



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bills 567 and 568 (as enacted)
Sponsor: Senator Jeff Irwin (S.B. 567)
Senator Dayna Polehanki (S.B. 568)
Senate Committee: Education
House Committee: Education

PUBLIC ACTS 146 & 147 of 2024

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RATIONALE

Beginning in the fourth grade, educators transition from teaching students how to read to expecting students to read as they learn. At that point, teachers begin to build on foundational knowledge and introduce new content areas, such as science. More than 85% of non-language arts content is taught through reading.¹ As a result, student reading performance in fourth-grade serves as an important indicator for future success; however, in 2022, only 28% 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.² According to the 2024 results of the Michigan Student Test of Educational Progress, only 39.6% of third graders statewide passed the State's English Language Arts (ELA) exam. Some alleged that these poor scores reflected school systems' failures to identify and accommodate students with reading disabilities, specifically dyslexia. Accordingly, it was suggested that schools be required to test for and support students with difficulties learning to read accurately and efficiently.

CONTENT**Senate Bill 567 amended 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 have not been previously screened, to be screened for dyslexia at least three times a year.**
- **Require grade 4-12 students who demonstrate certain behaviors that may indicate dyslexia to be screened for characteristics of dyslexia and difficulty learning to decode.**
- **If a screening assessment indicates that a pupil exhibits characteristics of dyslexia or has trouble in learning to decode, require the pupil's school district, ISD, or PSA to ensure that a multi-tiered system of support (MTSS) is provided to the pupil.**
- **Prescribe the standards and requirements for each of the MTSS tiers.**
- **Modify reading intervention plan requirements.**

¹ "Why Reading Matters", www.upliftliteracy.org. Retrieved on 4-9-24.

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

- **By September 1, 2025, require the Michigan Department of Education (MDE) to develop dyslexia expertise to provide technical assistance to school districts, ISDs, and PSAs.**
- **By January 1, 2026, require the MDE to update its list of approved valid and reliable screening and progress-monitoring 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 are or are not included in the approved assessment system.**
- **By January 1, 2026, require the MDE to publish a list of evidence-based reading curricula and science of reading-based materials that are shown to improve literacy outcomes and help pupils achieve reading proficiency.**
- **By August 1, 2027, require each school district, ISD, and PSA to ensure that its selected assessments include a reliable and valid universal screening assessment for dyslexia.**
- **By the 2027-2028 school year, require school districts and PSAs to ensure that reading instruction and curriculum materials are evidence-based and focused on foundational reading skills.**
- **Remove requirements that the Center for Educational Performance and Information (CEPI) must fulfill.**
- **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, by 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 received professional learning about dyslexia, instructional accommodations, an MTSS, and more.**

Senate Bill 568 added 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 teaches about dyslexia, instructional accommodations, an MTSS, and more. A program that is not grant reading instruction or special education-related certificates may receive a two-year waiver from the MDE.

The bills are tie-barred, and each bill took effect October 10, 2024.

Senate Bill 567

Dyslexia Screening

Under the Act, beginning by the 2027-2028 school year and each school year thereafter, a school district, ISD, or PSA will have to ensure that pupils are screened for characteristics of dyslexia and difficulties in learning to decode accurately and efficiently using a reliable and valid universal screening assessment.

"Dyslexia" means the following:

- A specific learning disorder that is neurobiological in origin and characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities that typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction.

- A specific learning disorder that may include secondary consequences, such as problems in reading comprehension and a reduced reading experience that can impede the growth of vocabulary and lead to social, emotional, and behavioral difficulties.

All the following pupils enrolled in a school district, ISD, or PSA will have to be screened with fidelity at least three times during the school year:

- Each pupil during kindergarten, grade 1, grade 2, and grade 3.
- Each pupil in kindergarten, grade 1, grade 2, or grade 3 who transfers to the school district, ISD, or PSA from another school in the State and who has not been screened for dyslexia by a reliable and valid universal screening assessment.
- Each pupil in kindergarten, grade 1, grade 2, or grade 3 who transfers to the school district, ISD, or PSA from a school *not* located in the State, unless the pupil presents written documentation to the school showing that the pupil previously was subjected to a reliable and valid universal screening assessment.

Transfer students required to be screened will have to be screened within 90 days of enrollment and, following the initial screening, on the same screening schedule as other pupils in the same grade level.

Additionally, each pupil in grades 4 to 12 who demonstrates any of the following, as determined by that pupil's teacher, educational-support staff, or the pupil's parent or legal guardian, will have to be screened for dyslexia with fidelity:

- Escape or avoidance behaviors when asked to engage in reading or writing activities.
- Effortful or laborious reading.
- Reading-comprehension difficulties caused by inaccurate or inefficient word reading.
- Significant spelling or encoding difficulties not caused by fine-motor or visual-motor difficulties.
- Low performance on school-district-, ISD-, or PSA-approved ELA standards.
- Low performance on school-district-, ISD-, or PSA-approved standardized assessments.
- Reading deficiency.

Beginning with the 2027-2028 school year, for a pupil in grades 4 to 12 who demonstrates any of the above behaviors, the school district, ISD, or PSA in which the pupil is enrolled will have to ensure that additional assessment data is gathered, including the pupil's historical results on reliable and valid universal screening assessments, as available. The school district, ISD, or PSA will have to review this data with the pupil's teacher and school staff to inform the type and frequency of screening assessments that should be administered to the pupil to avoid unnecessary assessments while effectively assessing whether the pupil demonstrates characteristics of dyslexia, difficulties in learning to decode, or difficulties with word reading that may require an intervention placement for the pupil.

