

# HOUSE BILL No. 5113

June 17, 2009, Introduced by Rep. Calley and referred to the Committee on Education.

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 2008 PA 316 and section 1278b as  
amended by 2007 PA 141.

**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~~ **HAS** successfully completed all of the following credit  
7 requirements of the Michigan merit standard before graduating from  
8 high school:

1           (A) AT LEAST 4 CREDITS IN ENGLISH LANGUAGE ARTS THAT ARE  
2 ALIGNED WITH SUBJECT AREA CONTENT EXPECTATIONS DEVELOPED BY THE  
3 DEPARTMENT AND APPROVED BY THE STATE BOARD UNDER SECTION 1278B.

4           (B) ~~(i)~~—At least ~~4~~—3 credits in mathematics that are aligned  
5 with subject area content expectations developed by the department  
6 and approved by the state board under section 1278b, including  
7 completion of at least algebra I. ~~, geometry, and algebra II, or an~~  
8 ~~integrated sequence of this course content that consists of 3~~  
9 ~~credits, and an additional mathematics credit, such as~~  
10 ~~trigonometry, statistics, precalculus, calculus, applied math,~~  
11 ~~accounting, business math, a retake of algebra II, a course in~~  
12 ~~financial literacy as described in section 1165. A pupil may~~  
13 ~~complete algebra II over 2 years with a credit awarded for each of~~  
14 ~~those years for the purposes of this section and section 1278b.~~  
15 Each pupil must successfully complete at least 1 mathematics course  
16 during his or her final year of high school enrollment. This  
17 subparagraph does not require completion of mathematics courses in  
18 any particular sequence.

19           (C) AT LEAST 2 CREDITS IN PHYSICAL OR NATURAL SCIENCE THAT ARE  
20 ALIGNED WITH SUBJECT AREA CONTENT EXPECTATIONS DEVELOPED BY THE  
21 DEPARTMENT AND APPROVED BY THE STATE BOARD UNDER SECTION 1278B,  
22 INCLUDING COMPLETION OF AT LEAST 1 CREDIT IN A COURSE THAT HAS A  
23 LABORATORY COMPONENT IF SUCH A COURSE IS OFFERED BY THE HIGH  
24 SCHOOL.

25           (D) ~~(ii)~~—At least ~~3~~—2 credits in social science that are  
26 aligned with subject area content expectations developed by the  
27 department and approved by the state board under section 1278b,

1 including completion of at least ~~1 credit in United States history~~  
2 ~~and geography, 1 credit in world history and geography, 1/2 credit~~  
3 ~~in economics, and the civics course described in section 1166(2).~~

4 ~~—— (iii) At least 1 credit in subject matter that includes both~~  
5 ~~health and physical education aligned with guidelines developed by~~  
6 ~~the department and approved by the state board under section 1278b.~~

7 ~~—— (iv) At least 1 credit in visual arts, performing arts, or~~  
8 ~~applied arts, as defined by the department, that is aligned with~~  
9 ~~guidelines developed by the department and approved by the state~~  
10 ~~board under section 1278b.~~

11 ~~—— (v) The credit requirements specified in section 1278b(1).~~

12 ~~—— (b) Meets the online course or learning experience requirement~~  
13 ~~of this subsection. A school district or public school academy~~  
14 ~~shall provide the basic level of technology and internet access~~  
15 ~~required by the state board to complete the online course or~~  
16 ~~learning experience. For a pupil to meet this requirement, the~~  
17 ~~pupil shall meet either of the following, as determined by the~~  
18 ~~school district or public school academy:~~

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

21 ~~—— (ii) The pupil's school district or public school academy has~~  
22 ~~integrated an online experience throughout the high school~~  
23 ~~curriculum by ensuring that each teacher of each course that~~  
24 ~~provides the required credits of the Michigan merit curriculum has~~  
25 ~~integrated an online experience into the course.~~

26 **(E) AT LEAST 1 ADDITIONAL CREDIT IN ENGLISH LANGUAGE ARTS,**  
27 **MATHEMATICS, OR PHYSICAL OR NATURAL SCIENCE, THAT IS ALIGNED WITH**

