

HOUSE BILL No. 6606

December 19, 2018, Introduced by Reps. Hammoud and Anthony and referred to the Committee on Education Reform.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1280f (MCL 380.1280f), as added by 2016 PA 306.

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 ~~shall~~ **MUST** provide a

1 screening assessment, monitoring capabilities for monitoring
2 progress toward a growth target, and a diagnostic 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 **(iii) EACH APPROVED ASSESSMENT SYSTEM MUST SCREEN PUPILS IN**
13 **ANY OF GRADES K TO 3 FOR CHARACTERISTICS OF DYSLEXIA USING A VALID**
14 **AND RELIABLE UNIVERSAL SCREENING METHOD THAT INCLUDES, BUT IS NOT**
15 **LIMITED TO, A SCREENING THAT ASSESSES ALL OF THE FOLLOWING:**

16 (A) A PUPIL'S PHONOLOGICAL AWARENESS.

17 (B) A PUPIL'S PHONEMIC AWARENESS.

18 (C) A PUPIL'S SOUND-SYMBOL RECOGNITION.

19 (D) A PUPIL'S ALPHABET KNOWLEDGE.

20 (E) A PUPIL'S RAPID-NAMING ABILITY.

21 (F) A PUPIL'S DECODING SKILLS.

22 (G) A PUPIL'S ENCODING SKILLS.

23 (b) Recommend or develop an early literacy coach model with
24 the following features:

25 (i) An early literacy coach shall support and provide initial
26 and ongoing professional development to teachers in all of the
27 following:

1 (A) Each of the 5 major reading components listed in
2 subsection (3) (a) (iv) (B) as needed, based on an analysis of pupil
3 performance data.

4 (B) Administering and analyzing instructional assessments.

5 (C) Providing differentiated instruction and intensive
6 intervention.

7 (D) Using progress monitoring.

8 (E) Identifying and addressing reading deficiency.

9 (ii) An early literacy coach shall also do all of the
10 following:

11 (A) Model effective instructional strategies for teachers.

12 (B) Facilitate study groups.

13 (C) Train teachers in data analysis and using data to
14 differentiate instruction.

15 (D) Coach and mentor colleagues.

16 (E) Work with teachers to ensure that evidence-based reading
17 programs such as comprehensive core reading programs, supplemental
18 reading programs, and comprehensive intervention reading programs
19 are implemented with fidelity.

20 (F) Train teachers to diagnose and address reading deficiency.

21 (G) Work with teachers in applying evidence-based reading
22 strategies in other content areas, including, but not limited to,
23 prioritizing time spent on those teachers, activities, and roles
24 that will have the greatest impact on pupil achievement and
25 prioritizing coaching and mentoring in classrooms.

26 (H) Help to increase instructional density to meet the needs
27 of all pupils.

1 (I) Help lead and support reading leadership teams at the
2 school.

3 (J) Continue to increase his or her knowledge base in best
4 practices in reading instruction and intervention.

5 (K) For each teacher who teaches in a classroom for grades K
6 to 3, model for the teacher, and coach the teacher in, instruction
7 with pupils in whole and small groups.

8 (iii) In the context of performing the functions described in
9 subparagraph (ii), an early literacy coach shall not be asked to
10 perform administrative functions that will confuse his or her role
11 for teachers.

12 (iv) An early literacy coach must meet all of the following:

13 (A) Have experience as a successful classroom teacher.

14 (B) Have sufficient knowledge of scientifically based reading
15 research, special expertise in quality reading instruction and
16 infusing reading strategies into content area instruction, and data
17 management skills.

18 (C) Have a strong knowledge base in working with adults.

19 (D) Have a minimum of a bachelor's degree and advanced
20 coursework in reading or have completed professional development in
21 evidence-based literacy instructional strategies.

22 (v) An early literacy coach shall not be assigned a regular
23 classroom teaching assignment, but shall be expected to work
24 frequently with pupils in whole and small group instruction or
25 tutoring in the context of modeling and coaching in or outside of
26 teachers' classrooms.

