

HOUSE BILL No. 5142

June 24, 2009, Introduced by Reps. Pearce, Ball, Agema, Haines, Moore and Dean and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 1278a, 1278b, and 1279b (MCL 380.1278a,
380.1278b, and 380.1279b), section 1278a as amended by 2008 PA 316,
section 1278b as amended by 2007 PA 141, and section 1279b as added
by 1993 PA 335.

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

1 requirements of the Michigan merit standard before graduating from
2 high school:

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

18 (ii) At least 3 credits in social science that are aligned with
19 subject area content expectations developed by the department and
20 approved by the state board under section 1278b, including
21 completion of at least 1 credit in United States history and
22 geography, 1 credit in world history and geography, 1/2 credit in
23 economics, and the civics course described in section 1166(2).

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

27 (iv) At least 1 credit in visual arts, performing arts, or

1 applied arts, as defined by the department, that is aligned with
2 guidelines developed by the department and approved by the state
3 board under section 1278b.

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

5 (b) Meets the online course or learning experience requirement
6 of this subsection. A school district or public school academy
7 shall provide the basic level of technology and internet access
8 required by the state board to complete the online course or
9 learning experience. For a pupil to meet this requirement, the
10 pupil shall meet either of the following, as determined by the
11 school district or public school academy:

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

14 (ii) The pupil's school district or public school academy has
15 integrated an online experience throughout the high school
16 curriculum by ensuring that each teacher of each course that
17 provides the required credits of the Michigan merit curriculum has
18 integrated an online experience into the course.

19 ~~—— (2) In addition to the requirements under subsection (1),~~
20 ~~beginning with pupils entering grade 3 in 2006, the board of a~~
21 ~~school district or board of directors of a public school academy~~
22 ~~shall not award a high school diploma to a pupil unless the pupil~~
23 ~~has successfully completed during grades 9 to 12 at least 2~~
24 ~~credits, as determined by the department, in a language other than~~
25 ~~English, or the pupil has successfully completed at any time during~~
26 ~~grades K to 12 course work or other learning experiences that are~~
27 ~~substantially equivalent to 2 credits in a language other than~~

~~English, based on guidelines developed by the department. For the purposes of this subsection, all of the following apply:~~

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

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

(2) THE DEPARTMENT SHALL DEVELOP, WITH STATE BOARD APPROVAL, A MODEL POLICY REGARDING INSTRUCTION IN LANGUAGES OTHER THAN ENGLISH. THIS MODEL POLICY SHALL ADDRESS THE GRADE LEVELS IN BOTH THE ELEMENTARY AND SECONDARY LEVELS AT WHICH PUPILS LEARN LANGUAGES OTHER THAN ENGLISH MOST EFFECTIVELY AND SHALL PROVIDE GUIDELINES ON HOW TO PROVIDE INSTRUCTION IN THOSE GRADES. FOR THE PURPOSES OF THIS SECTION, AMERICAN SIGN LANGUAGE IS CONSIDERED A LANGUAGE OTHER THAN ENGLISH. SCHOOL DISTRICTS AND PUBLIC SCHOOL ACADEMIES ARE ENCOURAGED TO PROVIDE INSTRUCTION IN ACCORDANCE WITH THIS MODEL POLICY AND ARE ENCOURAGED TO PROVIDE INSTRUCTION IN THE ELEMENTARY GRADES IN LANGUAGES OTHER THAN ENGLISH.

(3) The requirements under this section and section 1278b for a high school diploma are in addition to any local requirements imposed by the board of a school district or board of directors of a public school academy. The board of a school district or board of directors of a public school academy, as a local requirement for a high school diploma, may require a pupil to complete ~~some or all of the subject area assessments under section 1279 or the Michigan merit examination under section 1279g, as applicable to the pupil under section 1279g,~~ or may require a pupil to participate in the MIAccess assessments if appropriate for the pupil.

1 (4) For the purposes of this section and section 1278b, all of
2 the following apply:

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

6 (b) A school district or public school academy shall base its
7 determination of whether a pupil has successfully completed the
8 subject area content expectations or guidelines developed by the
9 department that apply to a credit at least in part on the pupil's
10 performance on the assessments developed or selected by the
11 department under section 1278b or on 1 or more assessments
12 developed or selected by the school district or public school
13 academy that measure a pupil's understanding of the subject area
14 content expectations or guidelines that apply to the credit.