1 SUBJECT AREA CONTENT EXPECTATIONS DEVELOPED BY THE DEPARTMENT AND  
2 APPROVED BY THE STATE BOARD UNDER SECTION 1278B.

3 (F) AT LEAST 4 ADDITIONAL CREDITS IN ANY OF THE SUBJECT AREAS  
4 SPECIFIED IN SUBDIVISIONS (A) TO (D), IN A LANGUAGE OTHER THAN  
5 ENGLISH, OR IN NONDOCTRINAL RELIGION OR PHILOSOPHY, THAT ARE  
6 ALIGNED WITH SUBJECT AREA CONTENT EXPECTATIONS DEVELOPED BY THE  
7 DEPARTMENT AND APPROVED BY THE STATE BOARD UNDER SECTION 1278B.  
8 AMERICAN SIGN LANGUAGE IS CONSIDERED TO BE A LANGUAGE OTHER THAN  
9 ENGLISH.

10 ~~—— (2) In addition to the requirements under subsection (1),~~  
11 ~~beginning with pupils entering grade 3 in 2006, the board of a~~  
12 ~~school district or board of directors of a public school academy~~  
13 ~~shall not award a high school diploma to a pupil unless the pupil~~  
14 ~~has successfully completed during grades 9 to 12 at least 2~~  
15 ~~credits, as determined by the department, in a language other than~~  
16 ~~English, or the pupil has successfully completed at any time during~~  
17 ~~grades K to 12 course work or other learning experiences that are~~  
18 ~~substantially equivalent to 2 credits in a language other than~~  
19 ~~English, based on guidelines developed by the department. For the~~  
20 ~~purposes of this subsection, all of the following apply:~~

21 ~~—— (a) American sign language is considered to be a language~~  
22 ~~other than English.~~

23 ~~—— (b) The pupil may meet all or part of this requirement with~~  
24 ~~online course work.~~

25 (2) ~~(3)~~ The requirements under this section and ~~section 1278b~~  
26 for a high school diploma are in addition to any local requirements  
27 imposed by the board of a school district or board of directors of

1 a public school academy. The board of a school district or board of  
2 directors of a public school academy, as a local requirement for a  
3 high school diploma, may require a pupil to complete ~~some or all of~~  
4 ~~the subject area assessments under section 1279 or the Michigan~~  
5 merit examination under section 1279g, ~~as applicable to the pupil~~  
6 ~~under section 1279g,~~ or may require a pupil to participate in the  
7 MIAccess assessments if appropriate for the pupil.

8 (3) ~~(4)~~ For the purposes of this section and section 1278b,  
9 all of the following apply:

10 (a) A pupil is considered to have completed a credit if the  
11 pupil successfully completes the subject area content expectations  
12 or guidelines developed by the department that apply to the credit.

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

22 (c) A school district or public school academy shall also  
23 grant a pupil a credit if the pupil earns a qualifying score, as  
24 determined by the department, on the assessments developed or  
25 selected for the subject area by the department under section 1278b  
26 or the pupil earns a qualifying score, as determined by the school  
27 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 **(4) IF A PUPIL SUCCESSFULLY COMPLETES 1 OR MORE OF THE HIGH**  
5 **SCHOOL CREDITS REQUIRED UNDER SUBSECTION (1) BEFORE ENTERING HIGH**  
6 **SCHOOL, THE PUPIL SHALL BE GIVEN HIGH SCHOOL CREDIT FOR THAT**  
7 **CREDIT.**

8 (5) If a high school is designated by the superintendent of  
9 public instruction as a specialty school and the high school meets  
10 the requirements of subsection (6), then the pupils of the high  
11 school are not required to successfully complete the 4 credits in  
12 English language arts ~~required under section 1278b(1)(a)~~ or the ~~3-2~~  
13 credits in social science required under subsection ~~(1)(a)(ii)~~ **(1)**  
14 and the school district or public school academy is not required to  
15 ensure that each pupil is offered the curriculum necessary for  
16 meeting those English language arts or social science credit  
17 requirements. The superintendent of public instruction may  
18 designate up to 15 high schools that meet the requirements of this  
19 subsection as specialty schools. Subject to this maximum number,  
20 the superintendent of public instruction shall designate a high  
21 school as a specialty school if the superintendent of public  
22 instruction finds that the high school meets all of the following  
23 criteria:

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

26 (b) The high school uses a specialized, innovative, and  
27 rigorous curriculum in such areas as performing arts, foreign

1 language, extensive use of internships, or other learning  
2 innovations that conform to pioneering innovations among other  
3 leading national or international high schools.