27 (2) Subject to subsection (14), beginning in the 2017-2018

1 school year, the board of a school district or board of directors
2 of a public school academy shall do all of the following to ensure
3 that more pupils will achieve a score of at least proficient in
4 English language arts on the grade 3 state assessment:

5 (a) Select 1 valid and reliable screening, formative, and
6 diagnostic reading assessment system from the assessment systems
7 approved by the department under subsection (1) (a). A school
8 district or public school academy shall use this assessment system
9 for pupils in grades K to 3 to screen and diagnose difficulties,
10 inform instruction and intervention needs, and assess progress
11 toward a growth target. A school district or public school academy
12 periodically shall assess a pupil's progress in reading skills at
13 least 3 times per school year in grades K to 3. The first of these
14 assessments for a school year ~~shall~~**MUST** be conducted within the
15 first 30 school days of the school year.

16 (b) For any pupil in grades K to 3 who exhibits a reading
17 deficiency at any time, based upon the reading assessment system
18 selected and used under subdivision (a), provide an individual
19 reading improvement plan for the pupil within 30 days after the
20 identification of the reading deficiency. The individual reading
21 improvement plan ~~shall~~**MUST** be created by the pupil's teacher,
22 school principal, and parent or legal guardian and other pertinent
23 school personnel, and ~~shall~~**MUST** describe the reading intervention
24 services the pupil will receive to remedy the reading deficiency. A
25 school district or public school academy shall provide intensive
26 reading intervention for the pupil in accordance with the
27 individual reading improvement plan until the pupil no longer has a

1 reading deficiency.

2 (c) If a pupil in grades K to 3 is identified as having an
3 early literacy delay or reading deficiency, provide written notice
4 to the pupil's parent or legal guardian of the delay or reading
5 deficiency in writing and provide tools to assist the parent or
6 legal guardian to engage in intervention and to address or correct
7 any reading deficiency at home.

8 (d) Require a school principal or chief administrator to do
9 all of the following:

10 (i) For a teacher in grades K to 3, target specific areas of
11 professional development based on the reading development needs
12 data for incoming pupils.

13 (ii) Differentiate and intensify professional development for
14 teachers based on data gathered by monitoring teacher progress in
15 improving pupil proficiency rates among their pupils.

16 (iii) Establish a collaborative system within the school to
17 improve reading proficiency rates in grades K to 3.

18 (iv) Ensure that time is provided for teachers to meet for
19 professional development.

20 (e) Utilize, at least, early literacy coaches provided through
21 the intermediate school district in which the school district or
22 public school academy is located, as provided for under section
23 35a(4) of the state school aid act of 1979, MCL 388.1635a. However,
24 a public school academy may use an early literacy coach provided by
25 the public school academy, at the expense of the public school
26 academy, rather than using an early literacy coach provided through
27 an intermediate school district if the early literacy coach and the

1 usage of the early literacy coach otherwise meet the requirements
2 of this section.

3 (3) Subject to subsection (14), a school district or public
4 school academy shall provide reading intervention programs for
5 pupils in grades K to 3, including at least all of the following:

6 (a) For pupils who exhibit a reading deficiency, a reading
7 intervention program intended to ensure that pupils are proficient
8 readers by the end of grade 3 and that includes some or all of the
9 following features:

10 (i) Is provided to each pupil in grades K to 3 who is
11 identified with a reading deficiency based on screening and
12 diagnostic tools, and identifies and addresses the pupil's reading
13 deficiency.

14 (ii) Periodically screens and monitors the progress of each
15 pupil's reading skills, at least 3 times per year.

16 (iii) Provides evidence-based core reading instruction that is
17 comprehensive and meets the majority of the general education
18 classroom needs.

19 (iv) Provides reading intervention that meets, at a minimum,
20 the following specifications:

21 (A) Assists pupils exhibiting a reading deficiency in
22 developing the ability to read at grade level.

23 (B) Provides intensive development in the 5 major reading
24 components: phonemic awareness, phonics, fluency, vocabulary, and
25 comprehension.

26 (C) Is systematic, explicit, multisensory, and sequential.

27 (D) Is implemented during regular school hours in addition to

1 regular classroom reading instruction.

2 (v) Provides parents, legal guardians, or other providers of
3 care for the pupil with a "Read at Home" plan, including parent,
4 guardian, or care provider training workshops and regular home
5 reading.

