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Senate Bill 1284 (as introduced 4-22-10)
Sponsor: Senator Nancy Cassis
Committee: Education

Date Completed: 5-26-10

CONTENT

The bill would amend the Revised School Code to do the following:

- **Require a school district or public school academy (PSA) that operated a school that was among the lowest-achieving 5% of public schools, by the beginning of the 2010-2011 school year, to implement a program to improve pupils' literacy and numeracy skills.**
- **Require the program to include screenings of pupils in kindergarten to 3rd grade, and to provide additional instruction to pupils determined to need intervention.**
- **Require screenings in 4th grade beginning in the 2011-2012 school year, and screenings in 7th grade beginning in the 2014-2015 school year, and require the program to provide literacy and numeracy intervention in 5th and 8th grades to pupils determined to need intervention.**
- **Require parental notification if a pupil failed to meet grade level content expectations.**
- **Require a school district or PSA to implement certain additional initiatives in grades 5 and 8, in middle school grades, and in high school grades.**
- **Require a district or PSA to assign adult advocates to high school pupils at risk of dropping out of school.**
- **Permit a school district or PSA to apply for a waiver from the bill's requirements if it had a successful intervention program in place.**

Intervention Program

The Code requires the Superintendent of Public Instruction annually to publish a list of the lowest-achieving 5% of schools in the State, as defined for the purposes of the Federal Race to the Top program.

Under the bill, if a school district or PSA operated a school that was identified as being among the lowest-achieving 5% of all public schools in the State, the district or PSA would have to develop and implement a program (referred to below as an intervention program) to do the following:

- Provide enhanced instructional services, periodic screenings, and early intervening services as required under the bill.
- Improve the literacy and numeracy skills of students in grades K to 3 so that they were reading at grade level as soon as possible.
- Prevent inappropriate or unnecessary referrals to special education services.

The district or PSA would have to implement the program by the beginning of the 2010-2011 school year.

The interventions required under the bill would be to ensure that all pupils at all grade levels were achieving at least a level two proficiency on the English language arts and math assessments administered under the Michigan Education Assessment Program (MEAP). (A level two proficiency indicates that the pupil met the Michigan standards in that subject.)

Literacy & Numeracy Instruction

In each elementary school, an intervention program would have to provide a comprehensive literacy and numeracy curriculum that was designed to meet the English language arts and math grade level content expectations for the grade in which the pupils were enrolled, as measured by a scientifically research-based universal screening tool that was proven reliable and valid.

The program would have to be designed to include active and continuous involvement of the parents or guardians of the participating pupils.

The program would have to provide literacy and numeracy instruction to all pupils in grades K to 3 every school day in which it was practicable to do so, using a scientifically research-based core comprehensive literacy or numeracy program. The literacy instruction would have to include learner-appropriate tools such as phonemic awareness, phonics, fluency, vocabulary, comprehension, and oral language and writing.

Screening & Intervention: Grades K-3

A intervention program would have to measure pupils' literacy and numeracy skills in each grade from kindergarten to 3rd grade. Screenings would have to be conducted school-wide on an ongoing basis each school year in each grade, using a scientifically research-based universal screening tool that was proven reliable and valid.

If a pupil were determined by the screening to need intervention, then the program would have to provide the pupil with literacy and numeracy instruction each school day, in addition to the instruction described above. The pupil's progress would have to be monitored at least every six weeks, and data from this monitoring would have to be used to adjust the pupil's instruction.

Parental Notification

If a pupil in grades K to 3 were determined not to meet basic literacy or numeracy grade level content expectations, an intervention program would have to provide for a written notice to the pupil's parent or legal guardian by the end of the first semester or trimester, or as early as practicable for parents to assist in the pupil's academic improvement, whichever was earlier. Beginning in the 2011-2012, school year, that requirement would apply to pupils in grades K to 4. Beginning in the 2014-2015 school year, the requirement also would apply to pupils in 7th grade.

The notice would have to include notification that the pupil had failed to meet content expectations in English language arts or math, and notification of the role that the parent or guardian could play at home to improve the pupil's literacy and numeracy skills.

Screening & Intervention: Grades 4 & 7; 5 & 8

Beginning in the 2011-2012 school year, an intervention program would have to administer a scientifically research-based universal screening tool that was proven reliable and valid at

the end of 4th grade to identify pupils who required additional literacy or numeracy intervention. An evaluator also would have to consider the pupil's English and math MEAP scores, the pupil's grade point average if applicable, and his or her attendance and work habits, including beginning and completing work on time and following directions.

Beginning in the 2014-2015 school year, the program would have to administer a screening tool as described above at the end of 7th grade.

If a pupil were determined by either of those screenings to need intervention, then the program would have to provide the pupil with literacy or numeracy intervention in 5th grade or 8th grade, as applicable, in addition to the pupil's regular instruction. The additional instruction would have to teach vocabulary, comprehension, and writing skills that could be used for all content areas based on the Michigan grade level content expectations. The instruction would have to be provided either as an additional separate class or subject, or outside regular school hours.

Additional Initiatives

A school district or PSA would have to include in its program for grades 5 and 8 initiatives to improve pupils' classroom behavior and social skills, including the following:

- Use of adult advocates or other engaged adults to help pupils establish attainable academic and behavioral goals with specific benchmarks.
- Recognition of pupil accomplishments.
- Teaching of strategies to strengthen problem-solving and decision-making skills.
- Establishment of partnerships as necessary with community-based program providers and other agencies such as social services, family assistance, mental health, and law enforcement.

By the beginning of the 2010-2011 school year, a school district or PSA that was required to comply with the bill also would have to implement the initiatives described below to complement the program.

In the middle school grades, the district or PSA would have to do the following:

- Provide teachers with ongoing ways to expand their knowledge and improve their skills.
- Integrate academic content with career- and skill-based themes through career academies or multiple pathways models.

In the high school grades, the school district or PSA would have to do the following:

- Host career days and offer opportunities for work-related experiences and visits to postsecondary campuses.
- Provide pupils with extra assistance and information about the demands of college.
- Partner with local businesses to provide opportunities for work-related experience such as internships, simulated job interviews, or long-term employment.
- Assign adult advocates to pupils at risk of dropping out.

Regarding the last initiative, the school district or PSA would have to do the following:

- Choose adults who were committed to investing in the pupil's personal and academic success.
- Keep the adults' caseloads low.
- Purposefully match specific pupils with a specific advocate.
- Establish a regular time in the school day or week for a pupil to meet with the adult advocate.

The school district or PSA also would have to communicate with the adult advocates about the various obstacles pupils may encounter and provide the adult advocates with guidance and training about how to work with pupils, parents, or school staff to address those obstacles.

Waiver

A school district or PSA that had a successful literacy and numeracy intervention program in place could apply to the Superintendent of Public Instruction for a waiver that would allow it to continue that program instead of implementing the program required under the bill. The Superintendent could grant a waiver if he or she determined that the existing program met the purposes of the bill.

Coordination with ISD

A school district or PSA could contract with an intermediate school district to provide an intervention program. Upon request by a constituent district or PSA, an intermediate school district would have to provide technical assistance in developing the program.

Proposed MCL 380.1280d

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would have no fiscal impact on State government.

To the extent that successful literacy and numeracy programs are not already in place or sufficient to earn a waiver, school districts or public school academies in the lowest-achieving 5% of all public schools would incur additional costs due to the requirements of implementing programs providing enhanced instructional services, periodic screenings, and early intervening services. The extent to which the requirements in this legislation would exceed programs already in place would determine the fiscal impact on each affected district.

Fiscal Analyst: Kathryn Summers

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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.