

# SENATE BILL NO. 266

April 16, 2019, Introduced by Senator MCBROOM and referred to the Committee on Education and Career Readiness.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending sections 1278a and 1278b (MCL 380.1278a and 380.1278b),  
section 1278a as amended by 2018 PA 232 and section 1278b as  
amended by 2018 PA 230.

## **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

1 unless the pupil meets all of the following:

2 (a) Has successfully completed all of the following credit  
3 requirements of the Michigan merit standard before graduating from  
4 high school:

5 (i) At least 4 credits in mathematics that are aligned with  
6 subject area content expectations developed by the department and  
7 approved by the state board under section 1278b, including  
8 completion of at least algebra I, geometry, and algebra II, or an  
9 integrated sequence of this course content that consists of 3  
10 credits, and an additional mathematics credit, such as  
11 trigonometry, statistics, precalculus, calculus, applied math,  
12 accounting, business math, a retake of algebra II, or a course in  
13 financial literacy as described in section 1165. A pupil may  
14 complete algebra II over 2 years with 2 credits awarded or over 1.5  
15 years with 1.5 credits awarded for the purposes of this section and  
16 section 1278b. A pupil also may partially or fully fulfill the  
17 algebra II requirement by completing a department-approved formal  
18 career and technical education program or curriculum, such as a  
19 program or curriculum in electronics, machining, construction,  
20 welding, engineering, computer science, or renewable energy, and in  
21 that program or curriculum successfully completing the same content  
22 as the algebra II benchmarks assessed on the department-prescribed  
23 state high school assessment, as determined by the department. The  
24 department shall post on its website guidelines for implementation  
25 of the immediately preceding sentence. ~~Each~~ **Except for a pupil who**  
26 **participates in the fifth year of an early/middle college program,**  
27 **each** pupil must successfully complete at least 1 mathematics course  
28 during his or her final year of high school enrollment. This  
29 subparagraph does not require completion of mathematics courses in

1 any particular sequence.

2 (ii) At least 3 credits in social science that are aligned with  
3 subject area content expectations developed by the department and  
4 approved by the state board under section 1278b, including  
5 completion of at least 1 credit in United States history and  
6 geography, 1 credit in world history and geography, 1/2 credit in  
7 economics, and the civics course described in section 1166(2). The  
8 1/2-credit economics requirement may be satisfied by completion of  
9 at least a 1/2-credit course in personal economics that includes a  
10 financial literacy component as described in section 1165, if that  
11 course covers the subject area content expectations for economics  
12 developed by the department and approved by the state board under  
13 section 1278b.

14 (iii) At least 1 credit in subject matter that includes both  
15 health and physical education aligned with guidelines developed by  
16 the department and approved by the state board under section 1278b,  
17 or at least 1/2 credit in health aligned with guidelines developed  
18 by the department and approved by the state board under section  
19 1278b and at least 1/2 credit awarded by the school district or  
20 public school academy for approved participation in extracurricular  
21 athletics or other extracurricular activities involving physical  
22 activity.

23 (iv) At least 1 credit in visual arts, performing arts, or  
24 applied arts, as defined by the department, that is aligned with  
25 guidelines developed by the department and approved by the state  
26 board under section 1278b. A school district or public school  
27 academy is strongly encouraged to offer visual arts and performing  
28 arts courses.

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

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

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

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

(2) In addition to the requirements under subsection (1), beginning with pupils entering grade 3 in 2006, the board of a school district or board of directors of a public school academy shall not award a high school diploma to a pupil unless the pupil has successfully completed during grades K to 12 at least 2 credits that are grade-appropriate in a language other than English or course work or other learning experiences that are substantially equivalent to 2 credits in a language other than English, based on guidelines developed by the department. For pupils who graduate from high school in 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, or 2024 only, a pupil may partially or fully fulfill 1 credit of this requirement by completing a department-approved formal career and technical education program or curriculum or by completing visual or performing arts instruction that is in addition to the requirements under subsection (1) (a) (iv). The board of a school

1 district or board of directors of a public school academy is  
2 strongly encouraged to ensure that all pupils complete at least 1  
3 credit in a language other than English in grades K to 6. For the  
4 purposes of this subsection, all of the following apply:

5 (a) American ~~sign language~~ **Sign Language** is considered to be a  
6 language other than English.

