

SENATE BILL NO. 714

February 07, 2024, Introduced by Senator JOHNSON and referred to the Committee on Education.

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending section 23g (MCL 388.1623g), as added by 2023 PA 103.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 23g. (1) From the state school aid fund money
2 appropriated in section 11, there is allocated for 2022-2023 only
3 an amount not to exceed \$150,000,000.00 for payments to eligible
4 recipients for implementing the MI Kids Back-on-Track program as
5 described in this section.

1 (2) The department shall pay to each eligible recipient an
2 equal amount per membership pupil who is not proficient in math or
3 reading based on the most recent state summative assessment.
4 Eligible recipients must use funding received under this section
5 only for costs related to implementation of the MI Kids Back-on-
6 Track program as described in this section. Implementation costs of
7 the program include, but are not limited to, costs related to
8 staffing, high-quality training, curriculum needs, student
9 transportation needs, technology needs, materials, any purpose for
10 which any district previously used funds allocated under section
11 98c, or other costs incurred as a result of the provision of
12 services for the program.

13 (3) From the allocation in subsection (1), there is allocated
14 \$600,000.00 to the Clinton County Regional Educational Service
15 Agency to work with the Michigan Association of Intermediate School
16 Administrators (MAISA), to do all of the following:

17 (a) Provide a report on tutoring programs eligible to be
18 purchased by eligible recipients using the funding allocated under
19 subsection (1).

20 (b) Develop and provide technical assistance to eligible
21 recipients in selecting high-impact tutoring strategies and include
22 their integration into eligible recipients' Michigan Integrated
23 Continuous Improvement Process (MICIP) plans. Developing and
24 providing technical assistance may include the design and
25 integration of eligible tutoring programs within the
26 MiStrategyBank.

27 (c) Collect, aggregate, and report data in collaboration with
28 the MAISA Michigan Collaborative Hub. An amount not to exceed
29 \$300,000.00 of the funds allocated under this subsection may be

1 used for this purpose.

2 (d) Provide an annual report of tutoring programs to the
3 office of the governor, senate and house education committees, the
4 senate and house appropriations subcommittees on school aid, the
5 state budget director, and the department based on the criteria
6 described in subsection (4) to be included in the MiStrategyBank,
7 and the educational effectiveness as documented at least through
8 data submitted through the Michigan data hub.

9 (4) The list of eligible tutoring programs contained within
10 the MiStrategyBank must only consist of tutoring programs,
11 including, but not limited to, those created by for-profit vendors,
12 nonprofit vendors, intermediate districts, districts, and the
13 Michigan Schools for the Deaf and Blind, that are aligned with
14 high-impact tutoring that must include all of the following
15 criteria:

16 (a) Tutoring is provided in groups of 4 or fewer students.

17 (b) The tutor or tutors provide consistent service to students
18 throughout the school year.

19 (c) Tutoring is provided a minimum of 3 times per week for at
20 least 20 to 30 minutes per session.

21 (d) Except as otherwise provided in this subdivision, tutoring
22 is implemented throughout the school day. Tutoring that is a
23 before- or after-school program may be approved if the tutoring
24 meets the other criteria described in this subsection.

25 (e) Trained tutors provide the tutoring. Trained tutors **must**
26 **have received training in the science of reading, and** may include
27 teachers, paraprofessionals, community providers, AmeriCorps
28 members, or other individuals who have received training.

29 (f) The program uses a high-quality curriculum that utilizes

1 research-based strategies that are aligned with state academic
2 standards.

3 (g) Tutoring is data-driven and includes the use of formative
4 assessments and student progress measures that meet criteria in
5 subdivision (h).

6 (h) Progress monitoring is part of the tutoring program, and
7 includes using curriculum-based measures that include all of the
8 following:

9 (i) Identification of a valid, reliable progress monitoring
10 assessment tool that is curriculum-based.

11 (ii) Implementation of standardized procedures for collecting
12 data.

