

SENATE BILL NO. 379

June 10, 2025, Introduced by Senators DAMOOSE, JOHNSON, WEBBER, THEIS, BELLINO, HAUCK and NESBITT and referred to Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 1248, 1249, 1249a, 1249b, and 1280f (MCL 380.1248, 380.1249, 380.1249a, 380.1249b, and 380.1280f), section 1248 as amended by 2023 PA 116, sections 1249, 1249a, and 1249b as amended by 2023 PA 224, and section 1280f as amended by 2024 PA 146, and by adding sections 1250a, 1531l, and 1531m.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1248. (1) ~~This section does not prohibit, impair, or~~

~~limit the right or duty of a public school employer and a collective bargaining representative to engage in collective bargaining under 1947 PA 336, MCL 423.201 to 423.217. However, a collective bargaining agreement must include, at a minimum, the standards in this section.~~

~~(2) For teachers, as defined under section 1249,~~ **in section 1 of article I of 1937 (Ex Sess) PA 4, MCL 38.71, all of the following apply to policies regarding personnel decisions,** when filling a vacancy, placing a teacher in a classroom, or conducting a staffing or program reduction or any other personnel determination resulting in the elimination of a position, **when conducting a recall from a staffing or program reduction or any other personnel determination resulting in the elimination of a position, or in hiring after a staffing or program reduction or any other personnel determination resulting in the elimination of a position by a school district or intermediate school district:**

(a) Subject to subdivision (c), the board of a school district or intermediate school district ~~or the board of directors of a public school academy~~ shall not adopt, implement, maintain, or comply with a policy ~~or collective bargaining agreement~~ that provides **that length of service as or tenure status is the sole primary or determining** factor in personnel decisions ~~. This subsection does not prevent length of service from being considered as a tiebreaker if a personnel decision involves 2 or more employees and all other factors distinguishing those employees from each other are equal.~~

~~(3) The board of a school district or intermediate school district or board of directors of a public school academy shall adopt, implement, maintain, and comply with clear and transparent~~

~~procedures for all personnel decisions under this section.~~

~~Effectiveness as measured under the performance evaluation system in section 1249 or as otherwise collectively bargained must be used as a factor for personnel decisions under this section. Any other relevant factors may be used for personnel decisions under this section, including, but not limited to, the following:~~

~~(a) The teacher's length of service in a grade level or subject area.~~

~~(b) The teacher's disciplinary record.~~ **when conducting a staffing or program reduction or any other personnel determination resulting in the elimination of a position, when conducting a recall from a staffing or program reduction or any other personnel determination resulting in the elimination of a position, or in hiring after a staffing or program reduction or any other personnel determination resulting in the elimination of a position.**

(b) Subject to subdivision (c), the board of a school district or intermediate school district shall ensure that the school district or intermediate school district adopts, implements, maintains, and complies with a policy that provides that all personnel decisions when conducting a staffing or program reduction or any other personnel determination resulting in the elimination of a position, when conducting a recall from a staffing or program reduction or any other personnel determination resulting in the elimination of a position, or in hiring after a staffing or program reduction or any other personnel determination resulting in the elimination of a position, are based on retaining effective teachers. The policy must ensure that a teacher who has been rated as ineffective under the performance evaluation system under section 1249 is not given any preference that would result in that

1 teacher being retained over a teacher who is evaluated as minimally
2 effective, effective, or highly effective under the performance
3 evaluation system under section 1249. Effectiveness must be
4 measured by the performance evaluation system under section 1249,
5 and the personnel decisions must be made based on the following
6 factors:

7 (i) Individual performance must be the majority factor in
8 making the decision and must consist of, but is not limited to, all
9 of the following:

10 (A) Evidence of student growth, which must be the predominant
11 factor in assessing an employee's individual performance.

12 (B) The teacher's demonstrated pedagogical skills, including
13 at least a special determination concerning the teacher's knowledge
14 of the teacher's subject area and the ability to impart that
15 knowledge through planning, delivering rigorous content, checking
16 for and building higher-level understanding, differentiating, and
17 managing a classroom; and consistent preparation to maximize
18 instructional time.

19 (C) The teacher's management of the classroom, manner and
20 efficacy of disciplining pupils, rapport with parents and other
21 teachers, and ability to withstand the strain of teaching.

22 (D) The teacher's attendance and disciplinary record, if any.

23 (ii) Significant, relevant accomplishments and contributions.
24 This factor must be based on whether the individual contributes to
25 the overall performance of the school by making clear, significant,
26 relevant contributions above the normal expectations for an
27 individual in the individual's peer group and having demonstrated a
28 record of exceptional performance.

29 (iii) ~~(e)~~ Relevant special training. This factor ~~may~~ must be

1 based on completion of relevant training other than the
2 professional development or continuing education that is required
3 by the employer or by state law, and integration of that training
4 into instruction in a meaningful way.

5 (c) Except as otherwise provided in this subdivision, length
6 of service or tenure status must not be a factor in a personnel
7 decision described in subdivision (a) or (b). However, if that
8 personnel decision involves 2 or more employees and all other
9 factors distinguishing those employees from each other are equal,
10 length of service or tenure status may be considered as a
11 tiebreaker.

12 (2) If a teacher brings an action against a school district or
13 intermediate school district based on this section, the teacher's
14 sole and exclusive remedy is an order of reinstatement commencing
15 30 days after a decision by a court of competent jurisdiction. The
16 remedy in an action brought by a teacher based on this section does
17 not include lost wages, lost benefits, or any other economic
18 damages.

19 Sec. 1249. (1) ~~This section does not prohibit, impair, or~~
20 ~~limit the right or duty of a public school employer and a~~
21 ~~collective bargaining representative to engage in collective~~
22 ~~bargaining over the topic of performance evaluations under 1947 PA~~
23 ~~336, MCL 423.201 to 423.217, subject to the requirements in this~~
24 ~~section and section 1249b. With the involvement of teachers and~~
25 ~~school administrators, and after collective bargaining, if~~
26 ~~applicable, with any collective bargaining representative of~~
27 ~~teachers and school administrators, the board of a school district~~
28 ~~or intermediate school district or board of directors of a public~~
29 ~~school academy shall adopt and implement for all teachers and~~

1 school administrators a rigorous, transparent, and fair performance
2 evaluation system that does ~~at least~~ all of the following:

3 (a) Evaluates the teacher's or school administrator's job
4 performance while providing timely and constructive feedback.

5 (b) Establishes clear approaches to measuring student growth
6 and provides teachers and school administrators with relevant data
7 on student growth.

8 (c) Evaluates a teacher's or school administrator's job
9 performance, using multiple rating categories that take into
10 account student growth and assessment data. ~~or student learning~~
11 ~~objectives metrics. Student growth ,and assessment data ,and~~
12 ~~student learning objectives must be measured using metrics agreed~~
13 ~~upon through collective bargaining, if applicable. Before July 1,~~
14 ~~2024, the performance evaluation system implemented by a school~~
15 ~~district, intermediate school district, or public school academy~~
16 ~~under this section must include the rating of teachers as highly~~
17 ~~effective, effective, minimally effective, and ineffective.~~
18 ~~Beginning July 1, 2024, the performance evaluation system~~
19 ~~implemented by a school district, intermediate school district, or~~
20 ~~public school academy under this section must include the rating of~~
21 ~~teachers as effective, developing, and needing support.~~**multiple**
22 **measures that may include student learning objectives, achievement**
23 **of individualized education program goals, nationally normed or**
24 **locally developed assessments that are aligned to state standards,**
25 **research-based growth measures, or alternative assessments that are**
26 **rigorous and comparable across schools within the school district,**
27 **intermediate school district, or public school academy.**

28 (d) Uses the evaluations, at a minimum, to inform decisions
29 regarding ~~both~~ **all** of the following:

(i) The effectiveness of teachers and school administrators, ensuring that they are given ample opportunities for improvement.

(ii) ~~Development~~ **Promotion, retention, and development** of teachers and school administrators, including providing relevant coaching, instruction support, or professional development.

(iii) **Whether to grant tenure or full certification, or both, to teachers and school administrators using rigorous standards and streamlined, transparent, and fair procedures.**

(iv) **Removing ineffective tenured and untenured teachers and school administrators after they have had ample opportunities to improve, and ensuring that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures.**

(2) The board of a school district or intermediate school district or board of directors of a public school academy shall ensure that the performance evaluation system for teachers meets ~~at least~~ all of the following:

(a) ~~Except as otherwise provided under this subsection, the~~ **The** performance evaluation system must include at least a year-end evaluation for all teachers. The year-end evaluation must meet all of the following:

(i) ~~Before the 2024-2025 school year, 40%~~ **Forty percent** of the year-end evaluation must be based on student growth and assessment data. ~~Beginning in the 2024-2025 school year, the year-end evaluation must include locally agreed-on student growth and assessment data or student learning objectives metrics. The student growth and assessment data or student learning objectives metrics must be collectively bargained, if applicable, as determined under subsection (1)(c). Beginning in the 2024-2025 school year, 20% of the year-end evaluation must be based on student growth and~~

~~assessment data or student learning objectives metrics.~~

(ii) For core content areas in grades and subjects in which state assessments are administered, 50% of student growth must be measured using the state assessments, and the portion of student growth not measured using state assessments must be measured using multiple research-based growth measures or alternative assessments that are rigorous and comparable across schools within the school district, intermediate school district, or public school academy. Student growth also may be measured by student learning objectives or nationally normed or locally adopted assessments that are aligned to state standards, or based on achievement of individualized education program goals.

