

# SENATE BILL No. 1284

April 22, 2010, Introduced by Senators CASSIS, KUIPERS and VAN WOERKOM and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
(MCL 380.1 to 380.1852) by adding section 1280d.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 1280D. (1) IF A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY  
2 OPERATES A SCHOOL THAT IS IDENTIFIED UNDER SECTION 1280C AS BEING  
3 AMONG THE LOWEST ACHIEVING 5% OF ALL PUBLIC SCHOOLS IN THIS STATE,  
4 THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL DEVELOP AND  
5 IMPLEMENT A PROGRAM FOR THE PURPOSES OF PROVIDING ENHANCED  
6 INSTRUCTIONAL SERVICES, PERIODIC SCREENINGS, AND EARLY INTERVENING  
7 SERVICES AS DESCRIBED IN THIS SECTION; IMPROVING THE LITERACY AND  
8 NUMERACY SKILLS OF STUDENTS IN GRADES K TO 3 SO THAT THEY ARE  
9 READING AT GRADE LEVEL AS SOON AS POSSIBLE; AND PREVENTING  
10 INAPPROPRIATE OR UNNECESSARY REFERRALS TO SPECIAL EDUCATION

1 SERVICES. THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL  
2 IMPLEMENT THIS PROGRAM NOT LATER THAN THE BEGINNING OF THE 2010-  
3 2011 SCHOOL YEAR.

4 (2) A PROGRAM PROVIDED UNDER THIS SECTION SHALL MEET ALL OF  
5 THE FOLLOWING:

6 (A) SHALL PROVIDE IN EACH ELEMENTARY SCHOOL A COMPREHENSIVE  
7 LITERACY AND NUMERACY CURRICULUM THAT IS DESIGNED TO MEET THE  
8 MICHIGAN GRADE LEVEL CONTENT EXPECTATIONS DEVELOPED BY THE  
9 DEPARTMENT IN ENGLISH LANGUAGE ARTS AND MATHEMATICS FOR THE GRADE  
10 IN WHICH THE PUPILS ARE ENROLLED, AS MEASURED BY A SCIENTIFICALLY  
11 RESEARCH-BASED UNIVERSAL SCREENING TOOL THAT IS PROVEN RELIABLE AND  
12 VALID.

13 (B) SHALL BE DESIGNED TO INCLUDE ACTIVE AND CONTINUOUS  
14 INVOLVEMENT OF THE PARENTS OR GUARDIANS OF THE PUPILS PARTICIPATING  
15 IN THE PROGRAM.

16 (C) SHALL PROVIDE ALL PUPILS IN GRADES K TO 3 IN THE  
17 ELEMENTARY SCHOOL WITH LITERACY AND NUMERACY INSTRUCTION EVERY  
18 SCHOOL DAY IN WHICH IT IS PRACTICABLE TO DO SO USING A CORE  
19 COMPREHENSIVE LITERACY OR NUMERACY PROGRAM THAT IS SCIENTIFICALLY  
20 RESEARCH-BASED. THE LITERACY INSTRUCTION MUST INCLUDE LEARNER-  
21 APPROPRIATE TOOLS SUCH AS PHONEMIC AWARENESS, PHONICS, FLUENCY,  
22 VOCABULARY, AND COMPREHENSION, AND ORAL LANGUAGE AND WRITING.

23 (D) SHALL REGULARLY MEASURE PUPILS' LITERACY AND NUMERACY  
24 SKILLS IN ALL OF GRADES K TO 3 IN THE ELEMENTARY SCHOOL. SCREENINGS  
25 SHALL BE CONDUCTED SCHOOLWIDE ON AN ONGOING BASIS EACH SCHOOL YEAR  
26 IN EACH OF GRADES K TO 3, USING A SCIENTIFICALLY RESEARCH-BASED  
27 UNIVERSAL SCREENING TOOL THAT IS PROVEN RELIABLE AND VALID.

