

HOUSE BILL NO. 4595

March 25, 2021, Introduced by Reps. Rogers, Scott, Clemente, Young, O'Neal, LaFave, Bellino, Breen, Coleman, Steckloff, Neeley, Brenda Carter, Bolden, Morse, Cherry, Sneller, Ellison, Brixie, Cambensy, Liberati, Sabo, Steven Johnson, Hope, Thanedar, Aiyash, Garza, Roth, Kuppa, LaGrand, Hertel, Puri, Haadsma, Witwer, Hood, Whitsett, Jones, Lasinski, Stone, Tyrone Carter, Rabhi, Koleszar, Weiss, Wozniak and Yancey and referred to the Committee on Education.

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 2020 PA 158 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

1 school academy shall not award a high school diploma to a pupil
2 unless the pupil meets all of the following:

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

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

1 mathematics courses in 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).

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

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

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

15 (2) In addition to the requirements under subsection (1),
16 ~~beginning with pupils entering grade 3 in 2006,~~ the board of a
17 school district or board of directors of a public school academy
18 shall not award a high school diploma to a pupil unless the pupil
19 has successfully completed during grades K to 12 at least 2 credits
20 that are grade-appropriate in a language other than English or
21 course work or other learning experiences that are substantially
22 equivalent to 2 credits in a language other than English, based on
23 guidelines developed by the department. A pupil may partially or
24 fully fulfill 1 credit of this requirement by completing a
25 department-approved formal career and technical education program
26 or curriculum or by completing visual or performing arts
27 instruction that is in addition to the requirements under
28 subsection (1) (a) (iv). The board of a school district or board of
29 directors of a public school academy is strongly encouraged to

1 ensure that all pupils complete at least 1 credit in a language
2 other than English in grades K to 6. For the purposes of this
3 subsection, both of the following apply:

4 (a) American Sign Language is considered to be a language
5 other than English.

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

8 (3) The requirements under this section and section 1278b for
9 a high school diploma are in addition to any local requirements
10 imposed by the board of a school district or board of directors of
11 a public school academy. The board of a school district or board of
12 directors of a public school academy, as a local requirement for a
13 high school diploma, may require a pupil to complete the Michigan
14 merit examination under section 1279g or may require a pupil to
15 participate in the MIAccess assessments if appropriate for the
16 pupil.

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

19 (a) A pupil is considered to have completed a credit if the
20 pupil successfully completes the subject area content expectations
21 or guidelines developed by the department that apply to the credit.
22 For a career and technical education credit, a school district or
23 public school academy may supplement those content expectations and
24 guidelines with additional guidelines developed by the school
25 district or public school academy.

26 (b) A school district or public school academy shall base its
27 determination of whether a pupil has successfully completed the
28 subject area content expectations or guidelines developed by the
29 department that apply to a credit at least in part on the pupil's

1 performance on ~~the~~ assessments developed or selected by the
2 department ~~under section 1278b~~ or on 1 or more assessments
3 developed or selected by the school district or public school
4 academy that measure a pupil's understanding of the subject area
5 content expectations or guidelines that apply to the credit.

6 (c) A school district or public school academy shall also
7 grant a pupil a credit if the pupil earns a qualifying score, as
8 determined by the department, on ~~the~~ assessments developed or
9 selected for the subject area by the department ~~under section 1278b~~
10 or the pupil earns a qualifying score, as determined by the school
11 district or public school academy, on 1 or more assessments
12 developed or selected by the school district or public school
13 academy that measure a pupil's understanding of the subject area
14 content expectations or guidelines that apply to the credit.

15 (5) If a high school is designated by the superintendent of
16 public instruction as a specialty school and the high school meets
17 the requirements of subsection (6), then the pupils of the high
18 school are not required to successfully complete the 4 credits in
19 English language arts required under section 1278b(1)(a) or the 3
20 credits in social science required under subsection (1)(a)(ii) and
21 the school district or public school academy is not required to
22 ensure that each pupil is offered the curriculum necessary for
23 meeting those English language arts or social science credit
24 requirements. The superintendent of public instruction may
25 designate up to 15 high schools that meet the requirements of this
26 subsection as specialty schools. Subject to this maximum number,
27 the superintendent of public instruction shall designate a high
28 school as a specialty school if the superintendent of public
29 instruction finds that the high school meets all of the following

1 criteria:

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

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

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

14 (a) The high school clearly states to prospective pupils and
15 their parents that it does not meet the requirements of the
16 Michigan merit standard under this section and section 1278b but is
17 a designated specialty school that is exempt from some of those
18 requirements and that a pupil who enrolls in the high school and
19 subsequently transfers to a high school that is not a specialty
20 school meeting the requirements of this subsection will be required
21 to comply with the requirements of the Michigan merit standard
22 under this section and section 1278b.