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

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

18 (b) For the most recent year for which the data are available,  
19 the mean scores on both the mathematics and science portions of the  
20 ACT examination for the pupils of the high school exceed by at  
21 least 10% the mean scores on the mathematics and science portions  
22 of the ACT examination for the pupils of the school district in  
23 which the greatest number of the pupils of the high school reside.

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

27 (d) For the most recent year for which the data are available,

1 at least 75% of the pupils who graduated from the high school the  
2 preceding year are enrolled in a postsecondary institution.

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

8 (f) All pupils of the high school are required to meet the  
9 science credit requirements of ~~section 1278b(1)(b)~~ **SUBSECTION (1)**  
10 and are also required to successfully complete at least 1  
11 additional science credit, for a total of at least ~~4~~ **3** science  
12 credits, with no modification of these requirements under section  
13 ~~1278b(5)~~ **1278B**, and each pupil is offered the curriculum necessary  
14 to meet this requirement.

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

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

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

1 ~~completion of at least biology and either chemistry or physics. The~~  
 2 ~~legislature strongly encourages pupils to complete a fourth credit~~  
 3 ~~in science, such as forensics, astronomy, Earth science,~~  
 4 ~~agricultural science, environmental science, geology, physics or~~  
 5 ~~chemistry, physiology, or microbiology.~~

6 ~~—— (c) The credit requirements specified in section 1278a(1)(a)(i)~~  
 7 ~~to (iv).~~

8 ~~—— (2) If a pupil successfully completes 1 or more of the high~~  
 9 ~~school credits required under subsection (1) or under section~~  
 10 ~~1278a(1) before entering high school, the pupil shall be given high~~  
 11 ~~school credit for that credit.~~

12 (1) ~~(3)~~ For the purposes of this section and section 1278a,  
 13 the department shall do all of the following:

14 (a) Develop subject area content expectations that apply to  
 15 the credit requirements of the Michigan merit standard that are  
 16 required under ~~subsection (1)(a) and (b) and section 1278a(1)(a)(i)~~  
 17 ~~and (ii) and develop guidelines for the remaining credit~~  
 18 ~~requirements of the Michigan merit standard that are required under~~  
 19 ~~this section and section 1278a(1)(a), for the online course or~~  
 20 ~~learning experience required under section 1278a(1)(b), and for the~~  
 21 ~~requirements for a language other than English under section~~

22 ~~1278a(2)~~ **SECTION 1278A.** All of the following apply to these subject  
 23 area content expectations and guidelines:

24 (i) All subject area content expectations shall be consistent  
 25 with the state board recommended model core academic curriculum  
 26 content standards under section 1278. Subject area content  
 27 expectations or guidelines shall not include attitudes, beliefs, or

1 value systems that are not essential in the legal, economic, and  
2 social structure of our society and to the personal and social  
3 responsibility of citizens of our society. The subject area content  
4 expectations shall require pupils to demonstrate critical thinking  
5 skills.

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

8 (iii) The subject area content expectations shall state in clear  
9 and measurable terms what pupils are expected to know upon  
10 completion of each credit.

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

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

22 (vi) If the department has not completed development of the  
23 subject area content expectations that apply to a particular credit  
24 required in the Michigan merit standard under ~~subsection (1) or~~  
25 ~~section 1278a(1)(a)~~ **SECTION 1278A** by the date required under this  
26 subdivision, a school district or public school academy may align  
27 the content of the credit with locally adopted standards.

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

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

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

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

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

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

19           (D) Representatives from the business community.

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

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

24           (G) Parents of public school pupils.