15 (c) A school district or public school academy shall also
16 grant a pupil a credit if the pupil earns a qualifying score, as
17 determined by the department, on the assessments developed or
18 selected for the subject area by the department under section 1278b
19 or the pupil earns a qualifying score, as determined by the school
20 district or public school academy, 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 (5) If a high school is designated by the superintendent of
25 public instruction as a specialty school and the high school meets
26 the requirements of subsection (6), then the pupils of the high
27 school are not required to successfully complete the 4 credits in

English language arts required under section 1278b(1)(a) or the 3 credits in social science required under subsection (1)(a)(ii) and the school district or public school academy is not required to ensure that each pupil is offered the curriculum necessary for meeting those English language arts or social science credit requirements. The superintendent of public instruction may designate up to 15 high schools that meet the requirements of this subsection as specialty schools. Subject to this maximum number, the superintendent of public instruction shall designate a high school as a specialty school if the superintendent of public instruction finds that the high school meets all of the following criteria:

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

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

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

(a) The high school clearly states to prospective pupils and their parents that it does not meet the requirements of the Michigan merit standard under this section and section 1278b but is

1 a designated specialty school that is exempt from some of those
2 requirements and that a pupil who enrolls in the high school and
3 subsequently transfers to a high school that is not a specialty
4 school meeting the requirements of this subsection will be required
5 to comply with the requirements of the Michigan merit standard
6 under this section and section 1278b.

7 (b) For the most recent year for which the data are available,
8 the mean scores on both the mathematics and science portions of the
9 ACT examination for the pupils of the high school exceed by at
10 least 10% the mean scores on the mathematics and science portions
11 of the ACT examination for the pupils of the school district in
12 which the greatest number of the pupils of the high school reside.

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

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

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

23 (f) All pupils of the high school are required to meet the
24 science credit requirements of section 1278b(1)(b) and are also
25 required to successfully complete at least 1 additional science
26 credit, for a total of at least 4 science credits, with no
27 modification of these requirements under section 1278b(5), and each

1 pupil is offered the curriculum necessary to meet this requirement.

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

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

12 (b) At least 3 credits in science that are aligned with
13 subject area content expectations developed by the department and
14 approved by the state board under this section, including
15 completion of at least 1 biology **CREDIT**, ~~and either 1 chemistry or~~
16 ~~physics . The legislature strongly encourages pupils to complete a~~
17 ~~fourth credit in science, such as forensics, astronomy, Earth~~
18 ~~science, agricultural science, environmental science, geology,~~
19 ~~physics or chemistry, physiology, or microbiology CREDIT, AND AN~~
20 **ADDITIONAL SCIENCE CREDIT APPROVED BY THE DEPARTMENT. AT LEAST 1 OF**
21 **THE ADDITIONAL SCIENCE CREDITS APPROVED BY THE DEPARTMENT SHALL BE**
22 **A CREDIT IN EARTH SCIENCE.**

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

25 (2) If a pupil successfully completes 1 or more of the high
26 school credits required under subsection (1) or under section
27 1278a(1) before entering high school, the pupil shall be given high

1 school credit for that credit.

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

4 (a) Develop subject area content expectations that apply to
5 the credit requirements of the Michigan merit standard that are
6 required under subsection (1)(a) and (b) and section 1278a(1)(a)(i)
7 and (ii) and develop guidelines for the remaining credit
8 requirements of the Michigan merit standard that are required under
9 this section and section 1278a(1)(a), for the online course or
10 learning experience required under section 1278a(1)(b), and for the
11 ~~requirements for a language~~ **POLICY REGARDING LANGUAGES** other than
12 English under section 1278a(2). All of the following apply to these
13 subject area content expectations and guidelines:

14 (i) All subject area content expectations shall be consistent
15 with the state board recommended model core academic curriculum
16 content standards under section 1278. Subject area content
17 expectations or guidelines shall not include attitudes, beliefs, or
18 value systems that are not essential in the legal, economic, and
19 social structure of our society and to the personal and social
20 responsibility of citizens of our society. ~~The subject area content~~
21 ~~expectations shall require pupils to demonstrate critical thinking~~
22 ~~skills.~~

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

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

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

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

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

17 (vii) Until all of the subject area content expectations and
18 guidelines have been developed by the department and approved by
19 the state board, the department shall submit a report at least
20 every 6 months to the senate and house standing committees
21 responsible for education legislation on the status of the
22 development of the subject area content expectations and
23 guidelines. The report shall detail any failure by the department
24 to meet a deadline established under subparagraph (iv) or (v) and
25 the reasons for that failure.

