



Senate Bill 265 (Substitute S-1 as reported)
Senate Bill 268 (Substitute S-2 as reported)
Sponsor: Senator Ken Horn (S.B. 265)
 Senator Michael D. MacDonald (S.B. 268)
Committee: Education

CONTENT

Senate Bill 265 (S-1) would amend the Revised School Code to do the following:

- Require a school district or public school academy (PSA) to submit a retention report to the Center for Educational Performance and Information (CEPI) beginning in 2022 and no later than September 1 of each year.
- Prescribe the information that would have to be included in the 2022 retention report.
- Prescribe the conditions that would have to be met by a pupil enrolled in grade 3 or 4 in order for that pupil to be enrolled in grade 4 or 5, as applicable, during the 2021-2022 school year.
- Require the Department of Education (MDE) to provide CEPI with the finalized scoring for the grade 3 and 4 State assessments for 2021-2022 by May 23, 2022, or no later than 14 after the scores were finalized.
- Require CEPI, by June 1, 2022, or no later than 14 days after receiving the grade 3 and 4 State assessment results, to identify each pupil who had completed grade 3 or 4 during the 2021-2022 school year who was subject not to being advanced to grade 4 or 5, as applicable, as a result of not meeting the reading proficiency requirements required under the Code.
- Require CEPI to notify the parent or legal guardian and the school district or PSA of each pupil who was subject to being retained in grade 3 or 4.
- Prescribe the information that would have to be included in the notice provided by CEPI, including ways in which a pupil could be promoted to the next grade despite reading deficiencies.
- Require a parent or guardian of a pupil who was subject to being retained in grade 3 or 4 to request a good cause exemption from a district or PSA within 30 days after the date of the notification by CEPI.
- Require a school district or PSA to provide written notification to the parent or guardian of a pupil that he or she could be promoted to grade 4 or 5 if the pupil were not enrolled in grade 4 or 5 at the beginning of the school year but met specified conditions for promotion.
- Require a district or PSA to provide a reading intervention program for eligible pupils and prescribe requirements an intervention program would have to meet.
- Prescribe the procedures that a superintendent of a school district or chief administrator of a PSA, or a designee, would have to follow in order to grant a good cause exemption.
- Require a pupil enrolled in grade 3 during the 2020-2021 school year who was determined to be one or more grade levels behind in reading to be provided a reading intervention program beginning in the 2021-2022 school year until the pupil was determined to be less than one grade level behind in reading.

Senate Bill 268 (S-2) would amend the Revised School Code to do the following:

- Require a school district, intermediate school district (ISD), or PSA, beginning with the 2021-2022 school year, to ensure that a parent or legal guardian could cause a pupil to be enrolled in the grade level in which he had been enrolled in for the immediately preceding school year.
- Require the board of each school district and ISD, and board of directors of each PSA, by no later than June 14, 2021, and by no later than June 14 of each year thereafter, to ensure that a statement explaining the parent's or legal guardian's rights was provided to parents and guardians of pupils enrolled in that district.

MCL 380.1280f (S.B. 265)
380.1137 (S.B. 268)

Legislative Analyst: Dana Adams

FISCAL IMPACT

Senate Bill 265 (S-1) would have a fiscal impact on CEPI and local ISDs, school districts, and PSAs. The bill would require new reporting requirements for CEPI to identify grade 4 pupils who were not subject to advance to grade 5 and to notify the parent or legal guardian of those pupils. Currently, CPEI is required to identify only grade 3 pupils who are not subject to advance to grade 4. This could double administrative, staffing, and communication costs devoted to identifying pupils who are not subject to advance to the next grade.

Intermediate school districts, school districts, and PSAs would experience additional costs to process good cause exemptions and to provide additional resources to grade 3, 4, and 5 pupils who were retained in grade 3 or 4 or who were allowed to advance to grades 4 or 5 under good cause exemptions. This likely would double a local school's resources devoted to providing additional reading resources to pupils because of the inclusion of another grade level subject to the reading requirements and the additional pupils who could be subject to retention due to learning loss as a result of the COVID-19 pandemic.

Senate Bill 268 (S-2) would have no fiscal impact on the State but would have a negative fiscal impact on local ISDs, school districts, and PSAs. Local ISDs, school districts, and PSAs could experience additional administrative costs to determine the retention of pupils by July 1.

Date Completed: 6-2-21

Fiscal Analyst: Cory Savino