

SUBSTITUTE FOR
HOUSE BILL NO. 4822

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) THE DEPARTMENT SHALL DO ALL OF THE FOLLOWING
2 TO HELP ENSURE THAT MORE PUPILS WILL ACHIEVE A SCORE OF AT LEAST
3 PROFICIENT IN ENGLISH LANGUAGE ARTS ON THE GRADE 3 STATE
4 ASSESSMENT:

5 (A) APPROVE 3 OR MORE VALID AND RELIABLE SCREENING, FORMATIVE,
6 AND DIAGNOSTIC READING ASSESSMENT SYSTEMS FOR SELECTION AND USE BY
7 SCHOOL DISTRICTS AND PUBLIC SCHOOL ACADEMIES IN ACCORDANCE WITH THE
8 FOLLOWING:

9 (i) EACH APPROVED ASSESSMENT SYSTEM SHALL PROVIDE A SCREENING

1 ASSESSMENT, PROGRESS MONITORING CAPABILITIES, AND A DIAGNOSTIC
2 ASSESSMENT.

3 (ii) IN DETERMINING WHICH ASSESSMENT SYSTEMS TO APPROVE FOR
4 USE BY SCHOOL DISTRICTS AND PUBLIC SCHOOL ACADEMIES, THE DEPARTMENT
5 SHALL ALSO CONSIDER AT LEAST THE FOLLOWING FACTORS:

6 (A) THE TIME REQUIRED TO CONDUCT THE ASSESSMENTS, WITH THE
7 INTENTION OF MINIMIZING THE IMPACT ON INSTRUCTIONAL TIME.

8 (B) THE LEVEL OF INTEGRATION OF ASSESSMENT RESULTS WITH
9 INSTRUCTIONAL SUPPORT FOR TEACHERS AND PUPILS.

10 (C) THE TIMELINESS IN REPORTING ASSESSMENT RESULTS TO
11 TEACHERS, ADMINISTRATORS, AND PARENTS.

12 (B) RECOMMEND OR DEVELOP AN EARLY LITERACY COACH MODEL WITH
13 THE FOLLOWING FEATURES:

14 (i) AN EARLY LITERACY COACH SHALL SUPPORT AND PROVIDE INITIAL
15 AND ONGOING PROFESSIONAL DEVELOPMENT TO TEACHERS IN ALL OF THE
16 FOLLOWING:

17 (A) EACH OF THE 5 MAJOR READING COMPONENTS LISTED IN
18 SUBSECTION (3) (A) (iv) (B) AS NEEDED, BASED ON AN ANALYSIS OF PUPIL
19 PERFORMANCE DATA.

20 (B) ADMINISTERING AND ANALYZING INSTRUCTIONAL ASSESSMENTS.

21 (C) PROVIDING DIFFERENTIATED INSTRUCTION AND INTENSIVE
22 INTERVENTION.

23 (D) USING PROGRESS MONITORING.

24 (E) IDENTIFYING AND ADDRESSING READING DEFICIENCY.

25 (ii) AN EARLY LITERACY COACH SHALL ALSO DO ALL OF THE
26 FOLLOWING:

27 (A) MODEL EFFECTIVE INSTRUCTIONAL STRATEGIES FOR TEACHERS.

1 (B) FACILITATE STUDY GROUPS.

2 (C) TRAIN TEACHERS IN DATA ANALYSIS AND USING DATA TO
3 DIFFERENTIATE INSTRUCTION.

4 (D) COACH AND MENTOR COLLEAGUES.

5 (E) WORK WITH TEACHERS TO ENSURE THAT RESEARCH-BASED READING
6 PROGRAMS SUCH AS COMPREHENSIVE CORE READING PROGRAMS, SUPPLEMENTAL
7 READING PROGRAMS, AND COMPREHENSIVE INTERVENTION READING PROGRAMS
8 ARE IMPLEMENTED WITH FIDELITY.

9 (F) TRAIN TEACHERS TO DIAGNOSE AND ADDRESS READING DEFICIENCY.

10 (G) WORK WITH TEACHERS IN APPLYING RESEARCH-BASED READING
11 STRATEGIES IN OTHER CONTENT AREAS, INCLUDING, BUT NOT LIMITED TO,
12 PRIORITIZING TIME SPENT ON THOSE TEACHERS, ACTIVITIES, AND ROLES
13 THAT WILL HAVE THE GREATEST IMPACT ON PUPIL ACHIEVEMENT AND
14 PRIORITIZING COACHING AND MENTORING IN CLASSROOMS.

15 (H) HELP TO INCREASE INSTRUCTIONAL DENSITY TO MEET THE NEEDS
16 OF ALL PUPILS.

17 (I) HELP LEAD AND SUPPORT READING LEADERSHIP TEAMS AT THE
18 SCHOOL.

19 (J) CONTINUE TO INCREASE HIS OR HER KNOWLEDGE BASE IN BEST
20 PRACTICES IN READING INSTRUCTION AND INTERVENTION.