Beginning in the 2027-2028 school year, a pupil who is an English language learner and who has been assessed at an *entering* or *beginning* level of English language proficiency on a State-required language proficiency assessment, or at a comparable level, will not be required to be screened for characteristics of dyslexia and difficulties learning to decode unless the pupil's school staff determine that the pupil appears to demonstrate characteristics of dyslexia that are not due to language transference or limited English proficiency. A pupil who is an English language learner and who has been assessed at a *developing* level or higher on a State-required language proficiency assessment, or at a comparable level, will have to be screened for characteristics of dyslexia and difficulty decoding as appropriate for the pupil's grade level. As appropriate and consistent with the MDE's guidance, the pupil's screening will have to include spelling skills, phonemic awareness in the pupil's native language, and oral reading fluency in the pupil's native language.

The Code allowed a school district or PSA to provide additional services, such as instruction in a pupil's native language, to a pupil identified as an English language learner by the pupil's teacher or a diagnostic reading assessment. The bill extends this provision to allow other school staff or a State-required language proficiency assessment to identify English language learners, in addition to the pupil's teacher or a diagnostic reading assessment.

MTSS Support

Beginning with the 2027-2028 school year, if a reliable and valid universal screening assessment indicates that a pupil exhibits characteristics of dyslexia or experiences difficulty in learning to decode accurately and efficiently, the pupil's school district, ISD, or PSA will have to ensure that a multi-tiered system of support (MTSS) is provided to the pupil, including decoding and word recognition instruction. A reading intervention program will have to be included as part of an MTSS.

An MTSS is a comprehensive framework composed of a collection of evidence-based strategies designed to meet the individual needs and assets of the whole pupil at all achievement levels. It includes three distinct tiers of instructional support.

Tier 1 support will have to encompass a combination of evidence-based strategies that will be available to all learners and effectively meet the needs of most pupils. Additionally, the instructional methods and curriculum resources to be used to address the decoding and word-recognition components of reading will have to use a code emphasis³ instructional approach supported by the science of reading. The methods and resources to be used could not minimize the importance of primarily using letter-sound information to decode or recognize unknown words unless such instructional methods and curriculum resources will be used to confirm the meaning of unknown words after decoding has been attempted. Discouraged methods and resources include the following:

- Prompting pupils to guess unknown words using pictures and illustrations.
- Skipping over an unknown word or words to use the meaning of the passage to recognize the unknown word or words.
- Identifying only the first sound of an unknown word and then being prompted to guess the word using the word's initial sound and the meaning of the text surrounding the word.
- Memorizing a word in its written form.
- Using predictable text⁴ and levelled text⁵ to provide initial word recognition instruction and practice in reading new learned letter-sound correspondences.

These instructional methods and curriculum resources *may* be used, as appropriate, for purposes other than addressing the decoding and word-recognition components of reading

³ "Code emphasis" means direct, explicit instruction on the code system of written English at the sound, syllable, morpheme, and word level so pupils develop automaticity in accurate sound-symbol associations used for word recognition and for developing a robust sight-word vocabulary.

⁴ "Predictable text" means text that replicates language patterns using rhythm and rhyme to teach pupils phrasing and cadence.

⁵ "Leveled text" means text that has characteristics of predictable text and text focused on teaching high-frequency words without regard to sound-symbol associations. The term assigns a level based on a difficulty scale according to print features, content, themes, ideas, text structure, language, and literary elements. The term does not provide pupils opportunities to apply newly learned phonological and orthographic knowledge.

and for any purpose to comply with Section 504 of Title V of the Rehabilitation Act⁶ or Title II of the Americans with Disabilities Act (ADA).⁷

Tier 2 support will have to be provided to small groups of pupils to whom screening-assessment data or Tier 1 instructional data indicates a need for intervention to address difficulties in learning to decode and recognizing words accurately and efficiently. Like Tier 1, Tier 2 support will have to include instructional methods and curriculum resources that use a code emphasis approach to address the decoding and word-recognition components of reading and that are supported by the science of reading.

Pupils receiving Tier 2 support will have to be provided with intervention consistent with Tier 2 support. Their progress will have to be monitored by the individuals providing the intervention instruction using appropriate assessments to determine the pupils' responses. If pupils receiving Tier 2 support do not make measurable progress in response to reading intervention at a rate that will result in meaningful improvements in performance, intensive, Tier 3 support will have to be provided to the pupil using evidence-based instructional adaptations that will have to be documented in the pupil's required individual reading intervention plan (IRIP). If the pupil is determined to have a specific learning disability in reading, these interventions could be provided through the pupil's individualized education plan (IEP). For such a pupil, an intervention response team at the school district, ISD, or PSA in which the pupil is enrolled will have to refine the pupil's IRIP with the teacher providing the intervention instruction to the pupil to meaningfully accelerate reading outcomes.⁸

If a pupil's response to the intervention instruction is insufficient and there is reason to suspect the pupil has a disability, the school district, ISD, or PSA will have to consider the need for a full and comprehensive evaluation to determine eligibility for special education services, subject to State and Federal laws concerning special education.

Beginning with the 2027-2028 school year, if a reliable and valid universal screening assessment indicates the need for intervention, to the extent that the school district, ISD, or PSA is not already providing the pupil with evidence-based intervention services, the school in which the pupil is enrolled will have to provide the pupil with evidence-based intervention services grounded in the science of reading and the principles of structured literacy approaches or programs.

A school district, ISD, or PSA will have to ensure that the necessary accommodations or equipment are provided to pupils as required under Section 504 of Title V of the Rehabilitation Act and Title II of the ADA. Additionally, if the parent or legal guardian of a pupil had an independent, comprehensive evaluation conducted for dyslexia or other learning disabilities, the school district, ISD, or PSA in which the pupil is enrolled will have to ensure that any applicable requirements under the Individuals with Disabilities Education Act are fulfilled.⁹

⁶ Section 504 prohibits discrimination against people with disabilities under any program or activity receiving Federal financial assistance, or under any program conducted by any Executive agency or by the United States Postal Service. It also requires programs to provide reasonable accommodations to individuals with disabilities, which includes the purchase of adaptive equipment.

