

SENATE BILL No. 684

November 30, 2017, Introduced by Senators HORN, MACGREGOR, BOOHER, HANSEN, STAMAS, PROOS and ZORN and referred to the Committee on Economic Development and International Investment.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1278b (MCL 380.1278b), as amended by 2014 PA 209.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

8 (a) At least 4 credits in English language arts that are

1 aligned with subject area content expectations developed by the
2 department and approved by the state board under this section.

3 (b) At least 3 credits in science that are aligned with
4 subject area content expectations developed by the department and
5 approved by the state board under this section, including
6 completion of at least biology and either chemistry, physics,
7 anatomy, or agricultural science, or successfully completing a
8 program or curriculum that provides the same content as the
9 chemistry or physics benchmarks, as determined by the department. A
10 student may fulfill the requirement for the third science credit by
11 completing a department-approved computer science program or
12 curriculum or formal career and technical education program or
13 curriculum. The legislature strongly encourages pupils to complete
14 a fourth credit in science, such as forensics, astronomy, Earth
15 science, agricultural science, environmental science, geology,
16 physics, chemistry, physiology, or microbiology.

17 (c) The credit requirements specified in section
18 1278a(1)(a)(i) to (iv).

19 (2) If a pupil successfully completes 1 or more of the high
20 school credits required under subsection (1) or under section
21 1278a(1) before entering high school, the pupil shall be given high
22 school credit for that credit.

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

25 (a) Develop subject area content expectations that apply to
26 the credit requirements of the Michigan merit standard that are
27 required under subsection (1)(a) and (b) and section 1278a(1)(a)(i)

1 and (ii) and develop guidelines for the remaining credit
2 requirements of the Michigan merit standard that are required under
3 this section and section 1278a(1)(a), for the online course or
4 learning experience required under section 1278a(1)(b), and for the
5 requirements for a language other than English under section
6 1278a(2). All of the following apply to these subject area content
7 expectations and guidelines:

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

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

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

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

26 (v) The department shall complete development of the subject
27 area content expectations or guidelines that apply to each of the

1 other credits required in the Michigan merit standard under
2 subsection (1) and section 1278a(1)(a) not later than 1 year before
3 the beginning of the school year in which a pupil entering high
4 school in 2007 would normally be expected to complete the credit.

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

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

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

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

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

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

27 (C) Teachers, administrators, and school personnel who have

1 specialized knowledge of the subject area.

2 (D) Representatives from the business community.

3 (E) Representatives from vocational and career and technical
4 education providers.

5 (F) Government officials, including officials from the
6 legislature.

7 (G) Parents of public school pupils.

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

10 (iii) An opportunity for the public to review and provide
11 input on the proposed subject area content expectations or
12 guidelines before they are submitted to the state board for
13 approval. The time period allowed for this review and input shall
14 be at least 15 business days.

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

19 (d) Develop and make available material to assist school
20 districts and public school academies in implementing the
21 requirements of this section and section 1278a. This shall include
22 developing guidelines for alternative instructional delivery
23 methods as described in subsection (7).

24 (4) The state board shall approve subject area content
25 expectations and guidelines developed by the department under
26 subsection (3) before those subject area content expectations and
27 guidelines may take effect. The state board also shall approve the

1 basic level of technology and internet access required for pupils
2 to complete the online course or learning experience requirement of
3 section 1278a(1)(b).

4 (5) The parent or legal guardian of a pupil who has completed
5 grade 9, a teacher who is currently teaching the pupil, who
6 currently teaches in or whose expertise is in a subject area
7 proposed to be modified by the personal curriculum, or who is
8 determined by the principal to have qualifications otherwise
9 relevant to developing a personal curriculum, or a school counselor
10 or school employee qualified to act in a counseling role under
11 section 1233 or 1233a may request a personal curriculum under this
12 subsection for the pupil that modifies certain of the Michigan
13 merit standard requirements under subsection (1) or section
14 1278a(1)(a). If the request for a personal curriculum is made by
15 the pupil's parent or legal guardian or, if the pupil is at least
16 age 18 or is an emancipated minor, by the pupil, the school
17 district or public school academy shall develop a personal
18 curriculum for the pupil. A teacher, school counselor, or school
19 employee qualified to act in a counseling role under section 1233
20 or 1233a may contact a pupil's parent or legal guardian to discuss
21 the possibility and potential benefits of a personal curriculum
22 under this subsection for the pupil. If all of the requirements
23 under this subsection for completing a personal curriculum are met,
24 then the board of a school district or board of directors of a
25 public school academy may award a high school diploma to a pupil
26 who successfully completes his or her personal curriculum even if
27 it does not meet the requirements of the Michigan merit standard

1 required under subsection (1) and section 1278a(1)(a). All of the
2 following apply to a personal curriculum:

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

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

25 (c) Before it takes effect, the personal curriculum must be
26 agreed to by the pupil's parent or legal guardian and by the
27 superintendent of the school district or chief executive of the

1 public school academy or his or her designee.