21 (K) FOR EACH TEACHER WHO TEACHES IN A CLASSROOM FOR GRADES K
22 TO 3, MODEL FOR THE TEACHER, AND COACH THE TEACHER IN, INSTRUCTION
23 WITH PUPILS IN WHOLE AND SMALL GROUPS.

24 (iii) IN THE CONTEXT OF PERFORMING THE FUNCTIONS DESCRIBED IN
25 SUBPARAGRAPH (ii), AN EARLY LITERACY COACH SHALL NOT BE ASKED TO
26 PERFORM ADMINISTRATIVE FUNCTIONS THAT WILL CONFUSE HIS OR HER ROLE
27 FOR TEACHERS.

1 (iv) AN EARLY LITERACY COACH MUST MEET ALL OF THE FOLLOWING:

2 (A) HAVE EXPERIENCE AS A SUCCESSFUL CLASSROOM TEACHER.

3 (B) HAVE SUFFICIENT KNOWLEDGE OF SCIENTIFICALLY BASED READING
4 RESEARCH, SPECIAL EXPERTISE IN QUALITY READING INSTRUCTION AND
5 INFUSING READING STRATEGIES INTO CONTENT AREA INSTRUCTION, AND DATA
6 MANAGEMENT SKILLS.

7 (C) HAVE A STRONG KNOWLEDGE BASE IN WORKING WITH ADULTS.

8 (D) HAVE A MINIMUM OF A BACHELOR'S DEGREE AND ADVANCED
9 COURSEWORK IN READING OR HAVE COMPLETED PROFESSIONAL DEVELOPMENT IN
10 RESEARCH-BASED LITERACY INSTRUCTIONAL STRATEGIES.

11 (v) AN EARLY LITERACY COACH SHALL NOT BE ASSIGNED A REGULAR
12 CLASSROOM TEACHING ASSIGNMENT, BUT SHALL BE EXPECTED TO WORK
13 FREQUENTLY WITH PUPILS IN WHOLE AND SMALL GROUP INSTRUCTION OR
14 TUTORING IN THE CONTEXT OF MODELING AND COACHING IN OR OUTSIDE OF
15 TEACHERS' CLASSROOMS.

16 (2) SUBJECT TO SUBSECTION (11), BEGINNING IN THE 2016-2017
17 SCHOOL YEAR, THE BOARD OF A SCHOOL DISTRICT OR BOARD OF DIRECTORS
18 OF A PUBLIC SCHOOL ACADEMY SHALL DO ALL OF THE FOLLOWING TO ENSURE
19 THAT MORE PUPILS WILL ACHIEVE A SCORE OF AT LEAST PROFICIENT IN
20 ENGLISH LANGUAGE ARTS ON THE GRADE 3 STATE ASSESSMENT:

21 (A) SELECT 1 VALID AND RELIABLE SCREENING, FORMATIVE, AND
22 DIAGNOSTIC READING ASSESSMENT SYSTEM FROM THE ASSESSMENT SYSTEMS
23 APPROVED BY THE DEPARTMENT UNDER SUBSECTION (1) (A). A SCHOOL
24 DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL USE THIS ASSESSMENT SYSTEM
25 FOR PUPILS IN GRADES K TO 3 TO SCREEN AND DIAGNOSE DIFFICULTIES,
26 INFORM INSTRUCTION AND INTERVENTION NEEDS, AND ASSESS PROGRESS. A
27 SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY PERIODICALLY SHALL ASSESS

1 A PUPIL'S PROGRESS IN READING SKILLS IN GRADES K TO 3, AT LEAST 3
2 TIMES PER SCHOOL YEAR. THE FIRST OF THESE ASSESSMENTS FOR A SCHOOL
3 YEAR SHALL BE CONDUCTED WITHIN THE FIRST 30 SCHOOL DAYS OF THE
4 SCHOOL YEAR.

5 (B) FOR ANY PUPIL IN GRADES K TO 3 WHO EXHIBITS A READING
6 DEFICIENCY AT ANY TIME, BASED UPON THE READING ASSESSMENT SYSTEM
7 SELECTED AND USED UNDER SUBDIVISION (A), PROVIDE AN INDIVIDUAL
8 READING IMPROVEMENT PLAN FOR THE PUPIL WITHIN 30 DAYS AFTER THE
9 IDENTIFICATION OF THE READING DEFICIENCY. THE READING IMPROVEMENT
10 PLAN SHALL BE CREATED BY THE PUPIL'S TEACHER, SCHOOL PRINCIPAL, AND
11 PARENT OR LEGAL GUARDIAN AND OTHER PERTINENT SCHOOL PERSONNEL, AND
12 SHALL DESCRIBE THE READING INTERVENTION SERVICES THE PUPIL WILL
13 RECEIVE TO REMEDY THE READING DEFICIENCY. A SCHOOL DISTRICT OR
14 PUBLIC SCHOOL ACADEMY SHALL PROVIDE INTENSIVE READING INTERVENTION
15 FOR THE PUPIL IN ACCORDANCE WITH THE INDIVIDUAL READING IMPROVEMENT
16 PLAN UNTIL THE PUPIL NO LONGER HAS A READING DEFICIENCY.