26 (viii) **THE SUBJECT AREA CONTENT EXPECTATIONS FOR ENGLISH**
27 **LANGUAGE ARTS SHALL INCLUDE AT LEAST A FOCUS ON READING AND**

1 WRITING.

2 (ix) THE SUBJECT AREA CONTENT EXPECTATIONS FOR MATHEMATICS
3 SHALL FOCUS ON THE STUDY OF MEASUREMENT, PROPERTIES, AND
4 RELATIONSHIPS OF QUANTITIES AND SETS, USING BOTH NUMBERS AND
5 SYMBOLS.

6 (x) THE SUBJECT AREA CONTENT EXPECTATIONS FOR SCIENCE SHALL
7 INCLUDE AT LEAST THE USE OF THE SCIENTIFIC METHOD TO CRITICALLY
8 EVALUATE SCIENTIFIC THEORIES AND USING RELEVANT SCIENTIFIC DATA TO
9 ASSESS THE VALIDITY OF THOSE THEORIES AND FORMULATE ARGUMENTS FOR
10 AND AGAINST THOSE THEORIES.

11 (xi) THE SUBJECT AREA CONTENT EXPECTATIONS FOR CIVICS SHALL
12 INCLUDE AT LEAST A FOCUS ON THE CONSTITUTION OF THE UNITED STATES,
13 THE CONSTITUTION OF THIS STATE, AND THE HISTORY AND PRESENT FORM OF
14 GOVERNMENT OF THE UNITED STATES AND OF THIS STATE AND ITS POLITICAL
15 SUBDIVISIONS.

16 (xii) THE SUBJECT AREA CONTENT EXPECTATIONS FOR ECONOMICS SHALL
17 INCLUDE AT LEAST A FOCUS ON THE FUNDAMENTAL CONCEPTS OF
18 MICROECONOMICS, MACROECONOMICS, INTERNATIONAL ECONOMICS, AND
19 PERSONAL FINANCE.

20 (xiii) THE SUBJECT AREA CONTENT EXPECTATIONS FOR UNITED STATES
21 HISTORY AND GEOGRAPHY SHALL INCLUDE AT LEAST A FOCUS ON THE HISTORY
22 OF THE AMERICAN EXPERIMENT OF LIBERTY UNDER LAW AND SHALL COVER
23 AMERICAN COLONIAL HERITAGE AND THE FOUNDING OF THE REPUBLIC TO
24 PRESENT DAY.

25 (xiv) THE SUBJECT AREA CONTENT EXPECTATIONS FOR WORLD HISTORY
26 AND GEOGRAPHY SHALL INCLUDE AT LEAST A FOCUS ON ANALYZING AND
27 INTERPRETING DOCUMENTS, ACCOUNTS, ARTIFACTS, AND HISTORICAL SITES

1 FROM THE EARLIEST CIVILIZATIONS TO PRESENT DAY TO UNDERSTAND THE
2 LONG-TERM CONSEQUENCES OF DECISIONS OR EVENTS.

3 (xv) THE GUIDELINES FOR PROVIDING SUBJECT MATTER THAT INCLUDES
4 HEALTH AND PHYSICAL EDUCATION SHALL BE CONSISTENT WITH THE MICHIGAN
5 MODEL FOR COMPREHENSIVE SCHOOL HEALTH EDUCATION AND WITH PART 21.

6 (xvi) THE GUIDELINES FOR PROVIDING INSTRUCTION IN VISUAL AND
7 PERFORMING ARTS SHALL INCLUDE AT LEAST A FOCUS ON EXPANDING A
8 PUPIL'S CREATIVE CAPACITY BY PROVIDING FIRSTHAND EXPERIENCE WITH
9 WORKS OF ART OR MUSIC.

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 (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).

