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BILL ANALYSIS

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Senate Bill 1124 (Substitute S-1 as passed by the Senate)

Sponsor: Senator Wayne Kuipers

Committee: Education

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RATIONALE

There is growing concern that public high schools in Michigan are not preparing students adequately for the challenges they will face in the workplace. As the State's economy changes, and is faced with competition from other states and countries, many believe that education is an increasingly important factor for the success of people entering the workforce and for the economic vitality of the State. At the same time, many businesses and postsecondary educational institutions report that high school graduates frequently lack essential skills. Colleges and universities often must offer remedial courses for students, and companies sometimes must test high school graduates for basic math and language skills. In response to these concerns, Michigan has looked at ways to improve its high school education system and develop a more highly educated workforce. (Please see **BACKGROUND** for details.)

Many agree that rigorous statewide graduation requirements could improve students' performance by raising expectations and setting high standards for all high school graduates. Currently, however, the only statewide requirement is one semester of civics. In December 2005, the State Board of Education unanimously approved a recommendation for statewide graduation requirements, and some believe that such requirements should be enacted.

CONTENT

The bill would amend the Revised School Code to do the following:

-- **Require students, beginning with those entering 8th grade in 2006, to**

earn a specific number of credits in English language arts, math, science, social science, health and physical education, visual, performing, or applied arts, and (beginning with 9th graders in 2009) a foreign language, before receiving a high school diploma.

- **Require algebra, geometry, and science credits earned before high school to be counted toward the requirements; and include a similar provision for foreign language.**
- **Require the Department of Education (DOE) to develop subject area content expectations and guidelines for the required credits, and to develop subject area assessments to evaluate whether students met the expectations or guidelines.**
- **Require all high school students to participate in an online course or learning experience.**
- **Require students to complete all subject area assessments developed by the DOE, the Michigan Merit Examination, or the MI-Access assessments before receiving a diploma.**
- **Allow a student's parent or legal guardian to request a modification of the math or science requirements after the first semester of 11th grade, or a modification of the algebra II requirement at the end of 10th grade under certain circumstances.**
- **Require all students in 7th grade to be provided with a career pathways program.**
- **Require students to take a specific number of elective courses, to be determined by the local district or**

public school academy, that would have to be aligned with one or more specified 21st century learning and teaching skills.

- **Allow school districts that were unable to comply with all requirements under the bill to submit to the DOE a plan to phase in the requirements.**

Required Credits

Under the bill, beginning with pupils entering 8th grade in 2006, the board of a school district or board of directors of a public school academy (PSA) could not award a high school diploma to a pupil unless he or she had successfully completed the credit requirements of the Michigan Merit Curriculum, as follows:

- At least four credits in English language arts, all of which would have to include writing, speaking, representing, reading, listening, viewing, literature, culture, and language.
- At least four credits in math, including completion of algebra I, geometry, and algebra II, or an integrated sequence of this course content that consisted of three credits, and an additional math credit such as trigonometry, statistics, precalculus, calculus, applied math, accounting, business math, or a retake of algebra II. Each pupil would have to complete one math course successfully during 12th grade.
- At least three credits in science including biology and chemistry or physics. The bill would strongly encourage pupils to complete an additional credit in science such as forensics, astronomy, earth science, agricultural science, environmental science, geology, physics or chemistry, physiology, or microbiology.
- At least three credits in social science, including one credit in U.S. history and geography, one credit in world history and geography, one half credit in economics, and the civics or government course currently required under the Code.
- At least one credit in health and physical education.
- At least one credit in visual arts, performing arts, or applied arts, as defined by the DOE.

If a student completed a credit in algebra I or II, geometry, or science before entering high school, he or she would have to receive high school credit for that credit.

The English, math, science, and social science credits would have to be aligned with subject area content expectations developed by the DOE. The health and physical education credit, and the arts credit would have to be aligned with guidelines developed by the DOE.

The bill states that it would not prohibit a pupil from satisfying or exceeding the credit requirements of the Michigan Merit Curriculum through advanced studies such as advanced placement, dual enrollment in a postsecondary institution, or the international baccalaureate program.

The board of a school district or the board of directors of a PSA that operated a high school would have to ensure that each pupil was offered the curriculum necessary to meet the requirements of the bill. The board could provide the curriculum by providing the specified credits, by using alternative instructional delivery methods such as alternative course work, humanities course sequences, career and technical education, industrial technology courses, or vocational education, or by a combination of these.

Online Course Requirement

A student could not be awarded a diploma unless he or she had successfully completed at least one course or learning experience that was presented online, as defined by the DOE, or unless the pupil's school district or PSA had integrated an online experience throughout the high school curriculum by ensuring that each teacher of each course that provided required credits of the Michigan Merit Curriculum had integrated an online experience into the course.