17 (C) IF A PUPIL IN GRADES K TO 3 IS IDENTIFIED AS HAVING AN
18 EARLY LITERACY DELAY OR READING DEFICIENCY, PROVIDE WRITTEN NOTICE
19 TO THE PUPIL'S PARENT OR LEGAL GUARDIAN OF THE DELAY OR READING
20 DEFICIENCY IN WRITING AND PROVIDE TOOLS TO ASSIST THE PARENT OR
21 LEGAL GUARDIAN TO ENGAGE IN INTERVENTION AND TO ADDRESS OR CORRECT
22 ANY READING DEFICIENCY AT HOME.

23 (D) REQUIRE A SCHOOL PRINCIPAL OR CHIEF ADMINISTRATOR TO DO
24 ALL OF THE FOLLOWING:

25 (i) FOR A TEACHER IN GRADES K TO 3, TARGET SPECIFIC AREAS OF
26 PROFESSIONAL DEVELOPMENT BASED ON THE READING DEVELOPMENT NEEDS
27 DATA FOR INCOMING PUPILS.

1 (ii) DIFFERENTIATE AND INTENSIFY PROFESSIONAL DEVELOPMENT FOR
2 TEACHERS BASED ON DATA GATHERED BY MONITORING TEACHER PROGRESS IN
3 IMPROVING PUPIL PROFICIENCY RATES AMONG THEIR PUPILS.

4 (iii) ESTABLISH A COLLABORATIVE SYSTEM WITHIN THE SCHOOL TO
5 IMPROVE READING PROFICIENCY RATES IN GRADES K TO 3.

6 (iv) ENSURE THAT TIME IS PROVIDED FOR TEACHERS TO MEET FOR
7 PROFESSIONAL DEVELOPMENT.

8 (E) UTILIZE, AT LEAST, EARLY LITERACY COACHES PROVIDED THROUGH
9 THE INTERMEDIATE SCHOOL DISTRICT IN WHICH THE SCHOOL DISTRICT OR
10 PUBLIC SCHOOL ACADEMY IS LOCATED, AS PROVIDED FOR UNDER SECTION
11 35A(5) OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1635A, AND
12 USING THE EARLY LITERACY COACH MODEL RECOMMENDED OR DEVELOPED BY
13 THE DEPARTMENT UNDER SUBSECTION (1) (B).

14 (F) IDENTIFY HOW TO BEST MONITOR THE IMPLEMENTATION AND
15 EFFECTIVENESS OF THE EARLY LITERACY COACH MODEL RECOMMENDED OR
16 DEVELOPED BY THE DEPARTMENT UNDER SUBSECTION (1) (B) AND ASSURE
17 COMMUNICATION BETWEEN THE CENTRAL OFFICE, SCHOOL ADMINISTRATION,
18 AND THE EARLY LITERACY COACH THROUGHOUT THE SCHOOL YEAR TO ADDRESS
19 AREAS OF CONCERN.

20 (3) SUBJECT TO SUBSECTION (11), A SCHOOL DISTRICT OR PUBLIC
21 SCHOOL ACADEMY SHALL PROVIDE READING INTERVENTION PROGRAMS FOR
22 PUPILS IN GRADES K TO 3, INCLUDING AT LEAST ALL OF THE FOLLOWING:

23 (A) FOR PUPILS WHO EXHIBIT A READING DEFICIENCY, A READING
24 INTERVENTION PROGRAM INTENDED TO ENSURE THAT PUPILS ARE PROFICIENT
25 READERS BY THE END OF GRADE 3 AND THAT INCLUDES SOME OR ALL OF THE
26 FOLLOWING FEATURES:

27 (i) IS PROVIDED TO EACH PUPIL IN GRADES K TO 3 WHO IS

1 IDENTIFIED WITH A READING DEFICIENCY BASED ON SCREENING AND
2 DIAGNOSTIC TOOLS, AND IDENTIFIES AND ADDRESSES THE PUPIL'S READING
3 DEFICIENCY.

4 (ii) PERIODICALLY SCREENS AND MONITORS THE PROGRESS OF EACH
5 PUPIL'S READING SKILLS, AT LEAST 3 TIMES PER YEAR.

6 (iii) PROVIDES EVIDENCE-BASED CORE READING INSTRUCTION THAT IS
7 COMPREHENSIVE AND MEETS THE MAJORITY OF THE GENERAL EDUCATION
8 CLASSROOM NEEDS.

9 (iv) PROVIDES READING INTERVENTION THAT MEETS, AT A MINIMUM,
10 THE FOLLOWING SPECIFICATIONS:

11 (A) ASSISTS PUPILS EXHIBITING A READING DEFICIENCY IN
12 DEVELOPING THE ABILITY TO READ AT GRADE LEVEL.