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

21 (5) The parent or legal guardian of a pupil, **A TEACHER WHO IS**
22 **CURRENTLY TEACHING THE PUPIL, WHO CURRENTLY TEACHES IN OR WHOSE**
23 **EXPERTISE IS IN A SUBJECT AREA PROPOSED TO BE MODIFIED BY THE**
24 **PERSONAL CURRICULUM, OR WHO IS DETERMINED BY THE PRINCIPAL TO HAVE**
25 **QUALIFICATIONS OTHERWISE RELEVANT TO DEVELOPING A PERSONAL**
26 **CURRICULUM, OR A SCHOOL COUNSELOR OR SCHOOL EMPLOYEE QUALIFIED TO**
27 **ACT IN A COUNSELING ROLE UNDER SECTION 1233 OR 1233A** may request a

1 personal curriculum under this subsection for the pupil that
2 modifies certain of the Michigan merit standard requirements under
3 subsection (1) or section 1278a(1)(a). **A TEACHER, SCHOOL COUNSELOR,**
4 **OR SCHOOL EMPLOYEE QUALIFIED TO ACT IN A COUNSELING ROLE UNDER**
5 **SECTION 1233 OR 1233A MAY CONTACT A PUPIL'S PARENT OR LEGAL**
6 **GUARDIAN TO DISCUSS THE POSSIBILITY AND POTENTIAL BENEFITS OF A**
7 **PERSONAL CURRICULUM UNDER THIS SUBSECTION FOR THE PUPIL.** If all of
8 the requirements under this subsection for a personal curriculum
9 are met, then the board of a school district or board of directors
10 of a public school academy may award a high school diploma to a
11 pupil who successfully completes his or her personal curriculum
12 even if it does not meet the requirements of the Michigan merit
13 standard required under subsection (1) and section 1278a(1)(a). All
14 of the following apply to a personal curriculum:

15 (a) The personal curriculum shall be developed by a group that
16 includes at least the pupil, at least 1 of the pupil's parents or
17 the pupil's legal guardian, **A TEACHER DESCRIBED IN THIS**
18 **SUBDIVISION,** and the pupil's high school counselor or another
19 designee qualified to act in a counseling role under section 1233
20 or 1233a selected by the high school principal. In addition, for a
21 pupil who receives special education services, a school
22 psychologist should also be included in this group. **THE TEACHER**
23 **INCLUDED IN THE GROUP DEVELOPING THE PERSONAL CURRICULUM SHALL BE A**
24 **TEACHER WHO IS CURRENTLY TEACHING THE PUPIL, WHO CURRENTLY TEACHES**
25 **IN OR WHOSE EXPERTISE IS IN A SUBJECT AREA BEING MODIFIED BY THE**
26 **PERSONAL CURRICULUM, OR WHO IS DETERMINED BY THE PRINCIPAL TO HAVE**
27 **QUALIFICATIONS OTHERWISE RELEVANT TO THE GROUP.**

1 (b) The personal curriculum shall incorporate as much of the
2 subject area content expectations of the Michigan merit standard
3 required under subsection (1) and section 1278a(1)(a) as is
4 practicable for the pupil; shall establish measurable goals that
5 the pupil must achieve while enrolled in high school and shall
6 provide a method to evaluate whether the pupil achieved these
7 goals; **SHALL BE DESIGNED TO PREPARE THE PUPIL FOR EMPLOYMENT AFTER**
8 **GRADUATION FROM HIGH SCHOOL OR FOR ENROLLMENT IN A 4-YEAR COLLEGE**
9 **OR UNIVERSITY, A COMMUNITY COLLEGE, OR A POSTSECONDARY TRADE,**
10 **TECHNICAL, OR VOCATIONAL INSTITUTION AFTER GRADUATION FROM HIGH**
11 **SCHOOL;** and shall be aligned with the pupil's educational
12 development plan developed under subsection (11).

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

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

21 **(E) A GROUP CONSISTING OF THE SAME PEOPLE AS UNDER SUBDIVISION**
22 **(A) SHALL AT LEAST ANNUALLY REVIEW THE PUPIL'S PROGRESS TOWARD THE**
23 **GOALS CONTAINED IN THE PUPIL'S PERSONALIZED CURRICULUM.**

24 **(F)** ~~(e)~~ Revisions may be made in the personal curriculum if
25 the revisions are developed and agreed to in the same manner as the
26 original personal curriculum.