23 (b) For the most recent year for which the data are available,
24 the mean scores on both the mathematics ~~and science portions of the~~
25 ~~ACT examination~~ **portion of the SAT examination and the science**
26 **portion of the applicable state assessment** for the pupils of the
27 high school exceed by at least 10% the mean scores on the
28 mathematics ~~and science portions of the ACT examination~~ **portion of**
29 **the SAT examination and the science portion of the applicable state**

1 **assessment** for the pupils of the school district in which the
2 greatest number of the pupils of the high school reside.

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

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

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

13 (f) All pupils of the high school are required to meet the
14 science credit requirements of section 1278b(1) (b) and are also
15 required to successfully complete at least 1 additional science
16 credit, for a total of at least 4 science credits, with no
17 modification of these requirements under section 1278b(5), and each
18 pupil is offered the curriculum necessary to meet this requirement.

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

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

29 (b) At least 3 credits in science that are aligned with

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

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

16 (2) If a pupil successfully completes 1 or more of the high
17 school credits required under subsection (1) or under section
18 1278a(1) before entering high school, the pupil ~~shall~~**must** be given
19 high school credit for that credit.

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

22 (a) Develop subject area content expectations that apply to
23 the credit requirements of the Michigan merit standard that are
24 required under subsection (1) (a) and (b) and section 1278a(1) (a) (i)
25 and (ii) and develop guidelines for the remaining credit
26 requirements of the Michigan merit standard that are required under
27 this section and section 1278a(1) (a), for the online course or
28 learning experience required under section 1278a(1) (b), and for the
29 requirements for a language other than English under section

1 1278a(2). All of the following apply to these subject area content
2 expectations and guidelines:

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

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

14 (iii) The subject area content expectations ~~shall~~**must** state in
15 clear and measurable terms what pupils are expected to know upon
16 completion of each credit.

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

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

27 (vi) If the department has not completed development of the
28 subject area content expectations that apply to a particular credit
29 required in the Michigan merit standard under subsection (1) or

1 section 1278a(1) (a) by the date required under this subdivision, a
2 school district or public school academy may align the content of
3 the credit with locally adopted standards.

4 (vii) Until all of the subject area content expectations and
5 guidelines have been developed by the department and approved by
6 the state board, the department shall submit a report at least
7 every 6 months to the senate and house standing committees
8 responsible for education legislation on the status of the
9 development of the subject area content expectations and
10 guidelines. The report ~~shall~~**must** detail any failure by the
11 department to meet a deadline established under subparagraph (iv) or
12 (v) and the reasons for that failure.

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

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

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

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

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

22 (D) Representatives from the business community.

23 (E) Representatives from vocational and career and technical
24 education providers.

25 (F) Government officials, including officials from the
26 legislature.

27 (G) Parents of public school pupils.

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

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

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

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

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

22 (5) The parent or legal guardian of a pupil who has completed
23 grade 9, a teacher who is currently teaching the pupil, who
24 currently teaches in or whose expertise is in a subject area
25 proposed to be modified by the personal curriculum, or who is
26 determined by the principal to have qualifications otherwise
27 relevant to developing a personal curriculum, or a school counselor
28 or school employee qualified to act in a counseling role under
29 section 1233 or 1233a may request a personal curriculum under this

1 subsection for the pupil that modifies certain of the Michigan
2 merit standard requirements under subsection (1) or section
3 1278a(1) (a). If the request for a personal curriculum is made by
4 the pupil's parent or legal guardian or, if the pupil is at least
5 age 18 or is an emancipated minor, by the pupil, the school
6 district or public school academy shall develop a personal
7 curriculum for the pupil. A teacher, school counselor, or school
8 employee qualified to act in a counseling role under section 1233
9 or 1233a may contact a pupil's parent or legal guardian to discuss
10 the possibility and potential benefits of a personal curriculum
11 under this subsection for the pupil. If all of the requirements
12 under this subsection for completing a personal curriculum are met,
13 then the board of a school district or board of directors of a
14 public school academy may award a high school diploma to a pupil
15 who successfully completes his or her personal curriculum even if
16 it does not meet the requirements of the Michigan merit standard
17 required under subsection (1) and section 1278a(1) (a). All of the
18 following apply to a personal curriculum:

19 (a) The personal curriculum ~~shall~~**must** be developed by a group
20 that includes at least the pupil, at least 1 of the pupil's parents
21 or the pupil's legal guardian, and a teacher described in this
22 subdivision or the pupil's high school counselor or another
23 designee qualified to act in a counseling role under section 1233
24 or 1233a selected by the high school principal. In addition, for a
25 pupil who receives special education services, a school
26 psychologist should also be included in this group. The teacher
27 included in the group developing the personal curriculum ~~shall~~**must**
28 be a teacher who is currently teaching the pupil, who currently
29 teaches in or whose expertise is in a subject area being modified

1 by the personal curriculum, or who is determined by the principal
2 to have qualifications otherwise relevant to the group. This
3 subdivision does not require an in-person meeting of the group.

