

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning

House Bill No. 4822, entitled

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

Recommends:

First: That the House and Senate agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

(attached)

Second: That the House and Senate agree to the title of the bill to read as follows:

A bill to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to make appropriations for certain purposes; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide

for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," (MCL 380.1 to 380.1852) by adding section 1280f.

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Conferees for the House

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**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4822**

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

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 PROVIDE A SCREENING**

1 ASSESSMENT, MONITORING CAPABILITIES FOR MONITORING PROGRESS TOWARD
2 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 (B) RECOMMEND OR DEVELOP AN EARLY LITERACY COACH MODEL WITH
13 THE FOLLOWING FEATURES:

14 (i) AN EARLY LITERACY COACH SHALL SUPPORT AND PROVIDE INITIAL
15 AND ONGOING PROFESSIONAL DEVELOPMENT TO TEACHERS IN ALL OF THE
16 FOLLOWING:

17 (A) EACH OF THE 5 MAJOR READING COMPONENTS LISTED IN
18 SUBSECTION (3) (A) (iv) (B) AS NEEDED, BASED ON AN ANALYSIS OF PUPIL
19 PERFORMANCE DATA.

20 (B) ADMINISTERING AND ANALYZING INSTRUCTIONAL ASSESSMENTS.

21 (C) PROVIDING DIFFERENTIATED INSTRUCTION AND INTENSIVE
22 INTERVENTION.

23 (D) USING PROGRESS MONITORING.

24 (E) IDENTIFYING AND ADDRESSING READING DEFICIENCY.

25 (ii) AN EARLY LITERACY COACH SHALL ALSO DO ALL OF THE
26 FOLLOWING:

27 (A) MODEL EFFECTIVE INSTRUCTIONAL STRATEGIES FOR TEACHERS.

1 (B) FACILITATE STUDY GROUPS.

2 (C) TRAIN TEACHERS IN DATA ANALYSIS AND USING DATA TO
3 DIFFERENTIATE INSTRUCTION.

4 (D) COACH AND MENTOR COLLEAGUES.

5 (E) WORK WITH TEACHERS TO ENSURE THAT EVIDENCE-BASED READING
6 PROGRAMS SUCH AS COMPREHENSIVE CORE READING PROGRAMS, SUPPLEMENTAL
7 READING PROGRAMS, AND COMPREHENSIVE INTERVENTION READING PROGRAMS
8 ARE IMPLEMENTED WITH FIDELITY.

9 (F) TRAIN TEACHERS TO DIAGNOSE AND ADDRESS READING DEFICIENCY.

10 (G) WORK WITH TEACHERS IN APPLYING EVIDENCE-BASED READING
11 STRATEGIES IN OTHER CONTENT AREAS, INCLUDING, BUT NOT LIMITED TO,
12 PRIORITIZING TIME SPENT ON THOSE TEACHERS, ACTIVITIES, AND ROLES
13 THAT WILL HAVE THE GREATEST IMPACT ON PUPIL ACHIEVEMENT AND
14 PRIORITIZING COACHING AND MENTORING IN CLASSROOMS.

15 (H) HELP TO INCREASE INSTRUCTIONAL DENSITY TO MEET THE NEEDS
16 OF ALL PUPILS.

17 (I) HELP LEAD AND SUPPORT READING LEADERSHIP TEAMS AT THE
18 SCHOOL.

19 (J) CONTINUE TO INCREASE HIS OR HER KNOWLEDGE BASE IN BEST
20 PRACTICES IN READING INSTRUCTION AND INTERVENTION.

21 (K) FOR EACH TEACHER WHO TEACHES IN A CLASSROOM FOR GRADES K
22 TO 3, MODEL FOR THE TEACHER, AND COACH THE TEACHER IN, INSTRUCTION
23 WITH PUPILS IN WHOLE AND SMALL GROUPS.

24 (iii) IN THE CONTEXT OF PERFORMING THE FUNCTIONS DESCRIBED IN
25 SUBPARAGRAPH (ii), AN EARLY LITERACY COACH SHALL NOT BE ASKED TO
26 PERFORM ADMINISTRATIVE FUNCTIONS THAT WILL CONFUSE HIS OR HER ROLE
27 FOR TEACHERS.

(iv) AN EARLY LITERACY COACH MUST MEET ALL OF THE FOLLOWING:

(A) HAVE EXPERIENCE AS A SUCCESSFUL CLASSROOM TEACHER.

(B) HAVE SUFFICIENT KNOWLEDGE OF SCIENTIFICALLY BASED READING RESEARCH, SPECIAL EXPERTISE IN QUALITY READING INSTRUCTION AND INFUSING READING STRATEGIES INTO CONTENT AREA INSTRUCTION, AND DATA MANAGEMENT SKILLS.

(C) HAVE A STRONG KNOWLEDGE BASE IN WORKING WITH ADULTS.

(D) HAVE A MINIMUM OF A BACHELOR'S DEGREE AND ADVANCED COURSEWORK IN READING OR HAVE COMPLETED PROFESSIONAL DEVELOPMENT IN EVIDENCE-BASED LITERACY INSTRUCTIONAL STRATEGIES.

(v) AN EARLY LITERACY COACH SHALL NOT BE ASSIGNED A REGULAR CLASSROOM TEACHING ASSIGNMENT, BUT SHALL BE EXPECTED TO WORK FREQUENTLY WITH PUPILS IN WHOLE AND SMALL GROUP INSTRUCTION OR TUTORING IN THE CONTEXT OF MODELING AND COACHING IN OR OUTSIDE OF TEACHERS' CLASSROOMS.