1 (E) IF A PUPIL IS DETERMINED BY THE SCREENING UNDER  
2 SUBDIVISION (D) TO NEED INTERVENTION, THEN THE PROGRAM SHALL  
3 PROVIDE THE PUPIL WITH LITERACY OR NUMERACY INSTRUCTION EACH SCHOOL  
4 DAY IN ADDITION TO THE INSTRUCTION REQUIRED UNDER SUBDIVISION (C).  
5 IF A PUPIL IS DETERMINED TO NEED ADDITIONAL INSTRUCTION, THE  
6 PUPIL'S PROGRESS SHALL BE MONITORED AT LEAST EVERY 6 WEEKS. DATA  
7 FROM THIS PROGRESS MONITORING SHALL BE USED TO ADJUST INSTRUCTION  
8 FOR THE PUPIL.

9 (F) IF A PUPIL IN GRADES K TO 3 HAS BEEN DETERMINED TO NOT  
10 MEET APPLICABLE BASIC LITERACY OR NUMERACY GRADE LEVEL CONTENT  
11 EXPECTATIONS FOR HIS OR HER GRADE LEVEL, THEN BY THE END OF THE  
12 FIRST SEMESTER OR TRIMESTER, OR AS EARLY AS IS PRACTICABLE FOR  
13 PARENTS TO ASSIST IN THE PUPIL'S ACADEMIC IMPROVEMENT, WHICHEVER IS  
14 EARLIER, THE PROGRAM SHALL PROVIDE FOR A WRITTEN NOTICE TO THE  
15 PUPIL'S PARENT OR LEGAL GUARDIAN. BEGINNING IN THE 2011-2012 SCHOOL  
16 YEAR, THIS SUBDIVISION APPLIES TO PUPILS IN GRADES K TO 4.  
17 BEGINNING IN THE 2014-2015 SCHOOL YEAR, THIS SUBDIVISION ALSO  
18 APPLIES TO PUPILS IN GRADE 7. THE NOTICE SHALL INCLUDE ALL OF THE  
19 FOLLOWING:

20 (i) NOTIFICATION THAT THE PUPIL'S SCHOOL HAS DETERMINED THAT  
21 THE CHILD HAS FAILED TO MEET CONTENT EXPECTATIONS IN ENGLISH  
22 LANGUAGE ARTS OR MATHEMATICS ESTABLISHED BY THE DEPARTMENT FOR THE  
23 PUPIL'S GRADE LEVEL.

24 (ii) NOTIFICATION AS TO THE ROLE THE PARENT OR GUARDIAN CAN  
25 PLAY AT HOME TO IMPROVE THE PUPIL'S LITERACY AND NUMERACY SKILLS,  
26 INCLUDING AT LEAST ADDITIONAL ASSISTANCE THAT THE PARENT OR  
27 GUARDIAN CAN GIVE TO THE PUPIL AND A DESCRIPTION OF VARIED

1 APPROACHES TO COMPLETING HOMEWORK OR EXTRA PRACTICE IN ORDER TO  
2 HELP RAISE THE READING OR NUMERACY SKILL LEVEL OF THE PUPIL.

3 (G) THE PROGRAM SHALL DO ALL OF THE FOLLOWING:

4 (i) BEGINNING IN THE 2011-2012 SCHOOL YEAR, ADMINISTER A  
5 SCIENTIFICALLY RESEARCH-BASED UNIVERSAL SCREENING TOOL THAT IS  
6 PROVEN RELIABLE AND VALID AT THE END OF GRADE 4 TO IDENTIFY PUPILS  
7 WHO REQUIRE ADDITIONAL LITERACY OR NUMERACY INTERVENTION. AN  
8 EVALUATOR SHALL ALSO CONSIDER THE PUPIL'S ASSESSMENT SCORES ON THE  
9 MICHIGAN EDUCATION ASSESSMENT PROGRAM ENGLISH LANGUAGE ARTS AND  
10 MATHEMATICS ASSESSMENTS, THE PUPIL'S GRADE POINT AVERAGE IF  
11 APPLICABLE, AND THE PUPIL'S ATTENDANCE AND WORK HABITS INCLUDING  
12 BEGINNING AND COMPLETING WORK ON TIME AND FOLLOWING DIRECTIONS.

