

SENATE BILL No. 209

March 17, 2015, Introduced by Senators COLBECK, SCHUITMAKER, BOOHER, SHIRKEY, BRANDENBURG, HORN, MARLEAU, KNOLLENBERG, ROBERTSON, KOWALL, PAVLOV and NOFS and referred to the Committee on Education.

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

6 (A) THE CORE PRINCIPLES OF THE DECLARATION OF INDEPENDENCE,

1 INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

2 (i) WE HOLD THESE TRUTHS TO BE SELF-EVIDENT, THAT ALL MEN ARE
3 CREATED EQUAL, THAT THEY ARE ENDOWED BY THEIR CREATOR WITH CERTAIN
4 UNALIENABLE RIGHTS, THAT AMONG THESE ARE LIFE, LIBERTY, AND THE
5 PURSUIT OF HAPPINESS.

6 (ii) THE PURPOSE OF GOVERNMENT IS TO SECURE OUR UNALIENABLE
7 RIGHTS.

8 (iii) GOVERNMENT DERIVES ITS JUST POWERS FROM THE CONSENT OF THE
9 GOVERNED.

10 (B) THE CORE PRINCIPLES OF OUR UNITED STATES CONSTITUTION,
11 INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

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

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

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

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

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

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

1 ORDAIN AND ESTABLISH.

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

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

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

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

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

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

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

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

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

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

25 (C) THE CORE PRINCIPLES OF OUR STATE CONSTITUTION, INCLUDING,
26 BUT NOT LIMITED TO, THE FOLLOWING:

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

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

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

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

9 (v) NO LAW IMPAIRING THE OBLIGATION OF CONTRACT SHALL BE
10 ENACTED.

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

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

16 (viii) EVERY PERSON HAS A RIGHT TO KEEP AND BEAR ARMS FOR THE
17 DEFENSE OF HIMSELF OR HERSELF AND THIS STATE.

18 (ix) THE PUBLIC HEALTH AND GENERAL WELFARE OF THE PEOPLE OF THE
19 STATE ARE DECLARED TO BE MATTERS OF PRIMARY PUBLIC CONCERN. THE
20 LEGISLATURE SHALL PASS SUITABLE LAWS FOR THE PROTECTION AND
21 PROMOTION OF PUBLIC HEALTH.

22 (2) A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY, AND ITS
23 PROFESSIONAL SCHOOL PERSONNEL, MAY DEVELOP CURRICULA AND MATERIALS
24 FOR THE INSTRUCTION DESCRIBED IN THIS SECTION THAT ARE ALIGNED WITH
25 THE STATE BOARD RECOMMENDED MODEL CORE ACADEMIC CURRICULUM CONTENT
26 STANDARDS DEVELOPED UNDER SECTION 1278 AND ARE GRADE AND AGE-LEVEL
27 APPROPRIATE.

1 Sec. 1278. (1) In addition to the requirements for
2 accreditation under section 1280 specified in that section, if the
3 board of a school district wants all of the schools of the school
4 district to be accredited under section 1280, the board shall
5 provide to all pupils attending public school in the district a
6 core academic curriculum in compliance with subsection (3) in each
7 of the curricular areas specified in the state board recommended
8 model core academic curriculum content standards developed under
9 subsection (2). The state board model core academic curriculum
10 content standards shall encompass academic and cognitive
11 instruction only. For purposes of this section, the state board
12 model core academic curriculum content standards shall not include
13 attitudes, beliefs, or value systems that are not essential in the
14 legal, economic, and social structure of our society and to the
15 personal and social responsibility of citizens of our society.

