

HOUSE BILL NO. 5101

June 23, 2021, Introduced by Reps. Clemente, Camilleri, Brabec, Breen, Aiyash, Stone, Scott, Witwer, Weiss, Hope, Young, Hood, Sabo, Steckloff, Haadsma, Liberati, Morse, Shannon, Sowerby, Hertel, Tyrone Carter, Rogers, Puri, Cavanagh, Kuppa, Cynthia Johnson, Hammoud, Anthony, Brixie and Yancey and referred to the Committee on Education.

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,
and by adding section 1280h.

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:

1 (a) Approve 3 or more valid and reliable screening, formative,
2 and diagnostic reading assessment systems for selection and use by
3 school districts and public school academies in accordance with the
4 following:

5 (i) Each approved assessment system ~~shall~~**must** provide a
6 screening assessment, monitoring capabilities for monitoring
7 progress toward a growth target, and a diagnostic assessment.

8 (ii) In determining which assessment systems to approve for use
9 by school districts and public school academies, the department
10 shall also consider at least the following factors:

11 (A) The time required to conduct the assessments, with the
12 intention of minimizing the impact on instructional time.

13 (B) The level of integration of assessment results with
14 instructional support for teachers and pupils.

15 (C) The timeliness in reporting assessment results to
16 teachers, administrators, and parents.

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

19 (i) An early literacy coach shall support and provide initial
20 and ongoing professional development to teachers in all of the
21 following:

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

25 (B) Administering and analyzing instructional assessments.

26 (C) Providing differentiated instruction and intensive
27 intervention.

28 (D) Using progress monitoring.

29 (E) Identifying and addressing reading deficiency.

1 (ii) An early literacy coach shall also do all of the
2 following:

3 (A) Model effective instructional strategies for teachers.

4 (B) Facilitate study groups.

5 (C) Train teachers in data analysis and using data to
6 differentiate instruction.

7 (D) Coach and mentor colleagues.

8 (E) Work with teachers to ensure that evidence-based reading
9 programs such as comprehensive core reading programs, supplemental
10 reading programs, and comprehensive intervention reading programs
11 are implemented with fidelity.

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

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

18 (H) Help to increase instructional density to meet the needs
19 of all pupils.

20 (I) Help lead and support reading leadership teams at the
21 school.

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

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

27 (iii) In the context of performing the functions described in
28 subparagraph (ii), an early literacy coach ~~shall~~**must** not be asked
29 to perform administrative functions that will confuse his or her

1 role for teachers.

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

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

4 (B) Have sufficient knowledge of scientifically based reading
5 research, special expertise in quality reading instruction and
6 infusing reading strategies into content area instruction, and data
7 management skills.

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

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

12 (v) An early literacy coach ~~shall~~**must** not be assigned a
13 regular classroom teaching assignment, but ~~shall~~**must** be expected
14 to work frequently with pupils in whole and small group instruction
15 or tutoring in the context of modeling and coaching in or outside
16 of teachers' classrooms.

17 (2) Subject to subsection (14), ~~beginning in the 2017-2018~~
18 ~~school year,~~ the board of a school district or board of directors
19 of a public school academy shall do all of the following to ensure
20 that more pupils will achieve a score of at least proficient in
21 English language arts on the grade 3 state assessment:

22 (a) Select 1 valid and reliable screening, formative, and
23 diagnostic reading assessment system from the assessment systems
24 approved by the department under subsection (1)(a). A school
25 district or public school academy shall use this assessment system
26 for pupils in grades K to 3 to screen and diagnose difficulties,
27 inform instruction and intervention needs, and assess progress
28 toward a growth target. A school district or public school academy
29 periodically shall assess a pupil's progress in reading skills at

1 least 3 times per school year in grades K to 3. The first of these
2 assessments for a school year ~~shall~~**must** be conducted within the
3 first 30 school days of the school year.

