

SUBSTITUTE FOR
HOUSE BILL NO. 5112

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1280c (MCL 380.1280c), as amended by 2011 PA 8,
and by adding sections 1280f and 1280g.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1280c. (1) ~~Beginning in 2010, EXCEPT AS OTHERWISE~~
2 **PROVIDED IN THIS SUBSECTION**, not later than September 1 of each
3 year, the superintendent of public instruction shall publish a list
4 identifying the public schools in this state that the department
5 has determined to be among the lowest achieving 5% of all public
6 schools in this state, as defined for the purposes of the federal
7 incentive grant program created under sections 14005 and 14006 of
8 title XIV of the American recovery and reinvestment act of 2009,
9 Public Law 111-5. **BEGINNING IN 2016, NOT LATER THAN SEPTEMBER 1 OF**

1 EACH YEAR, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL PUBLISH A
2 LIST OF THE PUBLIC SCHOOLS IN THIS STATE THAT HAVE BEEN ASSIGNED A
3 LETTER GRADE OF F UNDER SECTION 1280F FOR THAT SCHOOL YEAR. AS
4 PROVIDED UNDER SECTION 1280G, A LETTER GRADE OF F INDICATES THAT A
5 PUBLIC SCHOOL IS AMONG THE LOWEST ACHIEVING PUBLIC SCHOOLS IN THIS
6 STATE.

7 (2) Except as otherwise provided in subsection (16), the
8 superintendent of public instruction shall issue an order placing
9 each public school that is included on the list under subsection
10 (1) under the supervision of the state school reform/redesign
11 officer described in subsection (9). **IN ADDITION, A PUBLIC SCHOOL**
12 **MAY BE PLACED UNDER THE SUPERVISION OF THE STATE SCHOOL**
13 **REFORM/REDESIGN OFFICER PURSUANT TO AN ORDER ISSUED BY THE**
14 **SUPERINTENDENT OF PUBLIC INSTRUCTION UNDER SECTION 1280G.** Within 90
15 days after a public school is placed under the supervision of the
16 state school reform/redesign officer under this section, the school
17 board or board of directors operating the public school shall
18 submit a redesign plan to the state school reform/redesign officer.
19 For a public school operated by a school board, the redesign plan
20 shall be developed with input from the local teacher bargaining
21 unit and the local superintendent. The redesign plan shall require
22 implementation of 1 of the 4 school intervention models that are
23 provided for the lowest achieving schools under the federal
24 incentive grant program created under sections 14005 and 14006 of
25 title XIV of the American recovery and reinvestment act of 2009,
26 Public Law 111-5, known as the "race to the top" grant program.
27 These models are the turnaround model, restart model, school

1 closure, and transformation model. The redesign plan shall include
2 an executed addendum to each applicable collective bargaining
3 agreement in effect for the public school that meets the
4 requirements of subsection (8).

5 (3) Within 30 days after receipt of a redesign plan for a
6 public school under subsection (2), the state school
7 reform/redesign officer shall issue an order approving,
8 disapproving, or making changes to the redesign plan. If the order
9 makes changes to the redesign plan, the school board or board of
10 directors has 30 days after the order to change the redesign plan
11 to incorporate those changes into the redesign plan and resubmit it
12 to the state school reform/redesign officer for approval or
13 disapproval.

14 (4) The state school reform/redesign officer shall not
15 disapprove a redesign plan that includes all of the elements
16 required under federal law for the school intervention model
17 included in the redesign plan. A school board or board of directors
18 may appeal disapproval of a redesign plan on this basis to the
19 superintendent of public instruction. The decision of the
20 superintendent of public instruction on the appeal is final.

21 (5) If the state school reform/redesign officer approves a
22 redesign plan under this section, the school board or board of
23 directors shall implement the redesign plan for the public school
24 beginning with the beginning of the next school year that begins
25 after the approval. The school board or board of directors shall
26 regularly submit monitoring reports to the state school
27 reform/redesign officer on the implementation and results of the

1 plan in the form and manner, and according to a schedule, as
2 determined by the state school reform/redesign officer.

3 (6) The state school reform/redesign school district is
4 created. The state school reform/redesign school district is a
5 school district for the purposes of section 11 of article IX of the
6 state constitution of 1963 and for receiving state school aid under
7 the state school aid act of 1979 and is subject to the leadership
8 and general supervision of the state board over all public
9 education under section 3 of article VIII of the state constitution
10 of 1963. The state school reform/redesign school district is a body
11 corporate and is a governmental agency. Except as otherwise
12 provided in subsection (7), if the state school reform/redesign
13 officer does not approve the redesign plan, or if the state school
14 reform/redesign officer determines that the redesign plan is not
15 achieving satisfactory results, the state school reform/redesign
16 officer shall issue an order placing the public school in the state
17 school reform/redesign school district, imposing for the public
18 school implementation of 1 of the 4 school intervention models
19 described in subsection (2) beginning with the beginning of the
20 next school year, and imposing an addendum to each applicable
21 collective bargaining agreement in effect for the public school as
22 necessary to implement the school intervention model and that meets
23 the requirements of subsection (8). All of the following apply to
24 the state school reform/redesign school district:

25 (a) The state school reform/redesign school district shall
26 consist of schools that are placed in the state school
27 reform/redesign school district.

