



SENATE BILL No. 125

January 13, 1993, Introduced by Senator DI NELLO and referred to the Committee on Education.

A bill to amend sections 1166, 1167, 1168, 1169, 1170, 1171, 1174, 1278, 1282, 1407, 1503, 1507, and 1561 of Act No. 451 of the Public Acts of 1976, entitled as amended

"The school code of 1976,"

section 1167 as added by Act No. 62 of the Public Acts of 1990, section 1169 as amended by Act No. 139 of the Public Acts of 1990, section 1278 as added by Act No. 25 of the Public Acts of 1990, and section 1507 as amended by Act No. 87 of the Public Acts of 1981, being sections 380.1166, 380.1167, 380.1168, 380.1169, 380.1170, 380.1171, 380.1174, 380.1278, 380.1282, 380.1407, 380.1503, 380.1507, and 380.1561 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Section 1. Sections 1166, 1167, 1168, 1169, 1170, 1171,
- 2 1174, 1278, 1282, 1407, 1503, 1507, and 1561 of Act No. 451 of

1 the Public Acts of 1976, section 1167 as added by Act No. 62 of
2 the Public Acts of 1990, section 1169 as amended by Act No. 139
3 of the Public Acts of 1990, section 1278 as added by Act No. 25
4 of the Public Acts of 1990, and section 1507 as amended by Act
5 No. 87 of the Public Acts of 1981, being sections 380.1166,
6 380.1167, 380.1168, 380.1169, 380.1170, 380.1171, 380.1174,
7 380.1278, 380.1282, 380.1407, 380.1503, 380.1507, and 380.1561 of
8 the Michigan Compiled Laws, are amended to read as follows:

9 Sec. 1166. (1) ~~In all~~ ALL public and nonpublic schools in
10 this state SHALL PROVIDE regular courses of instruction ~~shall be~~
11 ~~given~~ in the constitution of the United States, in the constitu-
12 tion of Michigan, and in the history and present form of govern-
13 ment of the United States, Michigan, and its political
14 subdivisions. Instruction shall begin not later than the opening
15 of the eighth grade, or its equivalent, except in schools main-
16 taining a junior high school, in which case it may begin in the
17 ninth grade. THE INSTRUCTION SHALL BE PROVIDED BEFORE THE END OF
18 THE TENTH GRADE.

19 (2) A high school in this state ~~which~~ THAT offers 12
20 grades shall require BEFORE THE END OF THE TENTH GRADE a
21 1-semester course of study of 5 periods per week in civics, which
22 shall include the form and functions of the federal, state, and
23 local governments and shall stress the rights and responsibili-
24 ties of citizens. A diploma shall not be issued by a high school
25 to a pupil who has not successfully completed this course. This
26 requirement shall not be applicable as a graduation requirement

1 for a high school pupil who has enlisted or been inducted into
2 military service.

3 Sec. 1167. (1) The state board shall develop guidelines for
4 school districts for the teaching of dispute management and reso-
5 lution as a separate course or as a part of other courses. The
6 guidelines shall structure an outline or part of an outline for 1
7 or more courses or part of a course, TO BE PROVIDED BEFORE THE
8 END OF THE TENTH GRADE, that will do all of the following:

9 (a) Develop an awareness and concern for the rights and
10 well-being of others.

11 (b) Provide insight into how attitudes are formed and deci-
12 sions are made.

13 (c) Provide an understanding of other cultures and the ori-
14 gins and nature of conflict between cultures.

15 (d) Develop skills and attitudes for effective communication
16 and cooperation with people from cultures different from the
17 students' own, both in this country and in other countries.

18 (e) Improve dispute management and resolution skills.

19 (f) Encourage creative problem solving through peaceful
20 means, including, but not limited to, mediation and arbitration.

21 (2) In implementing subsection (1), the state board shall
22 seek advice from representatives of at least all of the
23 following:

24 (a) School boards.

25 (b) School administrators.

26 (c) School counselors.

1 (d) Elementary and secondary classroom teachers.

2 (e) Curriculum development organizations.

3 (f) Parents.

4 (g) Students.

5 (3) ~~Not later than August 1, 1991, the~~ THE state board
6 shall make available to school districts the guidelines described
7 in subsection (1) and shall encourage their implementation in
8 public school classrooms.