6 (vi) Documents efforts by the pupil's school to engage the
7 pupil's parent or legal guardian and whether or not those efforts
8 were successful.

9 (vii) Documents any dissenting opinions expressed by school
10 personnel or a parent or legal guardian concerning the individual
11 reading improvement plan provided for the pupil under subsection
12 (2) (b).

13 (b) For grade 3 pupils exhibiting a reading deficiency as
14 determined by the pupil's teacher through the diagnostic reading
15 assessment system selected by the school district or public school
16 academy under subsection (2) (a), a reading intervention program
17 intended to correct the identified area or areas of reading
18 deficiency and that includes all of the following features as
19 needed by the individual pupil:

20 (i) Is evidence-based and has proven results in accelerating
21 pupil reading achievement within the same school year.

22 (ii) Provides more dedicated time than the pupil's previous
23 school year in evidence-based reading instruction and intervention.

24 (iii) Provides daily targeted small group or 1-to-1 reading
25 intervention based on pupil needs as determined by assessment data,
26 including explicit and systematic instruction with more detailed
27 and varied explanations, more extensive opportunities for guided

1 practice, and more opportunities for error correction and feedback.

2 (iv) Provides administration of ongoing progress monitoring
3 assessments to frequently monitor pupil progress.

4 (v) Provides supplemental evidence-based reading intervention
5 delivered by a teacher, tutor, or volunteer with specialized
6 reading training that is provided before school, after school,
7 during school hours but outside of regular English language arts
8 classroom time, or any combination of these.

9 (vi) Provides parents, legal guardians, or other providers of
10 care for a pupil with a "Read at Home" plan, including parent,
11 guardian, or care provider training workshops and regular home
12 reading.

13 (vii) Documents efforts by the pupil's school to engage the
14 pupil's parent or legal guardian and whether or not those efforts
15 were successful.

16 (viii) Documents any dissenting opinions expressed by school
17 personnel or a parent or legal guardian concerning the individual
18 reading improvement plan provided for the pupil under subsection
19 (2) (b) .

20 (c) Subject to subsection (15), for pupils identified as
21 English language learners by the pupil's teacher or by the
22 diagnostic reading assessment selected by the school district or
23 public school academy under subsection (2) (a), intervention
24 services that include at least all of the following:

25 (i) Ongoing assessments that provide actionable data for
26 teachers to use in interventions.

27 (ii) Instruction in academic vocabulary.

1 (iii) Instruction in the 5 major reading components listed in
2 subdivision (a) (iv) (B).

3 (iv) Common English language development strategies such as
4 modeling, guided practice, and comprehensive input.

5 (4) For all pupils exhibiting a reading deficiency as
6 determined by the pupil's teacher through the diagnostic reading
7 assessment system selected by the school district or public school
8 academy under subsection (2) (a), school districts and public school
9 academies are encouraged to offer summer reading camps staffed with
10 highly effective teachers of reading, as determined by the teacher
11 evaluation system under section 1249, providing reading
12 intervention services and supports to correct pupils' identified
13 areas of reading deficiency.

14 (5) Beginning with pupils enrolled in grade 3 during the 2019-
15 2020 school year, all of the following apply:

16 (a) Subject to ~~subsection~~**SUBSECTIONS (6) AND (8)**, the
17 superintendent of the school district or chief administrator of the
18 public school academy in which the pupil is enrolled shall ensure
19 that a pupil whose parent or legal guardian has been provided with
20 the notification under subdivision (d) is not enrolled in grade 4
21 until 1 of the following occurs:

22 (i) The pupil achieves a reading score that is less than 1
23 grade level behind as determined by the department based on the
24 grade 3 state English language arts assessment.

25 (ii) The pupil demonstrates a grade 3 reading level through
26 performance on an alternative standardized reading assessment
27 approved by the superintendent of public instruction.

1 (iii) The pupil demonstrates a grade 3 reading level through a
2 pupil portfolio, as evidenced by demonstrating competency in all
3 grade 3 state English language arts standards through multiple work
4 samples.