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

9 (c) Not later than September 1, 2018, and not later than  
10 September 1 of each subsequent school year, a school district or  
11 public school academy shall report to the department both of the  
12 following, in a form and manner prescribed by the department:

13 (i) The number of pupils who partially or fully fulfilled 1  
14 credit in a language other than English by completing a department-  
15 approved formal career and technical education program or  
16 curriculum under this subsection in the immediately preceding  
17 school year.

18 (ii) The number of pupils who partially or fully fulfilled 1  
19 credit in a language other than English by completing visual or  
20 performing arts instruction that is in addition to the requirements  
21 under subsection (1)(a)(iv) under this subsection in the immediately  
22 preceding school year.

23 (3) The requirements under this section and section 1278b for  
24 a high school diploma are in addition to any local requirements  
25 imposed by the board of a school district or board of directors of  
26 a public school academy. The board of a school district or board of  
27 directors of a public school academy, as a local requirement for a  
28 high school diploma, may require a pupil to complete the Michigan  
29 merit examination under section 1279g or may require a pupil to

1 participate in the MIAccess assessments if appropriate for the  
2 pupil.

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

5 (a) A pupil is considered to have completed a credit if the  
6 pupil successfully completes the subject area content expectations  
7 or guidelines developed by the department that apply to the credit.  
8 For a career and technical education credit, a school district or  
9 public school academy may supplement those content expectations and  
10 guidelines with additional guidelines developed by the school  
11 district or public school academy.

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

21 (c) A school district or public school academy shall also  
22 grant a pupil a credit if the pupil earns a qualifying score, as  
23 determined by the department, on the assessments developed or  
24 selected for the subject area by the department under section 1278b  
25 or the pupil earns a qualifying score, as determined by the school  
26 district or public school academy, on 1 or more assessments  
27 developed or selected by the school district or public school  
28 academy that measure a pupil's understanding of the subject area  
29 content expectations or guidelines that apply to the credit.

(5) If a high school is designated by the superintendent of public instruction as a specialty school and the high school meets the requirements of subsection (6), then the pupils of the high 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

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

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

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

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

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

26 (f) All pupils of the high school are required to meet the  
27 science credit requirements of section 1278b(1)(b) and are also  
28 required to successfully complete at least 1 additional science  
29 credit, for a total of at least 4 science credits, with no



1 modification of these requirements under section 1278b(5), and each  
2 pupil is offered the curriculum necessary to meet this requirement.

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

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

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

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

29 (2) If a pupil successfully completes 1 or more of the high

1 school credits required under subsection (1) or under section  
2 1278a(1) before entering high school, the pupil shall be given high  
3 school credit for that credit.

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

6 (a) Develop subject area content expectations that apply to  
7 the credit requirements of the Michigan merit standard that are  
8 required under subsection (1)(a) and (b) and section 1278a(1)(a)(i)  
9 and (ii) and develop guidelines for the remaining credit  
10 requirements of the Michigan merit standard that are required under  
11 this section and section 1278a(1)(a), for the online course or  
12 learning experience required under section 1278a(1)(b), and for the  
13 requirements for a language other than English under section  
14 1278a(2). All of the following apply to these subject area content  
15 expectations and guidelines:

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

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

27 (iii) The subject area content expectations ~~shall~~**must** state in  
28 clear and measurable terms what pupils are expected to know upon  
29 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~~**must** detail any failure by the  
24 department to meet a deadline established under subparagraph (iv) or  
25 (v) and the reasons for that failure.

26 (b) Develop and implement a process for developing the subject  
27 area content expectations and guidelines required under this  
28 section. This process ~~shall~~**must** provide for all of the following:

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

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

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

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

6 (D) Representatives from the business community.