9 Sec. 1168. The state board shall develop and make available
10 to school districts a recommended curriculum guide including rec-
11 ommended materials for use in schools for teaching consumer eco-
12 nomics as a separate course or as parts of other courses, TO BE
13 TAUGHT BEFORE THE END OF THE TENTH GRADE.

14 Sec. 1169. (1) The principal modes by which dangerous com-
15 municable diseases, including, but not limited to, human immuno-
16 deficiency virus infection and acquired immunodeficiency syn-
17 drome, are spread and the best methods for the restriction and
18 prevention of these diseases shall be taught in every public
19 school in this state BEFORE THE END OF THE TENTH GRADE.

20 (2) Except for licensed health care professionals who have
21 received training on human immunodeficiency virus infection and
22 acquired immunodeficiency syndrome, each person who teaches K to
23 12 pupils about human immunodeficiency virus infection and
24 acquired immunodeficiency syndrome pursuant to subsection (1)
25 shall have training in human immunodeficiency virus infection and
26 acquired immunodeficiency syndrome education for young people.
27 The state board, in cooperation with the department of public

1 health, shall train trainers to provide the teacher training
2 required by this subsection and shall provide for the development
3 and distribution to school districts of material on the teaching
4 of human immunodeficiency virus infection and acquired immunode-
5 ficiency syndrome to young people.

6 (3) The choice of curricula to be used for human immunodefi-
7 ciency virus infection and acquired immunodeficiency syndrome
8 education required to be taught under subsection (1) shall be
9 approved by the appropriate school board and implemented in the
10 school setting not later than October 1, 1990.

11 Sec. 1170. (1) ~~Instruction~~ A SCHOOL DISTRICT shall ~~be~~
12 ~~given~~ PROVIDE INSTRUCTION in physiology and hygiene, with spe-
13 cial reference to substance abuse, including the abusive use of
14 tobacco, alcohol, and drugs, and their effect upon the human
15 system. THE INSTRUCTION SHALL BE PROVIDED BEFORE THE END OF THE
16 TENTH GRADE.

17 (2) Comprehensive health education programs shall be devel-
18 oped as prescribed by THE CRITICAL HEALTH PROBLEMS EDUCATION ACT,
19 Act No. 226 of the Public Acts of 1969, being sections 388.381 to
20 388.385 of the Michigan Compiled Laws.

21 (3) ~~A child upon~~ UPON the written statement of A parent or
22 guardian that instruction in the characteristics or symptoms of
23 disease is in conflict with his or her sincerely held religious
24 beliefs, A PUPIL shall be excused from attending classes ~~where~~
25 IN WHICH such instruction is being given and ~~no penalties~~ THE
26 PUPIL SHALL NOT BE PENALIZED as to credit or graduation ~~shall~~
27 ~~result therefrom~~ FOR NOT ATTENDING THE CLASSES.

1 Sec. 1171. Time shall be devoted in the public schools
2 within this state BEFORE THE END OF THE TENTH GRADE to teaching
3 the pupils kindness and justice to, and humane treatment and pro-
4 tection of, animals and birds, and the important part they ful-
5 fill in the economy of nature.

6 Sec. 1174. (1) The state board may develop guidelines for
7 expanding the existing school curriculum to include materials on
8 the culture of ethnic, religious, and racial minority peoples,
9 and the contributions of women, as defined by the state board.

10 (2) Guidelines ~~promulgated~~ DEVELOPED pursuant to subsec-
11 tion (1) shall be available for grades K to ~~12~~ 10 in every
12 public or nonpublic school. The guidelines shall include:

13 (a) History and heritage of ethnic, religious, and racial
14 minorities and of women and their contributions.

15 (b) Living conditions, beliefs, and customs of ethnic, reli-
16 gious, and racial minorities and of women and their
17 contributions.

18 (c) Problems and prejudices encountered by ethnic, reli-
19 gious, AND racial minorities and by women.

20 (d) Word meanings and usage as employed by ethnic, reli-
21 gious, AND racial minorities and by women.

22 (e) Culturally related attitudes and behavior of ethnic,
23 religious, AND racial minorities and women.

