

SUBSTITUTE FOR
SENATE BILL NO. 1284

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1280d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1280D. (1) IF A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY
2 OPERATES A SCHOOL THAT IS IDENTIFIED UNDER SECTION 1280C AS BEING
3 AMONG THE LOWEST ACHIEVING 5% OF ALL PUBLIC SCHOOLS IN THIS STATE,
4 IF A COMPREHENSIVE NEEDS ASSESSMENT CONDUCTED UNDER SECTION 1280C
5 IDENTIFIES A LACK OF AN EFFECTIVE EARLY INTERVENTION PROGRAM AS 1
6 OF THE PRIMARY REASONS FOR LOW PUPIL ACHIEVEMENT, AND IF THE SCHOOL
7 IS OPERATING UNDER THE TRANSFORMATIONAL MODEL, TURNAROUND MODEL, OR
8 RESTART MODEL UNDER SECTION 1280C, THEN THE SCHOOL DISTRICT OR
9 PUBLIC SCHOOL ACADEMY IS STRONGLY ENCOURAGED TO DEVELOP AND
10 IMPLEMENT A PROGRAM FOR THE PURPOSES OF PROVIDING ENHANCED

1 INSTRUCTIONAL SERVICES, PERIODIC SCREENINGS, AND EARLY INTERVENTION
2 AND SUPPORTS AS DESCRIBED IN THIS SECTION; IMPROVING THE LITERACY
3 AND NUMERACY SKILLS OF STUDENTS IN GRADES K TO 3 SO THAT THEY ARE
4 READING AT GRADE LEVEL AS SOON AS POSSIBLE; AND PREVENTING
5 INAPPROPRIATE OR UNNECESSARY REFERRALS TO SPECIAL EDUCATION
6 SERVICES. THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL
7 IMPLEMENT THIS PROGRAM NOT LATER THAN THE BEGINNING OF THE 2010-
8 2011 SCHOOL YEAR.

9 (2) A PROGRAM PROVIDED UNDER THIS SECTION SHALL MEET ALL OF
10 THE FOLLOWING:

11 (A) SHALL PROVIDE IN EACH ELEMENTARY SCHOOL A COMPREHENSIVE
12 LITERACY AND NUMERACY CURRICULUM THAT IS DESIGNED TO MEET GRADE
13 LEVEL BENCHMARKS, AS MEASURED BY A SCIENTIFICALLY RESEARCH-BASED
14 UNIVERSAL SCREENING TOOL THAT IS PROVEN RELIABLE AND VALID.

15 (B) SHALL BE DESIGNED TO INCLUDE ACTIVE AND CONTINUOUS
16 INVOLVEMENT OF THE PARENTS OR GUARDIANS OF THE PUPILS PARTICIPATING
17 IN THE PROGRAM.

18 (C) SHALL PROVIDE ALL PUPILS IN GRADES K TO 3 IN THE
19 ELEMENTARY SCHOOL WITH LITERACY AND NUMERACY INSTRUCTION EVERY
20 SCHOOL DAY IN WHICH IT IS PRACTICABLE TO DO SO USING A CORE
21 COMPREHENSIVE LITERACY OR NUMERACY PROGRAM THAT IS SCIENTIFICALLY
22 RESEARCH-BASED. THE LITERACY INSTRUCTION MUST INCLUDE LEARNER-
23 APPROPRIATE TOOLS SUCH AS PHONEMIC AWARENESS, PHONICS, FLUENCY,
24 VOCABULARY, AND COMPREHENSION, AND ORAL LANGUAGE AND WRITING.

25 (D) SHALL REGULARLY MEASURE PUPILS' SPECIFIC AND ESSENTIAL
26 LITERACY AND NUMERACY SKILLS IN ALL OF GRADES K TO 3 IN THE
27 ELEMENTARY SCHOOL. SCREENINGS SHALL BE CONDUCTED SCHOOLWIDE ON AN

1 ONGOING BASIS EACH SCHOOL YEAR IN EACH OF GRADES K TO 3, USING A
2 SCIENTIFICALLY RESEARCH-BASED UNIVERSAL SCREENING TOOL THAT IS
3 PROVEN RELIABLE AND VALID AND THAT PROVIDES TEACHERS WITH STUDENT-
4 SPECIFIC DATA TO PLAN INSTRUCTION.