13 (B) PROVIDES INTENSIVE DEVELOPMENT IN THE 5 MAJOR READING
14 COMPONENTS: PHONEMIC AWARENESS, PHONICS, FLUENCY, VOCABULARY, AND
15 COMPREHENSION.

16 (C) IS IMPLEMENTED DURING REGULAR SCHOOL HOURS IN ADDITION TO
17 REGULAR CLASSROOM READING INSTRUCTION.

18 (v) PROVIDES PARENTS, LEGAL GUARDIANS, OR OTHER PROVIDERS OF
19 CARE FOR THE PUPIL WITH A "READ AT HOME" PLAN, INCLUDING PARENT,
20 GUARDIAN, OR CARE PROVIDER TRAINING WORKSHOPS AND REGULAR HOME
21 READING.

22 (B) FOR GRADE 3 PUPILS EXHIBITING A READING DEFICIENCY AS
23 DETERMINED BY THE PUPIL'S TEACHER THROUGH THE DIAGNOSTIC READING
24 ASSESSMENT SYSTEM SELECTED BY THE SCHOOL DISTRICT OR PUBLIC SCHOOL
25 ACADEMY UNDER SUBSECTION (2) (A), A READING INTERVENTION PROGRAM
26 INTENDED TO CORRECT THE IDENTIFIED AREA OR AREAS OF READING
27 DEFICIENCY AND THAT INCLUDES ALL OF THE FOLLOWING FEATURES AS

1 NEEDED BY THE INDIVIDUAL PUPIL:

2 (i) IS EVIDENCE-BASED AND HAS PROVEN RESULTS IN ACCELERATING
3 PUPIL READING ACHIEVEMENT WITHIN THE SAME SCHOOL YEAR.

4 (ii) PROVIDES MORE DEDICATED TIME THAN THE PUPIL'S PREVIOUS
5 SCHOOL YEAR IN EVIDENCE-BASED READING INSTRUCTION AND INTERVENTION.

6 (iii) PROVIDES DAILY TARGETED SMALL GROUP OR 1-TO-1 READING
7 INTERVENTION BASED ON PUPIL NEEDS AS DETERMINED BY ASSESSMENT DATA,
8 INCLUDING EXPLICIT AND SYSTEMATIC INSTRUCTION WITH MORE DETAILED
9 AND VARIED EXPLANATIONS, MORE EXTENSIVE OPPORTUNITIES FOR GUIDED
10 PRACTICE, AND MORE OPPORTUNITIES FOR ERROR CORRECTION AND FEEDBACK.

11 (iv) PROVIDES ADMINISTRATION OF ONGOING PROGRESS MONITORING
12 ASSESSMENTS TO FREQUENTLY MONITOR PUPIL PROGRESS.

13 (v) PROVIDES SUPPLEMENTAL EVIDENCE-BASED READING INTERVENTION
14 DELIVERED BY A TEACHER, TUTOR, OR VOLUNTEER WITH SPECIALIZED
15 READING TRAINING THAT IS PROVIDED BEFORE SCHOOL, AFTER SCHOOL,
16 DURING SCHOOL HOURS BUT OUTSIDE OF REGULAR ENGLISH LANGUAGE ARTS
17 CLASSROOM TIME, OR ANY COMBINATION OF THESE.

18 (vi) PROVIDES PARENTS, LEGAL GUARDIANS, OR OTHER PROVIDERS OF
19 CARE FOR A PUPIL WITH A "READ AT HOME" PLAN, INCLUDING PARENT,
20 GUARDIAN, OR CARE PROVIDER TRAINING WORKSHOPS AND REGULAR HOME
21 READING.

22 (C) FOR PUPILS IDENTIFIED AS ENGLISH LANGUAGE LEARNERS BY THE
23 PUPIL'S TEACHER OR BY THE DIAGNOSTIC READING ASSESSMENT SELECTED BY
24 THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY UNDER SUBSECTION
25 (2) (A), INTERVENTION SERVICES THAT INCLUDE AT LEAST ALL OF THE
26 FOLLOWING:

27 (i) ACCESS TO INSTRUCTION IN THE PUPIL'S NATIVE LANGUAGE, AS

1 AVAILABLE, WITH WITHDRAWAL OF THAT INSTRUCTION AS APPROPRIATE AS
2 THE PUPIL IMPROVES HIS OR HER ENGLISH LANGUAGE SKILLS. A SCHOOL
3 DISTRICT OR PUBLIC SCHOOL ACADEMY IS ENCOURAGED TO PROVIDE THIS
4 SUPPORT FOR AT LEAST PUPILS WHOSE NATIVE LANGUAGE IS SPANISH,
5 CHINESE, OR ARABIC.

6 (ii) ONGOING ASSESSMENTS THAT PROVIDE ACTIONABLE DATA FOR
7 TEACHERS TO USE IN INTERVENTIONS.

8 (iii) INSTRUCTION IN ACADEMIC VOCABULARY.

9 (iv) OPPORTUNITIES FOR SPEECH PRODUCTION.