1 (b) The state school reform/redesign officer shall act as the
2 superintendent of the state school reform/redesign school district.
3 With respect to schools placed in the state school reform/redesign
4 school district, the state school reform/redesign officer has all
5 of the powers and duties described in this section; all of the
6 provisions of this act that would otherwise apply to the school
7 board that previously operated a school placed in the state school
8 reform/redesign school district apply to the state school
9 reform/redesign officer with respect to that school, except those
10 relating to taxation or borrowing; except as otherwise provided in
11 this section, the state school reform/redesign officer may exercise
12 all the powers and duties otherwise vested by law in the school
13 board that previously operated a school placed in the state school
14 reform/redesign school district and in its officers, except those
15 relating to taxation or borrowing, and may exercise all additional
16 powers and duties provided under this section; and, except as
17 otherwise provided in this section, the state school
18 reform/redesign officer accedes to all the rights, duties, and
19 obligations of the school board with respect to that school. These
20 powers, rights, duties, and obligations include, but are not
21 limited to, all of the following:

22 (i) Authority over the expenditure of all funds attributable to
23 pupils at that school, including that portion of proceeds from
24 bonded indebtedness and other funds dedicated to capital projects
25 that would otherwise be apportioned to that school by the school
26 board that previously operated the school according to the terms of
27 the bond issue or financing documents.

1 (ii) Subject to subsection (8), rights and obligations under
2 collective bargaining agreements and employment contracts entered
3 into by the school board for employees at the school.

4 (iii) Rights to prosecute and defend litigation.

5 (iv) Rights and obligations under statute, rule, and common
6 law.

7 (v) Authority to delegate any of the state school
8 reform/redesign officer's powers and duties to 1 or more designees,
9 with proper supervision by the state school reform/redesign
10 officer.

11 (vi) Power to terminate any contract or portion of a contract
12 entered into by the school board that applies to that school.

13 However, this subsection does not allow any termination or
14 diminishment of obligations to pay debt service on legally
15 authorized bonds and does not allow a collective bargaining
16 agreement to be affected except as provided under subsection (8). A
17 contract terminated by the state school reform/redesign officer
18 under this subsection is void.

19 (7) If the state school reform/redesign officer determines
20 that better educational results are likely to be achieved by
21 appointing a chief executive officer to take control of multiple
22 public schools, the state school reform/redesign officer may make a
23 recommendation to the superintendent of public instruction for
24 appointment of a chief executive officer to take control over those
25 multiple schools. If the superintendent of public instruction
26 appoints a chief executive officer to take control of multiple
27 public schools under this subsection, the chief executive officer

1 shall impose for those public schools implementation of 1 of the 4
2 school intervention models described in subsection (2) and impose
3 an addendum to each applicable collective bargaining agreement in
4 effect for those public schools as necessary to implement the
5 school intervention model and that meets the requirements of
6 subsection (8). With respect to those public schools, the chief
7 executive officer has all of the same powers and duties that the
8 state school reform/redesign officer has for public schools placed
9 in the state school reform/redesign school district under
10 subsection (6). The chief executive officer shall regularly submit
11 monitoring reports to the state school reform/redesign officer on
12 the implementation and results of the intervention model in the
13 form and manner, and according to a schedule, as determined by the
14 state school reform/redesign officer. The chief executive officer
15 shall exercise any other powers or duties over the public schools
16 as may be directed by the superintendent of public instruction.

17 (8) An addendum to a collective bargaining agreement under
18 this section shall provide for any of the following that are
19 necessary for the applicable school intervention model to be
20 implemented at each affected public school:

21 (a) That any contractual or other seniority system that would
22 otherwise be applicable shall not apply at the public school. This
23 subdivision does not allow unilateral changes in pay scales or
24 benefits.

25 (b) That any contractual or other work rules that are
26 impediments to implementing the redesign plan shall not apply at
27 the public school. This subdivision does not allow unilateral

1 changes in pay scales or benefits.