⁷ Title II requires State and local governments to grant individuals with disabilities an equal opportunity to benefit from all their programs, services, and activities. This includes public education.

⁸ The Code requires the board of a school district or board of directors of a PSA to provide an IRIP to any pupil in grades K to 3 who exhibits a reading deficiency within 30 days after the identification of the deficiency. Generally, IRIPs are created by school personnel and describe the reading interventions the pupil will receive. IRIPs are updated as students are assessed to address growth.

⁹ The Act protects the rights of children with disabilities who meet requirements for special education services and their families.

Reading Intervention

Generally, the Code requires the board of a school district or board of directors of a PSA to provide an IRIP to any pupil in grades K to 3 who exhibits a reading deficiency. The bill extends this provision to pupils required to have a reading *intervention* plan.

The bill requires an MTSS, provided to pupils who display characteristics of dyslexia or difficulty decoding, to include a reading intervention program. The bill also modifies reading intervention requirements.

Firstly, it requires reading intervention to use intervention curriculum resources and evidence-based practices aligned to the research requirements consistent with the science of reading. Reading intervention will have to be provided to *any* pupil who displays a reading deficiency, not just K-3 students. Reading deficiencies may be identified by assessments that are used to identify the source of the reading difficulty.

Reading interventions will have to provide evidence-based Tier 1 class-wide reading instruction that is comprehensive and meets most of the general education classroom's needs. The bill specifies that reading interventions will have to provide intensive development in evidence-based reading instructional practices, which include the five major reading areas identified by the Code (phonemic awareness, phonics, fluency, vocabulary, and comprehension), as well as other skills or processes consistent with structured literacy. Reading interventions will have to include extensive explicit instruction consistent with structured literacy in decoding, word recognition, spelling, writing, and language comprehension skills, as well as processes for skillful reading.¹⁰

Previously, reading interventions were required to be systemic, explicit, multisensory, and sequential. Under the bill, they only must be systematic and explicit. The bill maintains other requirements, such as requiring three screenings for reading skills a year, which must be implemented during regular school hours.

The bill prescribes reading intervention program requirements for grade 3 pupils exhibiting a reading deficiency as determined by the pupil's teacher through the screening assessment and other assessments selected by the school district or PSA to pupils in grades K to 12 who receive Tier 2 or 3 MTSS support. These reading interventions will have to be consistent with structured literacy. The program also will have to contain small group or one-on-one reading intervention that includes modeling and examples, as well as more extensive opportunities for guided practice incorporating error correction and feedback for pupils to develop mastery.

In addition, the bill requires a reading intervention program in a pupil's IRIP to contain a written description, including at least the following:

- Quarterly and annual learning goals that describe how and when the pupil is expected to progress from the pupil's current reading proficiency level to grade level proficiency.
- The name, if any, type, content, frequency, and duration of evidence-based interventions, curriculum resources, and assessments that will be used, and the extent to which these conform to best practices identified by the MDE for addressing the pupil's specific identified reading difficulties.
- A summary of why the intervention resources and evidence-based practices selected for the pupil's individual reading intervention program are best suited to address the pupil's particular needs.

¹⁰ "Explicit" means direct and deliberate instruction through continuous pupil-teacher interaction that includes explanation, teacher modeling or example, and multiple opportunities to practice with feedback for students to develop mastery.

- A description of the assessment data and the pupil's assessment scores that will be used to monitor the pupil's progress and adaptations to the intervention instruction that will be provided based on feedback from the assessments.
- Information about adjustments that may be made to intensify the intervention instruction as needed.
- The pupil's unique identifier.
- A date by which the pupil's teacher, school principal, parent or legal guardian, and other appropriate school staff will have to annually review and update the pupil's IRIP, including reviewing if the learning goals have been or will be met.

The program will have to be administered with fidelity.

The bill deleted certain reading intervention program requirements for pupils who are English language learners, including instruction in academic vocabulary, ongoing assessments that provide data for teachers to use, and common English language development strategies. Instead, for English language learners who are identified as demonstrating characteristics of dyslexia or difficulty decoding by an appropriate screening assessment that is consistent with the MDE's guidelines to distinguish characteristics of dyslexia from limited English proficiency, intervention services will have to include at least the following:

- Language support in word recognition and decoding.
- Language comprehension skills to support expanding vocabulary and understanding text.
- Intentional English language development that includes using only the words and text to teach decoding and word recognition.
- Instruction that 1) assists pupils in developing the ability to read at grade level; 2) provides intensive development in evidence-based reading instruction practices; 3) provides extensive explicit instruction consistent with structured literacy in decoding, word recognition, spelling, writing, and language comprehension skills, including vocabulary, morphology, and syntax, and processes for skillful reading; 4) is systemic and explicit; and 5) is implemented during regular school hours in addition to regular classroom reading instruction.

Previously, the Code allowed a grade 3 pupil who had a reading deficiency based on the grade 3 State ELA assessment to be provided a reading intervention program only until grade 4 and prescribed requirements for this program. Generally, the program was required to assign the pupil to an effective teacher, be evidenced-based, meet daily small group requirements, and have an at-home plan portion. The bill deleted these requirements. Instead, *any* pupil who has a reading deficiency based on a screening assessment will have to be provided with a reading intervention based on the research requirements consistent with the science of reading.

A school district or PSA will have to provide a copy of each IRIP to the school district's ISD or, for a PSA, the ISD that has geographic boundaries that includes the PSA. A copy of a pupil's IRIP cannot contain any identifying information regarding the pupil or a teacher that provides instruction to the pupil.