24 Sec. 1278. (1) The board of each school district that wants
25 to receive and is eligible for additional state school aid for
26 quality programs as provided in sections 21(1) and 21a of the
27 state school aid act of 1979, Act No. 94 of the Public Acts of

1 1979, being sections 388.1621 and 388.1621a of the Michigan
2 Compiled Laws, shall make available to all pupils attending
3 public school in the district IN GRADES K TO 10 a core curriculum
4 in compliance with subsection (3).

5 (2) A recommended model core curriculum shall be developed
6 by the state board and distributed to each school district in the
7 state. The recommended core curriculum shall define the outcomes
8 to be achieved by all pupils and be based upon the "Michigan K-12
9 program standards of quality" published by the state board.

10 (3) The board of each school district, considering the cur-
11 ricular outcomes defined and recommended pursuant to subsection
12 (2), shall do both of the following:

13 (a) Establish a core curriculum for its pupils at the ele-
14 mentary, middle, and secondary school levels. The core curricu-
15 lum shall define outcomes to be achieved by all pupils and be
16 based upon the school district's educational mission, long-range
17 student goals, and student performance objectives. The core cur-
18 riculum may vary from the model core curriculum recommended by
19 the state board pursuant to subsection (2).

20 (b) After consulting with teachers and school building
21 administrators, determine the instructional program for deliver-
22 ing the core curriculum and identify the courses and programs in
23 which the core curriculum will be taught.

24 (4) The board may supplement the core curriculum by provid-
25 ing instruction through additional classes and programs.

26 (5) A subject or course required by the core curriculum
27 pursuant to subsection (3) shall be made available to all pupils

1 in the APPROPRIATE GRADE LEVEL IN THE school district by a school
2 district, a consortium of school districts, or a consortium of 1
3 or more school districts and 1 or more intermediate school
4 districts.

5 (6) The state board shall make available to all nonpublic
6 schools in this state, as a resource for their consideration, the
7 model core curriculum developed for public schools pursuant to
8 subsection (2) for the purpose of assisting the governing body of
9 a nonpublic school in developing its own core curriculum.

10 (7) Any course that would have been considered a nonessen-
11 tial elective course under Snyder v Charlotte Schools, 421 Mich
12 517 (1984) on the effective date of the amendatory act that added
13 this section shall continue to be offered to resident pupils of
14 nonpublic schools on a shared time basis.

15 Sec. 1282. (1) ~~The~~ SUBJECT TO SUBSECTION (2), THE board
16 of a school district shall establish and carry on the grades,
17 schools, and departments it ~~deems~~ CONSIDERS necessary or desir-
18 able for the maintenance and improvement of the schools, deter-
19 mine the courses of study to be pursued, and cause the pupils
20 attending school in the district to be taught in the schools or
21 departments the board ~~deems~~ CONSIDERS expedient.

22 (2) BEGINNING WITH THE 1994-1995 SCHOOL YEAR, THE BOARD OF A
23 SCHOOL DISTRICT OPERATING A HIGH SCHOOL SHALL ESTABLISH FOR
24 PUPILS WHO HAVE COMPLETED THE TENTH GRADE A COMPREHENSIVE CAREER
25 PROGRAM AS DESCRIBED IN SUBSECTION (3) AND AN INTRODUCTORY COL-
26 LEGE PROGRAM AS DESCRIBED IN SUBSECTION (4). THE STATE BOARD
27 SHALL ESTABLISH GUIDELINES FOR THE PROGRAMS AND THE LOCAL BOARD

1 SHALL ENSURE THAT ITS PROGRAMS ARE CONSISTENT WITH THE GUIDELINES
2 ESTABLISHED BY THE STATE BOARD.

3 (3) THE COMPREHENSIVE CAREER PROGRAM SHALL BE AN UNGRADED
4 2-YEAR COURSE OF STUDY DESIGNED TO TEACH PRACTICAL KNOWLEDGE AND
5 USEFUL SKILLS THAT WILL PREPARE A PUPIL FOR EMPLOYMENT UPON COM-
6 PLETION OF THE PROGRAM. THE PROGRAM SHALL INCLUDE COURSES TO
7 TRAIN PUPILS FOR ENTRY INTO TECHNICAL EMPLOYMENT, APPRENTICESHIP
8 PROGRAMS, SKILLED OCCUPATIONS, AND OTHER NONPROFESSIONAL VOCA-
9 TIONS AND OCCUPATIONS. THE PROGRAM SHALL BE DEVELOPED AND CON-
10 DUCTED IN COOPERATION WITH THE INTERMEDIATE SCHOOL DISTRICT AND
11 LOCAL COMMUNITY COLLEGE.