2 (c) That the state school reform/redesign officer shall direct
3 the expenditure of all funds attributable to pupils at the public
4 school and the principal or other school leader designated by the
5 state school reform/redesign officer shall have full autonomy and
6 control over curriculum and discretionary spending at the public
7 school.

8 (9) The superintendent of public instruction shall hire a
9 state school reform/redesign officer to carry out the functions
10 under this section and as otherwise prescribed by law. The state
11 school reform/redesign officer shall be chosen solely on the basis
12 of his or her competence and experience in educational reform and
13 redesign. The state school reform/redesign officer is exempt from
14 civil service. The state school reform/redesign officer is
15 responsible directly to the superintendent of public instruction to
16 ensure that the purposes of this section are carried out, and
17 accordingly the position of state school reform/redesign officer
18 should be a position within the department that is exempt from the
19 classified state civil service. The department shall request that
20 the civil service commission establish the position of state school
21 reform/redesign officer as a position that is exempt from the
22 classified state civil service.

23 (10) If the state school reform/redesign officer imposes the
24 restart model for a public school in the state school
25 reform/redesign school district, or a chief executive officer under
26 subsection (7) imposes the restart model for multiple public
27 schools under that subsection, all of the following apply:

1 (a) The state school reform/redesign officer or chief
2 executive officer shall enter into an agreement with an educational
3 management organization to manage and operate the public school or
4 schools. The state school reform/redesign officer or chief
5 executive officer shall provide sufficient oversight to ensure that
6 the public school or schools will be operated according to all of
7 the requirements for a restart model.

8 (b) There shall be considered to be no collective bargaining
9 agreement in effect that applies to employees working at the public
10 school or schools under this model at the time of imposition of the
11 model.

12 (11) If the state school reform/redesign officer imposes the
13 turnaround model for a public school in the state school
14 reform/redesign school district, or a chief executive officer under
15 subsection (7) imposes the turnaround model for multiple public
16 schools under that subsection, all of the following apply:

17 (a) A collective bargaining agreement that applies to
18 employees working at the public school or schools under this model
19 at the time of imposition of the model, and any successor
20 collective bargaining agreement, continues to apply with respect to
21 pay scales and benefits.

22 (b) Subject to any addendum to the collective bargaining
23 agreement that applies to the public school or schools, an employee
24 who is working at the public school or schools and who was
25 previously employed in the same school district that previously
26 operated that school shall continue to retain and accrue seniority
27 rights in that school district according to the collective

1 bargaining agreement that applies to employees of that school
2 district.

3 (12) If more than 9 public schools operated by a school
4 district are on the list under subsection (1), the transformation
5 model may not be implemented for more than 50% of those schools.

6 (13) If the state school reform/redesign officer determines
7 that a public school that is subject to the measures under
8 subsection (6) or (7) has made significant improvement in pupil
9 achievement and should be released from the measures that have been
10 imposed under subsection (6) or (7), the state school
11 reform/redesign officer may recommend this to the superintendent of
12 public instruction. If the superintendent of public instruction
13 agrees with the determination and recommendation, the
14 superintendent of public instruction may release the public school
15 from the measures that have been imposed under subsection (6) or
16 (7).

17 (14) At least annually, the state school reform/redesign
18 officer shall submit a report to the standing committees of the
19 senate and house of representatives having jurisdiction over
20 education legislation on the progress being made in improving pupil
21 proficiency due to the measures under this section.

22 (15) As soon as practicable after the federal department of
23 education has adopted the final work rules and formula for
24 identifying the lowest achieving 5% of all public schools in this
25 state for the purposes of the federal incentive grant program
26 created under sections 14005 and 14006 of title XIV of the American
27 recovery and reinvestment act of 2009, Public Law 111-5, known as

1 the "race to the top" grant program, the department shall post all
2 of the following on its website:

3 (a) The federal work rules and formula.

4 (b) A list of the public schools in this state that have been
5 identified for these purposes as being among the lowest achieving
6 5% of all public schools in this state. The department shall update
7 this list as it considers appropriate.

8 (16) If a school that is included on the list under subsection
9 (1) is operated by a school district in which an emergency manager
10 is in place under the local government and school district fiscal
11 accountability act, then the superintendent of public instruction
12 shall not issue an order placing the school under the supervision
13 of the state school reform/redesign officer.