5 (b) Subject to subsection (6), if a child younger than 10
6 years of age seeks to enroll for the first time in a school
7 district or public school academy in grade 4, the superintendent of
8 the school district or chief administrator of the public school
9 academy shall not allow the child to enroll in grade 4 unless 1 of
10 the following occurs:

11 (i) The child achieves a grade 3 reading score as determined
12 by the department based on the reading portion of the grade 3 state
13 English language arts assessment.

14 (ii) The child demonstrates a grade 3 reading level through
15 performance on an alternative standardized reading assessment
16 approved by the superintendent of public instruction.

17 (iii) The child demonstrates a grade 3 reading level through a
18 pupil portfolio, as evidenced by demonstrating competency in all
19 grade 3 state English language arts standards through multiple work
20 samples.

21 (c) Not later than May 23 of each year or not later than 14
22 days after the department finalizes the scoring for the grade 3
23 state assessments, whichever is earlier, the department shall
24 provide CEPI with the grade 3 state assessment scores for every
25 grade 3 pupil enrolled in a public school in this state who was
26 administered 1 or more of those assessments.

27 (d) Not later than June 1 of each year or not later than 14

1 days after CEPI receives the grade 3 state assessment results from
2 the department under subdivision (c), whichever is earlier, using
3 those state assessment results, CEPI shall identify each pupil
4 completing grade 3 that year who is subject to not being advanced
5 to grade 4 due to the operation of subdivision (a) (i) and who is
6 not eligible to enroll in grade 4 under subsection (6) (a), and
7 shall notify the parent or legal guardian and the school district
8 or public school academy of each of these pupils that the pupil is
9 subject to being retained in grade 3. A school district or public
10 school academy may also make its own notification to a parent or
11 guardian in addition to the notification by CEPI. The notification
12 by CEPI to a parent or legal guardian ~~shall~~**MUST** be by certified
13 mail. The notification by CEPI ~~shall~~**MUST** clearly state at least
14 all of the following:

15 (i) That, based on standardized testing, this state has
16 determined that the pupil may be required to be retained in grade 3
17 as provided under state law, with a reference to this section along
18 with an explanation that even if the pupil is not eligible to
19 enroll in grade 4 based on state assessments, the pupil may still
20 be allowed to enroll in grade 4 if he or she demonstrates a grade 3
21 reading level through performance on an alternative standardized
22 reading assessment or through a pupil portfolio.

23 (ii) That the parent or legal guardian has the right to
24 request a good cause exemption under this section that, if granted,
25 will allow the pupil to enroll in grade 4 in the next school year.

26 (iii) That the parent or legal guardian must request the good
27 cause exemption within 30 days after the date of the notification

1 by CEPI and must direct the request to the school district or
2 public school academy in which the parent or legal guardian intends
3 to enroll the pupil for grade 4.

4 (iv) That the parent or legal guardian has the right to
5 request a meeting with school officials to discuss the retention
6 requirement under state law and the standards and processes for a
7 good cause exemption from that requirement.

8 (e) If a parent or legal guardian receives a notification from
9 CEPI under subdivision (d), the parent or legal guardian may
10 request a meeting with school officials to discuss the retention
11 requirement under state law and the standards and processes for a
12 good cause exemption from that requirement. If a parent or legal
13 guardian requests a meeting described in this subdivision, the
14 school official to whom the request is made shall ensure that an
15 appropriate school official is made available to the parent or
16 legal guardian for such a meeting.

17 (f) If a pupil is not enrolled in grade 4 at the beginning of
18 a school year due to the operation of this subsection, then before
19 placing the child in grade 4 during the school year, an appropriate
20 school official of the pupil's school district or public school
21 academy shall provide written notification to the pupil's parent or
22 legal guardian of the proposed placement.

23 (6) Subject to subsection (11), if a pupil or child
24 demonstrates both of the following, then subsection (5)(a) and (b)
25 do not apply and he or she may be enrolled in grade 4:

26 (a) That he or she is proficient in all subject areas assessed
27 on the grade 3 state assessment other than English language arts,

1 as evidenced by his or her scores on those assessments.

2 (b) That he or she is proficient in science and social studies
3 as shown through a pupil portfolio and as determined by the teacher
4 who provided the grade 3 instruction to the pupil in science or
5 social studies, as applicable.

