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Senate Bills 567 and 568 (Substitute S-2 as reported)
Sponsor: Senator Jeff Irwin (S.B. 567)
Senator Dayna Polehanki (S.B. 568)
Committee: Education

CONTENT

Senate Bill 567 (S-2) would amend the Revised School Code to do the following:

- By the 2027-2028 school year, require the board of a school district or intermediate school district (ISD) or board of directors of a public school academy (PSA) to ensure that pupils were screened for characteristics of dyslexia and difficulties in learning to decode accurately and efficiently using a reliable and valid universal screening assessment.
- Require all K-3 pupils, including in-State and out-of-state transfer students who had not been previously screened, to be screened for dyslexia at least three times a year.
- Require grade 4-12 students who demonstrated certain behaviors that could indicate dyslexia to be screened for characteristics of dyslexia and difficulty learning to decode.
- If a screening assessment indicated that a pupil exhibited characteristics of dyslexia or had trouble in learning to decode, require the pupil's school district, ISD, or PSA to ensure that a multi-tiered system of support (MTSS) was provided to the pupil.
- If a pupil needed an MTSS, require an ISD or PSA to notify the pupil's parent or legal guardian of such and include information concerning changes to instruction.
- Prescribe the standards and requirements for each of the three MTSS tiers.
- Modify reading intervention plan requirements.
- By September 1, 2024, require the Michigan Department of Education (MDE) to develop dyslexia expertise to provide technical assistance to school districts, ISDs, and PSAs.
- Between August 1, 2024, and December 1, 2025, require the MDE to update its list of approved valid and reliable screening, progress-monitoring, and diagnostic reading assessments for selection and use by school districts and PSAs, and identify within each system a list of the elements of a reliable and valid universal screening assessment for the purpose of identifying pupils with characteristics of dyslexia or difficulties in learning to decode that were or were not included in the approved assessment system.
- By August 1, 2027, require each school district, ISD, and PSA to ensure that its selected assessments included a reliable and valid universal screening assessment for dyslexia.
- Modify the responsibilities and duties of literacy coaches to require them to provide teachers with professional development and advice on how to implement the bill's provisions.
- Require, beginning not later than the 2027-2028 school year, each school district, ISD, and PSA to ensure that all literacy consultants, literacy coaches, and other personnel providing reading intervention or reading instruction to pre-K to grade 12 pupils in the school district, ISD, or PSA received professional learning about dyslexia, instructional accommodations, the MTSS framework, and more.

Senate Bill 568 (S-2) would add Section 1531e to the Revised School Code to prohibit the MDE from approving a teacher preparation program or an alternative teaching program and require the revocation of an existing program unless the program taught about dyslexia, instructional accommodations, the MTSS framework, and more. A program that did not grant reading instruction- or special education-related certificates could receive a two-year waiver from the MDE.

The bills are tie-barred. They also are tie barred to House Bill 5098, which would add Section 1280h to the Code, requiring the Superintendent of Public Instruction to establish a 10-member advisory committee within the MDE to help the MDE with the guidance required by Senate Bill 567.

MCL 380.1280f (S.B. 567)
Proposed MCL 380.1531e (S.B. 568)

BRIEF RATIONALE

Beginning in the fourth grade, teachers transition from teaching students how to read to expecting students to read as they learn. As such, student reading performance in fourth-grade serves as an important indicator for future success; however, in 2022, only 28% percent of Michigan fourth graders performed at or above the National Association of Educational Progress assessment in reading, with Black and Hispanic students, as well as students eligible for the National School Lunch Program, scoring worse than their peers on average.¹ Some allege that these poor scores reflect school systems' failures to identify and accommodate students with reading disabilities, specifically dyslexia. Accordingly, it has been suggested that schools be required to test for and support students with difficulties learning to read accurately and efficiently.

Legislative Analyst: Abby Schneider

FISCAL IMPACT

The bills would have a negative fiscal impact on the MDE and on local school districts, ISDs, and PSAs, though the size of the effect is indeterminate. The MDE would experience additional costs to oversee the implementation of the bills, including to provide technical assistance to schools, approve assessments and diagnostic screenings exams, and update teaching preparation program oversight. The bills could require more staff and appropriations than what is currently provided in the School Support Services, Educational Supports, Accountability Services, and Educator Excellence units.

Senate Bill 567 (S-2) would require screening of all pupils in grades K-3, plus select pupils in higher grades if they demonstrated certain behaviors, multiple times during the school year. Currently, the third-grade reading law requires the testing of all students in grades K-3. If any of the existing screeners test for dyslexia, then districts should be able to use those to satisfy the bill's requirements. Districts would see additional costs to screen pupils in grades 4 to 12 if those screenings were not covered using existing tools.

If existing teachers met the bill's requirements, no fiscal impact would be incurred. If existing teachers needed additional professional development, costs could be incurred if that professional development were more costly than existing professional development, or if that training were necessary on top of other professional development.

Date Completed: 2-21-24

Fiscal Analyst: Ryan Bergan
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¹ "2022 Reading State Snapshot Report: Michigan Grade 4 Public Schools", The Nation's Report Card. Retrieved on 2-6-24.

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Bill Analysis @ www.senate.michigan.gov/sfa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.