27 ~~(f) The English language arts credit requirements of~~

~~subsection (1) (a) and the science credit requirements of subsection (1) (b) are not subject to modification as part of a personal curriculum under this subsection.~~

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

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

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

~~—— (iii) Enrolls in a formal career and technical education program or curriculum and in that program or curriculum successfully completes the same content as 1 semester of algebra II, as~~

1 ~~determined by the department.~~

2 ~~—— (h) The social science credit requirements of section~~
3 ~~1278a(1) (a) (ii) may be modified as part of a personal curriculum~~
4 ~~only if all of the following are met:~~

5 ~~—— (i) The pupil has successfully completed 2 credits of the~~
6 ~~social science credits required under section 1278a(1), including~~
7 ~~the civics course described in section 1166(2).~~

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

14 ~~—— (i) The health and physical education credit requirement under~~
15 ~~section 1278a(1) (a) (iii) may be modified as part of a personal~~
16 ~~curriculum only if the modification requires the pupil to complete~~
17 ~~1 additional credit in English language arts, mathematics, or~~
18 ~~science or 1 additional credit in a language other than English.~~
19 ~~This additional credit must be in addition to the number of those~~
20 ~~credits otherwise required under subsection (1) and section~~
21 ~~1278a(1) or under section 1278a(2).~~

22 ~~—— (j) The visual arts, performing arts, or applied arts credit~~
23 ~~requirement under section 1278a(1) (a) (iv) may be modified as part of~~
24 ~~a personal curriculum only if the modification requires the pupil~~
25 ~~to complete 1 additional credit in English language arts,~~
26 ~~mathematics, or science or 1 additional credit in a language other~~
27 ~~than English. This additional credit must be in addition to the~~

~~number of those credits otherwise required under subsection (1) and section 1278a(1) or under section 1278a(2).~~

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

~~—— (l) If a pupil transfers to a school district or public school academy from out of state or from a nonpublic school, the pupil's parent or legal guardian may request, as part of the pupil's personal curriculum, a modification of the Michigan merit standard requirements that would not otherwise be allowed under this~~

~~section. The school district or public school academy may allow this additional modification for a transfer pupil if all of the following are met:~~

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

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

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

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

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

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

1 (G) ~~(m)~~—If a pupil is at least age 18 or is an emancipated
2 minor, the pupil may act on his or her own behalf under this
3 subsection.

4 (H) ~~(n)~~—This subsection does not apply to a pupil enrolled in
5 a high school that is designated as a specialty school under
6 section 1278a(5) and that is exempt under that section from the
7 English language arts requirement under subsection (1)(a) and the
8 social science credit requirement under section 1278a(1)(a)(ii).

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

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

1 public school academies that operate career and technical education
2 programs are encouraged to integrate the credit requirements of
3 this section and section 1278a into those programs.

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

20 (9) If a pupil is not successfully completing a credit
21 required for graduation under this section and section 1278a, or is
22 identified as being at risk of withdrawing from high school, then
23 the pupil's school district or public school academy shall notify
24 the pupil's parent or legal guardian or, if the pupil is at least
25 age 18 or is an emancipated minor, the pupil, of the availability
26 of tutoring or other supplemental educational support and
27 counseling services that may be available to the pupil under

1 existing state or federal programs, such as those programs or
2 services available under section 31a of the state school aid act of
3 1979, MCL 388.1631a, or under the no child left behind act of 2001,
4 Public Law 107-110.

5 (10) To the extent required by the no child left behind act of
6 2001, Public Law 107-110, the board of a school district or public
7 school academy shall ensure that all components of the curricular
8 requirements under this section and section 1278a are taught by
9 highly qualified teachers. If a school district or public school
10 academy demonstrates to the department that the school district or
11 public school academy is unable to meet the requirements of this
12 section because the school district or public school academy is
13 unable to hire enough highly qualified teachers, the department
14 shall work with the school district or public school academy to
15 develop a plan to allow the school district or public school
16 academy to hire enough highly qualified teachers to meet the
17 requirements of this section.