7 (E) Representatives from vocational and career and technical  
8 education providers.

9 (F) Government officials, including officials from the  
10 legislature.

11 (G) Parents of public school pupils.

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

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

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

23 (d) Develop and make available material to assist school  
24 districts and public school academies in implementing the  
25 requirements of this section and section 1278a. This ~~shall~~**must**  
26 include developing guidelines for alternative instructional  
27 delivery methods as described in subsection (7).

28 (4) The state board shall approve subject area content  
29 expectations and guidelines developed by the department under

1 subsection (3) before those subject area content expectations and  
2 guidelines may take effect. The state board also shall approve the  
3 basic level of technology and internet access required for pupils  
4 to complete the online course or learning experience requirement of  
5 section 1278a(1)(b).

6 (5) The parent or legal guardian of a pupil who has completed  
7 grade 9, a teacher who is currently teaching the pupil, who  
8 currently teaches in or whose expertise is in a subject area  
9 proposed to be modified by the personal curriculum, or who is  
10 determined by the principal to have qualifications otherwise  
11 relevant to developing a personal curriculum, or a school counselor  
12 or school employee qualified to act in a counseling role under  
13 section 1233 or 1233a may request a personal curriculum under this  
14 subsection for the pupil that modifies certain of the Michigan  
15 merit standard requirements under subsection (1) or section  
16 1278a(1)(a). If the request for a personal curriculum is made by  
17 the pupil's parent or legal guardian or, if the pupil is at least  
18 age 18 or is an emancipated minor, by the pupil, the school  
19 district or public school academy shall develop a personal  
20 curriculum for the pupil. A teacher, school counselor, or school  
21 employee qualified to act in a counseling role under section 1233  
22 or 1233a may contact a pupil's parent or legal guardian to discuss  
23 the possibility and potential benefits of a personal curriculum  
24 under this subsection for the pupil. If all of the requirements  
25 under this subsection for completing a personal curriculum are met,  
26 then the board of a school district or board of directors of a  
27 public school academy may award a high school diploma to a pupil  
28 who successfully completes his or her personal curriculum even if  
29 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~~**must** be developed by a group  
4 that includes at least the pupil, at least 1 of the pupil's parents  
5 or 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~~**must** incorporate as much of  
18 the subject area content expectations of the Michigan merit  
19 standard required under subsection (1) and section 1278a(1)(a) as  
20 is practicable for the pupil; ~~shall~~**must** establish measurable goals  
21 that the pupil must achieve while enrolled in high school and ~~shall~~  
22 **must** provide a method to evaluate whether the pupil achieved these  
23 goals; and ~~shall~~**must** 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  
28 public school academy or his or her designee.

29 (d) The pupil's parent or legal guardian shall be in

1 communication with each of the pupil's teachers to monitor the  
2 pupil's progress toward the goals contained in the pupil's personal  
3 curriculum.

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

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

11 (g) The mathematics credit requirements of section  
12 1278a(1)(a)(i) may be modified as part of a personal curriculum if  
13 the pupil successfully completes at least 3-1/2 total credits of  
14 the mathematics credits required under that section before  
15 completing high school, including algebra I and geometry, and,  
16 **except for a pupil who participates in the fifth year of an**  
17 **early/middle college program,** successfully completes at least 1  
18 mathematics credit during his or her final 2 years of high school.  
19 The algebra II credit required under that section may be modified  
20 as part of a personal curriculum under this subsection if the pupil  
21 meets 1 or more of the following:

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

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

27 (iii) Enrolls in a formal career and technical education program  
28 or curriculum and in that program or curriculum successfully  
29 completes the same content as the algebra II benchmarks assessed on

1 the department-prescribed state high school assessment, as  
2 determined by the department.

