

SUBSTITUTE FOR
HOUSE BILL NO. 5111

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1280f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1280F. (1) BEGINNING WITH PUPILS ENROLLED IN GRADE 1
2 DURING THE 2014-2015 SCHOOL YEAR, EXCEPT AS OTHERWISE PROVIDED IN
3 THIS SECTION, IF A PUPIL ENROLLED IN GRADE 3 IN A SCHOOL DISTRICT
4 OR PUBLIC SCHOOL ACADEMY DOES NOT ACHIEVE A SCORE OF AT LEAST
5 PROFICIENT IN READING ON THE GRADE 3 STATE ASSESSMENT, THE BOARD OF
6 THE SCHOOL DISTRICT OR BOARD OF DIRECTORS OF THE PUBLIC SCHOOL
7 ACADEMY IN WHICH THE PUPIL IS ENROLLED SHALL ENSURE THAT THE PUPIL
8 IS NOT ENROLLED IN GRADE 4 UNTIL THE PUPIL ACHIEVES A SCORE OF AT
9 LEAST PROFICIENT IN READING ON THE GRADE 3 STATE ASSESSMENT.

1 (2) IF A CHILD SEEKS TO ENROLL FOR THE FIRST TIME IN A SCHOOL
2 DISTRICT OR PUBLIC SCHOOL ACADEMY IN GRADE 4, THE SCHOOL DISTRICT
3 OR PUBLIC SCHOOL ACADEMY SHALL NOT ALLOW THE PUPIL TO ENROLL IN
4 GRADE 4 UNLESS THE PUPIL HAS ACHIEVED A SCORE OF AT LEAST
5 PROFICIENT IN READING ON THE GRADE 3 STATE ASSESSMENT.

6 (3) IF THE SUPERINTENDENT OF THE PUPIL'S SCHOOL DISTRICT OR
7 CHIEF ADMINISTRATOR OF THE PUPIL'S PUBLIC SCHOOL ACADEMY GRANTS A
8 GOOD CAUSE EXEMPTION FROM THE REQUIREMENTS OF SUBSECTION (1) FOR A
9 PUPIL, THEN A PUPIL MAY BE ENROLLED IN GRADE 4 WITHOUT MEETING THE
10 REQUIREMENTS OF SUBSECTION (1). A GOOD CAUSE EXEMPTION MAY BE
11 GRANTED ONLY ACCORDING TO THE PROCEDURES UNDER SUBSECTION (4) AND
12 ONLY FOR 1 OF THE FOLLOWING:

13 (A) THE PUPIL HAS DEMONSTRATED GRADE 3 LEVEL PERFORMANCE IN
14 READING ON AN ALTERNATIVE STANDARDIZED READING ASSESSMENT APPROVED
15 FOR THIS PURPOSE BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

16 (B) THE PUPIL HAS DEMONSTRATED GRADE 3 LEVEL PERFORMANCE IN
17 READING THROUGH A PUPIL PORTFOLIO, AS EVIDENCED BY DEMONSTRATING
18 MASTERY OF ALL GRADE 3 STATE READING STANDARDS THROUGH MULTIPLE
19 WORK SAMPLES.

20 (C) THE PUPIL IS A STUDENT WITH A DISABILITY WHOSE
21 INDIVIDUALIZED EDUCATION PROGRAM INDICATES THAT PARTICIPATION IN
22 THE STATE READING ASSESSMENT IS NOT APPROPRIATE, CONSISTENT WITH
23 STATE LAW.

24 (D) THE PUPIL IS A LIMITED ENGLISH PROFICIENT STUDENT WHO HAS
25 HAD LESS THAN 2 YEARS OF INSTRUCTION IN AN ENGLISH LANGUAGE LEARNER
26 PROGRAM.

27 (4) THE SUPERINTENDENT OF A SCHOOL DISTRICT OR CHIEF

1 ADMINISTRATOR OF A PUBLIC SCHOOL ACADEMY SHALL GRANT A GOOD CAUSE
2 EXEMPTION UNDER SUBSECTION (3) ONLY THROUGH THE FOLLOWING
3 PROCEDURE:

4 (A) AT THE REQUEST OF THE PUPIL'S PARENT OR LEGAL GUARDIAN OR
5 UPON THE TEACHER'S OWN INITIATIVE, THE PUPIL'S GRADE 3 TEACHER
6 SUBMITS TO THE PRINCIPAL OR OTHER CHIEF ADMINISTRATOR OF THE
7 PUPIL'S SCHOOL A RECOMMENDATION FOR A GOOD CAUSE EXEMPTION ALONG
8 WITH DOCUMENTATION THAT INDICATES THAT A GOOD CAUSE EXEMPTION UNDER
9 SUBSECTION (3) APPLIES TO THE PUPIL. THE DOCUMENTATION SHALL
10 CONSIST ONLY OF A STATEMENT IDENTIFYING THE GOOD CAUSE EXEMPTION
11 BEING REQUESTED, THE EXISTING READING IMPROVEMENT PLAN OR
12 INDIVIDUALIZED EDUCATION PROGRAM FOR THE PUPIL, AND THE ALTERNATIVE
13 ASSESSMENT RESULTS OR PUPIL PORTFOLIO RESULTS FOR THE PUPIL, AS
14 APPLICABLE.