18 (11) The board of a school district or board of directors of a
19 public school academy ~~shall ensure that each pupil in grade 7 is~~
20 ~~provided with the opportunity to develop an educational development~~
21 ~~plan, and that each pupil has developed an educational development~~
22 ~~plan before he or she begins high school. An educational~~
23 ~~development plan shall be developed by the pupil under the~~
24 ~~supervision of the pupil's school counselor or another designee~~
25 ~~qualified to act in a counseling role under section 1233 or 1233a~~
26 ~~selected by the high school principal and shall be based on a~~
27 ~~career pathways program or similar career exploration program. In~~

~~addition, if the pupil receives special education services, a~~
~~school psychologist should also participate in developing the~~
~~pupil's educational development plan~~ THAT OPERATES A HIGH SCHOOL
SHALL ENSURE THAT EACH PUPIL ENTERING HIGH SCHOOL HAS AN
EDUCATIONAL DEVELOPMENT PLAN BEFORE BEGINNING HIGH SCHOOL. ALL OF
THE FOLLOWING APPLY TO AN EDUCATIONAL DEVELOPMENT PLAN:

(A) AN EDUCATIONAL DEVELOPMENT PLAN SHALL BE BASED UPON A
PUPIL'S INDIVIDUAL CAREER OR EDUCATIONAL GOALS AND SHALL IDENTIFY
WHICH COURSES THE PUPIL SHOULD ENROLL IN DURING EACH GRADE OF HIGH
SCHOOL IN ORDER TO ACHIEVE THESE GOALS. AN EDUCATIONAL DEVELOPMENT
PLAN SHALL MEET ALL OF THE FOLLOWING:

(i) SHALL IDENTIFY COURSES THAT ARE ALIGNED WITH THE PUPIL'S
INDIVIDUAL CAREER OR EDUCATIONAL GOALS AND THAT THE PUPIL SHOULD
ENROLL IN TO COMPLETE THE CURRICULUM REQUIRED UNDER SUBSECTION (1).

(ii) SHALL IDENTIFY ELECTIVE COURSES THAT ARE ALIGNED WITH THE
PUPIL'S INDIVIDUAL CAREER OR EDUCATIONAL GOALS AND THAT WILL
PREPARE THE PUPIL FOR EMPLOYMENT AFTER GRADUATION FROM HIGH SCHOOL
OR FOR ENROLLMENT IN A 4-YEAR COLLEGE OR UNIVERSITY, A COMMUNITY
COLLEGE, OR A POSTSECONDARY TRADE, TECHNICAL, OR VOCATIONAL
INSTITUTION AFTER GRADUATION FROM HIGH SCHOOL.

(iii) SHALL IDENTIFY MEASURABLE GOALS THAT A PUPIL SHOULD
ACHIEVE WHILE ENROLLED IN HIGH SCHOOL THAT INDICATE THE PUPIL IS
MAKING PROGRESS TOWARD THE PUPIL'S INDIVIDUAL CAREER OR EDUCATIONAL
GOALS.

(B) AN EDUCATIONAL DEVELOPMENT PLAN SHALL BE DEVELOPED BY THE
PUPIL WITH THE SUPERVISION OF THE COUNSELOR. THE BOARD OF A SCHOOL
DISTRICT OR THE BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY SHALL

1 ENSURE THAT THE PUPIL'S PARENTS OR THE PUPIL'S LEGAL GUARDIAN HAS
2 THE OPPORTUNITY TO PARTICIPATE IN THE DEVELOPMENT OF THE PUPIL'S
3 EDUCATIONAL DEVELOPMENT PLAN.

4 (C) THE BOARD OF A SCHOOL DISTRICT OR THE BOARD OF DIRECTORS
5 OF A PUBLIC SCHOOL ACADEMY SHALL PERIODICALLY NOTIFY THE PUPIL'S
6 PARENT OR THE PUPIL'S LEGAL GUARDIAN ABOUT THE PUPIL'S PROGRESS
7 TOWARD MEETING THE GOALS IDENTIFIED IN THE EDUCATIONAL DEVELOPMENT
8 PLAN.