(2) SUBJECT TO SUBSECTION (14), BEGINNING IN THE 2017-2018 SCHOOL YEAR, THE BOARD OF A SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY SHALL DO ALL OF THE FOLLOWING TO ENSURE THAT MORE PUPILS WILL ACHIEVE A SCORE OF AT LEAST PROFICIENT IN ENGLISH LANGUAGE ARTS ON THE GRADE 3 STATE ASSESSMENT:

(A) SELECT 1 VALID AND RELIABLE SCREENING, FORMATIVE, AND DIAGNOSTIC READING ASSESSMENT SYSTEM FROM THE ASSESSMENT SYSTEMS APPROVED BY THE DEPARTMENT UNDER SUBSECTION (1) (A). A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL USE THIS ASSESSMENT SYSTEM FOR PUPILS IN GRADES K TO 3 TO SCREEN AND DIAGNOSE DIFFICULTIES, INFORM INSTRUCTION AND INTERVENTION NEEDS, AND ASSESS PROGRESS TOWARD A GROWTH TARGET. A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY

1 PERIODICALLY SHALL ASSESS A PUPIL'S PROGRESS IN READING SKILLS AT
2 LEAST 3 TIMES PER SCHOOL YEAR IN GRADES K TO 3. THE FIRST OF THESE
3 ASSESSMENTS FOR A SCHOOL YEAR SHALL BE CONDUCTED WITHIN THE FIRST
4 30 SCHOOL DAYS OF THE SCHOOL YEAR.

5 (B) FOR ANY PUPIL IN GRADES K TO 3 WHO EXHIBITS A READING
6 DEFICIENCY AT ANY TIME, BASED UPON THE READING ASSESSMENT SYSTEM
7 SELECTED AND USED UNDER SUBDIVISION (A), PROVIDE AN INDIVIDUAL
8 READING IMPROVEMENT PLAN FOR THE PUPIL WITHIN 30 DAYS AFTER THE
9 IDENTIFICATION OF THE READING DEFICIENCY. THE INDIVIDUAL READING
10 IMPROVEMENT PLAN SHALL BE CREATED BY THE PUPIL'S TEACHER, SCHOOL
11 PRINCIPAL, AND PARENT OR LEGAL GUARDIAN AND OTHER PERTINENT SCHOOL
12 PERSONNEL, AND SHALL DESCRIBE THE READING INTERVENTION SERVICES THE
13 PUPIL WILL RECEIVE TO REMEDY THE READING DEFICIENCY. A SCHOOL
14 DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL PROVIDE INTENSIVE READING
15 INTERVENTION FOR THE PUPIL IN ACCORDANCE WITH THE INDIVIDUAL
16 READING IMPROVEMENT PLAN UNTIL THE PUPIL NO LONGER HAS A READING
17 DEFICIENCY.

18 (C) IF A PUPIL IN GRADES K TO 3 IS IDENTIFIED AS HAVING AN
19 EARLY LITERACY DELAY OR READING DEFICIENCY, PROVIDE WRITTEN NOTICE
20 TO THE PUPIL'S PARENT OR LEGAL GUARDIAN OF THE DELAY OR READING
21 DEFICIENCY IN WRITING AND PROVIDE TOOLS TO ASSIST THE PARENT OR
22 LEGAL GUARDIAN TO ENGAGE IN INTERVENTION AND TO ADDRESS OR CORRECT
23 ANY READING DEFICIENCY AT HOME.

24 (D) REQUIRE A SCHOOL PRINCIPAL OR CHIEF ADMINISTRATOR TO DO
25 ALL OF THE FOLLOWING:

26 (i) FOR A TEACHER IN GRADES K TO 3, TARGET SPECIFIC AREAS OF
27 PROFESSIONAL DEVELOPMENT BASED ON THE READING DEVELOPMENT NEEDS

1 DATA FOR INCOMING PUPILS.

2 (ii) DIFFERENTIATE AND INTENSIFY PROFESSIONAL DEVELOPMENT FOR
3 TEACHERS BASED ON DATA GATHERED BY MONITORING TEACHER PROGRESS IN
4 IMPROVING PUPIL PROFICIENCY RATES AMONG THEIR PUPILS.

5 (iii) ESTABLISH A COLLABORATIVE SYSTEM WITHIN THE SCHOOL TO
6 IMPROVE READING PROFICIENCY RATES IN GRADES K TO 3.

7 (iv) ENSURE THAT TIME IS PROVIDED FOR TEACHERS TO MEET FOR
8 PROFESSIONAL DEVELOPMENT.

9 (E) UTILIZE, AT LEAST, EARLY LITERACY COACHES PROVIDED THROUGH
10 THE INTERMEDIATE SCHOOL DISTRICT IN WHICH THE SCHOOL DISTRICT OR
11 PUBLIC SCHOOL ACADEMY IS LOCATED, AS PROVIDED FOR UNDER SECTION
12 35A(4) OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1635A. HOWEVER,
13 A PUBLIC SCHOOL ACADEMY MAY USE AN EARLY LITERACY COACH PROVIDED BY
14 THE PUBLIC SCHOOL ACADEMY, AT THE EXPENSE OF THE PUBLIC SCHOOL
15 ACADEMY, RATHER THAN USING AN EARLY LITERACY COACH PROVIDED THROUGH
16 AN INTERMEDIATE SCHOOL DISTRICT IF THE EARLY LITERACY COACH AND THE
17 USAGE OF THE EARLY LITERACY COACH OTHERWISE MEET THE REQUIREMENTS
18 OF THIS SECTION.

19 (3) SUBJECT TO SUBSECTION (14), A SCHOOL DISTRICT OR PUBLIC
20 SCHOOL ACADEMY SHALL PROVIDE READING INTERVENTION PROGRAMS FOR
21 PUPILS IN GRADES K TO 3, INCLUDING AT LEAST ALL OF THE FOLLOWING:

22 (A) FOR PUPILS WHO EXHIBIT A READING DEFICIENCY, A READING
23 INTERVENTION PROGRAM INTENDED TO ENSURE THAT PUPILS ARE PROFICIENT
24 READERS BY THE END OF GRADE 3 AND THAT INCLUDES SOME OR ALL OF THE
25 FOLLOWING FEATURES:

26 (i) IS PROVIDED TO EACH PUPIL IN GRADES K TO 3 WHO IS
27 IDENTIFIED WITH A READING DEFICIENCY BASED ON SCREENING AND

1 DIAGNOSTIC TOOLS, AND IDENTIFIES AND ADDRESSES THE PUPIL'S READING
2 DEFICIENCY.

3 (ii) PERIODICALLY SCREENS AND MONITORS THE PROGRESS OF EACH
4 PUPIL'S READING SKILLS, AT LEAST 3 TIMES PER YEAR.