14 **SEC. 1280F. (1) NOT LATER THAN JULY 1, 2016, THE DEPARTMENT**
15 **SHALL DEVELOP AND IMPLEMENT AN ANNUAL SCHOOL TRANSPARENCY DASHBOARD**
16 **FOR EACH PUBLIC SCHOOL AND FOR EACH SCHOOL DISTRICT IN ACCORDANCE**
17 **WITH THIS SECTION.**

18 (2) THE ANNUAL SCHOOL TRANSPARENCY DASHBOARD FOR EACH PUBLIC
19 SCHOOL SHALL INCLUDE ALL OF THE FOLLOWING:

20 (A) THE DEPARTMENT SHALL COMPILE AND PUBLISH FOR EACH PUBLIC
21 SCHOOL ALL OF THE FOLLOWING METRICS FOR THE 2 MOST RECENT SCHOOL
22 YEARS:

23 (i) PUPIL PROFICIENCY IN READING AND MATHEMATICS, BASED ON
24 RESULTS FROM STATE ASSESSMENTS.

25 (ii) STUDENT GROWTH IN READING AND MATHEMATICS, BASED ON
26 LEARNING GAINS AS DETERMINED BY THE DEPARTMENT.

27 (iii) THE AVERAGE RATIO OF PUPILS TO TEACHERS.

1 (B) IF THE PUBLIC SCHOOL OPERATES GRADE 3, THE DEPARTMENT
2 SHALL ALSO COMPILE AND PUBLISH FOR THE PUBLIC SCHOOL FOR THE 2 MOST
3 RECENT SCHOOL YEARS THE PERCENTAGE OF PUPILS IN GRADE 3 WHO
4 ACHIEVED A SCORE OF AT LEAST PROFICIENT IN READING ON THE GRADE 3
5 STATE ASSESSMENT.

6 (C) IF THE PUBLIC SCHOOL OPERATES ALL OR SOME OF GRADES 9 TO
7 12, THE DEPARTMENT SHALL ALSO COMPILE AND PUBLISH FOR THE PUBLIC
8 SCHOOL ALL OF THE FOLLOWING METRICS FOR THE 2 MOST RECENT SCHOOL
9 YEARS:

10 (i) THE NUMBER AND PERCENTAGE OF PUPILS ENROLLED IN AT LEAST 1
11 COURSE FOR COLLEGE CREDIT, EITHER AT THE PUBLIC SCHOOL OR THROUGH
12 DUAL ENROLLMENT.

13 (ii) IF THE PUBLIC SCHOOL OPERATES GRADE 11, THE COMPOSITE ACT
14 SCORE FOR PUPILS ENROLLED IN THAT PUBLIC SCHOOL.

15 (iii) THE GRADUATION AND DROPOUT RATES FOR PUPILS ENROLLED IN
16 THAT PUBLIC SCHOOL.

17 (D) THE GOVERNING BODY OF THE PUBLIC SCHOOL MAY INCLUDE UP TO
18 3 ADDITIONAL METRICS, AS SELECTED BY THE GOVERNING BODY. IF THE
19 GOVERNING BODY INCLUDES 1 OR MORE ADDITIONAL METRICS UNDER THIS
20 SUBDIVISION, THE GOVERNING BODY SHALL MAINTAIN AND MAKE AVAILABLE
21 FOR PUBLIC INSPECTION DOCUMENTATION THAT SUBSTANTIATES THE ACCURACY
22 OF THE ADDITIONAL METRICS. ANY OF THE FOLLOWING MAY BE INCLUDED AS
23 AN ADDITIONAL METRIC:

24 (i) ACCREDITATION STATUS WITH A REGIONAL OR OTHER ACCREDITING
25 BODY.

26 (ii) THE NUMBER OF COLLEGE LEVEL EQUIVALENT COURSES OFFERED BY
27 THE PUBLIC SCHOOL AND THE NUMBER AND PERCENTAGE OF PUPILS ENROLLED

1 IN THOSE COURSES AND SUCCESSFULLY COMPLETING THOSE COURSES.

2 (iii) THE NUMBER AND PERCENTAGE OF TEACHERS AND ADMINISTRATORS
3 AT THE PUBLIC SCHOOL WHO ARE HIGHLY QUALIFIED.

4 (iv) AVERAGE DAILY ATTENDANCE.

5 (v) THE PERCENTAGE OF GRADUATES WHO ENTER COLLEGE AS A
6 FRESHMAN WITHIN 2 YEARS AFTER GRADUATING FROM HIGH SCHOOL.

7 (vi) ANOTHER METRIC SELECTED BY THE GOVERNING BOARD.

8 (E) THE GOVERNING BODY OF THE PUBLIC SCHOOL MAY INCLUDE A
9 NARRATIVE EXPLAINING 1 OR MORE OF THE METRICS UNDER SUBDIVISION (A)
10 TO (D) OR ADDING ADDITIONAL INFORMATION AS DETERMINED BY THE
11 GOVERNING BODY.