4 (b) The personal curriculum ~~shall~~**must** incorporate as much of
5 the subject area content expectations of the Michigan merit
6 standard required under subsection (1) and section 1278a(1)(a) as
7 is practicable for the pupil; ~~shall~~**must** establish measurable goals
8 that the pupil must achieve while enrolled in high school and ~~shall~~
9 **must** provide a method to evaluate whether the pupil achieved these
10 goals; and ~~shall~~**must** be aligned with the pupil's educational
11 development plan developed under subsection (11).

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

16 (d) The pupil's parent or legal guardian shall ~~be in~~
17 ~~communication~~**communicate** with each of the pupil's teachers to
18 monitor the pupil's progress toward the goals contained in the
19 pupil's personal curriculum.

20 (e) Revisions may be made in the personal curriculum if the
21 revisions are developed and agreed to in the same manner as the
22 original personal curriculum.

23 (f) The English language arts credit requirements of
24 subsection (1)(a) and the science credit requirements of subsection
25 (1)(b) are not subject to modification as part of a personal
26 curriculum under this subsection.

27 (g) The mathematics credit requirements of section
28 1278a(1)(a)(i) may be modified as part of a personal curriculum if
29 the pupil successfully completes at least 3-1/2 total credits of

1 the mathematics credits required under that section before
2 completing high school, including algebra I and geometry, and
3 successfully completes at least 1 mathematics credit during his or
4 her final 2 years of high school. ~~The algebra II credit required~~
5 ~~under that section may be modified as part of a personal curriculum~~
6 ~~under this subsection if the pupil meets 1 or more of the~~
7 ~~following:~~

8 ~~(i) Successfully completes the same content as 1 semester of~~
9 ~~algebra II, as determined by the department.~~

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

13 ~~(iii) Enrolls in a formal career and technical education program~~
14 ~~or curriculum and in that program or curriculum successfully~~
15 ~~completes the same content as the algebra II benchmarks assessed on~~
16 ~~the department-prescribed state high school assessment, as~~
17 ~~determined by the department.~~

18 ~~(iv) Successfully completes 1 semester of statistics, functions~~
19 ~~and data analysis, or technical mathematics.~~

20 (h) The social science credit requirements of section
21 1278a(1) (a) (ii) may be modified as part of a personal curriculum
22 only if all of the following are met:

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

26 (ii) The modification requires the pupil to complete 1
27 additional credit in English language arts, mathematics, or science
28 or 1 additional credit in a language other than English, or
29 requires the pupil to complete a formal career and technical

1 education program. This additional credit must be in addition to
2 the number of those credits otherwise required under subsection (1)
3 and section 1278a(1) or under section 1278a(2).

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

13 (j) The visual arts, performing arts, or applied arts credit
14 requirement under section 1278a(1) (a) (iv) may be modified as part of
15 a personal curriculum only if the modification requires the pupil
16 to complete 1 additional credit in English language arts,
17 mathematics, or science or 1 additional credit in a language other
18 than English, or requires the pupil to complete a formal career and
19 technical education program. This additional credit must be in
20 addition to the number of those credits otherwise required under
21 subsection (1) and section 1278a(1) or under section 1278a(2).

22 (k) If the parent or legal guardian of a pupil requests as
23 part of the pupil's personal curriculum a modification of the
24 Michigan merit standard requirements that would not otherwise be
25 allowed under this section and demonstrates that the modification
26 is necessary because the pupil is a child with a disability, the
27 school district or public school academy may allow that additional
28 modification to the extent necessary because of the pupil's
29 disability if the group under subdivision (a) determines that the

1 modification is consistent with both the pupil's educational
2 development plan under subsection (11) and the pupil's
3 individualized education program. If the superintendent of public
4 instruction has reason to believe that a school district or a
5 public school academy is allowing modifications inconsistent with
6 the requirements of this subdivision, the superintendent of public
7 instruction shall monitor the school district or public school
8 academy to ensure that the school district's or public school
9 academy's policies, procedures, and practices are in compliance
10 with the requirements for additional modifications under this
11 subdivision. As used in this subdivision, "child with a disability"
12 means that term as defined in 20 USC 1401.

13 (l) If a pupil transfers to a school district or public school
14 academy from out of state or from a nonpublic school, the pupil's
15 parent or legal guardian may request, as part of the pupil's
16 personal curriculum, a modification of the Michigan merit standard
17 requirements that would not otherwise be allowed under this
18 section. The school district or public school academy may allow
19 this additional modification for a transfer pupil if all of the
20 following are met:

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

28 (ii) The transfer pupil's personal curriculum incorporates as
29 much of the subject area content expectations of the Michigan merit

1 standard as is practicable for the pupil.