5 (iii) PROVIDES EVIDENCE-BASED CORE READING INSTRUCTION THAT IS
6 COMPREHENSIVE AND MEETS THE MAJORITY OF THE GENERAL EDUCATION
7 CLASSROOM NEEDS.

8 (iv) PROVIDES READING INTERVENTION THAT MEETS, AT A MINIMUM,
9 THE FOLLOWING SPECIFICATIONS:

10 (A) ASSISTS PUPILS EXHIBITING A READING DEFICIENCY IN
11 DEVELOPING THE ABILITY TO READ AT GRADE LEVEL.

12 (B) PROVIDES INTENSIVE DEVELOPMENT IN THE 5 MAJOR READING
13 COMPONENTS: PHONEMIC AWARENESS, PHONICS, FLUENCY, VOCABULARY, AND
14 COMPREHENSION.

15 (C) IS SYSTEMATIC, EXPLICIT, MULTISENSORY, AND SEQUENTIAL.

16 (D) IS IMPLEMENTED DURING REGULAR SCHOOL HOURS IN ADDITION TO
17 REGULAR CLASSROOM READING INSTRUCTION.

18 (v) PROVIDES PARENTS, LEGAL GUARDIANS, OR OTHER PROVIDERS OF
19 CARE FOR THE PUPIL WITH A "READ AT HOME" PLAN, INCLUDING PARENT,
20 GUARDIAN, OR CARE PROVIDER TRAINING WORKSHOPS AND REGULAR HOME
21 READING.

22 (vi) DOCUMENTS EFFORTS BY THE PUPIL'S SCHOOL TO ENGAGE THE
23 PUPIL'S PARENT OR LEGAL GUARDIAN AND WHETHER OR NOT THOSE EFFORTS
24 WERE SUCCESSFUL.

25 (vii) DOCUMENTS ANY DISSENTING OPINIONS EXPRESSED BY SCHOOL
26 PERSONNEL OR A PARENT OR LEGAL GUARDIAN CONCERNING THE INDIVIDUAL
27 READING IMPROVEMENT PLAN PROVIDED FOR THE PUPIL UNDER SUBSECTION

1 (2) (B) .

2 (B) FOR GRADE 3 PUPILS EXHIBITING A READING DEFICIENCY AS
3 DETERMINED BY THE PUPIL'S TEACHER THROUGH THE DIAGNOSTIC READING
4 ASSESSMENT SYSTEM SELECTED BY THE SCHOOL DISTRICT OR PUBLIC SCHOOL
5 ACADEMY UNDER SUBSECTION (2) (A) , A READING INTERVENTION PROGRAM
6 INTENDED TO CORRECT THE IDENTIFIED AREA OR AREAS OF READING
7 DEFICIENCY AND THAT INCLUDES ALL OF THE FOLLOWING FEATURES AS
8 NEEDED BY THE INDIVIDUAL PUPIL:

9 (i) IS EVIDENCE-BASED AND HAS PROVEN RESULTS IN ACCELERATING
10 PUPIL READING ACHIEVEMENT WITHIN THE SAME SCHOOL YEAR.

11 (ii) PROVIDES MORE DEDICATED TIME THAN THE PUPIL'S PREVIOUS
12 SCHOOL YEAR IN EVIDENCE-BASED READING INSTRUCTION AND INTERVENTION.

13 (iii) PROVIDES DAILY TARGETED SMALL GROUP OR 1-TO-1 READING
14 INTERVENTION BASED ON PUPIL NEEDS AS DETERMINED BY ASSESSMENT DATA,
15 INCLUDING EXPLICIT AND SYSTEMATIC INSTRUCTION WITH MORE DETAILED
16 AND VARIED EXPLANATIONS, MORE EXTENSIVE OPPORTUNITIES FOR GUIDED
17 PRACTICE, AND MORE OPPORTUNITIES FOR ERROR CORRECTION AND FEEDBACK.

18 (iv) PROVIDES ADMINISTRATION OF ONGOING PROGRESS MONITORING
19 ASSESSMENTS TO FREQUENTLY MONITOR PUPIL PROGRESS.

20 (v) PROVIDES SUPPLEMENTAL EVIDENCE-BASED READING INTERVENTION
21 DELIVERED BY A TEACHER, TUTOR, OR VOLUNTEER WITH SPECIALIZED
22 READING TRAINING THAT IS PROVIDED BEFORE SCHOOL, AFTER SCHOOL,
23 DURING SCHOOL HOURS BUT OUTSIDE OF REGULAR ENGLISH LANGUAGE ARTS
24 CLASSROOM TIME, OR ANY COMBINATION OF THESE.

25 (vi) PROVIDES PARENTS, LEGAL GUARDIANS, OR OTHER PROVIDERS OF
26 CARE FOR A PUPIL WITH A "READ AT HOME" PLAN, INCLUDING PARENT,
27 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

1 INTERVENTION SERVICES AND SUPPORTS TO CORRECT PUPILS' IDENTIFIED
2 AREAS OF READING DEFICIENCY.

3 (5) BEGINNING WITH PUPILS ENROLLED IN GRADE 3 DURING THE 2019-
4 2020 SCHOOL YEAR, ALL OF THE FOLLOWING APPLY:

5 (A) SUBJECT TO SUBSECTION (6), THE SUPERINTENDENT OF THE
6 SCHOOL DISTRICT OR CHIEF ADMINISTRATOR OF THE PUBLIC SCHOOL ACADEMY
7 IN WHICH THE PUPIL IS ENROLLED SHALL ENSURE THAT A PUPIL WHOSE
8 PARENT OR LEGAL GUARDIAN HAS BEEN PROVIDED WITH THE NOTIFICATION
9 UNDER SUBDIVISION (D) IS NOT ENROLLED IN GRADE 4 UNTIL 1 OF THE
10 FOLLOWING OCCURS:

11 (i) THE PUPIL ACHIEVES A READING SCORE THAT IS LESS THAN 1
12 GRADE LEVEL BEHIND AS DETERMINED BY THE DEPARTMENT BASED ON THE
13 GRADE 3 STATE ENGLISH LANGUAGE ARTS ASSESSMENT.

