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BILL ANALYSIS



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Senate Bill 1039 (Substitute S-3 as passed by the Senate)
Sponsor: Senator Nancy Cassis
Committee: Education

(as enacted)

Date Completed: 7-24-08

RATIONALE

Early intervening programs are designed to identify children showing signs of learning difficulties as early as possible and to use targeted teaching methods to help those students overcome the challenges they face. Public Acts 121, 122, and 123 of 2006 amended the State School Aid Act to allow school districts and intermediate school districts (ISDs) to create early intervening programs to provide behavioral and learning assistance to pupils from kindergarten through third grade. In addition to other specific sources of money authorized under those Acts, the fiscal year (FY) 2006-07 school aid appropriation allocated \$400,000 for grants to school districts to establish early intervening programs, but that allocation later was repealed in response to budgetary shortfalls.

Although the FY 2007-08 school aid budget did not allocate funds for early intervening programs, it included provisions allowing an ISD to develop an early intervening program and make it available to districts within the ISD. It has been suggested that those provisions should be enacted in the Revised School Code, to ensure that ISDs retain this authority and to emphasize the importance of early intervening programs for struggling students in the early elementary grades.

CONTENT

The bill would amend the Revised School Code to permit an intermediate school district to develop and make available to school districts and public school academies an early intervening

model program for kindergarten to third grade.

The early intervening model program would have to be designed to instruct classroom teachers and support staff on how to monitor individual pupil learning and how to provide specific support or learning strategies to pupils as early as possible in order to avoid inappropriate referrals to special education.

The model program would have to be based on a program with documented positive results and outcomes and would have to include literacy and numeracy supports, sensory motor skill development, behavior supports, instructional consultation for teachers, and the development of a parent/school learning plan. Specific support or learning strategies could include support in or out of the general classroom in areas including reading, writing, math, visual memory, motor skill development, behavior, or language development. These would be provided based on an understanding of the individual child's learning needs.

In addition, the model program would have to include a school-wide system of academic and behavioral support based on a support team available to the classroom teachers. The members of that team could include the principal, special education staff, reading teachers, school psychologists, speech and language services providers, school social workers, and other appropriate personnel who would be available to study the needs of the individual child systematically and

work with the classroom teacher to match instruction to the child's needs.

An ISD could use funds received under Section 81 of the State School Aid Act for the purposes of developing and making available an early intervening program. (Funding provided to an ISD under that section must be used to comply with requirements of the State School Aid Act and the Revised School Code that apply to ISDs and for which funding is not provided elsewhere in the Act.)

If an ISD developed an early intervening model program under the bill, it would have to notify its constituent districts and the public school academies located within the ISD that the model program was available and that the ISD had funds available for developing it.

Proposed MCL 380.641

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

Early intervening programs are the result of decades of research to develop proven methods of improving student performance in kindergarten through third grade, identifying students who are showing signs of learning or behavioral difficulties. Addressing those issues as early as possible is the most effective way of ensuring that the children will be able to meet their full academic potential. Several ISDs have developed early intervening programs that already have demonstrated strong success records. Northville Public Schools, for example, implemented a pilot project known as the Early Learning Success Initiative in the 1996-1997 school year. The program includes a support team to help teachers identify appropriate teaching methods for students on an individual basis. The program also provides additional support for students both in the classroom and outside of class when necessary, and includes regular assessment of the students' progress, to gauge the effectiveness of the instructional methods and to determine if additional or alternative assistance is needed. In the 1999-2000 school year, all six elementary schools in the ISD were included in the program, and since the pilot

program began in 1996-1997, the percentage of students in the ISD identified as needing special education services dropped from 8.5% to 5.3% in 2006-2007, while the statewide identification rate increased from 11.9% to 14.41%, according to the president and founder of the Early Learning Foundation, which helped develop the program.

The reduction in inappropriate assignment to special education classes has several benefits. Students avoid any stigma attached to special education, and may have higher self-esteem and confidence in their abilities as learners. They also may be more likely to succeed in higher grade levels and to complete high school. The school district also might experience cost savings from the reduced special education classload, allowing the district to redirect those resources to other areas.

Although these programs have shown early signs of success, many districts might not have the expertise or the resources to establish an early intervening program on their own. The bill would allow an ISD to establish a model program to demonstrate best practices based on methods that had been shown to be effective. The specific requirements under the bill would ensure a degree of consistency in early intervening programs while allowing for local control of specific aspects of a program. The bill would increase awareness of the importance of early intervention and could help to spread the use of these programs, benefiting students who are showing early signs of learning difficulties. Including the provisions in the Revised School Code would eliminate the need to renew them each year in the school aid budget, helping to ensure the long-term stability of the programs, which must be developed over several years to be fully effective.

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Kathryn Summers-Coty

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.