Language Requirement

Beginning with pupils entering 9th grade in 2009, the board of a school district or board of directors of a PSA could not award a diploma to a pupil unless he or she had successfully completed two credits in a language other than English between 9th and 12th grade, or had successfully completed, between kindergarten and 8th grade, course

work or other learning experiences that were substantially equivalent to that requirement, based on standards developed by the DOE. For the purposes of this requirement, American sign language would be considered to be a language other than English. A pupil could meet all or part of the requirement with online course work.

Subject Area Content Expectations & Guidelines

The DOE would have to develop and implement subject area content expectations that applied to the credit requirements in English, math, science, and social sciences; guidelines for the health and physical education credit and the arts credit; and guidelines for the online course or learning experience.

The DOE would have to complete the development of the content expectations for algebra I and earth science, and guidelines for the online course or learning experience, by August 1, 2006; and all other content expectations or guidelines not later than one year before the beginning of the school year in which a pupil entering high school in 2007 would normally be expected to complete the credit. If the DOE had not completed development of the content expectations for a particular credit by the date required, a school district or PSA could align the content of the credit with locally adopted standards.

Subject Area Assessments

Within three years after the bill's effective date, the DOE would have to develop or select and approve assessments that could be used by school districts and public school academies to determine whether a pupil had successfully completed a required credit. Assessments would have to be developed for algebra I, geometry, algebra II, earth science, biology, physics, chemistry, English in grades nine through 12, world history, U.S. history, economics, and civics/government. The assessments for each credit would have to measure a pupil's understanding of the subject area content expectations or guidelines for that credit.

A pupil could not receive a high school diploma unless he or she either had completed all subject area assessments specified above, participated in the MI-Access assessments, or completed the

Michigan Merit Exam as required under Section 1279g. (That section requires school districts and PSAs to administer the Michigan Merit Exam to all students in 11th grade, beginning in the 2006-2007 school year.)

Earned Credits

A pupil would be considered to have completed a credit if he or she successfully completed the subject area content expectations or guidelines for that credit. A school district or PSA would have to base its determination of whether a pupil had successfully completed the content expectations or guidelines at least in part on the pupil's performance on the assessments that measured a pupil's understanding of the subject area content expectations or guidelines for that credit.

A school district or PSA also would have to grant a pupil a credit if he or she earned a qualifying score, as determined by the DOE, on the assessments.

Individualized Learning Plans

The parent or legal guardian of a pupil who had completed or was about to complete at least the first semester of 11th grade and at least two and a half years of the Michigan Merit Curriculum could request a modification for the pupil of the math or science credit requirements. If a modification were requested, the school district or PSA would have to work with the pupil and his or her parent or guardian to develop an individualized learning plan for the pupil, who could then complete the curriculum specified in the individualized learning plan even if it did not meet the math or science requirements of the Michigan Merit Curriculum.

If a student had completed, or were about to complete, at least 10th grade and at least two years of the Michigan Merit Curriculum, the pupil's parent or guardian could request a modification of the algebra II requirement only if the pupil did one or more of the following:

- Elected to complete the same content as algebra II over two years with a credit awarded for each of the two years.
- Elected to use an alternative approach to complete the benchmarks for algebra II

based on the Michigan Curriculum framework after a math teacher of the pupil and a certified school counselor, or an individual qualified under the Code to act as a school counselor, in consultation with the pupil and his or her parent or guardian, had recommended an alternative approach.

- Enrolled in a formal career and technical education program or curriculum.

By October 1 each year, a school district or PSA that operated a high school would have to submit to the intermediate school district in which it was located an annual report detailing the number of pupils who had requested and received a modification of the algebra II requirement.

If a pupil were at least 18 years old or an emancipated minor, he or she could make a request under these provisions on his or her own behalf.

If a pupil received special education services, his or her individualized education program, in accordance with the Federal Individuals with Disabilities Education Act, would have to identify the appropriate course or courses of study and the supports, accommodations, and modifications necessary to allow him or her to progress in the Michigan Merit Curriculum or in an individualized learning plan, and meet the requirements for a high school diploma.

21st Century Teaching & Learning Skills

The board of a school district or board of directors of a PSA that operated a high school would have to establish a number of elective course work credits that each pupil would have to complete successfully to earn a high school diploma. The board also would have to ensure that each elective course offered by the high school included at least one of the following 21st century teaching and learning skills:

- Global literacy.
- Civic literacy.
- Financial, economic, and entrepreneurial literacy.
- Information and communications technology literacy.
- Learning skills.

The DOE would have to develop standards and models for these 21st century teaching and learning skills.

