

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

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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 SYSTEMATIC, EXPLICIT, MULTISENSORY, AND SEQUENTIAL.  
(D)] 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



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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, [HINDI, KOREAN,] 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 [2019-

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2020] SCHOOL YEAR, ALL OF THE FOLLOWING APPLY:

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

(i) THE PUPIL ACHIEVES A READING SCORE THAT IS LESS THAN 1 GRADE LEVEL BEHIND AS DETERMINED BY THE DEPARTMENT BASED ON THE GRADE 3 STATE ENGLISH LANGUAGE ARTS ASSESSMENT. [THE DEPARTMENT SHALL COMPLETE THE SCORING OF THE GRADE 3 STATE ENGLISH LANGUAGE ARTS ASSESSMENT, AND RELEASE THE RESULTS OF THE ASSESSMENT, BY JUNE 1 OF EACH YEAR.]

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

(iii) THE PUPIL DEMONSTRATES A GRADE 3 READING LEVEL THROUGH A PUPIL PORTFOLIO, AS EVIDENCED BY DEMONSTRATING [COMPETENCY IN] ALL GRADE 3 STATE ENGLISH LANGUAGE ARTS STANDARDS THROUGH MULTIPLE WORK SAMPLES.

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

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

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

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1 (iii) THE CHILD DEMONSTRATES A GRADE 3 READING LEVEL THROUGH A  
2 PUPIL PORTFOLIO, AS EVIDENCED BY DEMONSTRATING [COMPETENCY IN] 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 [ ] 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

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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 [MAKES THE DECISION  
17 TO EXEMPT THE PUPIL FROM THE RETENTION REQUIREMENTS OF SUBSECTION (5) (A)  
18 BASED UPON THE TEAM'S KNOWLEDGE OF THE PUPIL. THIS SUBDIVISION MAY ALSO  
19 BE APPLIED TO A PUPIL WITH A SECTION 504 PLAN.

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

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

3 [(C)] 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.