12 (3) THE ANNUAL SCHOOL TRANSPARENCY DASHBOARD FOR A SCHOOL
13 DISTRICT SHALL INCLUDE ALL OF THE INFORMATION UNDER SUBSECTION (2)
14 FOR ALL OF THE PUBLIC SCHOOLS OPERATED BY THE SCHOOL DISTRICT, IN
15 THE FORM AND MANNER PRESCRIBED BY THE DEPARTMENT.

16 (4) AFTER THE IMPLEMENTATION OF THE SCHOOL TRANSPARENCY
17 DASHBOARD UNDER THIS SECTION, ALL OF THE FOLLOWING APPLY:

18 (A) BEFORE AUGUST 1 OF EACH YEAR, THE DEPARTMENT SHALL NOTIFY
19 EACH PUBLIC SCHOOL AND SCHOOL DISTRICT OF ALL OF THE FOLLOWING:

20 (i) FOR EACH PUBLIC SCHOOL IT OPERATES, THE METRICS DETERMINED
21 BY THE DEPARTMENT UNDER SUBSECTION (2) (A) TO (D) FOR THAT YEAR.

22 (ii) THE DETAILED FORMULA AND FACTORS FOR DETERMINING EACH
23 METRIC.

24 (iii) THE BUILDING-LEVEL DATA USED TO GENERATE EACH METRIC.

25 (B) ON AUGUST 15 OF EACH YEAR, OR ON THE NEXT BUSINESS DAY IF
26 THAT AUGUST 15 IS NOT A BUSINESS DAY, THE DEPARTMENT SHALL POST THE
27 SCHOOL TRANSPARENCY DASHBOARD FOR EACH PUBLIC SCHOOL AND SCHOOL

1 DISTRICT ON ITS WEBSITE, WITH A LINK FROM THE HOMEPAGE, AND SHALL
2 REPORT TO THE LEGISLATURE ALL OF THE INFORMATION UNDER SUBDIVISION
3 (A).

4 (C) THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL DO BOTH
5 OF THE FOLLOWING FOR EACH PUBLIC SCHOOL IT OPERATES:

6 (i) INCLUDE THE INFORMATION UNDER SUBDIVISION (A) IN THE
7 POSTING OF INFORMATION UNDER SECTION 18(2) OF THE STATE SCHOOL AID
8 ACT OF 1979, MCL 388.1618.

9 (ii) PROMINENTLY DISPLAY THE SCHOOL TRANSPARENCY DASHBOARD FOR
10 THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY, AND FOR EACH PUBLIC
11 SCHOOL IT OPERATES, AND THE INFORMATION UNDER SUBDIVISION (A) ON
12 ITS WEBSITE, WITH A LINK ON ITS HOMEPAGE AND, IF THE SCHOOL
13 DISTRICT OR PUBLIC SCHOOL ACADEMY MAINTAINS A HOMEPAGE FOR A
14 PARTICULAR PUBLIC SCHOOL, A LINK ON THAT SCHOOL'S HOMEPAGE TO THE
15 INFORMATION FOR THAT PUBLIC SCHOOL.

16 (D) THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY MAY INCLUDE
17 THE ADDITIONAL LOCAL METRICS UNDER SUBSECTION (2) (D), THE NARRATIVE
18 INFORMATION UNDER SUBSECTION (2) (E), OR BOTH, IN THE INFORMATION
19 SUPPLIED UNDER SUBDIVISION (C).

20 SEC. 1280G. (1) NOT LATER THAN JULY 1, 2016, THE DEPARTMENT
21 SHALL DEVELOP AND IMPLEMENT A SCHOOL ACCOUNTABILITY SYSTEM THAT
22 ASSIGNS LETTER GRADES TO EACH PUBLIC SCHOOL BASED ON THE PUBLIC
23 SCHOOL'S PERFORMANCE AND STUDENT GROWTH.

24 (2) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE
25 DEPARTMENT SHALL ASSIGN A LETTER GRADE OF A, B, C, D, OR F TO EACH
26 PUBLIC SCHOOL. THE DEPARTMENT SHALL DETERMINE THE LETTER GRADE FOR
27 EACH PUBLIC SCHOOL BASED ON THE FOLLOWING FACTORS:

1 (A) FOR EACH PUBLIC SCHOOL THAT OPERATES ANY OF GRADES K TO 8,
2 AS FOLLOWS:

3 (i) 50% OF THE LETTER GRADE SHALL BE BASED ON PUPIL PROFICIENCY
4 AS MEASURED ON STATE ASSESSMENTS.

5 (ii) 25% OF THE LETTER GRADE SHALL BE BASED ON ANNUAL LEARNING
6 GAINS ON STATE ASSESSMENTS.