9 (D) THE PUPIL SHALL BE PROVIDED THE OPPORTUNITY TO ANNUALLY
10 REVIEW AND MODIFY THE PUPIL'S EDUCATIONAL DEVELOPMENT PLAN.
11 MODIFICATIONS MAY BE MADE IN AN EDUCATIONAL DEVELOPMENT PLAN IF THE
12 MODIFICATIONS ARE DEVELOPED IN THE SAME MANNER AS THE ORIGINAL
13 EDUCATIONAL DEVELOPMENT PLAN.

14 (12) Except as otherwise provided in this subsection, if a
15 school district or public school academy is unable to implement all
16 of the curricular requirements of this section and section 1278a
17 for pupils entering grade 9 in 2007 or is unable to implement
18 another requirement of this section or section 1278a, the school
19 district or public school academy may apply to the department for
20 permission to phase in 1 or more of the requirements of this
21 section or section 1278a. To apply, the school district or public
22 school academy shall submit a proposed phase-in plan to the
23 department. The department shall approve a phase-in plan if the
24 department determines that the plan will result in the school
25 district or public school academy making satisfactory progress
26 toward full implementation of the requirements of this section and
27 section 1278a. If the department disapproves a proposed phase-in

1 plan, the department shall work with the school district or public
2 school academy to develop a satisfactory plan that may be approved.
3 However, if legislation is enacted that adds section 1290 to allow
4 school districts and public school academies to apply for a
5 contract that waives certain state or federal requirements, then
6 this subsection does not apply but a school district or public
7 school academy may take action as described in subsection (13).
8 This subsection does not apply to a high school that is designated
9 as a specialty school under section 1278a(5) and that is exempt
10 under that section from the English language arts requirement under
11 subsection (1)(a) and the social science credit requirement under
12 section 1278a(1)(a)(ii).

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

22 (14) This section and section 1278a do not prohibit a pupil
23 from satisfying or exceeding the credit requirements of the
24 Michigan merit standard under this section and section 1278a
25 through advanced studies such as accelerated course placement,
26 advanced placement, dual enrollment in a postsecondary institution,
27 or participation in the international baccalaureate program or an

1 early college/middle college program.

2 (15) Not later than April 1 of each year, the department shall
3 submit an annual report to the legislature that evaluates the
4 overall success of the curriculum required under this section and
5 section 1278a, the rigor and relevance of the course work required
6 by the curriculum, the ability of public schools to implement the
7 curriculum and the required course work, and the impact of the
8 curriculum on pupil success, and that details any activities the
9 department has undertaken to implement this section and section
10 1278a or to assist public schools in implementing the requirements
11 of this section and section 1278a.

12 Sec. 1279b. The board of a school district **OR BOARD OF**
13 **DIRECTORS OF A PUBLIC SCHOOL ACADEMY** shall grant high school credit
14 in any course to a pupil enrolled in high school, but who is not
15 enrolled in the course, who has exhibited a reasonable level of
16 mastery of the subject matter of the course by attaining a grade of
17 not less than C+ in a final exam in the course, or, if there is no
18 final exam, by exhibiting that mastery through the basic assessment
19 used in the course which may consist of a portfolio, performance,
20 paper, project, or presentation. For the purpose of earning credit
21 under this section, any high school pupil may take the final
22 examination in any course. Credit earned under this section shall
23 be based on a "pass" grade and shall not be included in a
24 computation of grade point average for any purpose. Credit earned
25 under this section **SHALL BE COUNTED FOR THE PURPOSE OF DETERMINING**
26 **WHETHER A PUPIL HAS MET THE REQUIREMENTS FOR A HIGH SCHOOL DIPLOMA**
27 **UNDER SECTIONS 1278A AND 1278B. CREDIT EARNED UNDER THIS SECTION**

1 may or may not be counted toward **LOCAL** graduation **REQUIREMENTS**, as
2 the board of the school district **OR BOARD OF DIRECTORS OF THE**
3 **PUBLIC SCHOOL ACADEMY** may determine, but the board's **OR BOARD OF**
4 **DIRECTORS'** determination shall apply equally to all such credit for
5 all pupils and credit earned under this section shall be counted
6 toward fulfillment of a requirement for a subject area course and
7 shall be counted toward fulfillment of a requirement as to course
8 sequence. Once credit is earned under this section, a pupil may not
9 receive credit thereafter for a course lower in course sequence
10 concerning the same subject area.