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

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

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

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

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

27 (j) The visual arts, performing arts, or applied arts credit  
28 requirement under section 1278a(1)(a)(iv) may be modified as part of  
29 a personal curriculum only if the modification requires the pupil



1 to complete 1 additional credit in English language arts,  
2 mathematics, or science or 1 additional credit in a language other  
3 than English, or requires the pupil to complete a formal career and  
4 technical education program. This additional credit must be in  
5 addition to the number of those credits otherwise required under  
6 subsection (1) and section 1278a(1) or under section 1278a(2).

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

27 (l) If a pupil transfers to a school district or public school  
28 academy from out of state or from a nonpublic school, the pupil's  
29 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~~ **Except for a pupil who participates in the fifth year of an early/middle college program, 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~~ **must** 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~~ **must** require that this mathematics course is a course normally taken after completing algebra I.

(iv) The transfer pupil's personal curriculum includes the

1 civics course described in section 1166(2).

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

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

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

13 (p) A school district or public school academy annually shall  
14 notify each of its pupils and a parent or legal guardian of each of  
15 its pupils that all pupils are entitled to a personal curriculum  
16 under this subsection. The annual notice ~~shall~~**must** include an  
17 explanation of what a personal curriculum is and state that if a  
18 personal curriculum is requested, the public school or public  
19 school academy will grant that request. The school district or  
20 public school academy shall provide this annual notice to parents  
21 and legal guardians by sending a written notice to each pupil's  
22 home or by including the notice in a newsletter, student handbook,  
23 or similar communication that is sent to a pupil's home, and also  
24 shall post the notice on the school district's or public school  
25 academy's website.

26 (6) If a pupil receives special education services, the  
27 pupil's individualized education program, in accordance with the  
28 individuals with disabilities education act, title VI of Public Law  
29 91-230, ~~shall~~**must** identify the appropriate course or courses of

1 study and identify the supports, accommodations, and modifications  
2 necessary to allow the pupil to progress in the curricular  
3 requirements of this section and section 1278a, or in a personal  
4 curriculum as provided under subsection (5), and meet the  
5 requirements for a high school diploma.

6 (7) The board of a school district or board of directors of a  
7 public school academy that operates a high school shall ensure that  
8 each pupil is offered the curriculum necessary for the pupil to  
9 meet the curricular requirements of this section and section 1278a.  
10 The board or board of directors may provide this curriculum by  
11 providing the credits specified in this section and section 1278a,  
12 by using alternative instructional delivery methods such as  
13 alternative course work, humanities course sequences, career and  
14 technical education, industrial technology courses, or vocational  
15 education, or by a combination of these. School districts and  
16 public school academies that operate career and technical education  
17 programs are encouraged to integrate the credit requirements of  
18 this section and section 1278a into those programs.

19 (8) If the board of a school district or board of directors of  
20 a public school academy wants its high school to be accredited  
21 under section 1280, the board or board of directors shall ensure  
22 that all elements of the curriculum required under this section and  
23 section 1278a are made available to all affected pupils. If a  
24 school district or public school academy does not offer all of the  
25 required credits, the board of the school district or board of  
26 directors of the public school academy shall ensure that the pupil  
27 has access to the required credits by another means, such as  
28 enrollment in a postsecondary course under the postsecondary  
29 enrollment options act, 1996 PA 160, MCL 388.511 to 388.524;

1 enrollment in an online course; a cooperative arrangement with a  
2 neighboring school district or with a public school academy; or  
3 granting approval under section 6(6) of the state school aid act of  
4 1979, MCL 388.1606, for the pupil to be counted in membership in  
5 another school district.