14 (ii) THE PUPIL 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 PUPIL 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 (B) SUBJECT TO SUBSECTION (6), IF A CHILD YOUNGER THAN 10
22 YEARS OF AGE SEEKS TO ENROLL FOR THE FIRST TIME IN A SCHOOL
23 DISTRICT OR PUBLIC SCHOOL ACADEMY IN GRADE 4, THE SUPERINTENDENT OF
24 THE SCHOOL DISTRICT OR CHIEF ADMINISTRATOR OF THE PUBLIC SCHOOL
25 ACADEMY SHALL NOT ALLOW THE CHILD TO ENROLL IN GRADE 4 UNLESS 1 OF
26 THE FOLLOWING OCCURS:

27 (i) THE CHILD ACHIEVES A GRADE 3 READING SCORE AS DETERMINED

1 BY THE DEPARTMENT BASED ON THE READING PORTION OF THE GRADE 3 STATE
2 ENGLISH LANGUAGE ARTS ASSESSMENT.

3 (ii) THE CHILD DEMONSTRATES A GRADE 3 READING LEVEL THROUGH
4 PERFORMANCE ON AN ALTERNATIVE STANDARDIZED READING ASSESSMENT
5 APPROVED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

6 (iii) THE CHILD DEMONSTRATES A GRADE 3 READING LEVEL THROUGH A
7 PUPIL PORTFOLIO, AS EVIDENCED BY DEMONSTRATING COMPETENCY IN ALL
8 GRADE 3 STATE ENGLISH LANGUAGE ARTS STANDARDS THROUGH MULTIPLE WORK
9 SAMPLES.

10 (C) NOT LATER THAN MAY 23 OF EACH YEAR OR NOT LATER THAN 14
11 DAYS AFTER THE DEPARTMENT FINALIZES THE SCORING FOR THE GRADE 3
12 STATE ASSESSMENTS, WHICHEVER IS EARLIER, THE DEPARTMENT SHALL
13 PROVIDE CEPI WITH THE GRADE 3 STATE ASSESSMENT SCORES FOR EVERY
14 GRADE 3 PUPIL ENROLLED IN A PUBLIC SCHOOL IN THIS STATE WHO WAS
15 ADMINISTERED 1 OR MORE OF THOSE ASSESSMENTS.

16 (D) NOT LATER THAN JUNE 1 OF EACH YEAR OR NOT LATER THAN 14
17 DAYS AFTER CEPI RECEIVES THE GRADE 3 STATE ASSESSMENT RESULTS FROM
18 THE DEPARTMENT UNDER SUBDIVISION (C), WHICHEVER IS EARLIER, USING
19 THOSE STATE ASSESSMENT RESULTS, CEPI SHALL IDENTIFY EACH PUPIL
20 COMPLETING GRADE 3 THAT YEAR WHO IS SUBJECT TO NOT BEING ADVANCED
21 TO GRADE 4 DUE TO THE OPERATION OF SUBDIVISION (A) (i) AND WHO IS
22 NOT ELIGIBLE TO ENROLL IN GRADE 4 UNDER SUBSECTION (6) (A), AND
23 SHALL NOTIFY THE PARENT OR LEGAL GUARDIAN AND THE SCHOOL DISTRICT
24 OR PUBLIC SCHOOL ACADEMY OF EACH OF THESE PUPILS THAT THE PUPIL IS
25 SUBJECT TO BEING RETAINED IN GRADE 3. A SCHOOL DISTRICT OR PUBLIC
26 SCHOOL ACADEMY MAY ALSO MAKE ITS OWN NOTIFICATION TO A PARENT OR
27 GUARDIAN IN ADDITION TO THE NOTIFICATION BY CEPI. THE NOTIFICATION

1 BY CEPI TO A PARENT OR LEGAL GUARDIAN SHALL BE BY CERTIFIED MAIL.
2 THE NOTIFICATION BY CEPI SHALL CLEARLY STATE AT LEAST ALL OF THE
3 FOLLOWING:

4 (i) THAT, BASED ON STANDARDIZED TESTING, THIS STATE HAS
5 DETERMINED THAT THE PUPIL MAY BE REQUIRED TO BE RETAINED IN GRADE 3
6 AS PROVIDED UNDER STATE LAW, WITH A REFERENCE TO THIS SECTION ALONG
7 WITH AN EXPLANATION THAT EVEN IF THE PUPIL IS NOT ELIGIBLE TO
8 ENROLL IN GRADE 4 BASED ON STATE ASSESSMENTS, THE PUPIL MAY STILL
9 BE ALLOWED TO ENROLL IN GRADE 4 IF HE OR SHE DEMONSTRATES A GRADE 3
10 READING LEVEL THROUGH PERFORMANCE ON AN ALTERNATIVE STANDARDIZED
11 READING ASSESSMENT OR THROUGH A PUPIL PORTFOLIO.

12 (ii) THAT THE PARENT OR LEGAL GUARDIAN HAS THE RIGHT TO
13 REQUEST A GOOD CAUSE EXEMPTION UNDER THIS SECTION THAT, IF GRANTED,
14 WILL ALLOW THE PUPIL TO ENROLL IN GRADE 4 IN THE NEXT SCHOOL YEAR.