6 (7) For a pupil who is not promoted to grade 4 or a child who
7 is not enrolled in grade 4 due to the operation of subsection (5),
8 and for a pupil or child described in subsection (6) or (11), the
9 school district or public school academy shall provide a reading
10 intervention program that is intended to correct the pupil's
11 specific reading deficiency, as identified by a valid and reliable
12 assessment. This program ~~shall~~**MUST** include effective instructional
13 strategies necessary to assist the pupil in becoming a successful
14 reader, and all of the following features, as appropriate for the
15 needs of the individual pupil:

16 (a) Assigning to a pupil 1 or more of the following:

17 (i) A highly effective teacher of reading as determined by the
18 teacher evaluation system under section 1249.

19 (ii) The highest evaluated grade 3 teacher in the school as
20 determined by the teacher evaluation system under section 1249.

21 (iii) A reading specialist.

22 (b) Reading programs that are evidence-based and have proven
23 results in accelerating pupil reading achievement within the same
24 school year.

25 (c) Reading instruction and intervention for the majority of
26 pupil contact time each day that incorporates opportunities to
27 master the grade 4 state standards in other core academic areas, if

1 applicable.

2 (d) Daily targeted small group or 1-to-1 reading intervention
3 that is based on pupil needs, determined by assessment data, and on
4 identified reading deficiencies and that includes explicit and
5 systematic instruction with more detailed and varied explanations,
6 more extensive opportunities for guided practice, and more
7 opportunities for error correction and feedback.

8 (e) Administration of ongoing progress monitoring assessments
9 to frequently monitor pupil progress toward a growth target.

10 (f) Supplemental evidence-based reading intervention delivered
11 by a teacher or tutor with specialized reading training that is
12 provided before school, after school, during regular school hours
13 but outside of regular English language arts classroom time, or any
14 combination of these.

15 (g) Providing parents, legal guardians, or other providers of
16 care for the pupil with a "Read at Home" plan, including parent,
17 guardian, or care provider training workshops and regular home
18 reading.

19 (8) If the superintendent of the pupil's school district or
20 chief administrator of the pupil's public school academy, or his or
21 her designee, grants a good cause exemption from the requirements
22 of subsection (5) (a) for a pupil, then a pupil may be promoted to
23 grade 4 without meeting the requirements of subsection (5) (a). A
24 good cause exemption may be granted only according to the
25 procedures under subsection (10) and only for 1 of the following:

26 (a) The pupil is a student with an individualized education
27 program or with a section 504 plan and the pupil's individualized

1 education program team or section 504 coordinator, as applicable,
2 makes the decision to exempt the pupil from the requirements of
3 subsection (5)(a) based upon the team's or coordinator's knowledge
4 of the pupil.

5 (b) The pupil is a limited English proficient student who has
6 had less than 3 years of instruction in an English language learner
7 program.

8 (c) The pupil has received intensive reading intervention for
9 2 or more years but still demonstrates a reading deficiency and was
10 previously retained in kindergarten, grade 1, grade 2, or grade 3.

11 (d) The pupil has been continuously enrolled in his or her
12 current school district or public school academy for less than 2
13 years and there is evidence that the pupil was not provided with an
14 appropriate individual reading improvement plan under subsection
15 (2)(b) by the school district or public school academy in which the
16 pupil was previously enrolled.

17 (e) The pupil's parent or legal guardian has requested a good
18 cause exemption within the time period provided under subsection
19 (10)(d) and the superintendent or chief administrator, or his or
20 her designee, determines that the good cause exemption is in the
21 best interests of the pupil.

22 (9) Subject to subsection (14), if a pupil is promoted to
23 grade 4 due to a good cause exemption granted under subsection (8),
24 the pupil remains eligible for reading intervention services
25 designed to enable the pupil to achieve proficiency in reading. The
26 services for a pupil described in this subsection ~~shall~~ **MUST** be
27 similar to those provided to pupils in grade 3 under this section.