The ISD will have to collate this information and provide it to the MDE each school year in a timeline and manner as determined by the MDE. The MDE may not share a pupil's IRIP with an outside vendor.

Dyslexia Expertise

Under the bill, by September 1, 2025, the MDE will have to develop dyslexia expertise to provide technical assistance to school districts, ISDs, and PSAs regarding dyslexia and underlying factors that place pupils at risk for difficulties in learning to decode accurately and

efficiently. The MDE will have to offer expertise by providing guidance on at least the following:

- Structured literacy.
- Professional learning about dyslexia to school districts, ISDs, and PSAs.

To support the implementation of these requirements, the MDE will have to regularly review and update the Michigan Dyslexia Handbook (see **BACKGROUND**) or a similar publicly available dyslexia resource guide that includes information regarding the education of pupils with dyslexia or characteristics of dyslexia, to be used by school districts, ISDs, and PSAs. Reviews and updates will have to be conducted at an interval not to exceed five years.

Additionally, beginning by September 1, 2026, the bill requires the MDE to develop dyslexia expertise to provide technical assistance to school districts, ISDs, and PSAs regarding the appropriate selection and use at each grade level of reliable and valid universal screening assessments for the identification of pupils who exhibit characteristics of dyslexia and pupils who display difficulties in learning to decode accurately and efficiently, to minimize the impact on instructional time.

The bill also requires the MDE to develop dyslexia expertise to provide technical assistance to school districts, ISDs, and PSAs regarding evidence-based instructional methods and the features of evidence-based interventions for pupils who exhibit the characteristics of dyslexia or pupils who have difficulties in learning to decode accurately and efficiently that includes instructional methods and curriculum resources that use a code emphasis approach to address the decoding and word-recognition components of reading and that are supported by the science of reading. These instructional methods and curriculum resources may not include elements that minimize the importance of primarily using letter-sound information to decode or recognize unknown word unless such instructional methods and curriculum resources are being used to confirm the meaning of unknown words after decoding was attempted.

Grade 3 Reading Assessment

The Code requires the MDE to help ensure that pupils will achieve a score of at least "proficient" in ELA on the grade 3 State assessment.¹¹ This includes approving three or more valid and reliable screening and progress-monitoring reading assessment systems for selection and use by school districts and PSAs. Under the bill, instead of approving formative, diagnostic assessments, the MDE will have to approve progress-monitoring reading assessments.

In determining which assessment systems to approve for use by school districts and PSAs, the MDE must consider: 1) the time required to conduct the assessments; 2) the level of integration of assessment results with instructional support for teachers and students; and 3) the timeliness in reporting assessment results. The bill added to these requirements a consideration of the degree of compatibility with other approved statewide assessment measures, to minimize the impact on instructional time.

Under the bill, by January 1, 2026, the MDE will have to provide a list of approved valid and reliable screening and progress monitoring assessments for selection and use by school districts and PSAs and, in addition to meeting applicable requirements, identify, within each approved assessment, 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

¹¹ Currently, Michigan schools test grade school students using the Michigan Student Test of Educational Progress, or M-STEP. Third graders take the M-STEP Mathematics and English-Language Arts (ELA) summative tests.

in learning to decode accurately and efficiently that are or are not included in the approved assessment system.¹²

Additionally, by January 1, 2026, the MDE will have to publish a list of evidence-based, Tier 1 class-wide elementary reading curricula and materials that aligned with the science of reading methods that research has shown to improve literacy outcomes and help pupils achieve reading proficiency.

By August 1, 2027, each school district, ISD, and PSA will have to update its selection of a valid and reliable screening and progress-monitoring reading assessment to ensure that the selected system includes a reliable and valid universal screening assessment aligned with the guidance provided by the MDE, if it had not done so already. In complying with this requirement, a school district, ISD, or PSA will have to minimize the impact on instructional time by selecting approved assessment systems that include elements fulfilling multiple assessment requirements, when appropriate, or by adding approved assessment measures or combining compatible approved assessments that, when utilized together, include all the elements of a reliable and valid universal screening assessment.

The Code requires the board of a school district or board of directors of a PSA to help ensure that more pupils will achieve a score of at least "proficient" in ELA on the grade 3 State assessment. Under the bill, a school board or board of directors of a PSA will have to select one progress-monitoring reading assessment, in addition to the valid and reliable screening assessment previously required, from the list compiled by the MDE.

Beginning in the 2027-2028 school year, school districts, ISDs, and PSAs will have to ensure that reading instruction and curriculum materials are evidence-based, with a focus on pupils' mastery of the foundational reading skills of phonemic awareness, phonics, fluency, and the development of other reading skills. Pupils will have to be provided instruction aligned with science of reading methods that research shows improve literacy outcomes and help pupils achieve reading proficiency. The screening of pupils in grades K to 3 will have to meet the requirements for dyslexia screening and support outlined by the bill.

If the MDE determines that a benchmark assessment or a valid and reliable screening and progress-monitoring reading assessment suite selected by a school district or a PSA includes a reliable and valid universal screening assessment, that interim assessment or assessment system may be utilized to meet the required screening of pupils in kindergarten and grades 1 to 3, including transfer students.¹³

CEPI Requirements

Previously, after the MDE finalized the scoring for the grade 3 State assessments, the MDE had to provide CEPI with the scores for every grade 3 pupil enrolled in a public school in the State who was administered one or more of those assessments. After CEPI received and reviewed the grade 3 State assessment results from the MDE, CEPI had to identify each pupil completing grade 3 that year who had a reading deficiency and notify the parent or legal guardian and the school district or PSA of each of these pupils that the pupil had a reading deficiency. This notification had to include an explanation of what constituted a reading

¹² "Progress monitoring" means an assessment used after a pupil is identified and matched with intervention support to determine if the pupil continues to need intervention, if the supports need to be modified or changed, or if supports can be faded.