15 (iii) THAT THE PARENT OR LEGAL GUARDIAN MUST REQUEST THE GOOD
16 CAUSE EXEMPTION WITHIN 30 DAYS AFTER THE DATE OF THE NOTIFICATION
17 BY CEPI AND MUST DIRECT THE REQUEST TO THE SCHOOL DISTRICT OR
18 PUBLIC SCHOOL ACADEMY IN WHICH THE PARENT OR LEGAL GUARDIAN INTENDS
19 TO ENROLL THE PUPIL FOR GRADE 4.

20 (iv) THAT THE PARENT OR LEGAL GUARDIAN HAS THE RIGHT TO
21 REQUEST A MEETING WITH SCHOOL OFFICIALS TO DISCUSS THE RETENTION
22 REQUIREMENT UNDER STATE LAW AND THE STANDARDS AND PROCESSES FOR A
23 GOOD CAUSE EXEMPTION FROM THAT REQUIREMENT.

24 (E) IF A PARENT OR LEGAL GUARDIAN RECEIVES A NOTIFICATION FROM
25 CEPI UNDER SUBDIVISION (D), THE PARENT OR LEGAL GUARDIAN MAY
26 REQUEST A MEETING WITH SCHOOL OFFICIALS TO DISCUSS THE RETENTION
27 REQUIREMENT UNDER STATE LAW AND THE STANDARDS AND PROCESSES FOR A

1 GOOD CAUSE EXEMPTION FROM THAT REQUIREMENT. IF A PARENT OR LEGAL
2 GUARDIAN REQUESTS A MEETING DESCRIBED IN THIS SUBDIVISION, THE
3 SCHOOL OFFICIAL TO WHOM THE REQUEST IS MADE SHALL ENSURE THAT AN
4 APPROPRIATE SCHOOL OFFICIAL IS MADE AVAILABLE TO THE PARENT OR
5 LEGAL GUARDIAN FOR SUCH A MEETING.

6 (F) IF A PUPIL IS NOT ENROLLED IN GRADE 4 AT THE BEGINNING OF
7 A SCHOOL YEAR DUE TO THE OPERATION OF THIS SUBSECTION, THEN BEFORE
8 PLACING THE CHILD IN GRADE 4 DURING THE SCHOOL YEAR, AN APPROPRIATE
9 SCHOOL OFFICIAL OF THE PUPIL'S SCHOOL DISTRICT OR PUBLIC SCHOOL
10 ACADEMY SHALL PROVIDE WRITTEN NOTIFICATION TO THE PUPIL'S PARENT OR
11 LEGAL GUARDIAN OF THE PROPOSED PLACEMENT.

12 (6) SUBJECT TO SUBSECTION (11), IF A PUPIL OR CHILD
13 DEMONSTRATES BOTH OF THE FOLLOWING, THEN SUBSECTION (5) (A) AND (B)
14 DO NOT APPLY AND HE OR SHE MAY BE ENROLLED IN GRADE 4:

15 (A) THAT HE OR SHE IS PROFICIENT IN ALL SUBJECT AREAS ASSESSED
16 ON THE GRADE 3 STATE ASSESSMENT OTHER THAN ENGLISH LANGUAGE ARTS,
17 AS EVIDENCED BY HIS OR HER SCORES ON THOSE ASSESSMENTS.

18 (B) THAT HE OR SHE IS PROFICIENT IN SCIENCE AND SOCIAL STUDIES
19 AS SHOWN THROUGH A PUPIL PORTFOLIO AND AS DETERMINED BY THE TEACHER
20 WHO PROVIDED THE GRADE 3 INSTRUCTION TO THE PUPIL IN SCIENCE OR
21 SOCIAL STUDIES, AS APPLICABLE.

22 (7) FOR A PUPIL WHO IS NOT PROMOTED TO GRADE 4 OR A CHILD WHO
23 IS NOT ENROLLED IN GRADE 4 DUE TO THE OPERATION OF SUBSECTION (5),
24 AND FOR A PUPIL OR CHILD DESCRIBED IN SUBSECTION (6) OR (11), THE
25 SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL PROVIDE A READING
26 INTERVENTION PROGRAM THAT IS INTENDED TO CORRECT THE PUPIL'S
27 SPECIFIC READING DEFICIENCY, AS IDENTIFIED BY A VALID AND RELIABLE

1 ASSESSMENT. THIS PROGRAM SHALL INCLUDE EFFECTIVE INSTRUCTIONAL
2 STRATEGIES NECESSARY TO ASSIST THE PUPIL IN BECOMING A SUCCESSFUL
3 READER, AND ALL OF THE FOLLOWING FEATURES, AS APPROPRIATE FOR THE
4 NEEDS OF THE INDIVIDUAL PUPIL:

5 (A) ASSIGNING TO A PUPIL 1 OR MORE OF THE FOLLOWING:

6 (i) A HIGHLY EFFECTIVE TEACHER OF READING AS DETERMINED BY THE
7 TEACHER EVALUATION SYSTEM UNDER SECTION 1249.

8 (ii) THE HIGHEST EVALUATED GRADE 3 TEACHER IN THE SCHOOL AS
9 DETERMINED BY THE TEACHER EVALUATION SYSTEM UNDER SECTION 1249.

10 (iii) A READING SPECIALIST.

11 (B) READING PROGRAMS THAT ARE EVIDENCE-BASED AND HAVE PROVEN
12 RESULTS IN ACCELERATING PUPIL READING ACHIEVEMENT WITHIN THE SAME
13 SCHOOL YEAR.

14 (C) READING INSTRUCTION AND INTERVENTION FOR THE MAJORITY OF
15 PUPIL CONTACT TIME EACH DAY THAT INCORPORATES OPPORTUNITIES TO
16 MASTER THE GRADE 4 STATE STANDARDS IN OTHER CORE ACADEMIC AREAS, IF
17 APPLICABLE.