1 (10) The superintendent of a school district or chief
2 administrator of a public school academy, or his or her designee,
3 shall grant a good cause exemption under subsection (8) only
4 through the following procedure:

5 (a) For a good cause exemption under subsection (8)(a) to (d),
6 at the request of the pupil's parent or legal guardian or upon the
7 teacher's own initiative, the pupil's grade 3 teacher submits to
8 the superintendent or chief administrator, or his or her designee,
9 a recommendation for a good cause exemption along with
10 documentation that indicates that a good cause exemption under
11 subsection (8)(a) to (d) applies to the pupil.

12 (b) For a pupil enrolled in a school operated by a school
13 district, the superintendent or his or her designee shall review
14 and discuss the recommendation with the pupil's grade 3 teacher
15 and, if the pupil has an individualized education program, with the
16 pupil's individualized education program team. After this
17 discussion, the superintendent or his or her designee shall make a
18 determination in writing of whether or not to grant the good cause
19 exemption for the pupil. The decision by the superintendent or his
20 or her designee is final.

21 (c) For a pupil enrolled in a public school academy, the chief
22 administrator of the public school academy, or his or her designee,
23 shall review and discuss the recommendation with the pupil's grade
24 3 teacher and, if the pupil has an individualized education
25 program, with the pupil's individualized education program team.
26 After this discussion, the chief administrator or his or her
27 designee shall make a determination in writing of whether or not to

1 grant the good cause exemption for the pupil. The decision by the
2 chief administrator or his or her designee is final.

3 (d) For a pupil for whom a request has been received from the
4 pupil's parent or legal guardian, as described in subsection
5 (8)(e), if the request is received within 30 days after the
6 notification by CEPI under subsection (5)(d), the superintendent of
7 the school district or chief administrator of the public school
8 academy, as applicable, or his or her designee, shall review the
9 request and any supporting information and shall consider whether
10 or not the good cause exemption is in the best interests of the
11 pupil. After this consideration, he or she shall make a
12 determination in writing of whether or not to grant the good cause
13 exemption. This determination ~~shall~~**MUST** be made and communicated
14 to the parent or legal guardian at least 30 days before the first
15 day of school for the school year. The decision of the
16 superintendent or chief administrator, or his or her designee, is
17 final.

18 (e) The superintendent of the pupil's school district or chief
19 administrator of the pupil's public school academy, or his or her
20 designee, shall notify the pupil's parent or legal guardian of the
21 determination and decision under subdivision (b), (c), or (d), as
22 applicable.

23 (11) For a pupil or child described in subsection (6) or a
24 pupil who has been granted a good cause exemption under subsection
25 (8), the school district or public school academy shall provide
26 intensive reading intervention, as described under subsection (7),
27 for the pupil until he or she no longer has a reading deficiency.

1 (12) A school district or public school academy shall not
2 require a pupil to repeat grade 3 more than once due to the
3 operation of this section.

4 (13) Beginning June 4, 2019, if a school district or public
5 school academy cannot furnish the number of teachers needed to
6 satisfy 1 or more of the criteria set forth in this section for a
7 school year, then by the August 15 before the beginning of that
8 school year the school district or public school academy shall
9 develop a staffing plan for providing services under this section.
10 The school district or public school academy shall post the
11 staffing plan on its website for the applicable school year. The
12 staffing plan ~~shall~~**MUST** include at least all of the following:

13 (a) A description of the criteria that will be used to assign
14 a pupil who has been identified as not proficient in English
15 language arts to a teacher.

16 (b) The credentials or training held by teachers currently
17 teaching at the school.

18 (c) How the school district or public school academy will meet
19 the requirements under this section.

20 (14) This section does not require or state an intention to
21 require a school district or public school academy to supplant
22 state funds with federal funds for implementing or supporting the
23 activities under this section and does not prohibit a school
24 district or public school academy from continuing to use federal
25 funds for any of the purposes or activities described in this
26 section.

27 (15) For pupils identified as English language learners by the

1 pupil's teacher or by the diagnostic reading assessment selected by
2 the school district or public school academy under subsection
3 (2) (a), if available staff resources allow, a school district or
4 public school academy is encouraged to provide the following
5 intervention services in addition to those required under
6 subsection (3) (c):

7 (a) Instruction in the pupil's native language, with
8 withdrawal of that instruction as appropriate as the pupil improves
9 his or her English language skills. A school district or public
10 school academy is encouraged to provide this support for at least
11 pupils whose native language is Spanish, Chinese, Hindi, Korean, or
12 Arabic.