7 (iii) 25% OF THE LETTER GRADE SHALL BE BASED ON ANNUAL LEARNING
8 GAINS FOR PUPILS WHO ARE IN THE LOWEST 30% OF THE PUBLIC SCHOOL'S
9 PUPILS IN PROFICIENCY. THE PERFORMANCE OF THIS COHORT OF PUPILS MAY
10 NOT BE THE SOLE CRITERION FOR DETERMINING A FINAL LETTER GRADE.

11 (B) FOR EACH PUBLIC SCHOOL THAT OPERATES ANY OF GRADES 9 TO
12 12, AS FOLLOWS:

13 (i) 50% OF THE LETTER GRADE SHALL BE BASED ON PUPIL PROFICIENCY
14 AS MEASURED ON STATE ASSESSMENTS.

15 (ii) 25% OF THE LETTER GRADE SHALL BE BASED ON GRADUATION RATE.

16 (iii) 25% OF THE LETTER GRADE SHALL BE BASED ON ANNUAL LEARNING
17 GAINS FOR PUPILS WHO ARE IN THE LOWEST 30% OF THE PUBLIC SCHOOL'S
18 PUPILS IN PROFICIENCY. THE PERFORMANCE OF THIS COHORT OF PUPILS MAY
19 NOT BE THE SOLE CRITERION FOR DETERMINING A FINAL LETTER GRADE.

20 (3) AFTER THE IMPLEMENTATION OF THE LETTER GRADE SYSTEM UNDER
21 SUBSECTION (1), ALL OF THE FOLLOWING APPLY:

22 (A) BEFORE AUGUST 1 OF EACH YEAR, THE DEPARTMENT SHALL NOTIFY
23 EACH PUBLIC SCHOOL AND SCHOOL DISTRICT OF ALL OF THE FOLLOWING AND
24 PROVIDE AN APPEAL PROCESS THAT IS CONCLUDED BY THAT AUGUST 15:

25 (i) FOR EACH PUBLIC SCHOOL IT OPERATES, THE PUBLIC SCHOOL'S
26 LETTER GRADE FOR THAT YEAR AND, IF AVAILABLE, THE PUBLIC SCHOOL'S
27 LETTER GRADE FROM THE IMMEDIATELY PRECEDING 2 YEARS.

1 (ii) THE DETAILED FORMULA AND METRICS FOR THE LETTER GRADE
2 SYSTEM.

3 (iii) THE BUILDING-LEVEL DATA USED TO GENERATE THE LETTER GRADE.

4 (iv) THE NUMBER OF TEACHERS TEACHING IN THE PUBLIC SCHOOL FOR
5 THE CORRESPONDING SCHOOL YEAR WHO WERE RATED AS EFFECTIVE OR HIGHLY
6 EFFECTIVE UNDER THE PERFORMANCE EVALUATION SYSTEM UNDER SECTION
7 1249 AND THE TOTAL NUMBER OF TEACHERS TEACHING IN THAT PUBLIC
8 SCHOOL FOR THAT SCHOOL YEAR.

9 (v) THE NUMBER OF SCHOOL ADMINISTRATORS SERVING IN THE PUBLIC
10 SCHOOL FOR THE CORRESPONDING SCHOOL YEAR WHO WERE RATED AS
11 EFFECTIVE OR HIGHLY EFFECTIVE UNDER THE PERFORMANCE EVALUATION
12 SYSTEM UNDER SECTION 1249 AND THE TOTAL NUMBER OF SCHOOL
13 ADMINISTRATORS SERVING IN THAT PUBLIC SCHOOL FOR THAT SCHOOL YEAR.

14 (B) ON AUGUST 15 OF EACH YEAR, OR ON THE NEXT BUSINESS DAY IF
15 THAT AUGUST 15 IS NOT A BUSINESS DAY, THE DEPARTMENT SHALL POST ON
16 ITS WEBSITE, WITH A LINK FROM THE HOMEPAGE, AND SHALL REPORT TO THE
17 LEGISLATURE ALL OF THE INFORMATION UNDER SUBDIVISION (A).

18 (C) THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL DO BOTH
19 OF THE FOLLOWING FOR EACH PUBLIC SCHOOL IT OPERATES:

20 (i) INCLUDE THE INFORMATION UNDER SUBDIVISION (A) IN THE
21 POSTING OF INFORMATION UNDER SECTION 18(2) OF THE STATE SCHOOL AID
22 ACT OF 1979, MCL 388.1618.

23 (ii) PUBLISH THE INFORMATION UNDER SUBDIVISION (A) ON ITS
24 WEBSITE, WITH A LINK ON ITS HOMEPAGE AND, IF THE SCHOOL DISTRICT OR
25 PUBLIC SCHOOL ACADEMY MAINTAINS A HOMEPAGE FOR A PARTICULAR PUBLIC
26 SCHOOL, A LINK ON THAT SCHOOL'S HOMEPAGE TO THE INFORMATION FOR
27 THAT PUBLIC SCHOOL.

