



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

**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 842 (Substitute S-4 as passed by the Senate)
Sponsor: Senator Wayne Kuipers
Committee: Education

Date Completed: 7-22-08

RATIONALE

Under the Michigan Merit Standard high school graduation requirements enacted in 2006, all public school students in Michigan are required to complete certain credits in order to receive a high school diploma, beginning with students who entered 8th grade in 2006. There are concerns that without sufficient preparation in earlier grades, some students may not be able to meet those requirements. Reportedly, as early as third grade, many students fail to meet grade-level standards in reading and writing. Those subjects in particular are considered essential, because a student without adequate reading skills is less likely to succeed in other subject areas. As a student proceeds to higher grade levels and more challenging subject matter, he or she may fall behind as small deficiencies are compounded. Once students reach high school and are faced with the rigorous requirements under the new Michigan Merit Standard, some might give up and drop out of school. To address these concerns, it has been suggested that students with reading difficulties should be identified as early as possible, and steps should be taken to intervene and provide a solid foundation for higher learning. It has been further suggested that teachers, administrators, and other educators should receive professional training in identifying students with reading disabilities and determining if intervention is needed.

CONTENT

The bill would amend the Revised School Code to do the following:

- **Require the Superintendent of Public Instruction to include in the continuing education requirements for teachers and school administrators training in at least three research-based reading interventions and appropriate training in the use of data in determining whether intervention was needed on an individual or building-level basis.**
- **Require current employees to complete that training by July 1, 2013, and require those hired after that date to have completed the training.**
- **Require the board of a school district, intermediate school district (ISD), or public school academy (PSA), by July 1, 2011, to provide a total of five days of teacher professional development in the diagnosis and remediation of reading disabilities and differentiated instruction, as part of the five days of teacher development per year required under the Code.**
- **Require the Department of Education (DOE) to develop a model summer English language arts program that schools could adopt for students entering grades 1 through 4 who had shown the need for additional literacy skills training.**
- **Require the DOE to develop or adopt a model early intervention program meeting the requirements of an intervention program (proposed by Senate Bill 1275), that schools could**

use to improve students' reading skills during the academic year.

- Require the DOE to make available information on public and private supplemental service providers that could help parents improve their child's literacy skills.**

The bill is tie-barred to Senate Bill 1275, which would amend the State School Aid Act to require a school district that failed to meet English language arts requirements under the Federal No Child Left Behind Act (NCLB) to use discretionary nonmandated payments from the State to provide an early intervening program for pupils in grades K to 3.

Senate Bill 842 (S-4) is described in detail below.

Continuing Education Training

The Revised School Code requires the Superintendent of Public Instruction to promulgate rules establishing continuing education requirements as a condition for continued employment as a superintendent, principal, or other person whose primary responsibility is administering instructional programs.

Under the bill, the Superintendent would have to revise those rules to require a person who initially was employed after July 1, 2013, in one of the positions described above to have completed successfully appropriate training in the use of data to identify, interpret, and make decisions on whether intervention was needed on an individual or building-level basis and the level of intervention needed, as well as additional training in at least three research-based reading interventions, including the intervention program described in the State School Aid Act (under Senate Bill 1275). The training would have to be directed at the appropriate level of supervisory involvement for the person.

The rules also would have to require a person already employed in a position described above to complete that training by July 1, 2013.

Professional Development

The Act requires the board of a school district, ISD, or PSA to provide at least five

days of teacher development each school year.

Under the bill, as part of that training, by July 1, 2011, the board of a school district or ISD or the board of directors of a PSA would have to provide at least five days of teacher professional development dedicated to instructing teachers in the diagnosis and remediation of reading disabilities and differentiated instruction. The instruction would have to be consistent with the course of study described in Section 1531(5) of the Code. A school district, ISD, or PSA would not be required to provide this type of professional development to a teacher who already had completed the same type of instruction as part of a college-level course of study.