6 (9) If a pupil is not successfully completing a credit  
7 required for graduation under this section and section 1278a, or is  
8 identified as being at risk of withdrawing from high school, then  
9 the pupil's school district or public school academy shall notify  
10 the pupil's parent or legal guardian or, if the pupil is at least  
11 age 18 or is an emancipated minor, the pupil, of the availability  
12 of tutoring or other supplemental educational support and  
13 counseling services that may be available to the pupil under  
14 existing state or federal programs, such as those programs or  
15 services available under section 31a of the state school aid act of  
16 1979, MCL 388.1631a, or under the no child left behind act of 2001,  
17 Public Law 107-110 **or under the every student succeeds act, Public**  
18 **Law 114-95.**

19 (10) To the extent required by the no child left behind act of  
20 2001, Public Law 107-110 **or under the every student succeeds act,**  
21 **Public Law 114-95,** the board of a school district or public school  
22 academy shall ensure that all components of the curricular  
23 requirements under this section and section 1278a are taught by  
24 highly qualified teachers. If a school district or public school  
25 academy demonstrates to the department that the school district or  
26 public school academy is unable to meet the requirements of this  
27 section because the school district or public school academy is  
28 unable to hire enough highly qualified teachers, the department  
29 shall work with the school district or public school academy to

1 develop a plan to allow the school district or public school  
2 academy to hire enough highly qualified teachers to meet the  
3 requirements of this section.

4 (11) The board of a school district or board of directors of a  
5 public school academy shall provide the opportunity for each pupil  
6 to develop an educational development plan during grade 7, and  
7 shall ensure that each pupil reviews his or her educational  
8 development plan during grade 8 and revises it as appropriate  
9 before he or she begins high school. The board of a school district  
10 or board of directors of a public school academy shall also ensure  
11 that each pupil reviews and revises his or her educational  
12 development plan as appropriate during each year of high school. An  
13 educational development plan ~~shall~~**must** be developed, reviewed, and  
14 revised by the pupil under the supervision of the pupil's school  
15 counselor or another designee qualified to act in a counseling role  
16 under section 1233 or 1233a selected by the school principal and  
17 ~~shall~~**must** be based on high school readiness scores and a career  
18 pathways program or similar career exploration program. An  
19 educational development plan ~~shall~~**must** be designed to assist  
20 pupils to identify career development goals as they relate to  
21 academic requirements. During the process of developing and  
22 reviewing a pupil's educational development plan, the pupil shall  
23 be advised that many of the curricular requirements of this section  
24 and section 1278a may be fulfilled through career and technical  
25 education. In addition, during the process of developing and  
26 reviewing an educational development plan, the pupil shall be  
27 provided with all of the following:

28 (a) Information on various types of careers and current and  
29 projected job openings in this state and those jobs' actual and

1 projected wages.

2 (b) An opportunity to explore careers specific to a pupil's  
3 interests and identify career pathways and goals for achieving  
4 success in those careers, including, but not limited to, the level  
5 and type of educational preparation necessary to accomplish those  
6 goals.

7 (c) An opportunity to develop a talent portfolio. A talent  
8 portfolio ~~shall~~**must** be developed and revised throughout the  
9 implementation of a pupil's educational development plan. A talent  
10 portfolio ~~shall~~**must** include, but is not limited to, a record of  
11 the pupil's experiences, proficiencies, certifications, or  
12 accomplishments that demonstrate talents or marketable skills. The  
13 department, in conjunction with the department of talent and  
14 economic development, shall develop and make available to the  
15 public schools model information materials that districts or public  
16 school academies may use to comply with this subdivision.

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

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

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

23 **(13)** ~~(14)~~ This section and section 1278a do not prohibit a  
 24 pupil from satisfying or exceeding the credit requirements of the  
 25 Michigan merit standard under this section and section 1278a  
 26 through advanced studies such as accelerated course placement,  
 27 advanced placement, dual enrollment in a postsecondary institution,  
 28 or participation in the international baccalaureate program or an  
 29 ~~early college/middle~~ **early/middle** college program.



1           **(14)** ~~(15)~~—Not later than April 1 of each year, the department  
2 shall submit an annual report to the legislature that evaluates the  
3 overall success of the curriculum required under this section and  
4 section 1278a, the rigor and relevance of the course work required  
5 by the curriculum, the ability of public schools to implement the  
6 curriculum and the required course work, and the impact of the  
7 curriculum on pupil success, and that details any activities the  
8 department has undertaken to implement this section and section  
9 1278a or to assist public schools in implementing the requirements  
10 of this section and section 1278a.