(iii) ~~(ii)~~ The portion of a teacher's year-end evaluation that is not based on student growth and assessment data, ~~or student learning objectives metrics,~~ as described ~~under~~ **in** subparagraph (i), must be based primarily on a teacher's performance as measured by the evaluation tool developed or adopted by the school district, intermediate school district, or public school academy under subdivision ~~(e)~~ **(f)**.

(iv) ~~(iii)~~ The portion of a teacher's evaluation that is not measured using student growth and assessment data, ~~or student learning objectives metrics,~~ as described ~~under~~ **in** subparagraph (i), or using the evaluation tool developed or adopted by the school district, intermediate school district, or public school academy, ~~must be based on objective criteria as described in subparagraph (iii),~~ must incorporate criteria enumerated in section 1248(1)(b)(i) to (iii) that are not otherwise evaluated under subparagraph (i) or (iii).

(b) If there are student growth and assessment data available

1 for a teacher for at least 3 school years, the year-end evaluation
 2 must be based on the student growth and assessment data for the
 3 most recent 3-consecutive-school-year period. If there are not
 4 student growth and assessment data available for a teacher for at
 5 least 3 school years, the year-end evaluation must be based on all
 6 student growth and assessment data that are available for the
 7 teacher.

8 (c) ~~(b)~~—The year-end evaluation must include specific
 9 performance goals that will assist in improving effectiveness for
 10 the next school year and are developed by the school administrator
 11 or the school administrator's designee conducting the evaluation,
 12 in consultation with the teacher, and any recommended training
 13 identified by the school administrator or designee, in consultation
 14 with the teacher, that would assist the teacher in meeting these
 15 goals. For a teacher described in subdivision ~~(e)~~, ~~(d)~~, the school
 16 administrator or designee shall develop, in consultation with the
 17 teacher, an individualized development plan that includes these
 18 goals and training and is designed to assist the teacher to improve
 19 the teacher's effectiveness.

20 (d) ~~(e)~~—The performance evaluation system must include a
 21 midyear progress report for a teacher who is in the first year of
 22 the probationary period under section 1 of article II of 1937 (Ex
 23 Sess) PA 4, MCL 38.81, or who received a rating of minimally
 24 effective ~~, or ineffective, needing support, or developing~~ in the
 25 teacher's most recent year-end evaluation. The midyear progress
 26 report must be used as a supplemental tool to gauge a teacher's
 27 improvement from the preceding school year and to assist a teacher
 28 to improve. All of the following apply to the midyear progress
 29 report:

1 **(i) The midyear progress report must be based at least in part**
 2 **on student achievement.**

3 **(ii)** ~~(i)~~—The midyear progress report must be aligned with the
 4 teacher's individualized development plan under subdivision
 5 ~~(b)~~. ~~(c)~~ .

6 **(iii)** ~~(ii)~~—The midyear progress report must include specific
 7 performance goals for the remainder of the school year that are
 8 developed by the school administrator conducting the year-end
 9 evaluation or the school administrator's designee and any
 10 recommended training identified by the school administrator or
 11 designee that would assist the teacher in meeting these goals. At
 12 the midyear progress report, the school administrator or designee
 13 shall develop, in consultation with the teacher, a written
 14 improvement plan that includes these goals and training and is
 15 designed to assist the teacher to improve the teacher's rating.

16 **(iv)** ~~(iii)~~—The midyear progress report must not take the place of
 17 a year-end evaluation.

18 **(e)** ~~(d)~~—The performance evaluation system must include
 19 classroom observations to assist in the performance evaluations.
 20 All of the following apply to these classroom observations:

21 **(i)** A classroom observation must include a review of the
 22 teacher's lesson plan and the state curriculum standard being used
 23 in the lesson and a review of pupil engagement in the lesson. ~~The~~
 24 ~~items described in this subparagraph must be discussed during a~~
 25 ~~post-observation meeting between the school administrator~~
 26 ~~conducting the observation and the teacher.~~

27 **(ii)** A classroom observation ~~must be not less than 15 minutes~~
 28 ~~but~~ does not have to be for an entire class period.

29 **(iii)** ~~There~~ **Unless a teacher has received a rating of effective**

1 **or highly effective on the teacher's 2 most recent year-end**
 2 **evaluations, there** must be at least 2 classroom observations of a
 3 **the** teacher in each school year. ~~that the teacher is evaluated. One~~
 4 **At least 1** observation ~~may~~**must** be unscheduled.

5 (iv) The school administrator responsible for the teacher's
 6 performance evaluation shall conduct at least 1 of the
 7 observations. Other observations may be conducted by other
 8 observers who are trained in the use of the evaluation tool that is
 9 used under subdivision ~~(e).~~**(f)**. These other observers may be
 10 teacher leaders.

11 (v) A school district, intermediate school district, or public
 12 school academy shall ensure that, within 30 calendar days after
 13 each observation, the teacher is provided with ~~written~~ feedback
 14 from the observation.

15 **(f)** ~~(e)~~ For the purposes of conducting year-end evaluations
 16 under the performance evaluation system, the school district,
 17 intermediate school district, or public school academy shall adopt
 18 and implement 1 or more of the evaluation tools for teachers that
 19 are included on the list under subsection (4). However, if a school
 20 district, intermediate school district, or public school academy
 21 has 1 or more local evaluation tools for teachers or modifications
 22 of an evaluation tool on the list under subsection (4), and the
 23 school district, intermediate school district, or public school
 24 academy complies with subsection (3), the school district,
 25 intermediate school district, or public school academy may conduct
 26 year-end evaluations for teachers using 1 or more local evaluation
 27 tools or modifications. The evaluation tools must be used
 28 consistently among the schools operated by a school district,
 29 intermediate school district, or public school academy so that all

1 similarly situated teachers are evaluated using the same evaluation
2 tool.

3 (g) ~~(f) Before July 1, 2024, the~~ **The** performance evaluation
4 system must assign a **an effectiveness** rating to each teacher of
5 highly effective, effective, minimally effective, or ineffective,
6 based on the teacher's year-end evaluation described in this
7 subsection. ~~Beginning July 1, 2024, the performance evaluation~~
8 ~~system must assign a rating to each teacher of effective,~~
9 ~~developing, or needing support based on the teacher's year-end~~
10 ~~evaluation described in this subsection. An evaluation and feedback~~
11 ~~concerning the evaluation must be provided, in writing, to the~~
12 ~~teacher being evaluated. However, if a written evaluation is not~~
13 ~~provided, the teacher is deemed effective.~~

14 ~~(g) A teacher must not be assigned an evaluation rating and~~
15 ~~must be designated as unevaluated for a school year if any of the~~
16 ~~following apply to the teacher:~~

17 ~~(i) The teacher worked less than 60 days in that school year.~~

18 ~~(ii) The teacher's evaluation results were vacated through the~~
19 ~~grievance procedure described in subdivision (l).~~

20 ~~(iii) There are extenuating circumstances and the teacher and~~
21 ~~the school district, intermediate school district, or public school~~
22 ~~academy agree to designate the teacher as unevaluated because of~~
23 ~~the extenuating circumstances.~~

24 ~~(h) If a teacher receives a unevaluated designation under~~
25 ~~subdivision (g), the teacher's rating from the school year~~
26 ~~immediately before that designation must be used for consecutive~~
27 ~~purposes under this section.~~

28 (h) ~~(i)~~ As part of the performance evaluation system, and in
29 addition to the requirements of section 1526, a school district,

1 intermediate school district, or public school academy ~~shall~~**is**
2 **encouraged to** assign a mentor or coach to each teacher who is
3 described in subdivision ~~(e)~~**(d)**.

4 (i) The performance evaluation system may allow for exemption
5 of student growth data for a particular pupil for a school year on
6 the recommendation of the school administrator conducting the year-
7 end evaluation or the school administrator's designee and approval
8 of the school district superintendent or the school district
9 superintendent's designee, intermediate superintendent or
10 intermediate superintendent's designee, or chief administrator of
11 the public school academy, as applicable.

12 (j) The performance evaluation system must provide that, if a
13 teacher is rated as ineffective ~~or needing support~~ on 3 consecutive
14 year-end evaluations, the school district, intermediate school
15 district, or public school academy shall, subject to 1937 (Ex Sess)
16 PA 4, MCL 38.71 to 38.191, dismiss the teacher from the teacher's
17 employment. Subject to 1937 (Ex Sess) PA 4, MCL 38.71 to 38.191,
18 this subdivision does not affect the ability of a school district,
19 intermediate school district, or public school academy to dismiss a
20 teacher from the teacher's employment regardless of whether the
21 teacher is rated as ineffective ~~or needing support~~ on 3 consecutive
22 year-end evaluations.