4 (b) For any pupil in grades K to 3 who exhibits a reading
5 deficiency at any time, based upon the reading assessment system
6 selected and used under subdivision (a), provide an individual
7 reading improvement plan for the pupil within 30 days after the
8 identification of the reading deficiency. **However, beginning in the**
9 **2021-2022 school year, for a pupil in kindergarten who exhibits a**
10 **reading deficiency under this section or a reading difficulty,**
11 **deficiency, or disability under section 1280h, the pupil's teacher**
12 **may delay the provision of an individual reading improvement plan**
13 **until the second administration of a reading assessment under**
14 **subdivision (a) if the teacher believes, in his or her professional**
15 **judgment, that the pupil's reading deficiency, difficulty, or**
16 **disability, as applicable, will be mitigated without the pupil**
17 **being provided an individual reading improvement plan.** The
18 individual reading improvement plan ~~shall~~**must** be created by the
19 pupil's teacher, school principal, and parent or legal guardian and
20 other pertinent school personnel, and ~~shall~~**must** describe the
21 reading intervention services the pupil will receive to remedy the
22 reading deficiency. A school district or public school academy
23 shall provide intensive reading intervention for the pupil in
24 accordance with the individual reading improvement plan until the
25 pupil no longer has a reading deficiency.

26 (c) If a pupil in grades K to 3 is identified as having an
27 early literacy delay or reading deficiency, provide written notice
28 to the pupil's parent or legal guardian of the delay or reading
29 deficiency in writing and provide tools to assist the parent or

1 legal guardian to engage in intervention and to address or correct
2 any reading deficiency at home.

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

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

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

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

13 (iv) Ensure that time is provided for teachers to meet for
14 professional development.

15 (e) Utilize, at least, early literacy coaches provided through
16 the intermediate school district in which the school district or
17 public school academy is located, as provided for under section
18 35a(4) of the state school aid act of 1979, MCL 388.1635a. However,
19 a public school academy may use an early literacy coach provided by
20 the public school academy, at the expense of the public school
21 academy, rather than using an early literacy coach provided through
22 an intermediate school district if the early literacy coach and the
23 usage of the early literacy coach otherwise meet the requirements
24 of this section.

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

28 (a) For pupils who exhibit a reading deficiency, a reading
29 intervention program intended to ensure that pupils are proficient

1 readers by the end of grade 3 and that includes some or all of the
2 following features:

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

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

9 (iii) Provides evidence-based core reading instruction that is
10 comprehensive and meets the majority of the general education
11 classroom needs.

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

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

16 (B) Provides intensive development in the 5 major reading
17 components: phonemic awareness, phonics, fluency, vocabulary, and
18 comprehension.

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

20 (D) Is implemented during regular school hours in addition to
21 regular classroom reading instruction.

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

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

29 (vii) Documents any dissenting opinions expressed by school

1 personnel or a parent or legal guardian concerning the individual
2 reading improvement plan provided for the pupil under subsection
3 (2) (b) .

4 (b) For grade 3 pupils exhibiting a reading deficiency as
5 determined by the pupil's teacher through the diagnostic reading
6 assessment system selected by the school district or public school
7 academy under subsection (2) (a), a reading intervention program
8 intended to correct the identified area or areas of reading
9 deficiency and that includes all of the following features as
10 needed by the individual pupil:

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

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

15 (iii) Provides daily targeted small group or 1-to-1 reading
16 intervention based on pupil needs as determined by assessment data,
17 including explicit and systematic instruction with more detailed
18 and varied explanations, more extensive opportunities for guided
19 practice, and more opportunities for error correction and feedback.

20 (iv) Provides administration of ongoing progress monitoring
21 assessments to frequently monitor pupil progress.

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

27 (vi) Provides parents, legal guardians, or other providers of
28 care for a pupil with a "Read at Home" plan, including parent,
29 guardian, or care provider training workshops and regular home

1 reading.

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

5 (viii) Documents any dissenting opinions expressed by school
6 personnel or a parent or legal guardian concerning the individual
7 reading improvement plan provided for the pupil under subsection
8 (2) (b) .

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

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

16 (ii) Instruction in academic vocabulary.