13 (ii) BEGINNING IN THE 2014-2015 SCHOOL YEAR, ADMINISTER A  
14 SCIENTIFICALLY RESEARCH-BASED UNIVERSAL SCREENING TOOL THAT IS  
15 PROVEN RELIABLE AND VALID AT THE END OF GRADE 7 TO IDENTIFY PUPILS  
16 WHO REQUIRE ADDITIONAL LITERACY OR NUMERACY INTERVENTION. AN  
17 EVALUATOR SHALL ALSO CONSIDER THE PUPIL'S ASSESSMENT SCORES ON THE  
18 MICHIGAN EDUCATION ASSESSMENT PROGRAM ENGLISH LANGUAGE ARTS AND  
19 MATHEMATICS ASSESSMENTS, THE PUPIL'S GRADE POINT AVERAGE IF  
20 APPLICABLE, AND THE PUPIL'S ATTENDANCE AND WORK HABITS INCLUDING  
21 BEGINNING AND COMPLETING WORK ON TIME AND FOLLOWING DIRECTIONS.

22 (iii) IF A PUPIL IS DETERMINED BY THE SCREENING UNDER  
23 SUBPARAGRAPH (i) OR (ii) TO NEED INTERVENTION, THEN THE PROGRAM SHALL  
24 PROVIDE THE PUPIL WITH LITERACY OR NUMERACY INTERVENTION IN GRADE 5  
25 OR 8, AS APPLICABLE, IN ADDITION TO THE PUPIL'S REGULAR LITERACY  
26 AND NUMERACY INSTRUCTION. THE ADDITIONAL LITERACY INSTRUCTION SHALL  
27 TEACH VOCABULARY, COMPREHENSION, AND WRITING SKILLS THAT MAY BE

1 USED FOR ALL CONTENT AREAS BASED ON THE MICHIGAN GRADE LEVEL  
2 CONTENT EXPECTATIONS. THE ADDITIONAL LITERACY OR NUMERACY  
3 INSTRUCTION SHALL BE PROVIDED EITHER AS AN ADDITIONAL SEPARATE  
4 CLASS OR SUBJECT OR OUTSIDE REGULAR SCHOOL HOURS. IF A PUPIL IS  
5 DETERMINED TO NEED ADDITIONAL INSTRUCTION, THE PUPIL'S PROGRESS  
6 SHALL BE MONITORED AT LEAST EVERY 6 WEEKS. DATA FROM THIS PROGRESS  
7 MONITORING SHALL BE USED TO ADJUST INSTRUCTION FOR THE PUPIL. IN  
8 ADDITION, A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL INCLUDE  
9 IN ITS INTERVENTION PROGRAMS FOR GRADES 5 AND 8 INITIATIVES TO  
10 IMPROVE PUPILS' CLASSROOM BEHAVIOR AND SOCIAL SKILLS, INCLUDING AT  
11 LEAST ALL OF THE FOLLOWING INITIATIVES:

12 (A) USE OF ADULT ADVOCATES OR OTHER ENGAGED ADULTS TO HELP  
13 PUPILS ESTABLISH ATTAINABLE ACADEMIC AND BEHAVIORAL GOALS WITH  
14 SPECIFIC BENCHMARKS.

15 (B) RECOGNITION OF PUPIL ACCOMPLISHMENTS.

16 (C) TEACHING OF STRATEGIES TO STRENGTHEN PROBLEM-SOLVING AND  
17 DECISION-MAKING SKILLS.

18 (D) ESTABLISHMENT OF PARTNERSHIPS AS NECESSARY WITH COMMUNITY-  
19 BASED PROGRAM PROVIDERS AND OTHER AGENCIES SUCH AS SOCIAL SERVICES,  
20 FAMILY ASSISTANCE, MENTAL HEALTH, AND LAW ENFORCEMENT.

21 (3) IN ADDITION TO THE PROGRAM REQUIREMENTS UNDER SUBSECTION  
22 (2), A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY THAT IS REQUIRED TO  
23 COMPLY WITH THIS SECTION SHALL IMPLEMENT THE FOLLOWING INITIATIVES  
24 NOT LATER THAN THE BEGINNING OF THE 2010-2011 SCHOOL YEAR TO  
25 COMPLEMENT THE PROGRAM UNDER SUBSECTION (2):

26 (A) IN THE MIDDLE SCHOOL GRADES, BOTH OF THE FOLLOWING:

27 (i) PROVIDING TEACHERS WITH ONGOING WAYS TO EXPAND THEIR

1 KNOWLEDGE AND IMPROVE THEIR SKILLS.

2 (ii) INTEGRATION OF ACADEMIC CONTENT WITH CAREER- AND SKILL-  
3 BASED THEMES THROUGH CAREER ACADEMIES OR MULTIPLE PATHWAYS MODELS.