23 (k) The performance evaluation system must provide that, if a
24 teacher who is not in a probationary period under section 1 of
25 article II of 1937 (Ex Sess) PA 4, MCL 38.81, is rated as highly
26 effective or effective on the 3 most recent consecutive year-end
27 evaluations, the school district, intermediate school district, or
28 public school academy may conduct a year-end evaluation biennially
29 or triennially instead of annually. However, if a teacher who is

not in a probationary period under section 1 of article II of 1937 (Ex Sess) PA 4, MCL 38.81, is not rated as effective on 1 of these biennial or triennial year-end evaluations, the teacher must again be provided with year-end evaluations.

~~(l) As used in this subdivision, "teacher" means that term as defined in section 1 of article I of 1937 (Ex Sess) PA 4, MCL 38.71. The performance evaluation system must provide that, for if~~
a teacher who is not in a probationary period under section 1 of article II of 1937 (Ex Sess) PA 4, MCL 38.81, and is rated as **needing support** ~~ineffective~~ on a year-end evaluation, the ~~following options must be made available to the teacher:~~

~~(i) The teacher may request a review of the evaluation and the rating by the school district superintendent, or intermediate superintendent, or chief administrator of the public school academy, as applicable. The request for a review must be submitted in writing within 30-20 calendar days after the teacher is informed of the rating. Upon receipt of the request, the school district superintendent, or intermediate superintendent, or chief administrator of the public school academy, as applicable, shall review the evaluation and rating and may make any modifications as appropriate based on the school district superintendent's, or intermediate superintendent's, or chief administrator's review. A written response regarding the school district superintendent's or intermediate superintendent's findings must be provided to the teacher who requested the review by not later than 30 calendar days after receipt of the request for a review and before making any modifications under this section.~~

~~(ii) If the written response from the school district superintendent's or intermediate superintendent's review does not~~

~~1 resolve the matter, the teacher or collective bargaining
2 representative may request mediation as provided for in 1947 PA
3 336, 423.201 to 423.217. The request for mediation must be
4 submitted in writing within 30 calendar days after the teacher
5 receives the written response from the school district
6 superintendent or intermediate superintendent. Within 15 days of
7 receipt of the request, the school district superintendent or
8 intermediate superintendent must provide a written response to the
9 teacher or collective bargaining representative stating that the
10 mediation will be scheduled as appropriate.~~

~~11 (iii) If a teacher receives 2 consecutive ratings of needing
12 support, the teacher may demand to use the grievance procedure of
13 an applicable collective bargaining agreement or employment
14 contract that concerns the teacher's second evaluation rating and
15 the evaluation process. If a collective bargaining agreement or
16 employment contract does not contain a grievance procedure that
17 ends in binding arbitration, the teacher may request binding
18 arbitration by filing a demand for arbitration with the American
19 Arbitration Association within 30 calendar days after the teacher
20 receives the written response from the school district
21 superintendent or intermediate superintendent. The arbitration is
22 subject to the uniform arbitration act, 2012 PA 371, MCL 691.1681
23 to 691.1713. The arbitration described in this subparagraph must
24 adhere to both of the following:~~

~~25 (A) The arbitrator must be selected through procedures
26 administered by the American Arbitration Association in accordance
27 with its rules.~~

~~28 (B) The arbitrator must have the authority to issue any
29 appropriate remedy.~~**However, the performance evaluation system must**

1 not allow for a review as described in this subdivision more than
2 twice in a 3-school-year period.

3 (m) The school district, intermediate school district, or
4 public school academy shall provide training to teachers on the
5 evaluation tool or tools used by the school district, intermediate
6 school district, or public school academy in its performance
7 evaluation system and on how each evaluation tool is used. This
8 training may be provided by a school district, intermediate school
9 district, or public school academy, or by a consortium consisting
10 of 2 or more of these.

11 (n) A school district, intermediate school district, or public
12 school academy shall ensure that training is provided to all
13 evaluators and observers. The training must be provided by an
14 individual who has expertise in the evaluation tool or tools used
15 by the school district, intermediate school district, or public
16 school academy that may include either a consultant on that
17 evaluation tool or framework or an individual who has been trained
18 to train others in the use of the evaluation tool or tools. This
19 subdivision does not prohibit a school district, intermediate
20 school district, public school academy, or consortium consisting of
21 2 or more of these, from providing the training in the use of the
22 evaluation tool or tools if the trainer has expertise in the
23 evaluation tool or tools.

24 (3) A school district, intermediate school district, or public
25 school academy shall post on its public website all of the
26 following information about the evaluation tool or tools it uses
27 for its performance evaluation system for teachers:

28 (a) The research base for the evaluation framework,
29 instrument, and process or, if the school district, intermediate

1 school district, or public school academy adapts or modifies an
2 evaluation tool from the list under subsection (4), the research
3 base for the listed evaluation tool and an assurance that the
4 adaptations or modifications do not compromise the validity of that
5 research base.

6 (b) The identity and qualifications of the author or authors
7 or, if the school district, intermediate school district, or public
8 school academy adapts or modifies an evaluation tool from the list
9 under subsection (4), the identity and qualifications of a person
10 with expertise in teacher evaluations who has reviewed the adapted
11 or modified evaluation tool.

12 (c) Either evidence of reliability, validity, and efficacy or
13 a plan for developing that evidence or, if the school district,
14 intermediate school district, or public school academy adapts or
15 modifies an evaluation tool from the list under subsection (4), an
16 assurance that the adaptations or modifications do not compromise
17 the reliability, validity, or efficacy of the evaluation tool or
18 the evaluation process.

19 (d) The evaluation frameworks and rubrics with detailed
20 descriptors for each performance level on key summative indicators.

21 (e) A description of the processes for conducting classroom
22 observations, collecting evidence, conducting evaluation
23 conferences, developing performance ratings, and developing
24 performance improvement plans.

25 (f) A description of the plan for providing evaluators and
26 observers with training.

27 (4) The department shall establish and maintain a list of
28 teacher evaluation tools that have demonstrated evidence of
29 efficacy and that may be used for the purposes of this section.

1 **That list initially must include at least the evaluation models**
2 **recommended in the final recommendations released by the Michigan**
3 **council on educator effectiveness in July 2013.** The list must
4 include a statement indicating that school districts, intermediate
5 school districts, and public school academies are not limited to
6 only using the evaluation tools that are included on the list. A
7 school district, intermediate school district, or public school
8 academy is not required to use an evaluation tool for teacher
9 evaluations that is the same as it uses for school administrator
10 evaluations or that has the same author or authors as the
11 evaluation tool it uses for school administrator evaluations. The
12 department shall promulgate rules establishing standards and
13 procedures for adding an evaluation tool to or removing an
14 evaluation tool from the list. These rules must include a process
15 for a school district, intermediate school district, or public
16 school academy to submit its own evaluation tool for review for
17 placement on the list.

18 ~~(5) By not later than September 1, 2024, and every 3 years~~
19 ~~thereafter, each individual who conducts an evaluation under this~~
20 ~~section or section 1249b shall complete a rater reliability~~
21 ~~training provided by the school district, intermediate school~~
22 ~~district, public school academy, or the entity that employs the~~
23 ~~individual. The training must include at least all of the~~
24 ~~following:~~

25 ~~(a) A clear and consistent set of evaluation criteria that all~~
26 ~~evaluators can use when assessing teacher performance.~~

27 ~~(b) Clear expectations for what evaluators should look for~~
28 ~~when assessing teacher performance, including identifying key~~
29 ~~behaviors and practices that are associated with effective~~

1 teaching.

2 ~~(c) Training on the evaluation process itself, including how~~
 3 ~~to conduct classroom observations, collect data, and analyze~~
 4 ~~results.~~

5 ~~(d) Calibration exercises that help evaluators practice using~~
 6 ~~the evaluation criteria and establish consistency in the~~
 7 ~~evaluator's evaluations.~~

8 ~~(e) Ongoing support for evaluators, including feedback and~~
 9 ~~coaching to help the evaluators improve their skills and ensure~~
 10 ~~they are consistently applying the evaluation criteria.~~

11 **(5) This section does not affect the operation or**
 12 **applicability of section 1248.**

13 (6) As used in this section, ÷

14 ~~(a) "Student learning objectives" means measurable, long-term,~~
 15 ~~academic goals, informed by available data, that a teacher or~~
 16 ~~teacher team sets at the beginning of the year for all students.~~

17 ~~(b) "Teacher" "teacher" means , except as otherwise provided~~
 18 ~~in this section,~~ an individual who has a valid Michigan teaching
 19 certificate or authorization or who is engaged to teach under
 20 section 1233b; who is employed, or contracted for, by a school
 21 district, intermediate school district, or public school academy;
 22 and who is assigned by the school district, intermediate school
 23 district, or public school academy to deliver direct instruction to
 24 pupils in any of grades K to 12 as a teacher of record.

25 Sec. 1249a. (1) Subject to subsection (2), a school district,
 26 intermediate school district, or public school academy shall not
 27 assign a pupil to be taught in the same subject area for 2
 28 consecutive years by a teacher who has been rated as ineffective ~~or~~
 29 ~~needing support~~ on the teacher's 2 most recent annual year-end

1 evaluations under section 1249.