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

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

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

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

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

18 (n) This subsection does not apply to a pupil enrolled in a
19 high school that is designated as a specialty school under section
20 1278a(5) and that is exempt under that section from the English
21 language arts requirement under subsection (1)(a) and the social
22 science credit requirement under section 1278a(1)(a) (ii).

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

27 (p) A school district or public school academy annually shall
28 notify each of its pupils and a parent or legal guardian of each of
29 its pupils that all pupils are entitled to a personal curriculum

1 under this subsection. The annual notice ~~shall~~**must** include an
2 explanation of what a personal curriculum is and state that if a
3 personal curriculum is requested, the public school or public
4 school academy will grant that request. The school district or
5 public school academy shall provide this annual notice to parents
6 and legal guardians by sending a written notice to each pupil's
7 home or by including the notice in a newsletter, student handbook,
8 or similar communication that is sent to a pupil's home, and also
9 shall post the notice on the school district's or public school
10 academy's website.

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

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

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

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

20 (9) If a pupil is not successfully completing a credit
21 required for graduation under this section and section 1278a, or is
22 identified as being at risk of withdrawing from high school, then
23 the pupil's school district or public school academy shall notify
24 the pupil's parent or legal guardian or, if the pupil is at least
25 age 18 or is an emancipated minor, the pupil, of the availability
26 of tutoring or other supplemental educational support and
27 counseling services that may be available to the pupil under
28 existing state or federal programs, such as those programs or
29 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 **or the every student succeeds act, Public Law**
3 **114-95.**

4 (10) To the extent required by the no child left behind act of
5 2001, Public Law 107-110 **or the every student succeeds act, Public**
6 **Law 114-95,** the board of a school district or public school academy
7 shall ensure that all components of the curricular requirements
8 under this section and section 1278a are taught by highly qualified
9 teachers. If a school district or public school academy
10 demonstrates to the department that the school district or public
11 school academy is unable to meet the requirements of this section
12 because the school district or public school academy is unable to
13 hire enough highly qualified teachers, the department shall work
14 with the school district or public school academy to develop a plan
15 to allow the school district or public school academy to hire
16 enough highly qualified teachers to meet the requirements of this
17 section.

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

13 (a) Information on various types of careers and current and
 14 projected job openings in this state and those jobs' actual and
 15 projected wages.

16 (b) An opportunity to explore careers specific to a pupil's
 17 interests and identify career pathways and goals for achieving
 18 success in those careers, including, but not limited to, the level
 19 and type of educational preparation necessary to accomplish those
 20 goals.

21 (c) An opportunity to develop a talent portfolio. A talent
 22 portfolio ~~shall~~**must** be developed and revised throughout the
 23 implementation of a pupil's educational development plan. A talent
 24 portfolio ~~shall~~**must** include, but is not limited to, a record of
 25 the pupil's experiences, proficiencies, certifications, or
 26 accomplishments that demonstrate talents or marketable skills. The
 27 department, in conjunction with the department of ~~talent and~~
 28 ~~economic development,~~ **labor and economic opportunity**, shall develop
 29 and make available to the public schools model information

1 materials that districts or public school academies may use to
2 comply with this subdivision.

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

29 ~~(13) If a school district or public school academy does not~~

1 ~~offer all of the required credits or provide options to have access~~
2 ~~to the required credits as provided under subsection (8) and if~~
3 ~~legislation is enacted that adds section 1290 to allow school~~
4 ~~districts and public school academies to apply for a contract that~~
5 ~~waives certain state or federal requirements, then the school~~
6 ~~district or public school academy is encouraged to apply for a~~
7 ~~contract under section 1290. The purpose of a contract described in~~
8 ~~this subsection is to improve pupil performance.~~

9 **(13)** ~~(14)~~ This section and section 1278a do not prohibit a
10 pupil from satisfying or exceeding the credit requirements of the
11 Michigan merit standard under this section and section 1278a
12 through advanced studies such as accelerated course placement,
13 advanced placement, dual enrollment in a postsecondary institution,
14 or participation in the international baccalaureate program or an
15 early college/middle college program.

16 **(14)** ~~(15)~~ Not later than April 1 of each year, the department
17 shall submit an annual report to the legislature that evaluates the
18 overall success of the curriculum required under this section and
19 section 1278a, the rigor and relevance of the course work required
20 by the curriculum, the ability of public schools to implement the
21 curriculum and the required course work, and the impact of the
22 curriculum on pupil success, and that details any activities the
23 department has undertaken to implement this section and section
24 1278a or to assist public schools in implementing the requirements
25 of this section and section 1278a.