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

27           (iii) An opportunity for the public to review and provide input

1 on the proposed subject area content expectations or guidelines  
2 before they are submitted to the state board for approval. The time  
3 period allowed for this review and input shall be at least 15  
4 business days.

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

9 (C) ~~(d)~~—Develop and make available material to assist school  
10 districts and public school academies in implementing the  
11 requirements of this section and section 1278a. This shall include  
12 developing guidelines for alternative instructional delivery  
13 methods as described in subsection ~~(7)~~—(5).

14 (2) ~~(4)~~—The state board shall approve subject area content  
15 expectations and guidelines developed by the department under  
16 subsection ~~(3)~~—(1) before those subject area content expectations  
17 and guidelines may take effect. ~~The state board also shall approve~~  
18 ~~the basic level of technology and internet access required for~~  
19 ~~pupils to complete the online course or learning experience~~  
20 ~~requirement of section 1278a(1)(b).~~

21 (3) ~~(5)~~—The parent or legal guardian of a pupil may request a  
22 personal curriculum under this subsection for the pupil that  
23 modifies certain of the Michigan merit standard requirements under  
24 subsection ~~(1) or section 1278a(1)(a)~~—**SECTION 1278A**. If all of the  
25 requirements under this subsection for a personal curriculum are  
26 met, then the board of a school district or board of directors of a  
27 public school academy may award a high school diploma to a pupil

1 who successfully completes his or her personal curriculum even if  
2 it does not meet the requirements of the Michigan merit standard  
3 required under ~~subsection (1) and section 1278a(1)(a)~~ **SECTION**

4 **1278A**. All of the following apply to a personal curriculum:

5 (a) The personal curriculum shall be developed by a group that  
6 includes at least the pupil, at least 1 of the pupil's parents or  
7 the pupil's legal guardian, and the pupil's high school counselor  
8 or another designee qualified to act in a counseling role under  
9 section 1233 or 1233a selected by the high school principal. In  
10 addition, for a pupil who receives special education services, a  
11 school psychologist should also be included in this group.

12 (b) The personal curriculum shall incorporate as much of the  
13 subject area content expectations of the Michigan merit standard  
14 required under ~~subsection (1) and section 1278a(1)(a)~~ **SECTION 1278A**  
15 as is practicable for the pupil; shall establish measurable goals  
16 that the pupil must achieve while enrolled in high school and shall  
17 provide a method to evaluate whether the pupil achieved these  
18 goals; and shall be aligned with the pupil's educational  
19 development plan developed under ~~subsection (11)~~ **(9)**.

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

24 (d) The pupil's parent or legal guardian shall be in  
25 communication with each of the pupil's teachers at least once each  
26 calendar quarter to monitor the pupil's progress toward the goals  
27 contained in the pupil's personal curriculum.

1 (e) Revisions may be made in the personal curriculum if the  
2 revisions are developed and agreed to in the same manner as the  
3 original personal curriculum.

4 (f) The English language arts ~~credit requirements of~~  
5 ~~subsection (1)(a) and the science credit requirements of subsection~~  
6 ~~(1)(b)~~ **SECTION 1278A** are not subject to modification as part of a  
7 personal curriculum under this subsection.

8 (g) ~~Except as otherwise provided in this subdivision, the~~  
9 ~~mathematics credit requirements of section 1278a(1)(a)(i) may be~~  
10 ~~modified as part of a personal curriculum only after the pupil has~~  
11 ~~successfully completed at least 2 1/2 credits of the mathematics~~  
12 ~~credits required under that section and only if the pupil~~  
13 ~~successfully completes at least 3 1/2 total credits of the~~  
14 ~~mathematics credits required under that section before completing~~  
15 ~~high school. The requirement under that section that a pupil must~~  
16 ~~successfully complete at least 1 mathematics course during his or~~  
17 ~~her final year of high school enrollment is not subject to~~  
18 ~~modification as part of a personal curriculum under this~~  
19 ~~subsection. The algebra II credit required under that section may~~  
20 ~~be modified as part of a personal curriculum under this subsection~~  
21 ~~only if the pupil has successfully completed at least 2 credits of~~  
22 ~~the mathematics credits required under section 1278a(1)(a)(i) and~~  
23 ~~meets 1 or more of the following:~~