Career Exploration Program

Beginning in the 2006-2007 school year, the board of a school district or board of directors of a PSA that operated grade 7 would have to ensure that all pupils in 7th grade were provided with a career pathways program or similar career exploration program.

Highly Qualified Teachers

The board of a school district or board of directors of a PSA would have to ensure that all components of the curricular requirements were taught by highly qualified teachers, consistent with the requirements of the No Child Left Behind Act.

Phase-In of Requirements

If a school district or PSA were unable to implement all of the curricular requirements of the bill for pupils entering 9th grade in 2007, or were unable to implement any other requirement of the bill, the district or PSA could apply to the DOE for permission to phase in one or more of the requirements. To apply, the district or PSA would have to submit a proposed phase-in plan to the DOE. The Department would have to approve the phase-in plan if it determined that the plan would result in the school district's or PSA's making satisfactory progress toward full implementation of the bill's requirements. If the DOE disapproved a proposed plan, it would have to work with the district or PSA to develop a satisfactory plan.

Proposed MCL 380.1278a

BACKGROUND

The Cherry Commission

In June 2004, Governor Granholm created the Lieutenant Governor's Commission on Higher Education and Economic Growth, commonly known as the Cherry Commission after Lieutenant Governor John Cherry. The Governor charged the Commission with making recommendations for improving the skills of the workforce, doubling the percentage of Michigan residents with

postsecondary degrees or other credentials, and aligning the State's educational institutions with economic opportunities in the State.

The Commission's final report, issued in December 2004, included a recommendation that the State Board of Education develop a rigorous set of standards to ensure that high school graduates have the necessary skills to succeed either in postsecondary education or in the workplace. The Commission recommended that the State Board develop these standards with input from employers, labor organizations, institutions of higher education, and high school parents, students, and teachers.

Development of the Michigan Merit Curriculum

In the fall of 2005, Superintendent of Public Instruction Michael Flanagan assembled a research group to examine high school education standards in Michigan. The group was composed of people from a variety of backgrounds, including school administrators, special educators, and representatives from the Department of Education, and was headed by Dr. Jeremy Hughes, Assistant Superintendent of Public Instruction. The group met in September through November and reviewed policies enacted in several other states, including Arkansas, Indiana, Massachusetts, Oregon, and Rhode Island.

After reviewing the research and the experiences of other states, and evaluating which policies might work best for Michigan, the work group developed a set of recommendations for statewide graduation requirements in Michigan, similar to those enacted in other states. The work group made its recommendations to Superintendent Flanagan, who then presented them to the State Board of Education. The proposed curriculum was unanimously approved by the Board on December 15, 2005.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

The bill would standardize high school graduation requirements in Michigan, replacing the current system where every school district has its own different requirements. The bill would increase the rigor and relevance of the curriculum, aligning high school education more closely with the skills and knowledge that employers want and that postsecondary institutions require. Under the bill, all students would have to take rigorous courses that would give them the necessary skills to succeed in today's economy. The Merit Curriculum would increase the State's performance in math and science, and help ensure that schools made Adequate Yearly Progress (AYP) under the No Child Left Behind Act.

High school graduation requirements in Michigan are lower than those in many other states, and also are below educational standards in other countries such as India and China, particularly in math and science. Knowledge in these areas is crucial to technological development and participation in some of the fastest growing industries, such as biotechnology. In order to compete in the global marketplace and attract businesses to the State, Michigan needs to develop a more highly skilled and educated workforce. The bill would require all students to take upper-level math and science, building skills they will need for the jobs of tomorrow, while improving the economic outlook for the State.

Many students already are taking classes that would meet the proposed graduation requirements, so the changes would not be difficult to implement. The bill simply would extend those requirements to all students to make education uniform across the State, and give all students the necessary skills to gain employment or pursue a postsecondary education. The Merit Curriculum would provide more equal access to a high quality education than the current structure, in which requirements vary from district to district, and college prep and vocational tracking systems offer students very different courses of study and opportunities. The traditional approach of tracking students is no longer effective, because the skills required in the workforce have converged with those needed to continue on to college.

A poll conducted by EPIC/MRA and WXYZ TV from January 15 to 25, 2006, showed strong public support for the requirements proposed by the State Board, even after respondents were told about some of the potential negative effects of the plan. Most respondents believed that Michigan needs to make changes to improve its educational system.

Response: Increasing requirements would not be enough without also developing ways for students to meet those requirements. Innovative teaching methods and alternative methods of reaching students should be integral parts of any effort to improve high school education in Michigan, and further reform will be needed to overcome the funding and institutional inequities in Michigan education. Also, in many cases students' difficulties begin much earlier than high school. Without adequate preparation in earlier grades, it is questionable whether all students would be able to meet the new requirements.