¹³ "Benchmark assessment" means an administered periodically throughout a school year and used to predict and identify learner readiness for success on a later summative assessment, to evaluate ongoing educational programs and interventions, and/or to provide teachers with individual learners' performance data to inform instruction.

deficiency and information concerning interventions that were available to the pupil to address the pupil's reading deficiency. A school district or PSA also could make its own notification to a parent or guardian in addition to CEPI's notification. The bill deleted these provisions.

Instead, the bill requires the MDE to notify the parent or legal guardian of a pupil completing grade 3 who scores not proficient in reading based on the State ELA assessment of all the following by certified mail and in a clear format:

- That the pupil has scored not proficient in reading based on the State ELA assessment.
- That the school is required to provide the pupil with supports.
- The supports and interventions required to be made available to the pupil under State law.
- That the parent or legal guardian has the right to request a meeting with school officials to discuss supports and interventions.

Literacy Coaches and Other Personnel

The bill requires district-identified literacy coaches to support teachers to use what is taught during initial professional development in the following, in addition to current requirements:

- Administering, scoring, and interpreting the bill's assessments with fidelity.
- Providing differentiated instruction and intensive intervention, which includes methods to intensify instructional interventions for decoding and word recognition.
- Using data diagnostically to adjust intervention instruction and to understand reasons why a pupil may not be responding to intervention instructions as expected.
- The use of evidence-based instructional methods and the features of evidence-based interventions for pupils who experience difficulties with decoding and word recognition.
- The professional learning requirements outlined below, as appropriate.
- The appropriate use of statewide professional learning tools and evidence-based practices that meet the research requirements consistent with the science of reading.

Instead of providing professional development to teachers concerning the five major reading components (phonemic awareness, phonics, fluency, vocabulary, and comprehension), early literacy coaches will have to provide reading intervention that meets the following requirements:

- Assists pupils in developing the ability to read at grade level.
- Provides intensive development in evidence-based reading instruction practices.
- Provides extensive explicit instruction consistent with structured literacy in decoding, word recognition, and language comprehension skills and processes for skillful reading.
- Is systemic and explicit.
- Is implemented during regular school hours in addition to regular classroom reading instruction.

In addition to current duties, a district-identified literacy coach also will have to do the following:

- Model evidence-based instruction to teachers.
- Advise in developing schoolwide and classroom infrastructure to meet the collective and individual needs of pupils using an MTSS.
- Train school staff in data analysis and using data to differentiate instruction and how to identify and address reading deficiency.
- Work with teachers to ensure that evidence-based curriculum resources and reading interventions are implemented with fidelity.

Previously, a literacy coach had to model for each K-3 teacher and coach a teacher in instruction with pupils in whole and small groups. The bill requires a literacy coach to also teach these skills to teachers whose classrooms included a pupil with an IRIP.

The Code requires literacy coaches to continue to increase their knowledge base in best practices in reading instruction and intervention. The bill specifies that this knowledge base will have to be supported by research requirements consistent with the science of reading.

The bill allows an individual who is not a district-identified literacy coach to be used to meet the requirements outlined above if that individual fulfills current requirements for district literacy coaches, which include the following under the bill.¹⁴

By the 2027-2028 school year, the bill requires each school district, ISD, and PSA to provide assurance to the MDE that all literacy consultants, literacy coaches, and other personnel providing reading intervention or reading instruction to grades K to 12 pupils in the school district, ISD, or PSA had received professional learning, as determined by the MDE, regarding all the following:

- The characteristics of dyslexia and underlying factors that place pupils at risk for difficulties in learning to decode accurately and efficiently.
- Secondary consequences of dyslexia, such as problems in reading comprehension and a reduced reading experience that may impede the growth of vocabulary and background knowledge and lead to social, emotional, and behavioral difficulties.
- Instructional adjustments for pupils with dyslexia and instructional adjustments to address the underlying factors that place pupils at risk for difficulties in learning to decode accurately and efficiently.
- Methods to develop schoolwide and classroom infrastructure to meet the collective and individual needs of pupils using an MTSS.
- Evidence-based instructional methods and features of evidence-based interventions that are grounded in the science of reading and principles of structured literacy that are designed for pupils with characteristics of dyslexia and pupils at risk for difficulties in learning to decode accurately and efficiently.
- Evidence-based instructional methods and features of evidence-based interventions that are grounded in the science of reading and principles of structured literacy that are designed to effectively meet the needs of most pupils.

The completion of a program of study approved by the MDE (see [Senate Bill 568](#)) will fulfill this professional development requirement.

Additionally, by the beginning of the 2027-2028 school year, a district-identified literacy coach will have to provide technical assistance to school districts, ISDs, PSAs, and their schools to aid the school districts, ISDs, PSAs, and their schools in reporting information contained in a pupil's IRIP.

Additional Definitions

"Diagnostic instruction" means continuous assessment and individualization of instruction to meet each pupil's instructional needs.

"Evidence-based" previously meant based in research and with proven efficacy. Instead, under the bill, "evidence-based" means an activity, program, process, service, strategy, or

¹⁴ Generally, district-identified literacy coaches must have successful classroom teaching experience, knowledge of the science of reading, experience working with adults, and a bachelor's degree and advanced coursework in reading or professional development in literacy instruction.

intervention that demonstrates statistically significant effects on improving pupil outcomes or other relevant outcomes and that meets at least the following:

- Is based on strong evidence from at least one well-designed and well-implemented experimental study, or is based on moderate evidence from at least one well-designed and well-implemented quasi-experimental study, or is based on promising evidence from at least one well-designed and well-implemented correlation study with statistical controls for selection bias, or demonstrates a rationale based on high-quality research findings or positive evaluation that the activity, program, process, service, strategy, or intervention is likely to improve pupil outcomes or other relevant outcomes.
- Includes ongoing efforts to examine the effects of the activity, program, process, service, strategy, or intervention.