2 (d) The pupil's parent or legal guardian shall be in
3 communication with each of the pupil's teachers to monitor the
4 pupil's progress toward the goals contained in the pupil's personal
5 curriculum.

6 (e) Revisions may be made in the personal curriculum if the
7 revisions are developed and agreed to in the same manner as the
8 original personal curriculum.

9 (f) The English language arts credit requirements of
10 subsection (1)(a) and the science credit requirements of subsection
11 (1)(b) are not subject to modification as part of a personal
12 curriculum under this subsection.

13 (g) The mathematics credit requirements of section
14 1278a(1)(a)(i) may be modified as part of a personal curriculum if
15 the pupil successfully completes at least 3-1/2 total credits of
16 the mathematics credits required under that section before
17 completing high school, including algebra I and geometry, and
18 successfully completes at least 1 mathematics credit during his or
19 her final 2 years of high school. The algebra II credit required
20 under that section may be modified as part of a personal curriculum
21 under this subsection if the pupil meets 1 or more of the
22 following:

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

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

1 (iii) Enrolls in a formal career and technical education
2 program or curriculum and in that program or curriculum
3 successfully completes the same content as the algebra II
4 benchmarks assessed on the department-prescribed state high school
5 assessment, as determined by the department.

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

8 (h) The social science credit requirements of section
9 1278a(1)(a)(ii) may be modified as part of a personal curriculum
10 only if all of the following are met:

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

14 (ii) The modification requires the pupil to complete 1
15 additional credit in English language arts, mathematics, or science
16 or 1 additional credit in a language other than English, or
17 requires the pupil to complete a formal career and technical
18 education program. This additional credit must be in addition to
19 the number of those credits otherwise required under subsection (1)
20 and section 1278a(1) or under section 1278a(2).

21 (i) The health and physical education credit requirement under
22 section 1278a(1)(a)(iii) may be modified as part of a personal
23 curriculum only if the modification requires the pupil to complete
24 1 additional credit in English language arts, mathematics, or
25 science or 1 additional credit in a language other than English, or
26 requires the pupil to complete a formal career and technical
27 education program. This additional credit must be in addition to

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

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

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

1 academy's policies, procedures, and practices are in compliance
2 with the requirements for additional modifications under this
3 subdivision. As used in this subdivision, "child with a disability"
4 means that term as defined in 20 USC 1401.

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

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

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

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

1 following apply:

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

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

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

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

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

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

21 (p) A school district or public school academy annually shall
22 notify each of its pupils and a parent or legal guardian of each of
23 its pupils that all pupils are entitled to a personal curriculum
24 under this subsection. The annual notice shall include an
25 explanation of what a personal curriculum is and state that if a
26 personal curriculum is requested, the public school or public
27 school academy will grant that request. The school district or

1 public school academy shall provide this annual notice to parents
2 and legal guardians by sending a written notice to each pupil's
3 home or by including the notice in a newsletter, student handbook,
4 or similar communication that is sent to a pupil's home, and also
5 shall post the notice on the school district's or public school
6 academy's website.

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

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

1 this section and section 1278a into those programs.

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

18 (9) If a pupil is not successfully completing a credit
19 required for graduation under this section and section 1278a, or is
20 identified as being at risk of withdrawing from high school, then
21 the pupil's school district or public school academy shall notify
22 the pupil's parent or legal guardian or, if the pupil is at least
23 age 18 or is an emancipated minor, the pupil, of the availability
24 of tutoring or other supplemental educational support and
25 counseling services that may be available to the pupil under
26 existing state or federal programs, such as those programs or
27 services available under section 31a of the state school aid act of

1 1979, MCL 388.1631a, or under the no child left behind act of 2001,
2 Public Law 107-110.

3 (10) To the extent required by the no child left behind act of
4 2001, Public Law 107-110, the board of a school district or public
5 school academy shall ensure that all components of the curricular
6 requirements under this section and section 1278a are taught by
7 highly qualified teachers. If a school district or public school
8 academy demonstrates to the department that the school district or
9 public school academy is unable to meet the requirements of this
10 section because the school district or public school academy is
11 unable to hire enough highly qualified teachers, the department
12 shall work with the school district or public school academy to
13 develop a plan to allow the school district or public school
14 academy to hire enough highly qualified teachers to meet the
15 requirements of this section.