13 (b) Opportunities for speech production.

14 (c) Common English language development strategies such as
15 modeling, guided practice, and comprehensive input.

16 (d) Feedback for the pupil, including explanations in his or
17 her native language.

18 **(16) IF, BASED UPON THE READING ASSESSMENT SYSTEM SELECTED AND**
19 **USED UNDER SUBSECTION (2) (A), A PUPIL DISPLAYS CHARACTERISTICS OF**
20 **DYSLEXIA, THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL DO ALL**
21 **OF THE FOLLOWING:**

22 **(A) NOTIFY THE PUPIL'S PARENT OR LEGAL GUARDIAN IN WRITING OF**
23 **THE PUPIL'S DISPLAY OF CHARACTERISTICS OF DYSLEXIA.**

24 **(B) PROVIDE INFORMATION AND RESOURCE MATERIAL REGARDING**
25 **DYSLEXIA TO THE PUPIL'S PARENT OR LEGAL GUARDIAN.**

26 **(C) PROVIDE THE PUPIL WITH APPROPRIATE DYSLEXIA-SPECIFIC**
27 **INTERVENTION.**

1 (D) MONITOR THE PUPIL'S PROGRESS USING A TOOL DESIGNED TO
2 MEASURE THE EFFECTIVENESS OF THE INTERVENTION DESCRIBED UNDER
3 SUBDIVISION (C).

4 (17) IF, BASED UPON THE READING ASSESSMENT SYSTEM SELECTED
5 UNDER SUBSECTION (2) (A), IT IS DETERMINED THAT THE PUPIL HAS
6 FUNCTIONAL DIFFICULTIES IN THE ACADEMIC ENVIRONMENT DUE TO
7 DYSLEXIA, THE NECESSARY ACCOMMODATIONS OR EQUIPMENT MUST BE
8 PROVIDED FOR THE PUPIL UNDER SECTION 504 OF TITLE V OF THE
9 REHABILITATION ACT OF 1973, 29 USC 794, AND SUBTITLE A OF TITLE II
10 OF THE AMERICANS WITH DISABILITIES ACT OF 1990, 42 USC 12131 TO
11 12134.

12 (18) ~~(16)~~ Beginning in 2020, not later than September 1 of
13 each year, a school district or public school academy shall submit
14 a retention report to the center for educational performance and
15 information in the form and manner prescribed by the center. The
16 retention report shall contain at least all of the following
17 information for the most recent school year:

18 (a) The number of pupils retained in grade 3 due to the
19 operation of this section.

20 (b) The number of pupils promoted to grade 4 due to a good
21 cause exemption under subsection (8), disaggregated by each of the
22 specific exemptions listed in that subsection.

23 (19) ~~(17)~~ As used in this section:

24 (a) "Evidence-based" means based in research and with proven
25 efficacy.

26 (b) "Individualized education program" means that term as
27 described in R 340.1721e of the Michigan administrative

1 ~~code.~~ **ADMINISTRATIVE CODE.**

2 (c) "Kindergarten" includes a classroom for young 5-year-olds,
3 commonly referred to as "young 5s" or "developmental kindergarten".

4 (d) "Reading deficiency" means scoring below grade level or
5 being determined to be at risk of reading failure based on a
6 screening assessment, diagnostic assessment, standardized summative
7 assessment, or progress monitoring.

8 (e) "Reading leadership team" means a collaborative system led
9 by a school building's principal or program director and consisting
10 of a cross-section of faculty who are interested in working to
11 improve literacy instruction across the curriculum.

12 (f) "Section 504 plan" means a plan under section 504 of title
13 V of the rehabilitation act of 1973, 29 USC 794.

14 Enacting section 1. This amendatory act takes effect 90 days
15 after the date it is enacted into law.

16 Enacting section 2. This amendatory act does not take effect
17 unless Senate Bill No. ____ or House Bill No. 6605 (request no.
18 05961'18) of the 99th Legislature is enacted into law.