18 (D) DAILY TARGETED SMALL GROUP OR 1-TO-1 READING INTERVENTION
19 THAT IS BASED ON PUPIL NEEDS, DETERMINED BY ASSESSMENT DATA, AND ON
20 IDENTIFIED READING DEFICIENCIES AND THAT INCLUDES EXPLICIT AND
21 SYSTEMATIC INSTRUCTION WITH MORE DETAILED AND VARIED EXPLANATIONS,
22 MORE EXTENSIVE OPPORTUNITIES FOR GUIDED PRACTICE, AND MORE
23 OPPORTUNITIES FOR ERROR CORRECTION AND FEEDBACK.

24 (E) ADMINISTRATION OF ONGOING PROGRESS MONITORING ASSESSMENTS
25 TO FREQUENTLY MONITOR PUPIL PROGRESS TOWARD A GROWTH TARGET.

26 (F) SUPPLEMENTAL EVIDENCE-BASED READING INTERVENTION DELIVERED
27 BY A TEACHER OR TUTOR WITH SPECIALIZED READING TRAINING THAT IS

1 PROVIDED BEFORE SCHOOL, AFTER SCHOOL, DURING REGULAR SCHOOL HOURS
2 BUT OUTSIDE OF REGULAR ENGLISH LANGUAGE ARTS CLASSROOM TIME, OR ANY
3 COMBINATION OF THESE.

4 (G) PROVIDING PARENTS, LEGAL GUARDIANS, OR OTHER PROVIDERS OF
5 CARE FOR THE PUPIL WITH A "READ AT HOME" PLAN, INCLUDING PARENT,
6 GUARDIAN, OR CARE PROVIDER TRAINING WORKSHOPS AND REGULAR HOME
7 READING.

8 (8) IF THE SUPERINTENDENT OF THE PUPIL'S SCHOOL DISTRICT OR
9 CHIEF ADMINISTRATOR OF THE PUPIL'S PUBLIC SCHOOL ACADEMY, OR HIS OR
10 HER DESIGNEE, GRANTS A GOOD CAUSE EXEMPTION FROM THE REQUIREMENTS
11 OF SUBSECTION (5) (A) FOR A PUPIL, THEN A PUPIL MAY BE PROMOTED TO
12 GRADE 4 WITHOUT MEETING THE REQUIREMENTS OF SUBSECTION (5) (A). A
13 GOOD CAUSE EXEMPTION MAY BE GRANTED ONLY ACCORDING TO THE
14 PROCEDURES UNDER SUBSECTION (10) AND ONLY FOR 1 OF THE FOLLOWING:

15 (A) THE PUPIL IS A STUDENT WITH AN INDIVIDUALIZED EDUCATION
16 PROGRAM OR WITH A SECTION 504 PLAN AND THE PUPIL'S INDIVIDUALIZED
17 EDUCATION PROGRAM TEAM OR SECTION 504 COORDINATOR, AS APPLICABLE,
18 MAKES THE DECISION TO EXEMPT THE PUPIL FROM THE REQUIREMENTS OF
19 SUBSECTION (5) (A) BASED UPON THE TEAM'S OR COORDINATOR'S KNOWLEDGE
20 OF THE PUPIL.

21 (B) THE PUPIL IS A LIMITED ENGLISH PROFICIENT STUDENT WHO HAS
22 HAD LESS THAN 3 YEARS OF INSTRUCTION IN AN ENGLISH LANGUAGE LEARNER
23 PROGRAM.

24 (C) THE PUPIL HAS RECEIVED INTENSIVE READING INTERVENTION FOR
25 2 OR MORE YEARS BUT STILL DEMONSTRATES A READING DEFICIENCY AND WAS
26 PREVIOUSLY RETAINED IN KINDERGARTEN, GRADE 1, GRADE 2, OR GRADE 3.

27 (D) THE PUPIL HAS BEEN CONTINUOUSLY ENROLLED IN HIS OR HER

1 CURRENT SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY FOR LESS THAN 2
2 YEARS AND THERE IS EVIDENCE THAT THE PUPIL WAS NOT PROVIDED WITH AN
3 APPROPRIATE INDIVIDUAL READING IMPROVEMENT PLAN UNDER SUBSECTION
4 (2) (B) BY THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY IN WHICH THE
5 PUPIL WAS PREVIOUSLY ENROLLED.

6 (E) THE PUPIL'S PARENT OR LEGAL GUARDIAN HAS REQUESTED A GOOD
7 CAUSE EXEMPTION WITHIN THE TIME PERIOD PROVIDED UNDER SUBSECTION
8 (10) (D) AND THE SUPERINTENDENT OR CHIEF ADMINISTRATOR, OR HIS OR
9 HER DESIGNEE, DETERMINES THAT THE GOOD CAUSE EXEMPTION IS IN THE
10 BEST INTERESTS OF THE PUPIL.

11 (9) SUBJECT TO SUBSECTION (14), IF A PUPIL IS PROMOTED TO
12 GRADE 4 DUE TO A GOOD CAUSE EXEMPTION GRANTED UNDER SUBSECTION (8),
13 THE PUPIL REMAINS ELIGIBLE FOR READING INTERVENTION SERVICES
14 DESIGNED TO ENABLE THE PUPIL TO ACHIEVE PROFICIENCY IN READING. THE
15 SERVICES FOR A PUPIL DESCRIBED IN THIS SUBSECTION SHALL BE SIMILAR
16 TO THOSE PROVIDED TO PUPILS IN GRADE 3 UNDER THIS SECTION.

17 (10) THE SUPERINTENDENT OF A SCHOOL DISTRICT OR CHIEF
18 ADMINISTRATOR OF A PUBLIC SCHOOL ACADEMY, OR HIS OR HER DESIGNEE,
19 SHALL GRANT A GOOD CAUSE EXEMPTION UNDER SUBSECTION (8) ONLY
20 THROUGH THE FOLLOWING PROCEDURE:

21 (A) FOR A GOOD CAUSE EXEMPTION UNDER SUBSECTION (8) (A) TO (D),
22 AT THE REQUEST OF THE PUPIL'S PARENT OR LEGAL GUARDIAN OR UPON THE
23 TEACHER'S OWN INITIATIVE, THE PUPIL'S GRADE 3 TEACHER SUBMITS TO
24 THE SUPERINTENDENT OR CHIEF ADMINISTRATOR, OR HIS OR HER DESIGNEE,
25 A RECOMMENDATION FOR A GOOD CAUSE EXEMPTION ALONG WITH
26 DOCUMENTATION THAT INDICATES THAT A GOOD CAUSE EXEMPTION UNDER
27 SUBSECTION (8) (A) TO (D) APPLIES TO THE PUPIL.