16 (11) The board of a school district or board of directors of a
17 public school academy shall provide the opportunity for each pupil
18 to develop an educational development plan during grade 7, and
19 shall ensure that each pupil reviews his or her educational
20 development plan during grade 8 and revises it as appropriate
21 before he or she begins high school. **THE BOARD OF A SCHOOL DISTRICT**
22 **OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY SHALL ALSO ENSURE**
23 **THAT EACH PUPIL REVIEWS AND REVISES HIS OR HER EDUCATIONAL**
24 **DEVELOPMENT PLAN AS APPROPRIATE DURING EACH YEAR OF HIGH SCHOOL.** An
25 educational development plan shall be developed, reviewed, and
26 revised by the pupil under the supervision of the pupil's school
27 counselor or another designee qualified to act in a counseling role

1 under section 1233 or 1233a selected by the school principal and
2 shall be based on high school readiness scores and a career
3 pathways program or similar career exploration program. An
4 educational development plan shall be designed to assist pupils to
5 identify career development goals as they relate to academic
6 requirements. During the process of developing and reviewing a
7 pupil's educational development plan, the pupil shall be advised
8 that many of the curricular requirements of this section and
9 section 1278a may be fulfilled through career and technical
10 education. **IN ADDITION, AN EDUCATIONAL DEVELOPMENT PLAN SHALL**
11 **PROVIDE PUPILS AT LEAST ALL OF THE FOLLOWING:**

12 (A) INFORMATION ON VARIOUS TYPES OF CAREERS AND CURRENT AND
13 PROJECTED JOB OPENINGS IN THIS STATE AND THOSE JOBS' ACTUAL AND
14 PROJECTED WAGES.

15 (B) AN OPPORTUNITY TO EXPLORE CAREERS SPECIFIC TO A PUPIL'S
16 INTERESTS AND IDENTIFY CAREER PATHWAYS AND GOALS FOR ACHIEVING
17 SUCCESS IN THOSE CAREERS, INCLUDING, BUT NOT LIMITED TO, THE LEVEL
18 AND TYPE OF EDUCATIONAL PREPARATION NECESSARY TO ACCOMPLISH THOSE
19 GOALS.

20 (C) AN OPPORTUNITY TO DEVELOP A TALENT PORTFOLIO. A TALENT
21 PORTFOLIO SHALL BE DEVELOPED AND REVISED THROUGHOUT THE
22 IMPLEMENTATION OF A PUPIL'S EDUCATIONAL DEVELOPMENT PLAN AS A
23 RECORD OF THE PUPIL'S EXPERIENCES, PROFICIENCIES, CERTIFICATIONS,
24 OR ACCOMPLISHMENTS THAT DEMONSTRATE TALENTS OR MARKETABLE SKILLS.

25 (12) Except as otherwise provided in this subsection, if a
26 school district or public school academy is unable to implement all
27 of the curricular requirements of this section and section 1278a

1 for pupils entering grade 9 in 2007 or is unable to implement
2 another requirement of this section or section 1278a, the school
3 district or public school academy may apply to the department for
4 permission to phase in 1 or more of the requirements of this
5 section or section 1278a. To apply, the school district or public
6 school academy shall submit a proposed phase-in plan to the
7 department. The department shall approve a phase-in plan if the
8 department determines that the plan will result in the school
9 district or public school academy making satisfactory progress
10 toward full implementation of the requirements of this section and
11 section 1278a. If the department disapproves a proposed phase-in
12 plan, the department shall work with the school district or public
13 school academy to develop a satisfactory plan that may be approved.
14 However, if legislation is enacted that adds section 1290 to allow
15 school districts and public school academies to apply for a
16 contract that waives certain state or federal requirements, then
17 this subsection does not apply but a school district or public
18 school academy may take action as described in subsection (13).
19 This subsection does not apply to a high school that is designated
20 as a specialty school under section 1278a(5) and that is exempt
21 under that section from the English language arts requirement under
22 subsection (1)(a) and the social science credit requirement under
23 section 1278a(1)(a)(ii).

24 (13) If a school district or public school academy does not
25 offer all of the required credits or provide options to have access
26 to the required credits as provided under subsection (8) and if
27 legislation is enacted that adds section 1290 to allow school

1 districts and public school academies to apply for a contract that
2 waives certain state or federal requirements, then the school
3 district or public school academy is encouraged to apply for a
4 contract under section 1290. The purpose of a contract described in
5 this subsection is to improve pupil performance.

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

13 (15) Not later than April 1 of each year, the department shall
14 submit an annual report to the legislature that evaluates the
15 overall success of the curriculum required under this section and
16 section 1278a, the rigor and relevance of the course work required
17 by the curriculum, the ability of public schools to implement the
18 curriculum and the required course work, and the impact of the
19 curriculum on pupil success, and that details any activities the
20 department has undertaken to implement this section and section
21 1278a or to assist public schools in implementing the requirements
22 of this section and section 1278a.

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