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

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

21 (4) For all pupils exhibiting a reading deficiency as
22 determined by the pupil's teacher through the diagnostic reading
23 assessment system selected by the school district or public school
24 academy under subsection (2) (a), school districts and public school
25 academies are encouraged to offer summer reading camps staffed with
26 highly effective teachers of reading, as determined by the teacher
27 evaluation system under section 1249, providing reading
28 intervention services and supports to correct pupils' identified
29 areas of reading deficiency.

1 (5) Beginning with pupils enrolled in grade 3 during the 2019-
2 2020 school year, all of the following apply:

3 (a) Subject to subsection (6), the superintendent of the
4 school district or chief administrator of the public school academy
5 in which the pupil is enrolled shall ensure that a pupil whose
6 parent or legal guardian has been provided with the notification
7 under subdivision (d) is not enrolled in grade 4 until 1 of the
8 following occurs:

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

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

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

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

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

28 (ii) The child demonstrates a grade 3 reading level through
29 performance on an alternative standardized reading assessment

1 approved by the superintendent of public instruction.

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

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

12 (d) Not later than June 1 of each year or not later than 14
13 days after CEPI receives the grade 3 state assessment results from
14 the department under subdivision (c), whichever is earlier, using
15 those state assessment results, CEPI shall identify each pupil
16 completing grade 3 that year who is subject to not being advanced
17 to grade 4 due to the operation of subdivision (a) (i) and who is not
18 eligible to enroll in grade 4 under subsection (6) (a), and shall
19 notify the parent or legal guardian and the school district or
20 public school academy of each of these pupils that the pupil is
21 subject to being retained in grade 3. A school district or public
22 school academy may also make its own notification to a parent or
23 guardian in addition to the notification by CEPI. The notification
24 by CEPI to a parent or legal guardian ~~shall~~**must** be by certified
25 mail. The notification by CEPI ~~shall~~**must** clearly state at least
26 all of the following:

27 (i) That, based on standardized testing, this state has
28 determined that the pupil may be required to be retained in grade 3
29 as provided under state law, with a reference to this section along

1 with an explanation that even if the pupil is not eligible to
2 enroll in grade 4 based on state assessments, the pupil may still
3 be allowed to enroll in grade 4 if he or she demonstrates a grade 3
4 reading level through performance on an alternative standardized
5 reading assessment or through a pupil portfolio.

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

9 (iii) That the parent or legal guardian must request the good
10 cause exemption within 30 days after the date of the notification
11 by CEPI and must direct the request to the school district or
12 public school academy in which the parent or legal guardian intends
13 to enroll the pupil for grade 4.

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

18 (e) If a parent or legal guardian receives a notification from
19 CEPI under subdivision (d), the parent or legal guardian may
20 request a meeting with school officials to discuss the retention
21 requirement under state law and the standards and processes for a
22 good cause exemption from that requirement. If a parent or legal
23 guardian requests a meeting described in this subdivision, the
24 school official to whom the request is made shall ensure that an
25 appropriate school official is made available to the parent or
26 legal guardian for such a meeting.

27 (f) If a pupil is not enrolled in grade 4 at the beginning of
28 a school year due to the operation of this subsection, then before
29 placing the child in grade 4 during the school year, an appropriate

1 school official of the pupil's school district or public school
2 academy shall provide written notification to the pupil's parent or
3 legal guardian of the proposed placement.

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

7 (a) That he or she is proficient in all subject areas assessed
8 on the grade 3 state assessment other than English language arts,
9 as evidenced by his or her scores on those assessments.

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

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

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

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

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

29 (iii) A reading specialist.

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

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

8 (d) Daily targeted small group or 1-to-1 reading intervention
9 that is based on pupil needs, determined by assessment data, and on
10 identified reading deficiencies and that includes explicit and
11 systematic instruction with more detailed and varied explanations,
12 more extensive opportunities for guided practice, and more
13 opportunities for error correction and feedback.