"Intervention response team" means a group of individuals with expertise in assessments, literacy, working with English language learners, working with people with disabilities, and behavior efforts who develop individualized plans to support pupils with significant and persistent needs.

"Phonemic awareness" means the conscious awareness of the following:

- Individual speech sounds, including consonants and vowels in spoken syllables.
- The ability to consciously manipulate through blending, segmenting, deleting, or substituting individual speech sounds described above.
- All levels of the speech sound system, including word boundaries, rhyme recognition, stress patterns, syllables, onset-rime units, and phonemes.

"Reliable" means something that is based on the consistency of a set of scores that are designed to measure the same thing. "Reliable and valid screening assessment" means an assessment that includes brief measures designed to identify underlying difficulties affecting a pupil's ability to learn to decode and to recognize words accurately and efficiently and that aligns with assessment guidelines concerning grade levels in which, and times of the school year when, specific universal screening assessment measures must be administered.

"Science of reading" means a cumulative and evolving body of evidence whose research studies follow a scientific process of inquiry and use scientific methods to help answer questions related to reading development and issues related to reading and writing derived from research from multiple fields of cognitive psychology, communication sciences, developmental psychology, education, special education, implementation science, linguistics, and neuroscience.

"Screening assessment" means an assessment designed to proactively identify pupils who may be at risk of developing academic, social, emotional, or behavioral challenges so that support can be provided and to provide to data to inform systems-level decisions. A screening assessment will have to include, as appropriate for grade level or age as determined by the MDE and the guidelines prescribed by the bill, elements used to identify difficulties in learning to decode and recognize words, including at least the following:

- Phonemic awareness.
- Rapid automatized naming.
- Letter-sound correspondence.
- Single-word reading.
- Nonsense-word reading.
- Oral passage reading fluency.

A screening assessment also may include, as appropriate for grade level or age as determined by the MDE, elements designed to identify comprehension difficulties, including at least the following:

- Retelling.
- Cloze reading procedure.¹⁵
- Answering questions about a reading passage.

"Standardized assessment" means an assessment that is administered and scored in a consistent or standard manner.

"Structured literacy" means systematic, direct, explicit, cumulative, and diagnostic instruction that integrates listening, speaking, reading, and writing and emphasizes the structure of language across the speech sound system, the writing system, the structure of sentences, the meaningful parts of words, the meaning of words, phrases, sentences, and text, and the processing of oral and written discourse.

Additionally, the bill amended the definition of "reading deficiency". Previously, it meant scoring below grade level or being determined to be at risk of reading failure based on a screening assessment, diagnostic assessment, standardized summative assessment, or progress monitoring. The bill deleted the term diagnostic assessment and replaced reference to reading failure with being determined to be at risk of not meeting grade-level reading expectation.

Senate Bill 568

Under the bill, beginning September 30, 2027, the MDE may not approve a teacher preparation program or an alternative teaching program unless the program offers instruction regarding all the following:

- The characteristics of dyslexia and underlying factors that place pupils at risk for difficulties in learning to decode accurately and efficiently.
- The secondary consequences of dyslexia, such as problems in reading comprehension and a reduced reading experience that may impede the growth of vocabulary and background knowledge and that can lead to social, emotional, and behavioral difficulties.
- Instructional adjustments for pupils with dyslexia and instructional adjustments for addressing underlying factors that place pupils at risk for difficulties in learning to decode accurately and efficiently.
- Methods for developing schoolwide and classroom infrastructure that meet the collective and individual needs of pupils using an MTSS.

In addition to the requirements above, a teacher preparation program or alternative teaching program that prepares individuals for certification or endorsements that involve reading instruction, language arts, or special education, as appropriate, or for school psychologist licensure, as appropriate, will also have to provide instruction regarding the following:

- Evidence-based instructional methods and features of evidence-based interventions that are grounded in the science of reading and principles of structured literacy that are designed for pupils with characteristics of dyslexia and pupils at risk for difficulties in learning to decode accurately and efficiently.

¹⁵ "Cloze reading procedure" means an objective reading assessment that deletes words in a designed reading passage.

- Evidence-based instructional methods and features of evidence-based interventions that are grounded in the science of reading and principles of structured language and literacy that are designed to effectively meet the needs of most pupils.

Beginning September 30, 2027, the MDE also will have to revoke approval of a teacher preparation program or an alternative teaching program unless it fulfills the requirements above.

MCL 380.1280f (S.B. 567)

Proposed MCL 380.1531e (S.B. 568)

PREVIOUS LEGISLATION

(This section does not provide a comprehensive account of previous legislative efforts on this subject matter.)

Senate Bill 567 and Senate Bill 568 are similar to Senate Bill 380 and Senate Bill 381 from the 2021-2022 Legislative Session, respectively. Senate Bills 380 and 381 passed the Senate but received no further action.