10 (v) INSTRUCTION IN THE 5 MAJOR READING COMPONENTS LISTED IN
11 SUBDIVISION (A) (iv) (B) .

12 (vi) SPECIFIC INSTRUCTION CONNECTING THE PUPIL'S NATIVE
13 LANGUAGE AND ENGLISH.

14 (vii) COMMON ENGLISH LANGUAGE DEVELOPMENT STRATEGIES SUCH AS
15 MODELING, GUIDED PRACTICE, AND COMPREHENSIVE INPUT.

16 (viii) FEEDBACK FOR THE PUPIL, INCLUDING EXPLANATIONS IN HIS
17 OR HER NATIVE LANGUAGE.

18 (4) FOR ALL PUPILS EXHIBITING A READING DEFICIENCY AS
19 DETERMINED BY THE PUPIL'S TEACHER THROUGH THE DIAGNOSTIC READING
20 ASSESSMENT SYSTEM SELECTED BY THE SCHOOL DISTRICT OR PUBLIC SCHOOL
21 ACADEMY UNDER SUBSECTION (2) (A) , SCHOOL DISTRICTS AND PUBLIC SCHOOL
22 ACADEMIES ARE ENCOURAGED TO OFFER SUMMER READING CAMPS STAFFED WITH
23 HIGHLY EFFECTIVE TEACHERS OF READING, AS DETERMINED BY THE TEACHER
24 EVALUATION SYSTEM UNDER SECTION 1249, PROVIDING READING
25 INTERVENTION SERVICES AND SUPPORTS TO CORRECT PUPILS' IDENTIFIED
26 AREAS OF READING DEFICIENCY.

27 (5) BEGINNING WITH PUPILS ENROLLED IN GRADE 3 DURING THE 2017-

1 2018 SCHOOL YEAR, ALL OF THE FOLLOWING APPLY:

2 (A) THE SUPERINTENDENT OF THE SCHOOL DISTRICT OR CHIEF
3 ADMINISTRATOR OF THE PUBLIC SCHOOL ACADEMY IN WHICH THE PUPIL IS
4 ENROLLED SHALL ENSURE THAT A PUPIL IS NOT PROMOTED TO GRADE 4 UNTIL
5 1 OF THE FOLLOWING OCCURS:

6 (i) THE PUPIL ACHIEVES A READING SCORE THAT IS LESS THAN 1
7 GRADE LEVEL BEHIND AS DETERMINED BY THE DEPARTMENT BASED ON THE
8 GRADE 3 STATE ENGLISH LANGUAGE ARTS ASSESSMENT.

9 (ii) THE PUPIL DEMONSTRATES A GRADE 3 READING LEVEL THROUGH
10 PERFORMANCE ON AN ALTERNATIVE STANDARDIZED READING ASSESSMENT
11 APPROVED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

12 (iii) THE PUPIL DEMONSTRATES A GRADE 3 READING LEVEL THROUGH A
13 PUPIL PORTFOLIO, AS EVIDENCED BY DEMONSTRATING MASTERY OF ALL GRADE
14 3 STATE ENGLISH LANGUAGE ARTS STANDARDS THROUGH MULTIPLE WORK
15 SAMPLES.

16 (B) IF A CHILD YOUNGER THAN 10 YEARS OF AGE SEEKS TO ENROLL
17 FOR THE FIRST TIME IN A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY IN
18 GRADE 4, THE SUPERINTENDENT OF THE SCHOOL DISTRICT OR CHIEF
19 ADMINISTRATOR OF THE PUBLIC SCHOOL ACADEMY SHALL NOT ALLOW THE
20 CHILD TO ENROLL IN GRADE 4 UNLESS 1 OF THE FOLLOWING OCCURS:

21 (i) THE CHILD ACHIEVES A READING SCORE THAT IS LESS THAN 1
22 GRADE LEVEL BEHIND AS DETERMINED BY THE DEPARTMENT BASED ON THE
23 READING PORTION OF THE GRADE 3 STATE ENGLISH LANGUAGE ARTS
24 ASSESSMENT.

25 (ii) THE CHILD DEMONSTRATES A GRADE 3 READING LEVEL THROUGH
26 PERFORMANCE ON AN ALTERNATIVE STANDARDIZED READING ASSESSMENT
27 APPROVED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

1 (iii) THE CHILD DEMONSTRATES A GRADE 3 READING LEVEL THROUGH A
2 PUPIL PORTFOLIO, AS EVIDENCED BY DEMONSTRATING MASTERY OF ALL GRADE
3 3 STATE ENGLISH LANGUAGE ARTS STANDARDS THROUGH MULTIPLE WORK
4 SAMPLES.