Under Section 1531(4) (which would be Section 1531(5) under the bill), beginning July 1, 2009, if a person holds a teaching certificate, the Superintendent may not advance the person's certification to professional certification unless he or she has successfully completed at least a three-credit course of study with appropriate field experiences in the diagnosis and remediation of reading disabilities and differentiated instruction. The course of study should include the following elements, as determined by the DOE to be appropriate for the person's certification level and endorsements: interest inventories, English language learning screening, visual and auditory discrimination tools, language expression and processing screening, phonemics, phonics, vocabulary, fluency, comprehension, spelling and writing assessment tools, and instructional strategies.

Under the bill, the course of study requirement would apply to a person holding a "provisional" teaching certificate.

Model Programs & Resources

The DOE would have to develop and make available a model summer English language arts program that school districts and PSAs could adopt for pupils who would be attending grades 1 through 4 in the next school year and had demonstrated the need for additional literacy skills training, as demonstrated by assessment under State law.

The model English language arts program would have to be aligned with grade-level content expectations in English language arts established by the DOE, and would have to meet the requirements for Federal funding under the Title I program administered by the U.S. Department of Education Office of Elementary and Secondary Education.

The DOE also would have to develop or adopt and make available a model early intervention program that school districts, ISDs, and PSAs could use to improve reading skills during the academic year. The model program would have to be designed to meet requirements for an intervention program under the State School Aid Act.

In addition, the DOE would have to develop and make available a statewide resource guide of public and private supplemental service providers, as required under NCLB, to assist parents in improving their child's literacy skills.

MCL 380.1246 et al.

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

Assessment scores indicate that some students who are unable to read and write at grade level nevertheless are promoted to higher grades. That practice does a disservice to those students, who then may face even greater difficulties learning more advanced subject matter without a solid foundation of basic literacy skills. To prevent this situation, the bill would give teachers the tools necessary to identify those students who are having trouble and determine a course of action to help bring them up to the appropriate reading level. Because such intervention often must take place on a school-wide basis, administrators and other staff also would be required to receive relevant training to help them identify problems in the school.

The training would have to be tailored to an individual's position, so a teacher in a third grade classroom would receive training on intervention methods, while training for an administrator could focus on using school-

wide data to identify trends or students having problems. The training would help engage all faculty and staff in the effort to identify students who otherwise might struggle throughout their school years, and give them additional assistance early. This preventive approach could be more cost effective than providing the students with more expensive remedial education later. Some districts, such as the Kent ISD, already have in place intervention programs that reportedly have been successful in improving student performance.

Early intervention also could help prevent a student from being assigned wrongly to special education classes. Because a stigma often is attached to special education, such an assignment can affect a student's self-esteem, further undermining his or her chances of developing to his or her full potential. Preventing unnecessary assignments to special education classes would benefit the student and reserve those courses for pupils who need them the most.

The model early intervention programs required under the bill would give each district some guidance on how to structure an early intervention program, providing some consistency across districts and demonstrating best practices.

Supporting Argument

The bill focuses on assisting children rather than retaining them. Research indicates that retention does not improve a student's academic performance, may have serious negative emotional and social effects on the student, and may lead to increased behavioral problems. Because students learn at different levels and have individual challenges, decisions regarding retention should be left to education professionals, be made based on a full understanding of a student's circumstances, rather than on a single test score.

Legislative Analyst: Curtis Walker

FISCAL IMPACT

State: The Department of Education would face increased costs under this bill. The requirements that the DOE develop and make available a model summer English language arts program, develop or adopt and make available a model early intervention program, and develop and

make available a statewide resource guide of public and private supplemental service providers would raise the Department's costs, measured both in staff resources and in resources necessary to make these items available. The Department also would see increased costs due to the required revision of promulgated rules establishing continuing education requirements for instructional administrators.

Local: A school district could see increased hiring and training costs if some of its teachers' certificates were not valid after July 1, 2013, because the teachers had not completed coursework in reading disabilities and differentiated instruction, and the district were forced to hire and train new teachers who met that coursework requirement.

Also, the bill would require districts to provide at least five days of professional development dedicated to instructing teachers in the diagnosis and remediation of reading disabilities and differentiated instruction. Current statute requires districts to provide at least five days of professional development, but does not specify in what arena(s). If this requirement were enacted, districts could face increased costs if they needed to add professional development days for other topics as well as provide five days for the purposes prescribed in this legislation.

Fiscal Analyst: Kathryn Summers-Coty

A0708\sb842a

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.