2 (2) If a school district, intermediate school district, or
3 public school academy is unable to comply with subsection (1) and
4 plans to assign a pupil to be taught in the same subject area for 2
5 consecutive years by a teacher who has been rated as ineffective ~~or~~
6 ~~needing support~~ on the teacher's 2 most recent annual year-end
7 evaluations under section 1249, the board of the school district or
8 intermediate school district or board of directors of the public
9 school academy in which the pupil is enrolled must notify the
10 pupil's parent or legal guardian that the board or board of
11 directors is unable to comply with subsection (1) and that the
12 pupil has been assigned to be taught in the same subject area for a
13 second consecutive year by a teacher who has been rated as
14 ineffective ~~or needing support~~ on the teacher's 2 most recent
15 annual year-end evaluations. The notification must be in writing,
16 must be delivered to the parent or legal guardian not later than
17 July 15 immediately preceding the beginning of the school year for
18 which the pupil is assigned to the teacher, and must include an
19 explanation of why the board or board of directors is unable to
20 comply with subsection (1). ~~However, if the teacher requested a~~
21 ~~review of the teacher's evaluation rating under section 1249, the~~
22 ~~board of the school district or intermediate school district must~~
23 ~~not issue the notification described in this subsection until the~~
24 ~~review process under section 1249 is complete.~~

25 Sec. 1249b. (1) ~~This section does not prohibit, impair, or~~
26 ~~limit the right or duty of a public school employer and a~~
27 ~~collective bargaining representative to engage in collective~~
28 ~~bargaining over the topic of performance evaluations under 1947 PA~~
29 ~~336, MCL 423.201 to 423.217, subject to the requirements in this~~

~~section and section 1249. After collective bargaining, if applicable, with any collective bargaining representative to school administrators, the~~ **The** board of a school district or intermediate school district or board of directors of a public school academy shall ensure that the performance evaluation system for building-level school administrators and for central-office-level school administrators who are regularly involved in instructional matters meets ~~at least~~ all of the following:

(a) ~~Except as otherwise provided in this subsection, the~~ **The** performance evaluation system must include **at least** an annual evaluation for all school administrators described in this subsection by the school district superintendent or the school district superintendent's designee, intermediate superintendent or the intermediate superintendent's designee, or chief administrator of the public school academy, as applicable. However, a superintendent or chief administrator must be evaluated by the board or board of directors or, if the superintendent or chief administrator is not employed directly by the board or board of directors, by the designee of the board or board of directors.

(b) ~~Before the 2024-2025 school year, 40%~~ **Forty percent** of the annual evaluation must be based on student growth and assessment data. ~~Beginning in the 2024-2025 school year, the annual evaluation must include the student growth and assessment data or student learning objectives metrics determined under section 1249(1)(c).~~ **Beginning in the 2024-2025 school year, 20% of the annual evaluation must be based on student growth and assessment data or student learning objectives. The student growth and assessment data to be used for the school administrator annual evaluation are the aggregate student growth and assessment data that are used in**

1 teacher year-end evaluations in each school in which the school
2 administrator works as an administrator or, for a central office-
3 level school administrator, for the entire school district or
4 intermediate school district.

5 (c) For the purposes of conducting evaluations under the
6 performance evaluation system, the school district, intermediate
7 school district, or public school academy shall develop or adopt
8 and implement an evaluation tool for school administrators. The
9 **portion of a school administrator's evaluation that is not based on**
10 **student growth** must be based primarily on the school
11 administrator's performance as measured by this evaluation tool.

12 (d) The portion of the evaluation that is not based on student
13 growth and assessment data ~~or student learning objectives as~~
14 provided under subdivision (b) or on an evaluation tool as provided
15 under subdivision (c) must be based on ~~objective criteria.~~ **at least**
16 **the following for each school in which the school administrator**
17 **works as an administrator or, for a central-office-level school**
18 **administrator, for the entire school district or intermediate**
19 **school district:**

20 (i) If the school administrator conducts teacher performance
21 evaluations, the school administrator's proficiency in using the
22 evaluation tool for teachers used by the school district,
23 intermediate school district, or public school academy under
24 section 1249. If the school administrator designates another person
25 to conduct teacher performance evaluations, the evaluation of the
26 school administrator on this factor must be based on the designee's
27 proficiency in using the evaluation tool for teachers used by the
28 school district, intermediate school district, or public school
29 academy under section 1249, with the designee's performance to be

1 counted as if it were the school administrator personally
2 conducting the teacher performance evaluations.

3 (ii) The progress made by the school or school district in
4 meeting the goals set forth in the school's school improvement plan
5 or the school district's school improvement plans.

6 (iii) Pupil attendance in the school or school district.

7 (iv) Student, parent, and teacher feedback, as available, and
8 other information considered pertinent by the superintendent or
9 other school administrator conducting the performance evaluation or
10 the board or board of directors.

11 (e) For the purposes of conducting evaluations under the
12 performance evaluation system, the school district, intermediate
13 school district, or public school academy shall adopt and implement
14 1 or more of the evaluation tools for school administrators that
15 are included on the list under subsection (3). However, if a school
16 district, intermediate school district, or public school academy
17 has 1 or more local evaluation tools for school administrators or
18 modifications of an evaluation tool on the list under subsection
19 (3), and the school district, intermediate school district, or
20 public school academy complies with subsection (2), the school
21 district, intermediate school district, or public school academy
22 may conduct annual evaluations for school administrators using 1 or
23 more local evaluation tools or modifications.

24 (f) The evaluation tool and other measures used by the school
25 district, intermediate school district, or public school academy in
26 its performance evaluation system for school administrators must be
27 used consistently across the schools operated by a school district,
28 intermediate school district, or public school academy so that all
29 similarly situated school administrators are evaluated using the

1 same measures.

2 (g) ~~Before July 1, 2024, the~~ **The** performance evaluation system
3 must assign a **an effectiveness** rating to each school administrator
4 described in this subsection of highly effective, effective,
5 minimally effective, or ineffective. ~~Beginning July 1, 2024, the~~
6 ~~performance evaluation system must assign a rating to each school~~
7 ~~administrator described in this subsection of effective,~~
8 ~~developing, or needing support. An evaluation and feedback~~
9 ~~concerning the evaluation must be provided, in writing, to the~~
10 ~~school administrator being evaluated. However, if a written~~
11 ~~evaluation is not provided, the school administrator is deemed~~
12 ~~effective.~~

13 ~~(h) For a building-level school administrator's evaluation,~~
14 ~~the individual conducting the evaluation shall visit the school~~
15 ~~building where the building-level school administrator works,~~
16 ~~review the building-level school administrator's school improvement~~
17 ~~plan, and observe classrooms with the building-level school~~
18 ~~administrator to collect evidence of the school improvement plan~~
19 ~~strategies being implemented and the impact the school improvement~~
20 ~~plan has on learning.~~

21 ~~(i) A school administrator must not be assigned an evaluation~~
22 ~~rating and must be designated as unevaluated for a year if any of~~
23 ~~the following apply to the school administrator:~~

24 ~~(i) The school administrator worked less than 60 days in that~~
25 ~~year.~~

26 ~~(ii) The school administrator's evaluation results were vacated~~
27 ~~through the grievance procedure or arbitration described in~~
28 ~~subdivision (p) or (q).~~

29 ~~(iii) There are extenuating circumstances and the school~~

~~administrator and the school district, intermediate school district, or public school academy agree to designate the school administrator as unevaluated because of the extenuating circumstances.~~

~~(j) If a school administrator is designated as unevaluated under subdivision (i) the school administrator's rating from the year immediately before that designation must be used for consecutive purposes under this section if both of the following are met:~~

~~(i) The school administrator continues to be employed in the same position that the school administrator was employed in the year before the school administrator received the unevaluated designation.~~

~~(ii) The school administrator continues to be employed by the same school district, intermediate school district, or public school academy that employed the school administrator in the year before the school administrator received the unevaluated designation.~~

~~(h) (k)~~ The performance evaluation system must ensure that if a school administrator described in this subsection is rated as ~~developing or needing support,~~ **minimally effective or ineffective,** the individual conducting the evaluation shall develop and require the school administrator to implement an improvement plan to correct the deficiencies. The improvement plan must recommend professional development opportunities and other actions designed to improve the rating of the school administrator on the school administrator's next evaluation.

~~(i) (l)~~ The performance evaluation system must provide that, if a school administrator described in this subsection is rated as

1 ~~ineffective or needing support~~ on 3 consecutive evaluations, the
 2 school district, intermediate school district, or public school
 3 academy shall dismiss the school administrator from the school
 4 administrator's employment. This subdivision does not affect the
 5 ability of a school district, intermediate school district, or
 6 public school academy to dismiss a school administrator from the
 7 school administrator's employment regardless of whether the school
 8 administrator is rated as ineffective ~~or needing support~~ on 3
 9 consecutive evaluations.