5 (C) SUBJECT TO SUBSECTION (11), IF A PUPIL IS NOT ENROLLED IN
6 GRADE 4 DUE TO THE OPERATION OF THIS SUBSECTION AND THE PUPIL HAS
7 DEMONSTRATED PROFICIENCY IN MATHEMATICS, SCIENCE, WRITING, OR
8 SOCIAL STUDIES AS DETERMINED BY THE GRADE 3 STATE ASSESSMENT IN THE
9 APPLICABLE SUBJECT AREA OR BY THE PUPIL'S GRADE 3 READING TEACHER,
10 THE BOARD OF THE SCHOOL DISTRICT OR BOARD OF DIRECTORS OF THE
11 PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT THE PUPIL IS PROVIDED WITH
12 INSTRUCTION COMMENSURATE WITH THE PUPIL'S ACHIEVEMENT LEVEL IN THAT
13 SPECIFIC SUBJECT AREA. THIS INSTRUCTION MAY BE GIVEN IN A GRADE 4
14 CLASSROOM SETTING.

15 (D) IF A PUPIL IS NOT ENROLLED IN GRADE 4 AT THE BEGINNING OF
16 A SCHOOL YEAR DUE TO THE OPERATION OF THIS SUBSECTION, THEN BEFORE
17 PROMOTING THE PUPIL FROM GRADE 3 AND PLACING THE CHILD IN GRADE 4
18 DURING THE SCHOOL YEAR, AN APPROPRIATE SCHOOL OFFICIAL OF THE
19 PUPIL'S SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL NOTIFY THE
20 PUPIL'S PARENT OR LEGAL GUARDIAN OF THE PROPOSED PLACEMENT AND
21 OBTAIN THE WRITTEN CONSENT OF THE PUPIL'S PARENT OR LEGAL GUARDIAN
22 FOR THE PROPOSED PLACEMENT.

23 (6) FOR PUPILS WHO ARE NOT PROMOTED TO GRADE 4 OR CHILDREN WHO
24 ARE NOT ENROLLED IN GRADE 4 DUE TO THE OPERATION OF SUBSECTION (5),
25 THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL PROVIDE A
26 READING INTERVENTION PROGRAM THAT IS INTENDED TO CORRECT THE
27 PUPIL'S SPECIFIC READING DEFICIENCY, AS IDENTIFIED BY A VALID AND

1 RELIABLE ASSESSMENT. THIS PROGRAM SHALL INCLUDE EFFECTIVE
2 INSTRUCTIONAL STRATEGIES NECESSARY TO ASSIST THE PUPIL IN BECOMING
3 A SUCCESSFUL READER, AND ALL OF THE FOLLOWING FEATURES, AS
4 APPROPRIATE FOR THE NEEDS OF THE INDIVIDUAL PUPIL:

5 (A) ASSIGNING TO A PUPIL 1 OR MORE OF THE FOLLOWING:

6 (i) A HIGHLY EFFECTIVE TEACHER OF READING AS DETERMINED BY THE
7 TEACHER EVALUATION SYSTEM UNDER SECTION 1249.

8 (ii) THE HIGHEST EVALUATED GRADE 3 TEACHER IN THE SCHOOL AS
9 DETERMINED BY THE TEACHER EVALUATION SYSTEM UNDER SECTION 1249.

10 (iii) A READING SPECIALIST.

11 (B) READING PROGRAMS THAT ARE EVIDENCE-BASED AND HAVE PROVEN
12 RESULTS IN ACCELERATING PUPIL READING ACHIEVEMENT WITHIN THE SAME
13 SCHOOL YEAR.

14 (C) READING INSTRUCTION AND INTERVENTION FOR THE MAJORITY OF
15 PUPIL CONTACT TIME EACH DAY THAT INCORPORATES OPPORTUNITIES TO
16 MASTER THE GRADE 4 STATE STANDARDS IN OTHER CORE ACADEMIC AREAS, IF
17 APPLICABLE.

18 (D) DAILY TARGETED SMALL GROUP OR 1-TO-1 READING INTERVENTION
19 THAT IS BASED ON PUPIL NEEDS, DETERMINED BY ASSESSMENT DATA, AND ON
20 IDENTIFIED READING DEFICIENCIES AND THAT INCLUDES EXPLICIT AND
21 SYSTEMATIC INSTRUCTION WITH MORE DETAILED AND VARIED EXPLANATIONS,
22 MORE EXTENSIVE OPPORTUNITIES FOR GUIDED PRACTICE, AND MORE
23 OPPORTUNITIES FOR ERROR CORRECTION AND FEEDBACK.

24 (E) ADMINISTRATION OF ONGOING PROGRESS MONITORING ASSESSMENTS
25 TO FREQUENTLY MONITOR PUPIL PROGRESS.

26 (F) SUPPLEMENTAL EVIDENCE-BASED READING INTERVENTION DELIVERED
27 BY A TEACHER OR TUTOR WITH SPECIALIZED READING TRAINING THAT IS

1 PROVIDED BEFORE SCHOOL, AFTER SCHOOL, DURING REGULAR SCHOOL HOURS
2 BUT OUTSIDE OF REGULAR ENGLISH LANGUAGE ARTS CLASSROOM TIME, OR ANY
3 COMBINATION OF THESE.

