii) **and the 1/2 credit course in personal finance required**  
14 **under section 1278a(3)** and develop guidelines for the remaining  
15 credit requirements of the Michigan merit standard that are  
16 required under this section and section 1278a(1) (a), for the online  
17 course or learning experience required under section 1278a(1) (b),  
18 and for the requirements for a language other than English under  
19 section 1278a(2). All of the following apply to these subject area  
20 content expectations and guidelines:

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



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

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

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

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

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

22           (vii) Until all of the subject area content expectations and  
23 guidelines have been developed by the department and approved by  
24 the state board, the department shall submit a report at least  
25 every 6 months to the senate and house standing committees  
26 responsible for education legislation on the status of the  
27 development of the subject area content expectations and  
28 guidelines. The report ~~shall~~**must** detail any failure by the  
29 department to meet a deadline established under subparagraph (iv) or



1 (v) and the reasons for that failure.

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

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

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

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

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

11 (D) Representatives from the business community.

12 (E) Representatives from vocational and career and technical  
13 education providers.

14 (F) Government officials, including officials from the  
15 legislature.

16 (G) Parents of public school pupils.

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

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

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

28 (d) Develop and make available material to assist school  
29 districts and public school academies in implementing the



1 requirements of this section and section 1278a. This ~~shall~~**must**  
2 include developing guidelines for alternative instructional  
3 delivery methods as described in subsection (7).

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

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



1 under this subsection for completing a personal curriculum are met,  
 2 then the board of a school district or board of directors of a  
 3 public school academy may award a high school diploma to a pupil  
 4 who successfully completes his or her personal curriculum even if  
 5 it does not meet the requirements of the Michigan merit standard  
 6 required under subsection (1) and section 1278a(1)(a). All of the  
 7 following apply to a personal curriculum:

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

22 (b) The personal curriculum ~~shall incorporate~~**must do all of**  
 23 **the following:**

24 (i) **Incorporate** as much of the subject area content  
 25 expectations of the Michigan merit standard required under  
 26 subsection (1) and section 1278a(1)(a) as is practicable for the  
 27 pupil. ~~;~~ ~~shall establish~~

28 (ii) **Establish** measurable goals that the pupil must achieve  
 29 while enrolled in high school. ~~and shall provide~~



1           **(iii) Provide** a method to evaluate whether the pupil achieved  
 2 ~~these goals; and shall be aligned the goals described in~~  
 3 **subparagraph (ii)** .

4           **(iv) Align** with the pupil's educational development plan  
 5 developed under subsection (11).

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

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

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

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

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



1 following:

2 (i) Successfully completes the same content as 1 semester of  
3 algebra II, as determined by the department.

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

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

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

14 (h) The social science credit requirements of section  
15 1278a(1) (a) (ii) may be modified as part of a personal curriculum  
16 only if all of the following are met:

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

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

27 (i) The health and physical education credit requirement under  
28 section 1278a(1) (a) (iii) may be modified as part of a personal  
29 curriculum only if the modification requires the pupil to complete



1 1 additional credit in English language arts, mathematics, or  
2 science or 1 additional credit in a language other than English, or  
3 requires the pupil to complete a formal career and technical  
4 education program. This additional credit must be in addition to  
5 the number of those credits otherwise required under subsection (1)  
6 and section 1278a(1) or under section 1278a(2).

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

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



1 instruction shall monitor the school district or public school  
2 academy to ensure that the school district's or public school  
3 academy's policies, procedures, and practices are in compliance  
4 with the requirements for additional modifications under this  
5 subdivision. As used in this subdivision, "child with a disability"  
6 means that term as defined in 20 USC 1401.

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

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

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

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



1 following apply:

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

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

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

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

12 (n) This subsection does not apply to a pupil enrolled in a  
13 high school that is designated as a specialty school under section  
14 ~~1278a(5)~~**1278a(6)** and that is exempt under that section from the  
15 English language arts requirement under subsection (1)(a) and the  
16 social science credit requirement under section 1278a(1)(a)(ii).

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

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



1 home or by including the notice in a newsletter, student handbook,  
2 or similar communication that is sent to a pupil's home, and also  
3 shall post the notice on the school district's or public school  
4 academy's website.

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

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

27 (8) If the board of a school district or board of directors of  
28 a public school academy wants its high school to be accredited  
29 under section 1280, the board or board of directors shall ensure



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

14 (9) If a pupil is not successfully completing a credit  
15 required for graduation under this section and section 1278a, or is  
16 identified as being at risk of withdrawing from high school, then  
17 the pupil's school district or public school academy shall notify  
18 the pupil's parent or legal guardian or, if the pupil is at least  
19 age 18 or is an emancipated minor, the pupil, of the availability  
20 of tutoring or other supplemental educational support and  
21 counseling services that may be available to the pupil under  
22 existing state or federal programs, such as those programs or  
23 services available under section 31a of the state school aid act of  
24 1979, MCL 388.1631a, or under the no child left behind act of 2001,  
25 Public Law 107-110, **or every student succeeds act, Public Law 114-**  
26 **95.**

27 (10) To the extent required by the no child left behind act of  
28 2001, Public Law 107-110, **or every student succeeds act, Public Law**  
29 **114-95**, the board of a school district or public school academy



1 shall ensure that all components of the curricular requirements  
 2 under this section and section 1278a are taught by highly qualified  
 3 teachers. If a school district or public school academy  
 4 demonstrates to the department that the school district or public  
 5 school academy is unable to meet the requirements of this section  
 6 because the school district or public school academy is unable to  
 7 hire enough highly qualified teachers, the department shall work  
 8 with the school district or public school academy to develop a plan  
 9 to allow the school district or public school academy to hire  
 10 enough highly qualified teachers to meet the requirements of this  
 11 section.

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



1 reviewing a pupil's educational development plan, the pupil ~~shall~~  
 2 **must** be advised that many of the curricular requirements of this  
 3 section and section 1278a may be fulfilled through career and  
 4 technical education. In addition, during the process of developing  
 5 and reviewing an educational development plan, the pupil ~~shall~~**must**  
 6 be provided with all of the following:

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

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

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

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



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

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



1 ~~contract under section 1290. The purpose of a contract described in~~  
2 ~~this subsection is to improve pupil performance.~~

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

10       **(14)** ~~(15)~~ Not later than April 1 of each year, the department  
11 shall submit an annual report to the legislature that evaluates the  
12 overall success of the curriculum required under this section and  
13 section 1278a, the rigor and relevance of the course work required  
14 by the curriculum, the ability of public schools to implement the  
15 curriculum and the required course work, and the impact of the  
16 curriculum on pupil success, and that details any activities the  
17 department has undertaken to implement this section and section  
18 1278a or to assist public schools in implementing the requirements  
19 of this section and section 1278a.