1 (B) FOR A PUPIL ENROLLED IN A SCHOOL OPERATED BY A SCHOOL
2 DISTRICT, THE SUPERINTENDENT OR HIS OR HER DESIGNEE SHALL REVIEW
3 AND DISCUSS THE RECOMMENDATION WITH THE PUPIL'S GRADE 3 TEACHER
4 AND, IF THE PUPIL HAS AN INDIVIDUALIZED EDUCATION PROGRAM, WITH THE
5 PUPIL'S INDIVIDUALIZED EDUCATION PROGRAM TEAM. AFTER THIS
6 DISCUSSION, THE SUPERINTENDENT OR HIS OR HER DESIGNEE SHALL MAKE A
7 DETERMINATION IN WRITING OF WHETHER OR NOT TO GRANT THE GOOD CAUSE
8 EXEMPTION FOR THE PUPIL. THE DECISION BY THE SUPERINTENDENT OR HIS
9 OR HER DESIGNEE IS FINAL.

10 (C) FOR A PUPIL ENROLLED IN A PUBLIC SCHOOL ACADEMY, THE CHIEF
11 ADMINISTRATOR OF THE PUBLIC SCHOOL ACADEMY, OR HIS OR HER DESIGNEE,
12 SHALL REVIEW AND DISCUSS THE RECOMMENDATION WITH THE PUPIL'S GRADE
13 3 TEACHER AND, IF THE PUPIL HAS AN INDIVIDUALIZED EDUCATION
14 PROGRAM, WITH THE PUPIL'S INDIVIDUALIZED EDUCATION PROGRAM TEAM.
15 AFTER THIS DISCUSSION, THE CHIEF ADMINISTRATOR OR HIS OR HER
16 DESIGNEE SHALL MAKE A DETERMINATION IN WRITING OF WHETHER OR NOT TO
17 GRANT THE GOOD CAUSE EXEMPTION FOR THE PUPIL. THE DECISION BY THE
18 CHIEF ADMINISTRATOR OR HIS OR HER DESIGNEE IS FINAL.

19 (D) FOR A PUPIL FOR WHOM A REQUEST HAS BEEN RECEIVED FROM THE
20 PUPIL'S PARENT OR LEGAL GUARDIAN, AS DESCRIBED IN SUBSECTION
21 (8)(E), IF THE REQUEST IS RECEIVED WITHIN 30 DAYS AFTER THE
22 NOTIFICATION BY CEPI UNDER SUBSECTION (5)(D), THE SUPERINTENDENT OF
23 THE SCHOOL DISTRICT OR CHIEF ADMINISTRATOR OF THE PUBLIC SCHOOL
24 ACADEMY, AS APPLICABLE, OR HIS OR HER DESIGNEE, SHALL REVIEW THE
25 REQUEST AND ANY SUPPORTING INFORMATION AND SHALL CONSIDER WHETHER
26 OR NOT THE GOOD CAUSE EXEMPTION IS IN THE BEST INTERESTS OF THE
27 PUPIL. AFTER THIS CONSIDERATION, HE OR SHE SHALL MAKE A

1 DETERMINATION IN WRITING OF WHETHER OR NOT TO GRANT THE GOOD CAUSE
2 EXEMPTION. THIS DETERMINATION SHALL BE MADE AND COMMUNICATED TO THE
3 PARENT OR LEGAL GUARDIAN AT LEAST 30 DAYS BEFORE THE FIRST DAY OF
4 SCHOOL FOR THE SCHOOL YEAR. THE DECISION OF THE SUPERINTENDENT OR
5 CHIEF ADMINISTRATOR, OR HIS OR HER DESIGNEE, IS FINAL.

6 (E) THE SUPERINTENDENT OF THE PUPIL'S SCHOOL DISTRICT OR CHIEF
7 ADMINISTRATOR OF THE PUPIL'S PUBLIC SCHOOL ACADEMY, OR HIS OR HER
8 DESIGNEE, SHALL NOTIFY THE PUPIL'S PARENT OR LEGAL GUARDIAN OF THE
9 DETERMINATION AND DECISION UNDER SUBDIVISION (B), (C), OR (D), AS
10 APPLICABLE.

11 (11) FOR A PUPIL OR CHILD DESCRIBED IN SUBSECTION (6) OR A
12 PUPIL WHO HAS BEEN GRANTED A GOOD CAUSE EXEMPTION UNDER SUBSECTION
13 (8), THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL PROVIDE
14 INTENSIVE READING INTERVENTION, AS DESCRIBED UNDER SUBSECTION (7),
15 FOR THE PUPIL UNTIL HE OR SHE NO LONGER HAS A READING DEFICIENCY.

16 (12) A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL NOT
17 REQUIRE A PUPIL TO REPEAT GRADE 3 MORE THAN ONCE DUE TO THE
18 OPERATION OF THIS SECTION.