24 ~~—— (i) Has successfully completed the same content as 1 semester~~  
25 ~~of algebra II, as determined by the department.~~

26 ~~—— (ii) Elects to complete the same content as algebra II over 2~~  
27 ~~years, with a credit awarded for each of those 2 years, and~~

1 ~~successfully completes that content.~~

2 ~~—— (iii) Enrolls in a formal career and technical education program~~  
3 ~~or curriculum and in that program or curriculum successfully~~  
4 ~~completes the same content as 1 semester of algebra II, as~~  
5 ~~determined by the department.~~

6 (h) The social science credit requirements of section  
7 ~~1278a(1)(a)(ii)~~ **1278A** may be modified as part of a personal  
8 curriculum only if all of the following are met:

9 ~~—— (i) The **THE** pupil has successfully completed 2 credits of the~~  
10 ~~social science credits required under section 1278a(1), including~~  
11 ~~the civics course described in section 1166(2).~~

12 ~~—— (ii) The modification requires the pupil to complete 1~~  
13 ~~additional credit in English language arts, mathematics, or science~~  
14 ~~or 1 additional credit in a language other than English. This~~  
15 ~~additional credit must be in addition to the number of those~~  
16 ~~credits otherwise required under subsection (1) and section~~  
17 ~~1278a(1) or under section 1278a(2).~~

18 ~~—— (i) The health and physical education credit requirement under~~  
19 ~~section 1278a(1)(a)(iii) may be modified as part of a personal~~  
20 ~~curriculum only if the modification requires the pupil to complete~~  
21 ~~1 additional credit in English language arts, mathematics, or~~  
22 ~~science or 1 additional credit in a language other than English.~~  
23 ~~This additional credit must be in addition to the number of those~~  
24 ~~credits otherwise required under subsection (1) and section~~  
25 ~~1278a(1) or under section 1278a(2).~~

26 ~~—— (j) The visual arts, performing arts, or applied arts credit~~  
27 ~~requirement under section 1278a(1)(a)(iv) may be modified as part of~~

1 ~~a personal curriculum only if the modification requires the pupil~~  
2 ~~to complete 1 additional credit in English language arts,~~  
3 ~~mathematics, or science or 1 additional credit in a language other~~  
4 ~~than English. This additional credit must be in addition to the~~  
5 ~~number of those credits otherwise required under subsection (1) and~~  
6 ~~section 1278a(1) or under section 1278a(2).~~

7 (I) ~~(k)~~—If the parent or legal guardian of a pupil requests as  
8 part of the pupil's personal curriculum a modification of the  
9 Michigan merit standard requirements that would not otherwise be  
10 allowed under this section and demonstrates that the modification  
11 is necessary because the pupil is a child with a disability, the  
12 school district or public school academy may allow that additional  
13 modification to the extent necessary because of the pupil's  
14 disability if the group under subdivision (a) determines that the  
15 modification is consistent with both the pupil's educational  
16 development plan under subsection ~~(11)~~ (9) and the pupil's  
17 individualized education program. If the superintendent of public  
18 instruction has reason to believe that a school district or a  
19 public school academy is allowing modifications inconsistent with  
20 the requirements of this subdivision, the superintendent of public  
21 instruction shall monitor the school district or public school  
22 academy to ensure that the school district's or public school  
23 academy's policies, procedures, and practices are in compliance  
24 with the requirements for additional modifications under this  
25 subdivision. As used in this subdivision, "child with a disability"  
26 means that term as defined in 20 USC 1401.

27 (J) ~~(l)~~—If a pupil transfers to a school district or public

1 school academy from out of state or from a nonpublic school, the  
2 pupil's parent or legal guardian may request, as part of the  
3 pupil's personal curriculum, a modification of the Michigan merit  
4 standard requirements that would not otherwise be allowed under  
5 this section. The school district or public school academy may  
6 allow this additional modification for a transfer pupil if all of  
7 the following are met:

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

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

18 (iii) The transfer pupil's personal curriculum requires the  
19 pupil to successfully complete at least 1 mathematics course during  
20 his or her final year of high school enrollment. In addition, if  
21 the transfer pupil is enrolled in the school district or public  
22 school academy for at least 1 full school year, both of the  
23 following apply:

24 (A) The transfer pupil's personal curriculum shall require  
25 that this mathematics course is at least algebra I.