10 (j) ~~(m)~~ The performance evaluation system must provide that,
 11 if a school administrator is rated as highly effective ~~or effective~~
 12 on the 3 most recent consecutive evaluations, the school district,
 13 intermediate school district, or public school academy may choose
 14 to conduct an evaluation biennially instead of annually. However,
 15 if ~~any of the following occur, a school administrator's evaluation~~
 16 ~~must be conducted annually:~~

17 ~~(i)~~ ~~The~~ a school administrator is not rated as **highly** effective
 18 on 1 of these biennial evaluations, -

19 ~~(ii)~~ ~~For a building-level school administrator, the school~~
 20 ~~administrator's supervisor or evaluator changes.~~

21 ~~(iii)~~ ~~For an individual employed as a school district~~
 22 ~~superintendent, an intermediate superintendent, or a chief~~
 23 ~~administrator, the individual obtains employment with a different~~
 24 ~~school district, intermediate school district, or public school~~
 25 ~~academy.~~

26 ~~(n)~~ ~~The performance evaluation system must include a midyear~~
 27 ~~progress report for a school administrator each year that the~~
 28 ~~school administrator is evaluated. The midyear progress report must~~
 29 ~~be used as a supplemental tool to gauge a school administrator's~~

~~improvement from the preceding evaluation and to assist a school administrator to improve. Both of the following apply to the midyear progress report:~~

~~(i) The midyear progress report must include specific performance goals for the remainder of the school year for building-level school administrators, or for the remainder of the calendar year for all other school administrators, that are developed by the individual conducting the annual evaluation or the individual's designee and any recommended training identified by the individual or designee that would assist the school administrator in meeting these goals. At the midyear progress report, the individual conducting the annual evaluation or the individual's designee shall develop, in consultation with the school administrator, a written improvement plan that includes these goals and training and is designed to assist the school administrator to improve the school administrator's rating.~~

~~(ii) The midyear progress report must not take the place of an annual evaluation.~~

~~(e) As part of the performance evaluation system, a school district, intermediate school district, or public school academy shall assign a mentor or coach to each school administrator, not including a school district superintendent, an intermediate superintendent, or a chief administrator, for the first 3 years in which the school administrator is in a new administrative position.~~

~~(p) The performance evaluation system must provide that, if a school administrator who is not a school district superintendent or an intermediate superintendent or who is not employed by or assigned to work at a public school academy is rated as needing support on an evaluation, the following options must be made~~

1 ~~available to the school administrator, as applicable.~~

2 ~~(i) The school administrator may request a review of the~~
3 ~~evaluation and the rating by the school district superintendent or~~
4 ~~intermediate superintendent, as applicable. The request for a~~
5 ~~review must be submitted in writing within 30 calendar days after~~
6 ~~the school administrator is informed of the rating. Upon receipt of~~
7 ~~the request, the school district superintendent or intermediate~~
8 ~~superintendent, as applicable, shall review the evaluation and~~
9 ~~rating and may make any modifications as appropriate based on the~~
10 ~~school district superintendent's or intermediate superintendent's~~
11 ~~review. A written response regarding the school district~~
12 ~~superintendent's or intermediate superintendent's findings must be~~
13 ~~provided to the school administrator who requested the review by~~
14 ~~not later than 30 calendar days after receipt of the request for a~~
15 ~~review and before making any modifications under this section.~~

16 ~~(ii) If the written response from the school district~~
17 ~~superintendent's or intermediate superintendent's review does not~~
18 ~~resolve the matter, the school administrator or collective~~
19 ~~bargaining representative may request mediation. The request for~~
20 ~~mediation must be submitted in writing within 30 calendar days~~
21 ~~after the school administrator receives the written response from~~
22 ~~the school district superintendent or intermediate superintendent.~~
23 ~~Within 15 days of receipt of the request, the school district~~
24 ~~superintendent or intermediate superintendent must provide a~~
25 ~~written response to the school administrator or collective~~
26 ~~bargaining representative stating that the mediation will be~~
27 ~~scheduled as appropriate.~~

28 ~~(iii) If the school administrator receives 2 consecutive ratings~~
29 ~~of needing support, the school administrator may demand to use the~~

~~grievance procedure of an applicable collective bargaining agreement or of a contract governing the school administrator's employment that concerns the school administrator's second evaluation rating and the evaluation process. If a collective bargaining agreement or a contract governing the school administrator's employment does not contain a grievance procedure that ends in binding arbitration, the school administrator may request binding arbitration by filing a demand for arbitration with the American Arbitration Association within 30 calendar days after the school administrator receives the written response from the school district superintendent or intermediate superintendent. The arbitration is subject to the uniform arbitration act, 2012 PA 371, MCL 691.1681 to 691.1713. The arbitration described in this subparagraph must adhere to both of the following:~~

~~(A) The arbitrator must be selected through procedures administered by the American Arbitration Association in accordance with its rules.~~

~~(B) The arbitrator must have the authority to issue any appropriate remedy.~~

~~(q) The contract governing the employment of a school district superintendent or intermediate superintendent must include an appeal process concerning the evaluation process and rating received. This subdivision applies only to a contract that is entered into, extended, renewed, or modified on or after the effective date of the amendatory act that added this sentence.~~
the school administrator shall again be provided with annual evaluations.

(k) ~~(r)~~ The school district, intermediate school district, or public school academy shall provide training to school

1 administrators on the measures used by the school district,
 2 intermediate school district, or public school academy in its
 3 performance evaluation system for school administrators and on how
 4 each of the measures is used. This training may be provided by a
 5 school district, intermediate school district, or public school
 6 academy, or by a consortium consisting of 2 or more of these.

7 (l) ~~(s)~~—A school district, intermediate school district, or
 8 public school academy shall ensure that training is provided to all
 9 evaluators and observers. The training must be provided by an
 10 individual who has expertise in the evaluation tool or tools used
 11 by the school district, intermediate school district, or public
 12 school academy, which may include either a consultant on that
 13 evaluation tool or framework or an individual who has been trained
 14 to train others in the use of the evaluation tool or tools. This
 15 subdivision does not prohibit a school district, intermediate
 16 school district, public school academy, or consortium consisting of
 17 2 or more of these, from providing the training in the use of the
 18 evaluation tool or tools if the trainer has expertise in the
 19 evaluation tool or tools.

20 (2) A school district, intermediate school district, or public
 21 school academy shall post on its public website all of the
 22 following information about the measures it uses for its
 23 performance evaluation system for school administrators:

24 (a) The research base for the evaluation framework,
 25 instrument, and process or, if the school district, intermediate
 26 school district, or public school academy adapts or modifies an
 27 evaluation tool from the list under subsection (3), the research
 28 base for the listed evaluation tool and an assurance that the
 29 adaptations or modifications do not compromise the validity of that

1 research base.

2 (b) The identity and qualifications of the author or authors
3 or, if the school district, intermediate school district, or public
4 school academy adapts or modifies an evaluation tool from the list
5 under subsection (3), the identity and qualifications of a person
6 with expertise in teacher evaluations who has reviewed the adapted
7 or modified evaluation tool.

8 (c) Either evidence of reliability, validity, and efficacy or
9 a plan for developing that evidence or, if the school district,
10 intermediate school district, or public school academy adapts or
11 modifies an evaluation tool from the list under subsection (3), an
12 assurance that the adaptations or modifications do not compromise
13 the reliability, validity, or efficacy of the evaluation tool or
14 the evaluation process.

15 (d) The evaluation frameworks and rubrics, with detailed
16 descriptors for each performance level on key summative indicators.

17 (e) A description of the processes for collecting evidence,
18 conducting evaluation conferences, developing performance ratings,
19 and developing performance improvement plans.

20 (f) A description of the plan for providing evaluators and
21 observers with training.

22 (3) The department shall establish and maintain a list of
23 school administrator evaluation tools that have demonstrated
24 evidence of efficacy and that may be used for the purposes of this
25 section. That list initially must include at least the 2 evaluation
26 models recommended in the final recommendations released by the
27 Michigan council on educator effectiveness in July 2013. The list
28 must include a statement indicating that school districts,
29 intermediate school districts, and public school academies are not

1 limited to only using the evaluation tools that are included on the
2 list. A school district, intermediate school district, or public
3 school academy is not required to use an evaluation tool for school
4 administrator evaluations that is the same as it uses for teacher
5 evaluations or that has the same author or authors as the
6 evaluation tool it uses for teacher evaluations. The department
7 shall promulgate rules establishing standards and procedures for
8 adding an evaluation tool to or removing an evaluation tool from
9 the list. These rules must include a process for a school district,
10 intermediate school district, or public school academy to submit
11 its own evaluation tool for review for placement on the list.

12 ~~(4) As used in this section, "student learning objectives"~~
13 ~~means that term as defined in section 1249.~~

14 **Sec. 1250a. Except as otherwise provided in this section, a**
15 **school district, intermediate school district, or public school**
16 **academy shall implement and maintain a method of compensation for**
17 **its teachers and school administrators that includes job**
18 **performance and job accomplishments as a significant factor in**
19 **determining compensation and additional compensation. The**
20 **assessment of job performance must incorporate a rigorous,**
21 **transparent, and fair evaluation system that evaluates a teacher's**
22 **or school administrator's performance at least in part based on**
23 **data on student growth as measured by assessments and other**
24 **objective criteria.**

25 Sec. 1280f. (1) The department shall do all of the following
26 to help ensure that more pupils will achieve a score of at least
27 proficient in English language arts on the grade 3 state
28 assessment:

29 (a) Subject to subsection (4) and subject to the availability

1 of valid and reliable assessments, approve 3 or more valid and
2 reliable screening and progress-monitoring reading assessments for
3 selection and use by school districts and public school academies
4 in accordance with the following:

5 (i) Each approved assessment must provide a screening
6 assessment and monitoring capabilities for monitoring progress
7 toward a growth target.