1 (D) FOR SUBSEQUENT SCHOOL YEARS FOR WHICH LETTER GRADES ARE
2 ASSIGNED, THE DEPARTMENT SHALL CONTINUE TO USE THE SAME NUMBER OF
3 POINTS REQUIRED FOR EACH LETTER GRADE AND THE SAME METRICS BY WHICH
4 LETTER GRADES ARE DETERMINED AS THE DEPARTMENT USED WHEN THE LETTER
5 GRADE SYSTEM WAS FIRST IMPLEMENTED.

6 (E) FOR ANY SCHOOL ACCOUNTABILITY SYSTEM OR STANDARD
7 SUBSEQUENTLY ESTABLISHED BY THE DEPARTMENT, THE DEPARTMENT SHALL
8 ENSURE THAT THE SYSTEM OR STANDARD IS BASED ON THE METRICS USED FOR
9 THE PURPOSES OF SUBSECTION (2).

10 (4) THE DEPARTMENT SHALL ASSIGN A LETTER GRADE FOR EACH PUBLIC
11 SCHOOL ENTITY FOR WHICH THE DEPARTMENT MAINTAINS AN ENTITY CODE. IN
12 ADDITION, IF A PUBLIC SCHOOL OPERATES BOTH 1 OR MORE OF GRADES K TO
13 8 AND 1 OR MORE OF GRADES 9 TO 12, THE DEPARTMENT SHALL CALCULATE
14 AND ASSIGN A SEPARATE LETTER GRADE FOR THE SCHOOL FOR EACH OF THOSE
15 SEPARATE GRADE CONFIGURATIONS. THE DEPARTMENT SHALL TREAT EACH OF
16 THE SEPARATE GRADE CONFIGURATIONS AS A SEPARATE PUBLIC SCHOOL FOR
17 THE PURPOSES OF THIS SECTION.

18 (5) IF THE DEPARTMENT DETERMINES THAT A PUBLIC SCHOOL THAT HAS
19 BEEN IN OPERATION FOR AT LEAST 3 SCHOOL YEARS, OR A SEPARATE
20 CONFIGURATION OF GRADES AT A PUBLIC SCHOOL AS DESCRIBED IN
21 SUBSECTION (4), MEETS BOTH OF THE FOLLOWING, THE SUPERINTENDENT OF
22 PUBLIC INSTRUCTION SHALL ISSUE AN ORDER EITHER CLOSING THE PUBLIC
23 SCHOOL, OR THE SEPARATE GRADE CONFIGURATION, OR PLACING THE PUBLIC
24 SCHOOL, OR THE SEPARATE GRADE CONFIGURATION, UNDER THE SUPERVISION
25 OF THE STATE SCHOOL REFORM/REDESIGN OFFICER AS DESCRIBED IN SECTION
26 1280C:

27 (A) HAS BEEN ASSIGNED A GRADE OF F UNDER THIS SECTION FOR 2 OR

1 MORE YEARS IN A PERIOD OF 3 CONSECUTIVE YEARS.

2 (B) HAS BEEN DETERMINED BY THE DEPARTMENT TO HAVE PERFORMED IN
3 THE LOWEST 5% OF ALL PUBLIC SCHOOLS IN THIS STATE IN LEARNING GAINS
4 FOR 2 OR MORE YEARS DURING THE SAME PERIOD OF 3 CONSECUTIVE YEARS
5 AS CONSIDERED FOR SUBDIVISION (A).

6 (6) WITH THE APPROVAL OF THE INTERMEDIATE SCHOOL DISTRICT OF
7 WHICH IT IS A CONSTITUENT DISTRICT OR OF ITS AUTHORIZING BODY, AS
8 APPLICABLE, A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY MAY APPLY TO
9 THE SUPERINTENDENT OF PUBLIC INSTRUCTION IN A FORM AND MANNER
10 PRESCRIBED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR
11 DESIGNATION OF 1 OR MORE OF THE PUBLIC SCHOOLS THAT IT OPERATES AS
12 AN ALTERNATIVE EDUCATION CAMPUS. THE SUPERINTENDENT OF PUBLIC
13 INSTRUCTION SHALL DESIGNATE A PUBLIC SCHOOL AS AN ALTERNATIVE
14 EDUCATION CAMPUS IF THE SUPERINTENDENT OF PUBLIC INSTRUCTION
15 DETERMINES THAT THE PUBLIC SCHOOL MEETS 1 OR MORE OF THE FOLLOWING:

16 (A) THE PUBLIC SCHOOL SERVES A PUPIL POPULATION IN WHICH MORE
17 THAN 95% OF THE PUPILS HAVE AN INDIVIDUALIZED EDUCATION PLAN.