BACKGROUND

Dyslexia is one of the most common learning disabilities, affecting an estimated 5% to 20% of people nationwide.¹⁶ For individuals with dyslexia, an early diagnosis is key because, beginning in the fourth grade, teachers transition from teaching students how to read to expecting students to read as they learn. In practice, this often means that individuals who are not proficient in reading by the third grade continue to struggle throughout their education.¹⁷ 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.¹⁸ In 2023, 40.9% of Michigan's third graders tested at the proficient level or better for English/language arts.¹⁹ In 2022, the MDE developed the Michigan Dyslexia Handbook, in consultation with dyslexia and literacy experts. The handbook collates best practices aligned with reading science to help Michigan educators instruct students with characteristics of dyslexia and difficulties decoding. It aligns with Michigan's Top 10 Strategic Education Plan, Goal 2: Improving early literacy achievement.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

It is the State's responsibility to provide students with quality education; however, Michigan students continue to perform poorly in English language and literacy-related assessments. In 2022, Michigan ranked 43rd in the country for 4th grade reading overall, with Black students and low-income students performing significantly worse than the national average.²⁰ Michigan students are struggling to learn to read. Dyslexia, a common reading disorder, may contribute

¹⁶ Dellinger, Hannah, "Dyslexia support proposals are back in the Michigan Legislature", *Chalkbeat Detroit*, October 18, 2023.

¹⁷ Ponte, Olivia, "Learning to Read v. Reading to Learn: A Discussion of Third-Grade Reading Supports", Senate Fiscal Agency, *State Notes*, Fall 2022.

¹⁸ "2022 Reading State Snapshot Report: Michigan Grade 4 Public Schools", The Nation's Report Card. Retrieved on 2-6-24.

¹⁹ Hicks, Justin P., "See each Michigan school s 2023 M-STEP score", *MLIVE*, September 11, 2023.

²⁰ The Education Trust-Midwest, *Beyond the Pandemic: State of Michigan Education Report 2023*, pp. 8-13, 2023.

to the State's literacy crisis. According to testimony before the Senate, Michigan was reportedly one of the worst states in the nation for dyslexic students. The State's previous special education evaluation could not diagnose dyslexia, and students with dyslexia or similar reading disabilities often were not eligible for special education services.²¹ Reportedly, though the MDE released guidance concerning dyslexia, many districts have not changed their curriculum or support structures because it was not required. As a result, students with reading disabilities were left to the general education classroom, which testimony before the Senate Committee on Education indicates are not equipped with best practices to teach literacy. In the absence of school support, families were forced to rely on their own resources to help their students, such as by advocating for their students in the school district or hiring private tutors; however, access to literacy should not depend on a parent's willingness to fight for or finance their child's education. Michigan's public school should educate every child equally.

According to testimony before the Senate Committee on Education, while some school districts successfully teach literacy, other school districts wait for students to fail before providing interventions. Waiting to intervene, however, may harm students in several ways. Testimony indicates that students struggling to read may see a reduction in their self-confidence and self-worth. This, in turn, may lead to behavioral problems. It also leads to a wide knowledge gap. Overall, students who are left to struggle may be discouraged from learning, feeding into a harmful, life-long cycle. As a result, catching students with reading difficulties early is important. Senate Bill 567 requires students to be screened throughout kindergarten and third grade, catching dyslexic students before the cycle of literacy-based learning loss begins. It also requires students in grades 4 through 12 who exhibit certain symptoms to be screened, helping to retroactively identify students with reading difficulties.

Once identified, students with reading difficulties will benefit from an MTSS. Originally identified as a resource by the Michigan Dyslexia Handbook, MTSSs are designed to mitigate learning challenges and maximize instructional time by fulfilling the social-emotional and behavioral needs of students and providing them with effective instructional practices.²² For example, students who need additional help beyond class-wide reading instruction (Tier 1) will receive supplemental instruction in small groups, benefiting from the attention of peers, teachers, and more frequent progress monitoring (Tier 2). Individuals who need additional support will receive more intensive, individualized support (Tier 3). Students with reading difficulties can become average readers if they receive proper instruction. The bills enact best practices to ensure that all Michigan students, whether they have reading difficulties or not, receive a quality education.

Supporting Arguments

The bills require school districts to establish a curriculum backed by the science of reading, which will improve reading outcomes for *all* Michigan students. Previously, school districts set their own reading curriculum, following guidelines established by the State.²³ According to testimony before the Senate Committee on Education, while some schools and individual teachers adopted the science of reading, others had not. The science of reading collates best-practices related to literacy education for all students, not just students with reading difficulties. Requiring schools to embrace evidence-based practices demonstrating the science of reading will improve the literacy outcomes of all Michigan students.

²¹ Henneman, Alyssa, "Opinion: Every child should be able to read", *The Gander*, February 1, 2024.

²² MDE, *Michigan Dyslexia Handbook*, Version 1.0, p. 18, August 2022.

²³ Dellinger, Hannah, "Michigan Senate hears the case for requiring the 'science of reading' in early literacy curriculum", *Chalkbeat Detroit*, February 6, 2024.

Supporting Argument

The bills will further support students by providing teachers and other personnel with literacy training. During their pre-service education, many educators do not have the opportunity to learn evidence-based practices and assessment methods based on the science of reading.²⁴ Testimony before the Senate Committee on Education indicates that, when faced with students struggling to read, teachers may not be equipped to help them, though they desperately want to. Some educators, of their own accord, may pursue professional development opportunities such as LETRS training²⁵; however, a student's success should not rely solely on whether a teacher undergoes supplemental professional development. Senate Bill 568 requires teacher preparation programs to incorporate instruction on dyslexia, as well as reading difficulties and accommodations, among other things. Senate Bill 567 requires current teachers to undergo professional development in these topics. Together, the bills will empower teachers to support students with reading difficulties within the classroom.