13 (iii) Standardized repeated assessments over time that are
14 graphed.

15 (iv) Comparisons with a goal set using validated strategies.

16 (v) Collecting data with fidelity, documented by direct
17 observation using a checklist with immediate performance feedback.

18 (vi) Graphed progress monitoring data that is reviewed by a
19 team every 4 to 8 weeks to determine student response to
20 intervention.

21 (i) Progress monitoring tools that must do all of the
22 following:

23 (i) Have a sufficient number of alternate forms.

24 (ii) Specify minimum acceptable growth.

25 (iii) Provide criterion-referenced or norm-referenced
26 benchmarks.

27 (iv) Possess validity and reliability for the performance
28 score.

29 (j) Tutoring fidelity is established through direct

1 observation using a checklist with immediate performance feedback
2 provided by a qualified staff person, such as an instructional
3 coach.

4 (k) Tutoring does not replace Tier 1 or core instruction time
5 or curricula for reading or math.

6 (l) Tutoring is supplemental to core academic instruction and
7 not a replacement for core academic instruction.

8 (m) Tutoring assessment and intervention is evidence-based,
9 with experimental research studies, 1 of which must be published or
10 pending publication in a peer-reviewed publication.

11 (5) All tutoring programs in the MiStrategyBank must be
12 reviewed by MAISA. If necessary, MAISA may convene a committee to
13 review tutoring programs for inclusion in the MiStrategyBank. The
14 committee described in this subsection must include all of the
15 following members:

16 (a) Two certified teachers representing elementary and
17 secondary schools.

18 (b) A representative from the MiMTSS TA Center.

19 (c) A representative from an institution of higher education
20 with a teacher preparation college.

21 (d) Two representatives of the department.

22 (e) One representative of the MAISA Michigan Collaboration
23 Hub.

24 (f) An intermediate district designee with a background in
25 English language arts.

26 (g) An intermediate district designee with a background in
27 mathematics.

28 (6) A district, intermediate district, or the Michigan Schools
29 for the Deaf and Blind that meets all of the following is an

1 eligible recipient under this section:

2 (a) It applies for funding in a form and manner prescribed by
3 the department. An intermediate district may apply on behalf of its
4 constituent districts.

5 (b) It posts a MI Kids Back-on-Track plan to its website
6 homepage that describes evidence-based actions the district,
7 intermediate district, or Michigan Schools for the Deaf and Blind
8 is taking to respond to student needs related to unfinished
9 learning and how funds received under this section will create or
10 expand these efforts. The plan described in this subdivision must
11 meet the following criteria:

12 (i) Reflect input from educators, parents and legal guardians,
13 and community members.

14 (ii) Include an analysis of student data and describe student
15 needs.

16 (iii) Identify evidence-based best practices to be implemented
17 or expanded in response to student needs.

18 (iv) Include a plan to implement identified tutoring in the
19 district's, intermediate district's, or Michigan Schools for the
20 Deaf and Blind's MICIP plan.

21 (c) It implements and maintains functionality on its website
22 homepage that allows parents, legal guardians, and students to
23 request additional assistance through the MI Kids Back-on-Track
24 program.

25 (d) It provides transparency reporting on the MI Kids Back-on-
26 Track program spending, including posting on its website a
27 transparency dashboard concerning funding from the federal
28 elementary and secondary school emergency relief fund used for the
29 program, in a form and manner prescribed by the department.

1 (e) It ensures that all tutoring is supported by individuals
2 who provide training and coaching. The individuals described in
3 this subdivision shall meet all of the following criteria:

4 (i) Have established knowledge and expertise in all aspects of
5 the tutoring program.

6 (ii) Support the integration of the tutoring into a school's
7 multi-tiered systems of support framework.

8 (iii) Support and provide initial and ongoing professional
9 development or training of tutors.

10 (iv) Participate in or lead data review meetings of graphed
11 progress monitoring data of all students being tutored every 4 to 8
12 weeks.