5 (E) IF A PUPIL IS DETERMINED BY THE SCREENING UNDER
6 SUBDIVISION (D) TO NEED INTERVENTION, THEN THE PROGRAM SHALL
7 PROVIDE THE PUPIL WITH LITERACY OR NUMERACY INSTRUCTION EACH SCHOOL
8 DAY IN ADDITION TO THE INSTRUCTION REQUIRED UNDER SUBDIVISION (C).
9 IF A PUPIL IS DETERMINED TO NEED ADDITIONAL INSTRUCTION, THE
10 PUPIL'S PROGRESS SHALL BE MONITORED AT LEAST EVERY 6 WEEKS. DATA
11 FROM THIS PROGRESS MONITORING SHALL BE USED TO ADJUST INSTRUCTION
12 FOR THE PUPIL.

13 (F) IF A PUPIL IN GRADES K TO 3 HAS BEEN DETERMINED TO NOT
14 MEET APPLICABLE ESSENTIAL LITERACY OR NUMERACY GRADE LEVEL
15 BENCHMARKS FOR HIS OR HER GRADE LEVEL, THEN BY THE END OF THE FIRST
16 SEMESTER OR TRIMESTER, OR AS EARLY AS IS PRACTICABLE FOR PARENTS TO
17 ASSIST IN THE PUPIL'S ACADEMIC IMPROVEMENT, WHICHEVER IS EARLIER,
18 THE PROGRAM SHALL PROVIDE FOR A WRITTEN NOTICE TO THE PUPIL'S
19 PARENT OR LEGAL GUARDIAN. BEGINNING IN THE 2011-2012 SCHOOL YEAR,
20 THIS SUBDIVISION APPLIES TO PUPILS IN GRADES K TO 4. BEGINNING IN
21 THE 2014-2015 SCHOOL YEAR, THIS SUBDIVISION ALSO APPLIES TO PUPILS
22 IN GRADE 7. THE NOTICE SHALL INCLUDE ALL OF THE FOLLOWING:

23 (i) NOTIFICATION THAT THE PUPIL'S SCHOOL HAS DETERMINED THAT
24 THE CHILD HAS FAILED TO MEET SPECIFIC AND ESSENTIAL GRADE LEVEL
25 BENCHMARKS IN ENGLISH LANGUAGE ARTS OR MATHEMATICS APPROVED BY THE
26 DEPARTMENT FOR THE PUPIL'S GRADE LEVEL.

27 (ii) NOTIFICATION AS TO THE ROLE THE PARENT OR GUARDIAN CAN

1 PLAY AT HOME TO IMPROVE THE PUPIL'S LITERACY AND NUMERACY SKILLS,
2 INCLUDING AT LEAST ADDITIONAL ASSISTANCE THAT THE PARENT OR
3 GUARDIAN CAN GIVE TO THE PUPIL AND A DESCRIPTION OF VARIED
4 APPROACHES TO COMPLETING HOMEWORK OR EXTRA PRACTICE IN ORDER TO
5 HELP RAISE THE READING OR NUMERACY SKILL LEVEL OF THE PUPIL.

6 (G) THE PROGRAM SHALL DO ALL OF THE FOLLOWING:

7 (i) BEGINNING IN THE 2011-2012 SCHOOL YEAR, ADMINISTER A
8 SCIENTIFICALLY RESEARCH-BASED UNIVERSAL SCREENING TOOL THAT IS
9 PROVEN RELIABLE AND VALID AT THE END OF GRADE 4 TO IDENTIFY PUPILS
10 WHO REQUIRE ADDITIONAL LITERACY OR NUMERACY INTERVENTION. AN
11 EVALUATOR SHALL ALSO CONSIDER THE PUPIL'S ASSESSMENT SCORES ON THE
12 MICHIGAN EDUCATION ASSESSMENT PROGRAM ENGLISH LANGUAGE ARTS AND
13 MATHEMATICS ASSESSMENTS, THE PUPIL'S GRADE POINT AVERAGE IF
14 APPLICABLE, AND THE PUPIL'S ATTENDANCE AND WORK HABITS INCLUDING
15 BEGINNING AND COMPLETING WORK ON TIME AND FOLLOWING DIRECTIONS.