4 (G) PROVIDING PARENTS, LEGAL GUARDIANS, OR OTHER PROVIDERS OF
5 CARE FOR THE PUPIL WITH A "READ AT HOME" PLAN, INCLUDING PARENT,
6 GUARDIAN, OR CARE PROVIDER TRAINING WORKSHOPS AND REGULAR HOME
7 READING.

8 (7) IF THE SUPERINTENDENT OF THE PUPIL'S SCHOOL DISTRICT OR
9 CHIEF ADMINISTRATOR OF THE PUPIL'S PUBLIC SCHOOL ACADEMY GRANTS A
10 GOOD CAUSE EXEMPTION FROM THE REQUIREMENTS OF SUBSECTION (5) (A) FOR
11 A PUPIL, THEN A PUPIL MAY BE PROMOTED TO GRADE 4 WITHOUT MEETING
12 THE REQUIREMENTS OF SUBSECTION (5) (A). A GOOD CAUSE EXEMPTION MAY
13 BE GRANTED ONLY ACCORDING TO THE PROCEDURES UNDER SUBSECTION (9)
14 AND ONLY FOR 1 OF THE FOLLOWING:

15 (A) THE PUPIL IS A STUDENT WITH AN INDIVIDUALIZED EDUCATION
16 PROGRAM WHOSE INDIVIDUALIZED EDUCATION PROGRAM TEAM DETERMINES THAT
17 THE PUPIL IS INELIGIBLE TO TAKE THE STANDARD GRADE 3 STATE
18 ASSESSMENT, OR THE MI-ACCESS ASSESSMENT OR ANY SIMILAR ALTERNATIVE
19 STATE ASSESSMENT, ACCORDING TO HIS OR HER INDIVIDUALIZED EDUCATION
20 PROGRAM.

21 (B) THE PUPIL IS A STUDENT WITH A DISABILITY WHOSE
22 INDIVIDUALIZED EDUCATION PROGRAM OR SECTION 504 PLAN REFLECTS THAT
23 THE PUPIL HAS RECEIVED INTENSIVE REMEDIATION IN READING BUT THAT
24 THE PUPIL STILL DEMONSTRATES A READING DEFICIENCY OR WAS PREVIOUSLY
25 RETAINED IN KINDERGARTEN, GRADE 1, GRADE 2, OR GRADE 3 FOR ACADEMIC
26 REASONS.

27 (C) THE PUPIL IS A LIMITED ENGLISH PROFICIENT STUDENT WHO HAS

1 HAD LESS THAN 3 YEARS OF INSTRUCTION IN AN ENGLISH LANGUAGE LEARNER
2 PROGRAM.

3 (D) THE PUPIL HAS RECEIVED INTENSIVE READING INTERVENTION FOR
4 2 OR MORE YEARS BUT STILL DEMONSTRATES A READING DEFICIENCY AND WAS
5 PREVIOUSLY RETAINED IN KINDERGARTEN, GRADE 1, GRADE 2, OR GRADE 3.

6 (8) SUBJECT TO SUBSECTION (11), IF A PUPIL IS PROMOTED TO
7 GRADE 4 DUE TO A GOOD CAUSE EXEMPTION GRANTED UNDER SUBSECTION (7),
8 THE PUPIL REMAINS ELIGIBLE FOR READING INTERVENTION SERVICES
9 DESIGNED TO ENABLE THE PUPIL TO ACHIEVE PROFICIENCY IN READING. THE
10 SERVICES FOR A PUPIL DESCRIBED IN THIS SUBSECTION SHALL BE SIMILAR
11 TO THOSE PROVIDED TO PUPILS IN GRADE 3 UNDER THIS SECTION.

12 (9) THE SUPERINTENDENT OF A SCHOOL DISTRICT OR CHIEF
13 ADMINISTRATOR OF A PUBLIC SCHOOL ACADEMY SHALL GRANT A GOOD CAUSE
14 EXEMPTION UNDER SUBSECTION (7) ONLY THROUGH THE FOLLOWING
15 PROCEDURE:

16 (A) AT THE REQUEST OF THE PUPIL'S PARENT OR LEGAL GUARDIAN OR
17 UPON THE TEACHER'S OWN INITIATIVE, THE PUPIL'S GRADE 3 TEACHER
18 SUBMITS TO THE PRINCIPAL OR OTHER CHIEF ADMINISTRATOR OF THE
19 PUPIL'S SCHOOL A RECOMMENDATION FOR A GOOD CAUSE EXEMPTION ALONG
20 WITH DOCUMENTATION THAT INDICATES THAT A GOOD CAUSE EXEMPTION UNDER
21 SUBSECTION (7) APPLIES TO THE PUPIL.