19 (13) BEGINNING JUNE 4, 2019, IF A SCHOOL DISTRICT OR PUBLIC
20 SCHOOL ACADEMY CANNOT FURNISH THE NUMBER OF TEACHERS NEEDED TO
21 SATISFY 1 OR MORE OF THE CRITERIA SET FORTH IN THIS SECTION FOR A
22 SCHOOL YEAR, THEN BY THE AUGUST 15 BEFORE THE BEGINNING OF THAT
23 SCHOOL YEAR THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL
24 DEVELOP A STAFFING PLAN FOR PROVIDING SERVICES UNDER THIS SECTION.
25 THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL POST THE
26 STAFFING PLAN ON ITS WEBSITE FOR THE APPLICABLE SCHOOL YEAR. THE
27 STAFFING PLAN SHALL INCLUDE AT LEAST ALL OF THE FOLLOWING:

1 (A) A DESCRIPTION OF THE CRITERIA THAT WILL BE USED TO ASSIGN
2 A PUPIL WHO HAS BEEN IDENTIFIED AS NOT PROFICIENT IN ENGLISH
3 LANGUAGE ARTS TO A TEACHER.

4 (B) THE CREDENTIALS OR TRAINING HELD BY TEACHERS CURRENTLY
5 TEACHING AT THE SCHOOL.

6 (C) HOW THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY WILL MEET
7 THE REQUIREMENTS UNDER THIS SECTION.

8 (14) THIS SECTION DOES NOT REQUIRE OR STATE AN INTENTION TO
9 REQUIRE A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY TO SUPPLANT
10 STATE FUNDS WITH FEDERAL FUNDS FOR IMPLEMENTING OR SUPPORTING THE
11 ACTIVITIES UNDER THIS SECTION AND DOES NOT PROHIBIT A SCHOOL
12 DISTRICT OR PUBLIC SCHOOL ACADEMY FROM CONTINUING TO USE FEDERAL
13 FUNDS FOR ANY OF THE PURPOSES OR ACTIVITIES DESCRIBED IN THIS
14 SECTION.

15 (15) FOR PUPILS IDENTIFIED AS ENGLISH LANGUAGE LEARNERS BY THE
16 PUPIL'S TEACHER OR BY THE DIAGNOSTIC READING ASSESSMENT SELECTED BY
17 THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY UNDER SUBSECTION
18 (2) (A), IF AVAILABLE STAFF RESOURCES ALLOW, A SCHOOL DISTRICT OR
19 PUBLIC SCHOOL ACADEMY IS ENCOURAGED TO PROVIDE THE FOLLOWING
20 INTERVENTION SERVICES IN ADDITION TO THOSE REQUIRED UNDER
21 SUBSECTION (3) (C):

22 (A) INSTRUCTION IN THE PUPIL'S NATIVE LANGUAGE, WITH
23 WITHDRAWAL OF THAT INSTRUCTION AS APPROPRIATE AS THE PUPIL IMPROVES
24 HIS OR HER ENGLISH LANGUAGE SKILLS. A SCHOOL DISTRICT OR PUBLIC
25 SCHOOL ACADEMY IS ENCOURAGED TO PROVIDE THIS SUPPORT FOR AT LEAST
26 PUPILS WHOSE NATIVE LANGUAGE IS SPANISH, CHINESE, HINDI, KOREAN, OR
27 ARABIC.

1 (B) OPPORTUNITIES FOR SPEECH PRODUCTION.

2 (C) COMMON ENGLISH LANGUAGE DEVELOPMENT STRATEGIES SUCH AS
3 MODELING, GUIDED PRACTICE, AND COMPREHENSIVE INPUT.

4 (D) FEEDBACK FOR THE PUPIL, INCLUDING EXPLANATIONS IN HIS OR
5 HER NATIVE LANGUAGE.

6 (16) BEGINNING IN 2020, NOT LATER THAN SEPTEMBER 1 OF EACH
7 YEAR, A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL SUBMIT A
8 RETENTION REPORT TO THE CENTER FOR EDUCATIONAL PERFORMANCE AND
9 INFORMATION IN THE FORM AND MANNER PRESCRIBED BY THE CENTER. THE
10 RETENTION REPORT SHALL CONTAIN AT LEAST ALL OF THE FOLLOWING
11 INFORMATION FOR THE MOST RECENT SCHOOL YEAR:

12 (A) THE NUMBER OF PUPILS RETAINED IN GRADE 3 DUE TO THE
13 OPERATION OF THIS SECTION.

14 (B) THE NUMBER OF PUPILS PROMOTED TO GRADE 4 DUE TO A GOOD
15 CAUSE EXEMPTION UNDER SUBSECTION (8), DISAGGREGATED BY EACH OF THE
16 SPECIFIC EXEMPTIONS LISTED IN THAT SUBSECTION.

17 (17) AS USED IN THIS SECTION:

18 (A) "EVIDENCE-BASED" MEANS BASED IN RESEARCH AND WITH PROVEN
19 EFFICACY.

20 (B) "INDIVIDUALIZED EDUCATION PROGRAM" MEANS THAT TERM AS
21 DESCRIBED IN R 340.1721E OF THE MICHIGAN ADMINISTRATIVE CODE.

22 (C) "KINDERGARTEN" INCLUDES A CLASSROOM FOR YOUNG 5-YEAR-OLDS,
23 COMMONLY REFERRED TO AS "YOUNG 5S" OR "DEVELOPMENTAL KINDERGARTEN".

24 (D) "READING DEFICIENCY" MEANS SCORING BELOW GRADE LEVEL OR
25 BEING DETERMINED TO BE AT RISK OF READING FAILURE BASED ON A
26 SCREENING ASSESSMENT, DIAGNOSTIC ASSESSMENT, STANDARDIZED SUMMATIVE
27 ASSESSMENT, OR PROGRESS MONITORING.

1 (E) "READING LEADERSHIP TEAM" MEANS A COLLABORATIVE SYSTEM LED
2 BY A SCHOOL BUILDING'S PRINCIPAL OR PROGRAM DIRECTOR AND CONSISTING
3 OF A CROSS-SECTION OF FACULTY WHO ARE INTERESTED IN WORKING TO
4 IMPROVE LITERACY INSTRUCTION ACROSS THE CURRICULUM.

5 (F) "SECTION 504 PLAN" MEANS A PLAN UNDER SECTION 504 OF TITLE
6 V OF THE REHABILITATION ACT OF 1973, 29 USC 794.