16 (ii) BEGINNING IN THE 2014-2015 SCHOOL YEAR, ADMINISTER A
17 SCIENTIFICALLY RESEARCH-BASED UNIVERSAL SCREENING TOOL THAT IS
18 PROVEN RELIABLE AND VALID AT THE END OF GRADE 7 TO IDENTIFY PUPILS
19 WHO REQUIRE ADDITIONAL LITERACY OR NUMERACY INTERVENTION. AN
20 EVALUATOR SHALL ALSO CONSIDER THE PUPIL'S ASSESSMENT SCORES ON THE
21 MICHIGAN EDUCATION ASSESSMENT PROGRAM ENGLISH LANGUAGE ARTS AND
22 MATHEMATICS ASSESSMENTS, THE PUPIL'S GRADE POINT AVERAGE IF
23 APPLICABLE, AND THE PUPIL'S ATTENDANCE AND WORK HABITS INCLUDING
24 BEGINNING AND COMPLETING WORK ON TIME AND FOLLOWING DIRECTIONS.

25 (iii) IF A PUPIL IS DETERMINED BY THE SCREENING UNDER
26 SUBPARAGRAPH (i) OR (ii) TO NEED INTERVENTION, THEN THE PROGRAM SHALL
27 PROVIDE THE PUPIL WITH LITERACY OR NUMERACY INTERVENTION AND

1 SUPPORTS IN GRADE 5 OR 8, AS APPLICABLE, IN ADDITION TO THE PUPIL'S
2 REGULAR LITERACY AND NUMERACY INSTRUCTION. THE ADDITIONAL LITERACY
3 INSTRUCTION SHALL TEACH VOCABULARY, COMPREHENSION, AND WRITING
4 SKILLS THAT MAY BE USED FOR ALL CONTENT AREAS BASED ON GRADE LEVEL
5 BENCHMARKS. THE ADDITIONAL LITERACY OR NUMERACY INSTRUCTION SHALL
6 BE PROVIDED EITHER AS AN ADDITIONAL SEPARATE CLASS OR SUBJECT OR
7 OUTSIDE REGULAR SCHOOL HOURS. IF A PUPIL IS DETERMINED TO NEED
8 ADDITIONAL INSTRUCTION, THE PUPIL'S PROGRESS SHALL BE MONITORED AT
9 LEAST EVERY 6 WEEKS. DATA FROM THIS PROGRESS MONITORING SHALL BE
10 USED TO ADJUST INSTRUCTION FOR THE PUPIL. IN ADDITION, A SCHOOL
11 DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL INCLUDE IN ITS INTERVENTION
12 PROGRAMS FOR GRADES 5 AND 8 INITIATIVES TO IMPROVE PUPILS'
13 CLASSROOM BEHAVIOR AND SOCIAL SKILLS, INCLUDING AT LEAST ALL OF THE
14 FOLLOWING INITIATIVES:

15 (A) USE OF ADULT ADVOCATES OR OTHER ENGAGED ADULTS TO HELP
16 PUPILS ESTABLISH ATTAINABLE ACADEMIC AND BEHAVIORAL GOALS WITH
17 SPECIFIC BENCHMARKS.

18 (B) RECOGNITION OF PUPIL ACCOMPLISHMENTS.

19 (C) TEACHING OF STRATEGIES TO STRENGTHEN PROBLEM-SOLVING AND
20 DECISION-MAKING SKILLS.

21 (D) ESTABLISHMENT OF PARTNERSHIPS AS NECESSARY WITH COMMUNITY-
22 BASED PROGRAM PROVIDERS AND OTHER AGENCIES SUCH AS SOCIAL SERVICES,
23 FAMILY ASSISTANCE, MENTAL HEALTH, AND LAW ENFORCEMENT.

24 (3) IN ADDITION TO THE PROGRAM REQUIREMENTS UNDER SUBSECTION
25 (2), A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY THAT CHOOSES TO
26 COMPLY WITH THIS SECTION SHALL IMPLEMENT THE FOLLOWING INITIATIVES
27 NOT LATER THAN THE BEGINNING OF THE 2010-2011 SCHOOL YEAR TO

1 COMPLEMENT THE PROGRAM UNDER SUBSECTION (2):

2 (A) IN THE MIDDLE SCHOOL GRADES, BOTH OF THE FOLLOWING:

3 (i) PROVIDING TEACHERS WITH ONGOING WAYS TO EXPAND THEIR
4 KNOWLEDGE AND IMPROVE THEIR SKILLS.

