

Act No. 582  
Public Acts of 2008  
Approved by the Governor  
January 15, 2009  
Filed with the Secretary of State  
January 16, 2009  
EFFECTIVE DATE: January 16, 2009

**STATE OF MICHIGAN  
94TH LEGISLATURE  
REGULAR SESSION OF 2008**

Introduced by Senators Cassis, Pappageorge and Jansen

**ENROLLED SENATE BILL No. 1039**

AN ACT to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," (MCL 380.1 to 380.1852) by adding section 641.

*The People of the State of Michigan enact:*

Sec. 641. (1) An intermediate school district may develop and make available to districts and public school academies an early intervening model program for grades K to 3. The early intervening model program shall be designed to instruct classroom teachers and support staff on how to monitor individual pupil learning and how to provide specific support or learning strategies to pupils as early as possible in order to avoid inappropriate referrals to special education. The model program shall be based on a program with documented positive results and outcomes and shall include all of the following:

(a) Literacy and numeracy supports, sensory motor skill development, behavior supports, instructional consultation for teachers, and the development of a parent/school learning plan. Specific support or learning strategies may include support in or out of the general classroom in areas including reading, writing, math, visual memory, motor skill development, behavior, or language development. These would be provided based on an understanding of the individual child's learning needs.

(b) A schoolwide system of academic and behavioral support based on a support team available to the classroom teachers. The members of this team could include the principal, special education staff, reading teachers, school psychologists, speech and language services providers, school social workers, and other appropriate personnel who would be available to systemically study the needs of the individual child and work with the classroom teacher to match instruction to the needs of the individual child.

(2) An intermediate school district may use funds received under section 81 of the state school aid act of 1979, MCL 388.1681, for the purposes of subsection (1).

(3) If an intermediate school district develops an early intervening model program under this section, the intermediate school district shall notify its constituent districts and the public school academies located within the intermediate school district that the model program is available and that the intermediate school district has funds available for developing the model program.

This act is ordered to take immediate effect.

*Carol Morey Viventi*

Secretary of the Senate

*Richard J. Brown*

Clerk of the House of Representatives

Approved .....

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Governor