18 (B) THE PUBLIC SCHOOL SERVES A PUPIL POPULATION IN WHICH A
19 MAJORITY OF THE PUPILS MEET 1 OR MORE OF THE FOLLOWING:

20 (i) ARE HOMELESS.

21 (ii) HAVE A DOCUMENTED HISTORY OF 1 OR MORE SERIOUS
22 PSYCHOLOGICAL BEHAVIORAL DISORDERS, INCLUDING, BUT NOT LIMITED TO,
23 SUICIDAL BEHAVIORS.

24 (iii) FOR A HIGH SCHOOL, ARE OVER THE TRADITIONAL AGE FOR THE
25 PUPIL'S GRADE LEVEL OR LACK ADEQUATE CREDIT HOURS TO BE ON TRACK TO
26 GRADUATE IN 4 YEARS.

27 (iv) ARE PARENTS OR PREGNANT.

1 (v) HAVE A HISTORY OF EXPULSION OR MULTIPLE SUSPENSIONS.

2 (vi) HAVE A CRIMINAL HISTORY.

3 (vii) HAVE A LEGAL HISTORY OF SUBSTANCE ABUSE OR MEDICALLY
4 DOCUMENTED HISTORY OF SUBSTANCE ABUSE.

5 (C) THE PUBLIC SCHOOL IS A STRICT DISCIPLINE ACADEMY
6 ESTABLISHED UNDER SECTIONS 1311B TO 1311M.

7 (7) IF A PUBLIC SCHOOL IS DESIGNATED AS AN ALTERNATIVE
8 EDUCATION CAMPUS UNDER SUBSECTION (6), THEN THE DEPARTMENT SHALL
9 NOT ASSIGN A LETTER GRADE TO THAT PUBLIC SCHOOL AND SHALL INSTEAD
10 ISSUE A SUMMARY STATUS FOR THAT PUBLIC SCHOOL. THE INFORMATION
11 REPORTED UNDER SUBSECTION (3) SHALL BE BASED ON THIS SUMMARY
12 STATUS.

13 (8) NOT LATER THAN JULY 1, 2016, THE DEPARTMENT SHALL
14 ESTABLISH AND IMPLEMENT A WAIVER SYSTEM FOR WAIVING REGULATORY OR
15 STATUTORY REPORTS AND REQUIREMENTS FOR A PUBLIC SCHOOL THAT
16 CONSISTENTLY MAINTAINS A GRADE OF A OR B UNDER THIS SECTION. IF THE
17 DEPARTMENT DETERMINES THAT A PUBLIC SCHOOL QUALIFIES FOR A WAIVER
18 UNDER THIS SECTION, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL
19 GRANT THE WAIVER, EFFECTIVE FOR AS LONG AS THE PUBLIC SCHOOL
20 MAINTAINS A GRADE OF A OR B, AND THE REGULATORY OR STATUTORY
21 REQUIREMENT THAT IS WAIVED DOES NOT APPLY TO THAT PUBLIC SCHOOL FOR
22 THE DURATION OF THE WAIVER. BEFORE IMPLEMENTING THIS WAIVER SYSTEM,
23 THE DEPARTMENT SHALL SUBMIT TO THE SENATE AND HOUSE STANDING
24 COMMITTEES ON EDUCATION A LIST OF THE REGULATORY AND STATUTORY
25 REPORTS AND REQUIREMENTS THAT ARE PROPOSED TO BE SUBJECT TO THE
26 WAIVER.

27 (9) FOR AS LONG AS IT IS REQUIRED BY THE UNITED STATES

1 DEPARTMENT OF EDUCATION, THE DEPARTMENT SHALL CONTINUE TO RECOGNIZE
2 PUBLIC SCHOOLS AS REWARD SCHOOLS, PRIORITY SCHOOLS, AND FOCUS
3 SCHOOLS BY RECOGNIZING PUBLIC SCHOOLS THAT ARE ASSIGNED A GRADE OF
4 A AS REWARD SCHOOLS, PUBLIC SCHOOLS THAT ARE ASSIGNED A GRADE OF F
5 AS PRIORITY SCHOOLS, AND PUBLIC SCHOOLS THAT DEMONSTRATE THE LOWEST
6 AMOUNT OF GROWTH AMONG THE BOTTOM-PERFORMING 30% OF THEIR PUPILS AS
7 FOCUS SCHOOLS.

8 Enacting section 1. This amendatory act does not take effect
9 unless House Bill No. 4154 of the 97th Legislature is enacted into
10 law.