5 (ii) INTEGRATION OF ACADEMIC CONTENT WITH CAREER- AND SKILL-
6 BASED THEMES THROUGH CAREER ACADEMIES OR MULTIPLE PATHWAYS MODELS.

7 (B) IN THE HIGH SCHOOL GRADES, ALL OF THE FOLLOWING:

8 (i) HOSTING CAREER DAYS AND OFFERING OPPORTUNITIES FOR WORK-
9 RELATED EXPERIENCES AND VISITS TO POSTSECONDARY CAMPUSES.

10 (ii) PROVIDING PUPILS WITH EXTRA ASSISTANCE AND INFORMATION
11 ABOUT THE DEMANDS OF COLLEGE.

12 (iii) PARTNERING WITH LOCAL BUSINESSES TO PROVIDE OPPORTUNITIES
13 FOR WORK-RELATED EXPERIENCE SUCH AS INTERNSHIPS, SIMULATED JOB
14 INTERVIEWS, OR LONG-TERM EMPLOYMENT.

15 (iv) ASSIGNING ADULT ADVOCATES TO PUPILS AT RISK OF DROPPING
16 OUT. ALL OF THE FOLLOWING APPLY TO THIS INITIATIVE:

17 (A) THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL CHOOSE
18 ADULTS WHO ARE COMMITTED TO INVESTING IN THE PUPIL'S PERSONAL AND
19 ACADEMIC SUCCESS, SHALL KEEP CASELOADS FOR THE ADULTS LOW, AND
20 SHALL PURPOSEFULLY MATCH SPECIFIC PUPILS WITH A SPECIFIC ADULT
21 ADVOCATE.

22 (B) THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL
23 ESTABLISH A REGULAR TIME IN THE SCHOOL DAY OR SCHOOL WEEK FOR A
24 PUPIL TO MEET WITH THE ADULT ADVOCATE.

25 (C) THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL
26 COMMUNICATE WITH THE ADULT ADVOCATES ABOUT THE VARIOUS OBSTACLES
27 PUPILS MAY ENCOUNTER AND PROVIDE THE ADULT ADVOCATES WITH GUIDANCE

Senate Bill No. 1284 as amended July 1, 2010

1 AND TRAINING ABOUT HOW TO WORK WITH PUPILS, PARENTS, OR SCHOOL
2 STAFF TO ADDRESS THESE OBSTACLES.

3 (4) A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY MAY CONTRACT
4 WITH AN INTERMEDIATE SCHOOL DISTRICT TO PROVIDE THE PROGRAM UNDER
5 THIS SECTION. UPON REQUEST BY A CONSTITUENT DISTRICT OR A PUBLIC
6 SCHOOL ACADEMY, AN INTERMEDIATE SCHOOL DISTRICT <<MAY>> PROVIDE
7 TECHNICAL ASSISTANCE TO THE CONSTITUENT SCHOOL DISTRICT OR PUBLIC
8 SCHOOL ACADEMY IN DEVELOPING AND IMPLEMENTING THE PROGRAM UNDER
9 THIS SECTION. <<AN INTERMEDIATE SCHOOL DISTRICT MAY USE FUNDS
RECEIVED UNDER SECTION 81 OF THE STATE SCHOOL AID ACT OF 1979, MCL
388.1681, FOR THESE PURPOSES.>>

10 (5) THE MEASURE OF SUCCESS FOR THE INTERVENTIONS UNDER THIS
11 SECTION IS INTENDED TO BE THAT AT LEAST 90% OF PUPILS AT ALL GRADE
12 LEVELS ARE ACHIEVING AT LEAST A LEVEL 2 PROFICIENCY ON THE ENGLISH
13 LANGUAGE ARTS AND MATHEMATICS ASSESSMENTS ADMINISTERED UNDER THE
14 MICHIGAN EDUCATION ASSESSMENT PROGRAM.