4 (B) IN THE HIGH SCHOOL GRADES, ALL OF THE FOLLOWING:

5 (i) HOSTING CAREER DAYS AND OFFERING OPPORTUNITIES FOR WORK-  
6 RELATED EXPERIENCES AND VISITS TO POSTSECONDARY CAMPUSES.

7 (ii) PROVIDING PUPILS WITH EXTRA ASSISTANCE AND INFORMATION  
8 ABOUT THE DEMANDS OF COLLEGE.

9 (iii) PARTNERING WITH LOCAL BUSINESSES TO PROVIDE OPPORTUNITIES  
10 FOR WORK-RELATED EXPERIENCE SUCH AS INTERNSHIPS, SIMULATED JOB  
11 INTERVIEWS, OR LONG-TERM EMPLOYMENT.

12 (iv) ASSIGNING ADULT ADVOCATES TO PUPILS AT RISK OF DROPPING  
13 OUT. ALL OF THE FOLLOWING APPLY TO THIS INITIATIVE:

14 (A) THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL CHOOSE  
15 ADULTS WHO ARE COMMITTED TO INVESTING IN THE PUPIL'S PERSONAL AND  
16 ACADEMIC SUCCESS, SHALL KEEP CASELOADS FOR THE ADULTS LOW, AND  
17 SHALL PURPOSEFULLY MATCH SPECIFIC PUPILS WITH A SPECIFIC ADULT  
18 ADVOCATE.

19 (B) THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL  
20 ESTABLISH A REGULAR TIME IN THE SCHOOL DAY OR SCHOOL WEEK FOR A  
21 PUPIL TO MEET WITH THE ADULT ADVOCATE.

22 (C) THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL  
23 COMMUNICATE WITH THE ADULT ADVOCATES ABOUT THE VARIOUS OBSTACLES  
24 PUPILS MAY ENCOUNTER AND PROVIDE THE ADULT ADVOCATES WITH GUIDANCE  
25 AND TRAINING ABOUT HOW TO WORK WITH PUPILS, PARENTS, OR SCHOOL  
26 STAFF TO ADDRESS THESE OBSTACLES.

27 (4) A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY THAT HAS A

1 SUCCESSFUL LITERACY AND NUMERACY INTERVENTION PROGRAM IN PLACE MAY  
2 APPLY TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR A WAIVER THAT  
3 ALLOWS THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY TO CONTINUE  
4 THAT EXISTING PROGRAM INSTEAD OF IMPLEMENTING THE PROGRAM REQUIRED  
5 UNDER THIS SECTION. THE SUPERINTENDENT OF PUBLIC INSTRUCTION MAY  
6 GRANT A WAIVER UNDER THIS SUBSECTION IF HE OR SHE DETERMINES THAT  
7 THE EXISTING PROGRAM MEETS THE PURPOSES OF THIS SECTION.

8 (5) A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY MAY CONTRACT  
9 WITH AN INTERMEDIATE SCHOOL DISTRICT TO PROVIDE THE PROGRAM UNDER  
10 THIS SECTION. UPON REQUEST BY A CONSTITUENT DISTRICT OR A PUBLIC  
11 SCHOOL ACADEMY, AN INTERMEDIATE SCHOOL DISTRICT SHALL PROVIDE  
12 TECHNICAL ASSISTANCE TO THE CONSTITUENT SCHOOL DISTRICT OR PUBLIC  
13 SCHOOL ACADEMY IN DEVELOPING AND IMPLEMENTING THE PROGRAM UNDER  
14 THIS SECTION.

15 (6) THE INTERVENTIONS REQUIRED UNDER THIS SECTION ARE TO  
16 ENSURE THAT ALL PUPILS AT ALL GRADE LEVELS ARE ACHIEVING AT LEAST A  
17 LEVEL 2 PROFICIENCY ON THE ENGLISH LANGUAGE ARTS AND MATHEMATICS  
18 ASSESSMENTS ADMINISTERED UNDER THE MICHIGAN EDUCATION ASSESSMENT  
19 PROGRAM.