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

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

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

25 (8) If the superintendent of the pupil's school district or
26 chief administrator of the pupil's public school academy, or his or
27 her designee, grants a good cause exemption from the requirements
28 of subsection (5)(a) for a pupil, then a pupil may be promoted to
29 grade 4 without meeting the requirements of subsection (5)(a). A

1 good cause exemption may be granted only according to the
2 procedures under subsection (10) and only for 1 of the following:

3 (a) The pupil is a student with an individualized education
4 program or with a section 504 plan and the pupil's individualized
5 education program team or section 504 coordinator, as applicable,
6 makes the decision to exempt the pupil from the requirements of
7 subsection (5) (a) based upon the team's or coordinator's knowledge
8 of the pupil.

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

12 (c) The pupil has received intensive reading intervention for
13 2 or more years but still demonstrates a reading deficiency and was
14 previously retained in kindergarten, grade 1, grade 2, or grade 3.

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

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

26 (9) Subject to subsection (14), if a pupil is promoted to
27 grade 4 due to a good cause exemption granted under subsection (8),
28 the pupil remains eligible for reading intervention services
29 designed to enable the pupil to achieve proficiency in reading. The

1 services for a pupil described in this subsection ~~shall~~**must** be
2 similar to those provided to pupils in grade 3 under this section.

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

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

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

23 (c) For a pupil enrolled in a public school academy, the chief
24 administrator of the public school academy, or his or her designee,
25 shall review and discuss the recommendation with the pupil's grade
26 3 teacher and, if the pupil has an individualized education
27 program, with the pupil's individualized education program team.
28 After this discussion, the chief administrator or his or her
29 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.

28 (12) A school district or public school academy shall not
29 require a pupil to repeat grade 3 more than once due to the

1 operation of this section.

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

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

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

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

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

25 (15) For pupils identified as English language learners by the
26 pupil's teacher or by the diagnostic reading assessment selected by
27 the school district or public school academy under subsection
28 (2) (a), if available staff resources allow, a school district or
29 public school academy is encouraged to provide the following

1 intervention services in addition to those required under
2 subsection (3) (c):

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

9 (b) Opportunities for speech production.

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

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

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

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

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

25 (17) As used in this section:

26 (a) **"CEPI" means the center for educational performance and**
27 **information created under section 94a of the state school aid act**
28 **of 1979, MCL 388.1694a.**

29 (b) ~~(a)~~ "Evidence-based" means based in research and with

1 proven efficacy.

2 (c) ~~(b)~~—"Individualized education program" means that term as
3 described in R 340.1721e of the Michigan ~~administrative~~
4 ~~code~~. **Administrative Code.**

5 (d) ~~(e)~~—"Kindergarten" includes a classroom for young 5-year-
6 olds, commonly referred to as "young 5s" or "developmental
7 kindergarten".

8 (e) ~~(d)~~—"Reading deficiency" means scoring below grade level
9 or being determined to be at risk of reading failure based on a
10 screening assessment, diagnostic assessment, standardized summative
11 assessment, or progress monitoring.

12 (f) ~~(e)~~—"Reading leadership team" means a collaborative system
13 led by a school building's principal or program director and
14 consisting of a cross-section of faculty who are interested in
15 working to improve literacy instruction across the curriculum.

16 (g) ~~(f)~~—"Section 504 plan" means a plan under section 504 of
17 title V of the rehabilitation act of 1973, 29 USC 794.

18 **Sec. 1280h. (1) Beginning with the 2021-2022 school year, the**
19 **board of a school district or board of directors of a public school**
20 **academy may provide an individual reading improvement plan to any**
21 **pupil enrolled in a school operated by the board or board of**
22 **directors who meets either of the following:**

23 (a) **Has been identified by a teacher as exhibiting an**
24 **indication of a reading difficulty, deficiency, or disability at**
25 **any time during an observation or other assessment.**

26 (b) **Has been determined to have a reading difficulty,**
27 **deficiency, or disability based on the results of an observation or**
28 **other assessment.**

29 (2) **An individual reading improvement plan provided under this**

1 section must be implemented in the same manner as the reading
2 improvement plan described under section 1280f(2) (b) .

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