22 (B) FOR A PUPIL ENROLLED IN A SCHOOL OPERATED BY A SCHOOL
23 DISTRICT, THE PRINCIPAL OF THE PUPIL'S SCHOOL SHALL REVIEW AND
24 DISCUSS THE RECOMMENDATION WITH THE PUPIL'S GRADE 3 TEACHER AND, IF
25 THE PUPIL HAS AN INDIVIDUALIZED EDUCATION PROGRAM, WITH THE PUPIL'S
26 INDIVIDUALIZED EDUCATION PROGRAM TEAM. AFTER THIS DISCUSSION, THE
27 PRINCIPAL SHALL MAKE A DETERMINATION IN WRITING OF WHETHER OR NOT

1 TO RECOMMEND THAT THE GOOD CAUSE EXEMPTION BE GRANTED FOR THE
2 PUPIL. IF THE PRINCIPAL DETERMINES TO RECOMMEND THAT THE GOOD CAUSE
3 EXEMPTION BE GRANTED, HE OR SHE SHALL SUBMIT THAT RECOMMENDATION TO
4 THE SUPERINTENDENT OF THE SCHOOL DISTRICT. THE SUPERINTENDENT OF
5 THE SCHOOL DISTRICT SHALL ACCEPT OR REJECT THE PRINCIPAL'S
6 RECOMMENDATION IN WRITING, AND THE SUPERINTENDENT'S DECISION TO
7 GRANT OR DENY THE EXEMPTION IS FINAL.

8 (C) FOR A PUPIL ENROLLED IN A PUBLIC SCHOOL ACADEMY, THE CHIEF
9 ADMINISTRATOR OF THE PUBLIC SCHOOL ACADEMY SHALL REVIEW AND DISCUSS
10 THE RECOMMENDATION WITH THE PUPIL'S GRADE 3 TEACHER AND, IF THE
11 PUPIL HAS AN INDIVIDUALIZED EDUCATION PROGRAM, WITH THE PUPIL'S
12 INDIVIDUALIZED EDUCATION PROGRAM TEAM. AFTER THIS DISCUSSION, THE
13 CHIEF ADMINISTRATOR SHALL MAKE A DETERMINATION IN WRITING OF
14 WHETHER OR NOT TO GRANT THE GOOD CAUSE EXEMPTION FOR THE PUPIL. THE
15 CHIEF ADMINISTRATOR'S DECISION IS FINAL.

16 (D) THE SUPERINTENDENT OF THE PUPIL'S SCHOOL DISTRICT OR CHIEF
17 ADMINISTRATOR OF THE PUPIL'S PUBLIC SCHOOL ACADEMY SHALL NOTIFY THE
18 PUPIL'S PARENT OR LEGAL GUARDIAN OF THE DETERMINATION AND DECISION
19 UNDER SUBDIVISION (B) OR (C), AS APPLICABLE.

20 (10) A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL NOT
21 REQUIRE A PUPIL TO REPEAT GRADE 3 MORE THAN ONCE DUE TO THE
22 OPERATION OF THIS SECTION.

23 (11) THIS SECTION DOES NOT REQUIRE OR STATE AN INTENTION TO
24 REQUIRE A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY TO SUPPLANT
25 STATE FUNDS WITH FEDERAL FUNDS FOR IMPLEMENTING OR SUPPORTING THE
26 ACTIVITIES UNDER THIS SECTION AND DOES NOT PROHIBIT A SCHOOL
27 DISTRICT OR PUBLIC SCHOOL ACADEMY FROM CONTINUING TO USE FEDERAL

1 FUNDS FOR ANY OF THE PURPOSES OR ACTIVITIES DESCRIBED IN THIS
2 SECTION.

3 (12) AS USED IN THIS SECTION:

4 (A) "INDIVIDUALIZED EDUCATION PROGRAM" MEANS THAT TERM AS
5 DESCRIBED IN R 340.1721E OF THE MICHIGAN ADMINISTRATIVE CODE.

6 (B) "KINDERGARTEN" INCLUDES A CLASSROOM FOR YOUNG 5-YEAR-OLDS,
7 COMMONLY REFERRED TO AS "YOUNG 5S" OR "DEVELOPMENTAL KINDERGARTEN".

8 (C) "READING DEFICIENCY" MEANS SCORING BELOW GRADE LEVEL OR
9 BEING DETERMINED TO BE AT RISK OF READING FAILURE BASED ON A
10 SCREENING ASSESSMENT, DIAGNOSTIC ASSESSMENT, STANDARDIZED SUMMATIVE
11 ASSESSMENT, OR PROGRESS MONITORING.

12 (D) "READING LEADERSHIP TEAM" MEANS A COLLABORATIVE SYSTEM LED
13 BY A SCHOOL BUILDING'S PRINCIPAL OR PROGRAM DIRECTOR AND CONSISTING
14 OF A CROSS-SECTION OF FACULTY WHO ARE INTERESTED IN WORKING TO
15 IMPROVE LITERACY INSTRUCTION ACROSS THE CURRICULUM.

16 (E) "SECTION 504 PLAN" MEANS A PLAN UNDER SECTION 504 OF TITLE
17 V OF THE REHABILITATION ACT OF 1973, 29 USC 794.

18 Enacting section 1. This amendatory act takes effect 90 days
19 after the date it is enacted into law.