Opposing Argument

The bills may divert resources from other struggling students, including those who do not show signs of dyslexia. Currently, Michigan schools are facing a shortage of teachers and literacy coaches. According to Michigan State University's Education Policy Innovation Collaborative, school district reliance on multi-site, virtual, and temporary teachers has increased, suggesting a struggle to find full-time, appropriately credentialed teachers.²⁶ Literacy coaches work best with 14 teachers; however, Michigan literacy coaches work with 18 educators on average.²⁷ According to testimony before the Senate Committee on Education, Michigan schools lack the teachers, literacy coaches, and other personnel to properly implement the requirements of the bills. Requiring literacy coaches to focus on student intervention (Tiers 2 and 3) will prevent them from helping teachers in the classroom educate all students (Tier 1). Requiring students to be assessed at least three times a year may reduce instruction time. Additionally, teachers and literacy coaches themselves may find the bills' requirements burdensome, as they often fulfill multiple roles in their schools. Schools in general may find it burdensome to adopt an MTSS, as the system was previously optional. The bills may prove costly for school districts, which may have to hire additional staff. Overall, the bills will help students with dyslexia at the expense of their peers.

Response: The bills will not add additional burdens to school districts. According to testimony before the Senate Committee on Education, the State has 900 upcoming teachers. By the 2027-2028 school year, when these requirements will be implemented, these teachers will have been placed and will help reduce the State's personnel shortage. As for testing requirements, the bills will require existing assessments to be modified to include dyslexia and reading difficulty screeners. As the Code already requires K-3 students to be assessed three times a year,²⁸ the bills do not impose additional testing requirements. The bill likely would not create additional burdens for teachers in the classroom, as they would undergo training during their teacher training programs. Additionally, teachers often find education in the science of reading to be rewarding, as it helps them better help their students. Lastly, the State budget includes several line-items intended to aid schools in fulfilling these requirements. This includes \$42.0 million appropriated for early literacy coaches working in ISDs.²⁹ Schools will be supported throughout this process. Additionally, students whose reading difficulties are identified later in their education require more intensive interventions,

²⁴ Michigan Department of Education, *Michigan Dyslexia Handbook*, Version 1.0, p. 32, August 2022.

²⁵ The LETRS Suite is a literacy-skill-focused professional development program for teachers that is based on the Orton-Gillingham Approach, which uses explicit, direct, sequential, systematic, multisensory instruction to teach reading.

²⁶ Kilbride, T., et al., "Michigan Teacher Shortage Study: Comprehensive Report", p. 76, January 2023.

²⁷ Cummings, A., et al., "Michigan's Literacy Coaching Landscape," p. 3, March 2023.

²⁸ MCL 380.1280f

²⁹ MCL 388.1635a.

which tend to be more expensive than early interventions. By requiring students with reading difficulties to be identified early, the bill will save schools money.

Opposing Argument

The bills are overly proscriptive. Firstly, the definition of dyslexia presented by Senate Bill 567 lacks nuance. Dyslexia is a complex learning disorder that is presented in many ways. The bill's narrow definition will catch some students but not others. The bill also requires schools to consider behavioral symptoms, such as reading avoidance, which may create confusion. Children may exhibit reading avoidance for a variety of reasons. Additionally, Senate Bill 567 requires the use of certain practices and restricts others. For example, under the bill, educators may teach only strategies such as reading-in-context for purposes other than addressing decoding and word-recognition components of reading. Teachers should be able to use every tool in the toolbox to help their students, as each student learns differently. Additionally, best practices concerning literacy education may change over time, leaving Michigan schools with outdated practices required to be taught.

The bills' overly proscriptive nature also may inhibit the ability of successful schools to continue to perform. According to testimony before the Senate Committee on Education, some schools have found success in literacy education, such as by requiring their teachers to undergo LETRS training. Under the bills' restrictions, these schools may have to abandon tools that have been proven to work to comply with unfamiliar State-mandated practices that may work for some areas and districts but not for others. Schools struggling to deliver required outcomes may see an increased likelihood of litigation, burdening school officials. Instead of requiring schools across the State to comply with restrictive legislation and punishing them for noncompliance, the bills should have offered schools flexibility in pursuing the best practices to teach students literacy, such as by implementing preschool programs, which have been shown to alleviate the harm caused by reading difficulties.

Response: Testimony indicates that teaching children literacy through the science of reading provides better learning outcomes than other methods. Additionally, the core tenants of the science of reading have been agreed on since the 1930s. As such, they are unlikely to change. While some schools may find success, their classrooms still contain children with reading difficulties who may fall through the cracks because they are not identified. Senate Bill 567 will ensure that teachers use best practices while teaching reading, which will not only help students with reading difficulties but all students. Lastly, Senate Bill 567 does not contain punitive punishments for schools that fail to comply with these requirements.

Opposing Argument

The bills will be implemented too late for many students. Under the bills, school districts, ISDs, and PSAs won't have to screen students for difficulties in learning to read and provide interventions until the 2027-2028 school year. Additionally, school districts and PSAs won't have to ensure that reading is evidence-based and focused on foundational reading skills or that personnel providing reading intervention or reading instruction to preK-12 students receive professional learning about reading difficulty identification and interventions until that year. Struggling students and their families should not have to wait over three years to receive the help they need, even if schools are not fully staffed. The bills should have been implemented immediately.

Legislative Analyst: Abby Schneider

FISCAL IMPACT

The bills will 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 will experience additional costs to oversee the implementation of the bills, including providing technical assistance to schools, approving assessments and diagnostic screenings exams, and updating teaching preparation

program oversight. The bills may 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 will require screening of all pupils in grades K-3, plus select pupils in higher grades if they demonstrate 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 will see additional costs to screen pupils in grades 4 to 12 if those screenings are not covered using existing tools.

If existing teachers meet the bill's requirements, no fiscal impact will be incurred. If existing teachers need additional professional development, costs may be incurred if that professional development is more costly than existing professional development, or if that training is necessary on top of other professional development.

Fiscal Analyst: Ryan Bergan
Cory Savino, PhD

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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.