26 (B) If the transfer pupil demonstrates that he or she has  
27 mastered the content of algebra I, the transfer pupil's personal

1 curriculum shall require that this mathematics course is a course  
2 normally taken after completing algebra I.

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

5 (K) ~~(m)~~—If a pupil is at least age 18 or is an emancipated  
6 minor, the pupil may act on his or her own behalf under this  
7 subsection.

8 (I) ~~(n)~~—This subsection does not apply to a pupil enrolled in a  
9 high school that is designated as a specialty school under section  
10 1278a(5) and that is exempt under that section from the English  
11 language arts ~~requirement under subsection (1)(a) and the AND~~  
12 social science credit ~~requirement~~ **REQUIREMENTS** under section  
13 ~~1278a(1)(a)(ii)~~ **1278A**.

14 (4) ~~(6)~~—If a pupil receives special education services, the  
15 pupil's individualized education program, in accordance with the  
16 individuals with disabilities education act, title VI of Public Law  
17 91-230, shall identify the appropriate course or courses of study  
18 and identify the supports, accommodations, and modifications  
19 necessary to allow the pupil to progress in the curricular  
20 requirements of ~~this section and section 1278a~~, or in a personal  
21 curriculum as provided under subsection ~~(5)~~ **(3)**, and meet the  
22 requirements for a high school diploma.

23 (5) ~~(7)~~—The board of a school district or board of directors  
24 of a public school academy that operates a high school shall ensure  
25 that each pupil is offered the curriculum necessary for the pupil  
26 to meet the curricular requirements of ~~this section and section~~  
27 1278a. The board or board of directors may provide this curriculum

1 by providing the credits specified in ~~this section and~~ section  
2 1278a, by using alternative instructional delivery methods such as  
3 alternative course work, humanities course sequences, career and  
4 technical education, industrial technology courses, or vocational  
5 education, or by a combination of these. School districts and  
6 public school academies that operate career and technical education  
7 programs are encouraged to integrate the credit requirements of  
8 ~~this section and~~ section 1278a into those programs.

9 (6) ~~(8)~~—If the board of a school district or board of  
10 directors of a public school academy wants its high school to be  
11 accredited under section 1280, the board or board of directors  
12 shall ensure that all elements of the curriculum required under  
13 ~~this section and~~ section 1278a are made available to all affected  
14 pupils. If a school district or public school academy does not  
15 offer all of the required credits, the board of the school district  
16 or board of directors of the public school academy shall ensure  
17 that the pupil has access to the required credits by another means,  
18 such as enrollment in a postsecondary course under the  
19 postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to  
20 388.524; enrollment in an online course; a cooperative arrangement  
21 with a neighboring school district or with a public school academy;  
22 or granting approval under section 6(6) of the state school aid act  
23 of 1979, MCL 388.1606, for the pupil to be counted in membership in  
24 another school district.

25 (7) ~~(9)~~—If a pupil is not successfully completing a credit  
26 required for graduation under ~~this section and~~ section 1278a, or is  
27 identified as being at risk of withdrawing from high school, then

1 the pupil's school district or public school academy shall notify  
2 the pupil's parent or legal guardian or, if the pupil is at least  
3 age 18 or is an emancipated minor, the pupil, of the availability  
4 of tutoring or other supplemental educational support and  
5 counseling services that may be available to the pupil under  
6 existing state or federal programs, such as those programs or  
7 services available under section 31a of the state school aid act of  
8 1979, MCL 388.1631a, or under the no child left behind act of 2001,  
9 Public Law 107-110.