15 (B) FOR A PUPIL ENROLLED IN A SCHOOL OPERATED BY A SCHOOL
16 DISTRICT, THE PRINCIPAL OF THE PUPIL'S SCHOOL SHALL REVIEW AND
17 DISCUSS THE RECOMMENDATION WITH THE PUPIL'S GRADE 3 TEACHER AND
18 SHALL MAKE A DETERMINATION IN WRITING OF WHETHER OR NOT TO
19 RECOMMEND THAT THE GOOD CAUSE EXEMPTION BE GRANTED FOR THE PUPIL.
20 IF THE PRINCIPAL DETERMINES TO RECOMMEND THAT THE GOOD CAUSE
21 EXEMPTION BE GRANTED, HE OR SHE SHALL SUBMIT THAT RECOMMENDATION TO
22 THE SUPERINTENDENT OF THE SCHOOL DISTRICT. THE SUPERINTENDENT OF
23 THE SCHOOL DISTRICT SHALL ACCEPT OR REJECT THE PRINCIPAL'S
24 RECOMMENDATION IN WRITING, AND THE SUPERINTENDENT'S DECISION TO
25 GRANT OR DENY THE EXEMPTION IS FINAL.

26 (C) FOR A PUPIL ENROLLED IN A PUBLIC SCHOOL ACADEMY, THE CHIEF
27 ADMINISTRATOR OF THE PUBLIC SCHOOL ACADEMY SHALL REVIEW AND DISCUSS

1 THE RECOMMENDATION WITH THE PUPIL'S GRADE 3 TEACHER AND SHALL MAKE
2 A DETERMINATION IN WRITING OF WHETHER OR NOT TO GRANT THE GOOD
3 CAUSE EXEMPTION FOR THE PUPIL. THE CHIEF ADMINISTRATOR'S DECISION
4 IS FINAL.

5 (5) IF A PUPIL ENROLLS IN GRADE 4 WITH A GOOD CAUSE EXEMPTION
6 GRANTED UNDER SUBSECTIONS (3) AND (4), THE SCHOOL DISTRICT OR
7 PUBLIC SCHOOL ACADEMY IN WHICH THE PUPIL IS ENROLLED SHALL PROVIDE
8 THE PUPIL WITH INTENSIVE READING INSTRUCTION AND INTERVENTION THAT
9 INCLUDES SPECIALIZED DIAGNOSTIC INFORMATION AND SPECIFIC READING
10 STRATEGIES TO MEET THE NEEDS OF THE PUPIL. THE SCHOOL DISTRICT OR
11 PUBLIC SCHOOL ACADEMY SHALL ASSIST THE PUPIL'S SCHOOL AND TEACHERS
12 WITH THE IMPLEMENTATION FOR THE PUPIL OF 1 OR MORE READING
13 STRATEGIES THAT RESEARCH HAS SHOWN TO BE SUCCESSFUL IN IMPROVING
14 READING AMONG STUDENTS WITH READING DIFFICULTIES.

15 (6) A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL NOT
16 RETAIN A PUPIL IN GRADE 3 UNDER THIS SECTION FOR MORE THAN 2 SCHOOL
17 YEARS.

18 (7) WITH THE AGREEMENT OF THE PUPIL'S TEACHER AND THE PUPIL'S
19 PARENT OR LEGAL GUARDIAN, A PUPIL MAY RETAKE THE GRADE 3 STATE
20 READING ASSESSMENT BEFORE GRADE 4 TO ATTEMPT TO ACHIEVE A SCORE OF
21 AT LEAST PROFICIENT IN READING FOR THE PURPOSES OF THIS SECTION.

22 (8) TO FURTHER THE GOAL OF ENCOURAGING READING PROFICIENCY FOR
23 ALL PUPILS BY THE END OF GRADE 3 AND TO HELP ALLOW TEACHERS AND
24 SCHOOLS TO FOCUS ON THIS GOAL, THE DEPARTMENT SHALL NOT INCLUDE A
25 SOCIAL STUDIES COMPONENT ON THE GRADE 3 STATE ASSESSMENT OR ON ANY
26 PILOT OF THAT ASSESSMENT.

27 Enacting section 1. This amendatory act does not take effect

1 unless House Bill No. 5144 of the 97th Legislature is enacted into
2 law.