13 (v) Provide fidelity checks for program implementation using a
14 checklist with immediate performance feedback.

15 (f) By September 1 of each fiscal year for which it receives
16 funding under this section, it pledges to provide data through
17 MiDataHub that includes the outcomes and performance measures of
18 the tutoring program, including, but not limited to, the degree to
19 which tutoring is demonstrating sufficient efficacy and impact. The
20 data submission under this subdivision must include all of the
21 following:

22 (i) Children and schools receiving tutoring.

23 (ii) Number of children and schools served.

24 (iii) Demographics of children served.

25 (iv) Dosage of tutoring, including frequency and minutes per
26 week.

27 (v) Percentage of tutoring occurring on days possible.

28 (vi) Whether the assessments and interventions are implemented
29 with fidelity. This portion of the report must include details on

1 the total number of assessments and intervention fidelity checks
2 completed and the range and mean of fidelity.

3 (vii) Student growth rate, such as average linear, and outcomes
4 by grade or age level, in comparison to a criterion-referenced or
5 norm-referenced targeted growth rate.

6 (viii) Exit rates of students who successfully complete the
7 tutoring program.

8 (ix) Percentage of students who exit and then maintain their
9 learning through the end of the school year as demonstrated by a
10 valid and reliable assessment designed for this purpose, such as a
11 universal screening assessment.

12 (x) Percentage of students who exit and then meet or exceed
13 local spring universal screening targets for their grade level.

14 (xi) The impact of the programs on organizations and
15 stakeholders, including, but not limited to, school administrators,
16 teachers, kids, families, and tutors.

17 (7) If the department determines that the eligible recipient
18 has misused the funds allocated under this section, the eligible
19 recipient shall reimburse the department for the amount of state
20 funding misused.

21 (8) If data required under subsection (6)(f) are not submitted
22 via the MiDataHub by September 1 of the current fiscal year, the
23 eligible recipient must forfeit future funding and may be required
24 to reimburse funds.

25 (9) The evaluation of programs under this section must be
26 conducted by an approved department evaluator. If an alternative
27 evaluator is desired, the eligible recipient must submit a request
28 in writing with rationale to the department on or before January 1
29 of the current fiscal year.

1 (10) The superintendent of public instruction shall provide
 2 guidelines to eligible recipients on evidence-based best practices
 3 and effective strategies an eligible recipient may use to respond
 4 to unfinished learning and shall provide resources to assist
 5 eligible recipients in implementing the evidence-based practices,
 6 including through high-impact tutoring programs listed in the
 7 MiStrategyBank described in subsection (4). Guidelines may include
 8 technical assistance that may include, but is not limited to,
 9 planning, implementation, and training or coaching.

10 (11) The funds allocated under this section for 2022-2023 are
 11 a work project appropriation, and any unexpended funds for 2022-
 12 2023 are carried forward into 2023-2024. The purpose of the work
 13 project is to address unfinished learning. The estimated completion
 14 date of the work project is September 30, 2025.

15 (12) Notwithstanding section 17b, the department shall make
 16 payments under this section on a schedule determined by the
 17 department.

18 (13) As used in this section: ~~the~~

19 **(a)** "MI Kids Back-on-Track program" means programs provided
 20 before school, during school, after school, or during the summer,
 21 directly by the eligible recipient or in partnership with
 22 community-based organizations for students in any of grades pre-K
 23 to 12 in this state that are designed to address unfinished
 24 learning, get students to grade-level academic standards, provide
 25 additional academic assistance to students at risk of falling
 26 behind their peers, or help high school students prepare for
 27 postsecondary education.

28 **(b)** "Science of reading" means evidence-based reading
 29 instruction practices that address the acquisition of language,

- 1 phonological and phonemic awareness, phonics and spelling, fluency,
- 2 vocabulary, oral language, and comprehension that can be
- 3 differentiated to meet the needs of individual students.