10 (8) ~~(10)~~ To the extent required by the no child left behind  
11 act of 2001, Public Law 107-110, the board of a school district or  
12 public school academy shall ensure that all components of the  
13 curricular requirements under ~~this section and~~ section 1278a are  
14 taught by highly qualified teachers. If a school district or public  
15 school academy demonstrates to the department that the school  
16 district or public school academy is unable to meet the  
17 requirements of this section because the school district or public  
18 school academy is unable to hire enough highly qualified teachers,  
19 the department shall work with the school district or public school  
20 academy to develop a plan to allow the school district or public  
21 school academy to hire enough highly qualified teachers to meet the  
22 requirements of this section.

23 (9) ~~(11)~~ The board of a school district or board of directors  
24 of a public school academy shall ensure that each pupil in grade 7  
25 is provided with the opportunity to develop an educational  
26 development plan, and that each pupil has developed an educational  
27 development plan before he or she begins high school. An

1 educational development plan shall be developed by the pupil under  
2 the supervision of the pupil's school counselor or another designee  
3 qualified to act in a counseling role under section 1233 or 1233a  
4 selected by the high school principal and shall be based on a  
5 career pathways program or similar career exploration program. In  
6 addition, if the pupil receives special education services, a  
7 school psychologist should also participate in developing the  
8 pupil's educational development plan.

9 (10) ~~(12)~~ Except as otherwise provided in this subsection, if  
10 a school district or public school academy is unable to implement  
11 all of the curricular requirements of ~~this section and~~ section  
12 1278a for pupils entering grade 9 in 2007 or is unable to implement  
13 another requirement of this section or section 1278a, the school  
14 district or public school academy may apply to the department for  
15 permission to phase in 1 or more of the requirements of this  
16 section or section 1278a. To apply, the school district or public  
17 school academy shall submit a proposed phase-in plan to the  
18 department. The department shall approve a phase-in plan if the  
19 department determines that the plan will result in the school  
20 district or public school academy making satisfactory progress  
21 toward full implementation of the requirements of this section and  
22 section 1278a. If the department disapproves a proposed phase-in  
23 plan, the department shall work with the school district or public  
24 school academy to develop a satisfactory plan that may be approved.  
25 However, if legislation is enacted that adds section 1290 to allow  
26 school districts and public school academies to apply for a  
27 contract that waives certain state or federal requirements, then

1 this subsection does not apply but a school district or public  
2 school academy may take action as described in subsection ~~(13)~~  
3 **(11)**. This subsection does not apply to a high school that is  
4 designated as a specialty school under section 1278a(5) and that is  
5 exempt under that section from the English language arts  
6 ~~requirement under subsection (1)(a) and the~~ **AND** social science  
7 credit ~~requirement~~ **REQUIREMENTS** under section ~~1278a(1)(a)(ii)~~ **1278A**.

8 **(11)** ~~(13)~~—If a school district or public school academy does  
9 not offer all of the required credits or provide options to have  
10 access to the required credits as provided under subsection ~~(8)~~ **(6)**  
11 and if legislation is enacted that adds section 1290 to allow  
12 school districts and public school academies to apply for a  
13 contract that waives certain state or federal requirements, then  
14 the school district or public school academy is encouraged to apply  
15 for a contract under section 1290. The purpose of a contract  
16 described in this subsection is to improve pupil performance.

17 **(12)** ~~(14)~~—This section and section 1278a do not prohibit a  
18 pupil from satisfying or exceeding the credit requirements of the  
19 Michigan merit standard under ~~this section and~~ section 1278a  
20 through advanced studies such as accelerated course placement,  
21 advanced placement, dual enrollment in a postsecondary institution,  
22 or participation in the international baccalaureate program or an  
23 early college/middle college program.

24 **(13)** ~~(15)~~—Not later than April 1 of each year, the department  
25 shall submit an annual report to the legislature that evaluates the  
26 overall success of the curriculum required under ~~this section and~~  
27 section 1278a, the rigor and relevance of the course work required

1 by the curriculum, the ability of public schools to implement the  
2 curriculum and the required course work, and the impact of the  
3 curriculum on pupil success, and that details any activities the  
4 department has undertaken to implement this section and section  
5 1278a or to assist public schools in implementing the requirements  
6 of this section and section 1278a.