16 (2) Recommended model core academic curriculum content
17 standards shall be developed and periodically updated by the state
18 board, shall be in the form of knowledge and skill content
19 standards that are recommended as state standards for adoption by
20 public schools in local curriculum formulation and adoption, and
21 shall be distributed to each school district in the state. The
22 recommended model core academic curriculum content standards shall
23 set forth desired learning objectives in math, science, reading,
24 history, geography, economics, American government, and writing for
25 all children at each stage of schooling and be based upon the
26 "Michigan K-12 program standards of quality" to ensure that high
27 academic standards, academic skills, and academic subject matters

1 are built into the instructional goals of all school districts for
2 all children. **NOT LATER THAN MAY 1, 2016, FOR EACH GRADE LEVEL FOR**
3 **WHICH THERE IS A STATE ASSESSMENT FOR SOCIAL STUDIES, THE STATE**
4 **BOARD SHALL UPDATE THE STATE BOARD RECOMMENDED MODEL CORE ACADEMIC**
5 **CURRICULUM CONTENT STANDARDS DEVELOPED UNDER THIS SUBSECTION TO**
6 **ENSURE THAT THEY COVER THE INSTRUCTION DESCRIBED IN SECTION 1167.**

7 The state board also shall ensure that the Michigan educational
8 assessment program and the Michigan merit examination are based on
9 the state recommended model core curriculum content standards, are
10 testing only for proficiency in basic and advanced academic skills
11 and academic subject matter, and are not used to measure pupils'
12 values or attitudes.

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

16 (a) Establish a core academic curriculum for its pupils at the
17 elementary, middle, and secondary school levels. The core academic
18 curriculum shall define academic objectives to be achieved by all
19 pupils and shall be based upon the school district's educational
20 mission, long-range pupil goals, and pupil performance objectives.
21 The core academic curriculum may vary from the model core academic
22 curriculum content standards recommended by the state board
23 pursuant to subsection (2).

24 (b) After consulting with teachers and school building
25 administrators, determine the aligned instructional program for
26 delivering the core academic curriculum and identify the courses
27 and programs in which the core academic curriculum will be taught.

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

3 (5) For all pupils, the subjects or courses, and the delivery
4 of those including special assistance, that constitute the
5 curriculum the pupils engage in shall assure the pupils have a
6 realistic opportunity to learn all subjects and courses required by
7 the district's core academic curriculum. A subject or course
8 required by the core academic curriculum pursuant to subsection (3)
9 shall be provided to all pupils in the school district by a school
10 district, a consortium of school districts, or a consortium of 1 or
11 more school districts and 1 or more intermediate school districts.

12 (6) To the extent practicable, the state board may adopt or
13 develop academic objective-oriented high standards for knowledge
14 and life skills, and a recommended core academic curriculum, for
15 special education pupils for whom it may not be realistic or
16 desirable to expect achievement of initial mastery of the state
17 board recommended model core academic content standards objectives
18 or of a high school diploma.

19 (7) The state board shall make available to all nonpublic
20 schools in this state, as a resource for their consideration, the
21 model core academic curriculum content standards developed for
22 public schools pursuant to subsection (2) for the purpose of
23 assisting the governing body of a nonpublic school in developing
24 its core academic curriculum.

25 (8) Excluding special education pupils, pupils having a
26 learning disability, and pupils with extenuating circumstances as
27 determined by school officials, a pupil who does not score

1 satisfactorily on the 4th or 7th grade Michigan educational
2 assessment program reading test shall be provided special
3 assistance reasonably expected to enable the pupil to bring his or
4 her reading skills to grade level within 12 months.

5 (9) Any course that would have been considered a nonessential
6 elective course under Snyder v Charlotte School Dist, 421 Mich 517
7 (1984), on April 13, 1990 shall continue to be offered to resident
8 pupils of nonpublic schools on a shared time basis.

9 **SEC. 1279H. BEGINNING WITH STATE ASSESSMENTS CONDUCTED DURING**
10 **THE 2015-2016 SCHOOL YEAR, FOR EACH GRADE LEVEL FOR WHICH THERE IS**
11 **A STATE ASSESSMENT FOR SOCIAL STUDIES, THE SUPERINTENDENT OF PUBLIC**
12 **INSTRUCTION SHALL ENSURE THAT STATE ASSESSMENTS INCLUDE QUESTIONS**
13 **RELATED TO THE INSTRUCTION DESCRIBED IN AND DOCUMENTS ENUMERATED IN**
14 **SECTION 1167, INCLUDING AT LEAST THE DECLARATION OF INDEPENDENCE**
15 **AND THE CONSTITUTION OF THE UNITED STATES.**

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