8 (ii) In determining which assessments to approve for use by
9 school districts and public school academies, the department shall
10 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 (D) The degree of compatibility with other approved statewide
18 assessment measures, to minimize the impact on instructional time.

19 (b) Recommend or develop a literacy coach model with the
20 following features:

21 (i) Except as otherwise provided in this section, district-
22 identified literacy coaches shall support teachers to use what was
23 taught during initial professional development in all of the
24 following:

25 (A) Providing instruction meeting the criteria listed in
26 subsection (10)(a)(iv) as needed, based on an analysis of pupil
27 performance data.

28 (B) Administering, scoring, and interpreting assessments under
29 this section with fidelity.

1 (C) Providing differentiated instruction and intensive
2 intervention, including, but not limited to, methods to intensify
3 instructional interventions for decoding and word recognition.

4 (D) Using data diagnostically to adjust intervention
5 instruction and to understand reasons why a pupil may not be
6 responding to intervention instruction as expected.

7 (E) Using progress monitoring.

8 (F) Identifying and addressing reading deficiency.

9 (G) Using evidence-based instructional methods and the
10 features of evidence-based interventions for pupils who experience
11 difficulties with decoding and word recognition.

12 (H) The professional learning requirements under subsection
13 (7), as appropriate.

14 (I) The appropriate use of statewide professional learning
15 tools and evidence-based practices that meet the research
16 requirements consistent with the science of reading.

17 (ii) Except as otherwise provided in this section, district-
18 identified literacy coaches shall also do all of the following:

19 (A) Model evidence-based instructional strategies for
20 teachers.

21 (B) Facilitate study groups.

22 (C) Advise in developing schoolwide and classroom
23 infrastructure to meet the collective and individual needs of
24 pupils using a multi-tiered system of support (MTSS).

25 (D) Train teachers and school staff in data analysis and using
26 data to differentiate instruction.

27 (E) Coach and mentor colleagues.

28 (F) Work with teachers to ensure that evidence-based reading
29 curriculum resources such as comprehensive core reading curriculum

1 resources and reading intervention programs are implemented with
2 fidelity.

3 (G) Train teachers and school staff to identify and address
4 reading deficiency.

5 (H) Work with teachers in applying evidence-based reading
6 strategies in other content areas, including, but not limited to,
7 prioritizing time spent on those teachers, activities, and roles
8 that will have the greatest impact on pupil achievement and
9 prioritizing coaching and mentoring in classrooms.

10 (I) Help to increase instructional density to meet the needs
11 of all pupils.

12 (J) Help lead and support reading leadership teams at the
13 school.

14 (K) Continue to increase the district-identified literacy
15 coach's knowledge base in best practices in reading instruction and
16 intervention that are supported by the research requirements
17 consistent with the science of reading.

18 (L) For each teacher who teaches in a classroom for grades K
19 to 3 and for each teacher whose classroom includes a pupil with an
20 individual reading improvement plan, model for the teacher, and
21 coach the teacher in, instruction with pupils in whole and small
22 groups.

23 (iii) In the context of performing the functions described in
24 subparagraph (ii), a district-identified literacy coach must not be
25 asked to perform administrative functions that will confuse the
26 district-identified literacy coach's role for a teacher's role.

27 (iv) District-identified literacy coaches must meet all of the
28 following:

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

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

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

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

9 (E) By the beginning of the 2027-2028 school year, meet the
10 professional learning requirements under subsection (7).

11 (v) A district-identified literacy coach must not be assigned
12 a regular classroom teaching assignment, but is expected to work
13 frequently with pupils in whole and small group intervention
14 instruction by modeling and coaching in or outside of teachers'
15 classrooms.

16 (c) By the beginning of the 2027-2028 school year, provide
17 technical assistance to school districts, intermediate school
18 districts, public school academies, and the schools operated by the
19 school districts, intermediate school districts, and public school
20 academies to aid the school districts, intermediate school
21 districts, public school academies, and the schools operated by the
22 school districts, intermediate school districts, and public school
23 academies in reporting information contained in a pupil's
24 individual reading improvement plan.

25 (2) Beginning not later than September 1, 2025, the department
26 shall develop dyslexia expertise to provide technical assistance to
27 school districts, intermediate school districts, and public school
28 academies regarding dyslexia and underlying factors that place
29 pupils at risk for difficulties in learning to decode accurately

1 and efficiently. The department shall offer expertise under this
2 subsection by providing guidance on at least both of the following:

3 (a) Structured literacy.

4 (b) Professional learning about dyslexia to school districts,
5 intermediate school districts, and public school academies.

6 (3) To support the implementation of the requirements under
7 this section, the department, based on current research, shall
8 regularly review and update the Michigan Dyslexia Handbook or a
9 similar publicly available dyslexia resource guide that includes
10 information regarding the education of pupils with dyslexia or
11 characteristics of dyslexia, to be used by school districts,
12 intermediate school districts, and public school academies. Reviews
13 and updates under this subsection must be conducted at an interval
14 not to exceed 5 years.

15 (4) By not later than January 1, 2026, the department shall
16 provide a list of approved valid and reliable screening and
17 progress monitoring reading assessments for selection and use by
18 school districts and public school academies under subsection (1)
19 and, in addition to meeting applicable requirements under
20 subsection (1), identify, within each approved assessment for
21 selection and use by school districts and public school academies
22 under subsection (1), a list of the elements of a reliable and
23 valid universal screening assessment for the purpose of identifying
24 pupils with characteristics of dyslexia or difficulties in learning
25 to decode accurately and efficiently that are or are not included
26 in the approved assessment. Beginning not later than September 1,
27 2026, the department shall develop dyslexia expertise to provide
28 technical assistance to school districts, intermediate school
29 districts, and public school academies regarding the appropriate

1 selection and use at each grade level of reliable and valid
2 universal screening assessments for the identification of pupils
3 who exhibit characteristics of dyslexia and pupils who display
4 difficulties in learning to decode accurately and efficiently,
5 including those described in subsection (1), to minimize the impact
6 on instructional time.

7 (5) By not later than January 1, 2026, the department shall
8 publish a list of evidence-based tier 1, class-wide elementary
9 reading curricula and materials that are aligned with science of
10 reading methods that research has shown to improve literacy
11 outcomes and help pupils achieve reading proficiency. The
12 department shall develop dyslexia expertise to provide technical
13 assistance to school districts, intermediate school districts, and
14 public school academies regarding evidence-based instructional
15 methods and the features of evidence-based interventions for pupils
16 exhibiting the characteristics of dyslexia or pupils who have
17 difficulties in learning to decode accurately and efficiently that
18 include instructional methods and curriculum resources that use a
19 code emphasis approach to address the decoding and word-recognition
20 components of reading and that are supported by the science of
21 reading. Except as otherwise provided in this section, the
22 instructional methods and curriculum resources described in this
23 subsection must not include instructional methods or curriculum
24 resources that minimize the importance of primarily using letter-
25 sound information to decode or recognize unknown words, including,
26 but not limited to, any of the uses of letter-sound information
27 described in subsection (23)(c)(iii)(A) to (E), unless such
28 instructional methods and curriculum resources are being used to
29 confirm the meaning of unknown words after decoding has been

1 attempted.

2 (6) By not later than August 1, 2027, each school district,
3 intermediate school district, and public school academy shall
4 update its selection of a valid and reliable screening and
5 progress-monitoring reading assessment under subsection (9) to
6 ensure that the selected system includes a reliable and valid
7 universal screening assessment in accordance with subsection (4)
8 and the guidance provided by the department under subsection (4),
9 if it does not do so already. In complying with this subsection, a
10 school district, intermediate school district, or public school
11 academy shall minimize the impact on instructional time by
12 selecting approved assessments that include elements fulfilling
13 multiple assessment requirements as described in subsection (18),
14 or, when appropriate, by adding approved assessment measures or
15 combining compatible approved assessments that, when utilized
16 together, include all of the elements of a reliable and valid
17 universal screening assessment.

18 (7) By not later than the beginning of the 2027-2028 school
19 year, each school district, intermediate school district, and
20 public school academy shall provide assurance to the department
21 that all literacy consultants, literacy coaches, and other
22 personnel providing reading intervention or reading instruction to
23 grades K to 12 pupils in the school district, intermediate school
24 district, or public school academy received professional learning,
25 as determined by the department, regarding all of the following:

26 (a) The characteristics of dyslexia and underlying factors
27 that place pupils at risk for difficulties in learning to decode
28 accurately and efficiently.

29 (b) Secondary consequences of dyslexia, such as problems in

1 reading comprehension and a reduced reading experience that can
2 impede the growth of vocabulary and background knowledge and lead
3 to social, emotional, and behavioral difficulties.

4 (c) Instructional adjustments for pupils with dyslexia and
5 instructional adjustments to address the underlying factors that
6 place pupils at risk for difficulties in learning to decode
7 accurately and efficiently.

8 (d) Methods to develop schoolwide and classroom infrastructure
9 to meet the collective and individual needs of pupils using a
10 multi-tiered system of support (MTSS).