12 (4) THE INTRODUCTORY COLLEGE PROGRAM SHALL BE AN UNGRADED
13 2-YEAR COURSE OF STUDY DESIGNED TO TEACH COLLEGE-LEVEL CLASSES
14 THAT WILL ENABLE A PUPIL TO COMPLETE HIS OR HER FIRST 2 YEARS OF
15 POSTSECONDARY EDUCATION WHILE ATTENDING HIGH SCHOOL. THE PROGRAM
16 SHALL BE DEVELOPED AND CONDUCTED IN COOPERATION WITH COMMUNITY
17 COLLEGES AND OTHER INSTITUTIONS OF POSTSECONDARY EDUCATION.

18 (5) A SCHOOL DISTRICT SHALL NOT ISSUE A HIGH SCHOOL DIPLOMA
19 TO A PUPIL WHO HAS NOT SUCCESSFULLY COMPLETED EITHER THE COMPRE-
20 HENSIVE CAREER PROGRAM OR THE INTRODUCTORY COLLEGE PROGRAM.

21 Sec. 1407. A high school approved for the collection of
22 high school tuition shall be a school district operating grades
23 above the eighth grade IN COMPLIANCE WITH SECTION 1282 AND having
24 1 of the following:

25 (a) ~~Twelve~~ TEN grades, PLUS A COMPREHENSIVE CAREER PROGRAM
26 AND AN INTRODUCTORY COLLEGE PROGRAM UNDER SECTION 1282, with at

1 least 3 teachers devoting their entire teaching time to the work
2 of the seventh to ~~twelfth~~ TENTH grades.

3 (b) ~~Twelve~~ TEN grades, PLUS A COMPREHENSIVE CAREER PROGRAM
4 AND AN INTRODUCTORY COLLEGE PROGRAM UNDER SECTION 1282, with at
5 least 2 teachers devoting their entire teaching time to the work
6 of the ninth to ~~twelfth~~ TENTH grades.

7 (c) Nine grades with at least 1 teacher devoting the
8 teacher's entire teaching time to the work of the seventh to
9 ninth grades.

10 (d) Ten grades with at least 1 teacher devoting the
11 teacher's entire teaching time to the work of the ninth and tenth
12 grades, or the eighth to tenth grades.

13 ~~(e) Eleven grades with at least 2 teachers devoting their~~
14 ~~teaching time to the work of the ninth to eleventh grades, or the~~
15 ~~eighth to eleventh grades.~~

16 Sec. 1503. (1) The board of a school district having a
17 pupil membership of more than 1,000 shall engage qualified
18 instructors and provide the necessary places and equipment for
19 instruction and training in health and physical education BEFORE
20 THE END OF THE TENTH GRADE. Other boards of education may make
21 provisions for health education and physical education.

22 (2) This section ~~shall~~ DOES not ~~be construed to~~ autho-
23 rize compulsory physical examination or compulsory medical treat-
24 ment of pupils.

25 (3) A school district offering a course in health education
26 or physical education shall engage qualified instructors for that
27 instruction.

1 Sec. 1507. (1) A board of a school district may engage
2 qualified instructors and provide facilities and equipment for
3 instruction in sex education, including family planning, human
4 sexuality, and the emotional, physical, psychological, hygienic,
5 economic, and social aspects of family life. Instruction may
6 also include the subjects of reproductive health and the recogni-
7 tion, prevention, and treatment of venereal disease.

8 (2) The class described in subsection (1) shall be elective
9 and not a requirement for graduation. THE CLASS SHALL BE OFFERED
10 TO PUPILS BEFORE THE END OF THE TENTH GRADE.