Opposing Argument

The bill represents a one-size-fits-all approach that does not take into account the different goals and abilities of students. Schools already offer advanced courses for those who wish to take them, but should not force all students to take those specific classes at the expense of others that are more suited to the students' interests and abilities. The bill assigns 18 required credits out of 24 that a high school student would typically earn. Given those extensive requirements, students might not have enough opportunity to take alternative courses that would allow them to explore their true interests, or prepare for a career.

In addition, the statewide requirements would remove local control from school districts, which traditionally have been able to establish graduation requirements that are most suitable for their students. School districts in Michigan are very diverse and should be allowed to pursue alternative ways to provide for the best interests of their students. The statewide requirements could stifle creative approaches to educating students that did not fit within the framework of the bill's requirements.

Response: The bill would allow local districts to determine how they would meet the requirements, and would provide enough flexibility that all districts should be able to comply. The bill would not dictate specific

courses, but instead would require that students earn credits by demonstrating comprehension of the subject matter. School districts would be permitted to find creative ways to present the material that met the requirements of the bill.

Opposing Argument

The bill represents an unfunded mandate from the State government, establishing new requirements without providing any increased funding for school districts to implement them. If the bill went into effect, some districts would have to make significant changes, including redesigning their curricula and course offerings to meet the new requirements. Many districts would have to hire new teachers to offer more sections of the required upper-level math and science courses. Some school districts, faced with tight budgets and no additional funding, might have to lay off art teachers or reduce offerings of electives in order to hire additional math and science teachers.

In addition, there could be a shortage of qualified teachers to meet the new requirements. Math and science teachers are in particularly high demand already, and if all students were required to take upper-level math and science courses, districts would have to offer more sections of those classes. Furthermore, many small rural districts would not necessarily be able to afford to hire the specialized teachers qualified to teach some courses.

Response: In some cases, two or more districts could share specialized teachers, spreading the cost and easing the shortage of teachers. Students could take classes online if a school were unable to offer certain courses. The bill also would allow districts to phase in the new curriculum if they were unable to hire sufficient teachers or had other problems implementing the requirements.

Opposing Argument

Algebra II is not necessary for all students. Even in today's high-tech job market, many positions do not require any knowledge of algebra II. In some cases, statistics or another course might be more relevant to a student's prospective employment. Algebra II should be recommended, not required, allowing students to choose the math course that suited their interests and career goals.

Similarly, the world language requirement should be removed. A second language is not a universal necessity that all high school graduates will need. Furthermore, the languages that might be of economic benefit, such as Chinese or Japanese, are not commonly taught in high schools, because there is a shortage of qualified teachers to teach those languages. Language courses are available to those who are interested, but they should not be required of all students. Such a requirement would present a barrier to graduation without providing any real benefit to students.

Response: Algebra II is tested on the ACT (American College Test), which all high school juniors will be required to take as part of the Michigan Merit Exam starting in 2007. It would be unfair to test students on material that they were never taught. Under the bill, the algebra II requirement could be modified in certain circumstances.

The foreign language requirement would be beneficial for students in several ways. Many colleges and universities require incoming students to have taken two years of a foreign language, so the graduation requirement would be aligned with the college entrance requirement. In addition, languages such as Spanish that are commonly taught in high schools can be as helpful in the global marketplace as languages such as Chinese. Moreover, the mental discipline and effort required to learn a foreign language would help prepare students for postsecondary education.

Opposing Argument

Many are concerned that the bill's rigorous requirements, particularly the math and world language requirements, could lead students to give up and drop out of school. Students could find the course content too daunting, and consider it irrelevant to the type of work they wish to pursue. For many students who are considering dropping out, elective courses that capture their interest are sometimes the factor that keeps them in school. Rather than raising the level of education among high school graduates in Michigan, the bill instead could increase the dropout rate, causing other problems.

Response: If a student were unable to meet the bill's requirements, the student and his or her parent or guardian could consult with the school to develop an alternative educational plan. That provision

would give students a degree of flexibility, and could prevent some of the frustration that might lead them to drop out of school.

Legislative Analyst: Curtis Walker

FISCAL IMPACT

State: The Department would see increased costs associated with developing and implementing subject area content expectations that would apply to the credit requirements of the Michigan Merit Curriculum proposed by the bill. The magnitude of the costs would depend upon the current state of the Department's subject area content expectations and how well they would align with the Michigan Merit Curriculum.

Local: School districts and public school academies could see increased costs if the requirements of the high school curriculum were substantially different from what a district or academy currently implements, and if a district or academy could not quickly shift existing resources to satisfy the different requirements.

Fiscal Analyst: Kathryn Summers-Coty

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.