11 (e) Evidence-based instructional methods and features of
12 evidence-based interventions that are grounded in the science of
13 reading and principles of structured literacy that are designed for
14 pupils with characteristics of dyslexia and pupils at risk for
15 difficulties in learning to decode accurately and efficiently.

16 (f) Evidence-based instructional methods and features of
17 evidence-based interventions that are grounded in the science of
18 reading and principles of structured literacy that are designed to
19 effectively meet the needs of most pupils.

20 (8) The completion of a program of study approved under
21 section 1531e fulfills the requirements of subsection (7).

22 (9) Subject to subsection (28), a school district or public
23 school academy shall do all of the following to ensure that more
24 pupils will achieve a score of at least proficient in English
25 language arts on the grade 3 state assessment:

26 (a) Select 1 valid and reliable screening and 1 progress-
27 monitoring reading assessment from the assessments approved by the
28 department under subsection (1)(a). A school district or public
29 school academy shall use these assessments for pupils in grades K

1 to 3 to screen and identify difficulties, inform instruction and
2 intervention needs, and assess progress toward a growth target. A
3 school district or public school academy periodically shall assess
4 a pupil's progress in reading skills at least 3 times per school
5 year in grades K to 3. The first of these assessments for a school
6 year in kindergarten must be conducted within the first 90 school
7 days of the school year. The first of these assessments for a
8 school year in grades 1 to 3 must be conducted within the first 30
9 school days of the school year. Beginning in the 2027-2028 school
10 year, screening of pupils in grades K to 3 under this subdivision
11 must meet the requirements in subsections (15), (16), (17), (19),
12 and (20).

13 (b) For any pupil in grades K to 3 who exhibits reading
14 deficiency at any time based on the reading assessment selected and
15 used under subdivision (a) and for pupils required to have a
16 reading intervention plan under this section, provide an individual
17 reading improvement plan for the pupil within 30 days after the
18 identification of the reading deficiency. The individual reading
19 improvement plan must be created by the pupil's teacher, school
20 principal, and parent or legal guardian and other pertinent school
21 personnel, and must describe the reading intervention services the
22 pupil will receive to remedy the reading deficiency. A school
23 district or public school academy shall provide reading
24 intervention for the pupil in accordance with the individual
25 reading improvement plan until the pupil no longer has a reading
26 deficiency.

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

1 deficiency in writing and provide tools to assist the parent or
2 legal guardian to engage in intervention and to address or correct
3 any reading deficiency at home.

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

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

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

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

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

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

25 (10) Subject to subsection (28), a school district or public
26 school academy shall provide reading intervention for pupils in
27 grades K to 3, pupils in any grade required to have a reading
28 improvement plan under subsection (23), and pupils required to have
29 a reading intervention plan under subsection (24), including at

1 least all of the following, as applicable:

2 (a) For pupils who exhibit a reading deficiency, a reading
3 intervention using intervention curriculum resources and evidence-
4 based practices aligned to the research requirements consistent
5 with the science of reading intended to ensure that pupils are
6 proficient readers by the end of grade 3 and that includes some or
7 all of the following features:

8 (i) Is provided to each pupil who is identified with a reading
9 deficiency based on screening and other assessments that are used
10 to identify the source of the reading difficulty, and identifies
11 and addresses the pupil's reading deficiency.

12 (ii) Periodically screens each pupil's reading skills at least
13 3 times per year and monitors the progress of each pupil's reading
14 skills as recommended by the progress-monitoring assessment
15 guidelines provided under subsection (4).

16 (iii) Provides evidence-based tier 1, class-wide reading
17 instruction that is comprehensive and meets the majority of the
18 general education classroom needs.

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

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

23 (B) Provides intensive development in evidence-based reading
24 instructional practices, including, but not limited to, phonemic
25 awareness, phonics, fluency, vocabulary, comprehension, and other
26 skills or processes consistent with structured literacy.

27 (C) Provides extensive explicit instruction consistent with
28 structured literacy in decoding, word recognition, spelling,
29 writing, and language comprehension skills, including vocabulary,

1 morphology, and syntax, and processes for skillful reading.

2 (D) Is systematic and explicit.

3 (E) Is implemented during regular school hours in addition to
4 regular classroom reading instruction.

5 (v) Provides parents, legal guardians, or other providers of
6 care for the pupil with a read-at-home plan, including parent,
7 guardian, or care provider training workshops and regular home
8 reading.

9 (vi) Documents efforts by the pupil's school to engage the
10 pupil's parent or legal guardian and whether those efforts were
11 successful.

12 (vii) Documents any dissenting opinions expressed by school
13 personnel or a parent or legal guardian concerning the individual
14 reading improvement plan provided for the pupil under subsection
15 (9) (b) .

16 (b) For grade 3 pupils exhibiting a reading deficiency as
17 determined by the pupil's teacher through the screening assessment
18 and other assessments selected by the school district or public
19 school academy under subsection (9) (a) and for pupils in grades K
20 to 12 who are receiving increasingly intensive tier 2 and tier 3
21 support as described in subsection (23) (g), a reading intervention
22 program intended to correct the identified area or areas of reading
23 deficiency and that includes all of the following features as
24 needed by the individual pupil:

25 (i) Is evidence-based, is consistent with structured literacy,
26 and has proven results in accelerating pupil reading achievement
27 within the same school year.

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

1 (iii) Provides daily targeted small group or 1-to-1 reading
2 intervention based on pupil needs as determined by assessment data,
3 including explicit and systematic instruction with more detailed
4 and varied explanations, modeling and examples, and more extensive
5 opportunities for guided practice incorporating error correction
6 and feedback for pupils to develop mastery.

7 (iv) Provides administration of ongoing progress monitoring
8 assessments to frequently monitor pupil progress.

9 (v) Provides a written description of the pupil's individual
10 reading intervention program in the pupil's individual reading
11 improvement plan, including at least all of the following:

12 (A) Quarterly and annual learning goals that describe how and
13 when the pupil is expected to progress from the pupil's current
14 reading proficiency level to grade level proficiency.

15 (B) The name, if any, type, content, frequency, and duration
16 of evidence-based interventions, curriculum resources, and
17 assessments that will be utilized, and the extent to which these
18 conform to best practices identified by the department for
19 addressing the pupil's specific identified reading difficulties.

20 (C) A summary of why the intervention resources and evidence-
21 based practices selected for the pupil's individual reading
22 intervention are best suited to address the pupil's particular
23 needs.

24 (D) A description of the assessment data and the pupil's
25 assessment scores that will be used to monitor the pupil's progress
26 under subparagraph (iv) and adaptations to the intervention
27 instruction that will be provided based on feedback from the
28 assessments.

29 (E) Information about adjustments that may be made to

1 intensify the intervention instruction as needed.

2 (F) The pupil's unique identifier.

3 (G) A date by which the pupil's teacher, school principal,
4 parent or legal guardian, and other appropriate school staff shall
5 annually review and update the pupil's individual reading
6 improvement plan, including reviewing if the learning goals have
7 been met or when the learning goals will be met.

8 (vi) Is administered with fidelity.

9 (vii) Provides supplemental evidence-based reading intervention
10 delivered by a teacher, tutor, or volunteer with specialized
11 reading training that is provided before school, after school,
12 during school hours but outside of regular English language arts
13 classroom time, or any combination of these.

14 (viii) Provides parents, legal guardians, or other providers of
15 care for a pupil with a read-at-home plan, including parent,
16 guardian, or care provider training workshops and regular home
17 reading.

18 (ix) Documents efforts by the pupil's school to engage the
19 pupil's parent or legal guardian and whether those efforts were
20 successful.

21 (x) Documents any dissenting opinions expressed by school
22 personnel or a parent or legal guardian concerning the individual
23 reading improvement plan provided for the pupil under subsection
24 (9) (b) .

25 (c) Subject to subsection (29), for pupils who are English
26 language learners and who have been identified as demonstrating
27 characteristics of dyslexia or difficulty decoding by an
28 appropriate screening assessment administered under subsection (20)
29 or (21) that is consistent with department guidance provided under

subsection (4) to distinguish characteristics of dyslexia from limited English proficiency, intervention services that include at least all of the following:

(i) Language support in word recognition and decoding.

(ii) Language comprehension skills to support expanding vocabulary and understanding text.

(iii) Intentional English language development that includes, but is not limited to, using only the words and text to teach decoding and word recognition.

(iv) Instruction meeting the criteria listed in subdivision (a) (iv) .

(11) For all pupils exhibiting a reading deficiency as determined by the pupil's teacher through the reading assessment selected by the school district or public school academy under subsection (9) (a), school districts and public school academies are encouraged to offer summer reading camps staffed with **highly** effective teachers of reading, as determined by the teacher evaluation system under section 1249, providing reading intervention services and supports to correct pupils' identified areas of reading deficiency.

(12) By July 31 of each year, the department shall notify the parent or legal guardian of a pupil completing grade 3 who scored not proficient in reading based on the state English language arts assessment of all of the following by certified mail and in a clear format:

(a) That the pupil has scored not proficient in reading based on the state English language arts assessment.

(b) That the school is required to provide the pupil with the supports described in subsection (13).

1 (c) The supports and interventions required to be made
2 available to the pupil under the laws of this state.