11 (3) A pupil shall not be enrolled in a class in which the
12 subjects of family planning or reproductive health are discussed
13 unless the pupil's parent or guardian is notified in advance of
14 the course and the content of the course, is given a prior oppor-
15 tunity to review the materials to be used in the course, and is
16 notified in advance of his or her right to have the pupil excused
17 from the class. The state board shall determine the form and
18 content of the notice required in this subsection.

19 (4) Upon the written request of a pupil or the pupil's
20 parent or guardian, a pupil shall be excused, without penalty or
21 loss of academic credit, from attending the class described in
22 subsection (1).

23 (5) A school district that provides a class as permitted by
24 subsection (1) shall offer the instruction by teachers qualified
25 to teach health education. A school district shall not offer
26 this instruction unless an advisory board is established by the
27 district board to periodically review the materials and methods

1 of instruction used, and to make recommendations to the district
2 regarding changes in the materials or methods. The advisory
3 board shall consist of parents having children attending the
4 district's schools, pupils in the district's schools, educators,
5 local clergy, and community health professionals.

6 (6) A person shall not dispense or otherwise distribute in a
7 public school a family planning drug or device.

8 (7) As used in this section and section 1508, "family
9 planning" means the use of a range of methods of fertility regu-
10 lation to help individuals or couples avoid unwanted pregnancies;
11 bring about wanted births; regulate the intervals between preg-
12 nancies; and plan the time at which births occur in relation to
13 the age of parents. It may include the study of fetology. It
14 may include marital and genetic information. Clinical abortion
15 shall not be considered a method of family planning, nor shall
16 abortion be taught as a method of reproductive health.

17 (8) As used in this section:

18 (a) "Class" means an instructional period of limited dura-
19 tion, not to exceed 2 hours, within a course of instruction.

20 (b) "Course" means a series of classes linked by a common
21 subject matter.

22 Sec. 1561. (1) Except as provided in subsections (2) and
23 (3), every parent, guardian, or other person in this state having
24 control and charge of a child from the age of 6 to the child's
25 sixteenth birthday, shall send that child to the public schools
26 during the entire school year. The child's attendance shall be
27 continuous and consecutive for the school year fixed by the

1 school district in which the child is enrolled. In a school
2 district ~~which~~ THAT maintains school during the entire calendar
3 year and in which the school year is divided into quarters, a
4 child shall not be compelled to attend the public school more
5 than 3 quarters in 1 calendar year, but a child shall not be
6 absent for 2 OR MORE consecutive quarters.

7 (2) A child becoming 6 years of age before December 1 shall
8 be enrolled on the first school day of the school year in which
9 the child's sixth birthday occurs. A child becoming 6 years of
10 age on or after December 1 shall be enrolled on the first school
11 day of the school year following the school year in which the
12 child's sixth birthday occurs. A CHILD WHO BECOMES 16 YEARS OF
13 AGE BEFORE COMPLETING THE TENTH GRADE SHALL ATTEND SCHOOL AT
14 LEAST UNTIL THE END OF THE SCHOOL YEAR DURING WHICH THE CHILD'S
15 SIXTEENTH BIRTHDAY OCCURS.

16 (3) A child ~~shall~~ IS not ~~be~~ required to attend the
17 public schools in the following cases:

18 (a) A child who is attending regularly and is being taught
19 in a state approved nonpublic school, which teaches subjects com-
20 parable to those taught in the public schools to children of cor-
21 responding age and grade, as determined by the course of study
22 for the public schools of the district within which the nonpublic
23 school is located.

24 (b) A child who is regularly employed as a page or messenger
25 in either house of the legislature, during the period of the
26 employment.

1 (c) A child under 9 years of age who does not reside within
2 2-1/2 miles by the nearest traveled road of a public school. If
3 transportation is furnished for pupils in the school district of
4 the child's residence, this exemption does not apply.

5 (d) A child from the age of 12 to the child's fourteenth
6 birthday, while in attendance at confirmation classes conducted
7 for a period of not to exceed 5 months in either of those years.

8 (e) A child who is regularly enrolled in the public schools
9 while in attendance at religious instruction classes for not more
10 than 2 class hours per week, off public school property during
11 public school hours, upon written request of the parent, guardi-
12 an, or person in loco parentis under rules promulgated by the
13 state board.