3 (d) That the parent or legal guardian has the right to request
4 a meeting with school officials to discuss supports and
5 interventions.

6 (13) Except as otherwise provided in this section, for a pupil
7 who has a reading deficiency based on the screening assessment, the
8 school district or public school academy shall provide a reading
9 intervention that is intended to correct the pupil's specific
10 reading deficiency, as identified by a valid and reliable
11 assessment. The intervention must include evidence-based
12 instructional strategies that are aligned to the research
13 requirements consistent with the science of reading to assist the
14 pupil in becoming a successful reader.

15 (14) A school district or public school academy shall provide
16 a copy of each pupil's individual reading improvement plan to the
17 school district's intermediate school district or the intermediate
18 school district that has geographic boundaries that include the
19 area in which the public school academy is located. A copy of a
20 pupil's individual reading improvement plan provided under this
21 subsection must not contain any identifying information regarding
22 the pupil or a teacher that provides instruction to the pupil. The
23 intermediate school district shall collate the information received
24 under this subsection and provide it to the department each school
25 year in a timeline and manner as determined by the department. The
26 department shall not share a pupil's individual reading improvement
27 plan with an outside vendor.

28 (15) By not later than the beginning of the 2027-2028 school
29 year, and each school year thereafter, subject to subsections (17)

1 and (20), a school district, an intermediate school district, or a
2 public school academy shall ensure that each pupil described in
3 this subsection is screened for characteristics of dyslexia and
4 difficulties in learning to decode accurately and efficiently using
5 a reliable and valid universal screening assessment. All of the
6 following pupils enrolled in the school district, intermediate
7 school district, or public school academy must be screened as
8 described under this subsection:

9 (a) Each pupil during kindergarten, grade 1, grade 2, and
10 grade 3.

11 (b) Each pupil who is in kindergarten, grade 1, grade 2, or
12 grade 3 who transferred to the school district, intermediate school
13 district, or public school academy from another school district,
14 intermediate school district, or public school academy in this
15 state and who has not been screened for characteristics of dyslexia
16 and difficulties in learning to decode accurately and efficiently
17 using a reliable and valid universal screening assessment.

18 (c) Each pupil who is in kindergarten, grade 1, grade 2, or
19 grade 3 who has transferred to the school district, intermediate
20 school district, or public school academy from a school that is not
21 located in this state, unless the pupil presents written
22 documentation to the school district, intermediate school district,
23 or public school academy showing that the pupil was subject to a
24 reliable and valid universal screening assessment.

25 (d) Each pupil who is in any of grades 4 to 12 who, as
26 determined by that pupil's teacher, educational-support staff, or
27 the pupil's parent or legal guardian, demonstrates any of the
28 following:

29 (i) Escape or avoidance behaviors when asked to engage in

1 reading or writing activities.

2 (ii) Effortful or laborious reading.

3 (iii) Reading-comprehension difficulties caused by inaccurate or
4 inefficient word reading.

5 (iv) Significant spelling or encoding difficulties not caused
6 by fine-motor or visual-motor difficulties.

7 (v) Low performance on school-district-, intermediate-school-
8 district-, or public-school-academy-approved English language arts
9 standards.

10 (vi) Low performance on school-district-, intermediate-school-
11 district-, or public-school-academy-approved standardized
12 assessments.

13 (vii) Reading deficiency.

14 (16) A school district, intermediate school district, or
15 public school academy shall screen pupils under subsection (15)
16 with fidelity.

17 (17) Pupils required to be screened under subsection (15)(a)
18 must be screened, as described in subsection (15), no fewer than 3
19 times during a school year. Pupils required to be screened under
20 subsection (15)(b) or (c) must be screened within 90 days of
21 enrollment and thereafter on the same screening schedule as other
22 pupils in the same grade level.

23 (18) If the department determines that a benchmark assessment
24 or a valid and reliable screening and progress-monitoring reading
25 assessment suite selected by a school district or public school
26 academy under subsection (9) includes a reliable and valid
27 universal screening assessment, that assessment or assessment
28 system selected under subsection (9) may be utilized to meet the
29 requirement under subsection (15).

1 (19) Beginning with the 2027-2028 school year, for a pupil
2 described in subsection (15)(d), the school district, intermediate
3 school district, or public school academy in which the pupil is
4 enrolled shall ensure that additional assessment data is gathered,
5 including the pupil's historical results on reliable and valid
6 universal screening assessments as available, and shall review this
7 data with the pupil's teacher and school staff to inform the
8 frequency of screening assessments that should be administered to
9 the pupil to avoid unnecessary assessment while effectively
10 assessing whether the pupil demonstrates characteristics of
11 dyslexia, difficulties in learning to decode, or difficulties with
12 word reading that may require an intervention placement for the
13 pupil based on the guidance provided by the department under
14 subsection (5).

15 (20) Beginning in the 2027-2028 school year, except as
16 otherwise provided in this subsection, a pupil who is an English
17 language learner and who has been assessed at an entering level or
18 beginning level of English language proficiency on a state-required
19 language proficiency assessment, or at a comparable level in
20 accordance with department guidance under subsection (2), is not
21 required to be screened for characteristics of dyslexia and
22 difficulties in learning to decode under subsection (15). However,
23 the pupil is required to be screened for characteristics of
24 dyslexia and difficulties in learning to decode under subsection
25 (15) if, in accordance with the department guidance under
26 subsection (4), school staff determine that the pupil appears to
27 demonstrate characteristics of dyslexia that are not due to
28 language transference or limited English proficiency.

29 (21) Beginning in the 2027-2028 school year, a pupil who is an

English language learner and who has been assessed at a developing level or higher on a state-required language proficiency assessment, or at a comparable level in accordance with department guidance under subsection (4), must be screened for characteristics of dyslexia and difficulty decoding as appropriate for the pupil's grade level under subsection (15), and, as appropriate and consistent with department guidance, the pupil's screening must include spelling skills, phonemic awareness in the pupil's native language, and oral reading fluency in the pupil's native language.

(22) Beginning with the 2027-2028 school year, school districts, intermediate school districts, and public school academies shall ensure that reading instruction and curriculum materials are evidence-based, with a focus on pupils' mastery of the foundational reading skills of phonemic awareness, phonics, fluency, and the development of other reading skills, including, but not limited to, development of oral language, vocabulary, and reading comprehension. Pupils must be provided instruction aligned with science of reading methods that research shows improve literacy outcomes and help pupils achieve reading proficiency.

(23) Beginning with the 2027-2028 school year, if a reliable and valid universal screening assessment indicates that a pupil is exhibiting characteristics of dyslexia or indicates that the pupil is experiencing difficulty in learning to decode accurately and efficiently, the school district, intermediate school district, or public school academy in which the pupil is enrolled shall ensure that a multi-tiered system of support (MTSS) is provided to the pupil, including, but not limited to, decoding and word recognition instruction in the tiered delivery system. Beginning with the 2027-2028 school year, if a reliable and valid universal screening

1 assessment indicates that a pupil is exhibiting characteristics of
2 dyslexia or indicates that the pupil is experiencing difficulty in
3 learning to decode accurately and efficiently, a reading
4 intervention program provided under this section must be part of a
5 multi-tiered system of support (MTSS). The multi-tiered system of
6 support (MTSS) described in this subsection must meet all of the
7 following:

8 (a) Be a comprehensive framework composed of a collection of
9 evidence-based strategies designed to meet the individual needs and
10 assets of the whole pupil at all achievement levels.

11 (b) Include 3 distinct tiers of instructional support.

12 (c) Tier 1 support of the 3 distinct tiers of instructional
13 support described in subdivision (b) must, at a minimum, meet all
14 of the following:

15 (i) Encompass a combination of evidence-based strategies that
16 are available to all learners.

17 (ii) Effectively meet the needs of most pupils.

18 (iii) For the instructional methods and curriculum resources
19 under this tier used to address the decoding and word-recognition
20 components of reading, use a code emphasis instructional approach
21 and be supported by the science of reading. Except as otherwise
22 provided in this section, the instructional methods and curriculum
23 resources described in this subparagraph must not include
24 instructional methods or curriculum resources that minimize the
25 importance of primarily using letter-sound information to decode or
26 recognize unknown words, including, but not limited to, any of the
27 following, unless such instructional methods and curriculum
28 resources are being used to confirm the meaning of unknown words
29 after decoding has been attempted:

1 (A) Prompting pupils to guess unknown words using pictures and
2 illustrations.

3 (B) Skipping over an unknown word or words to use the meaning
4 of the passage to recognize the unknown word or words.

5 (C) Identifying only the first sound of an unknown word and
6 then being prompted to guess the word using the word's initial
7 sound and the meaning of the text surrounding the word.

8 (D) Memorizing a word in its written form.

9 (E) Using predictable text and leveled text to provide initial
10 word recognition instruction and practice in reading new learned
11 letter-sound correspondences.

12 (d) Tier 2 support of the 3 distinct tiers of instructional
13 support described in subdivision (b) must be provided to small
14 groups of pupils to whom at least 1 of the following applies:

15 (i) Screening-assessment data indicate a need for intervention
16 to address difficulties in learning to decode and recognizing words
17 accurately and efficiently.

18 (ii) Tier 1 instructional data indicate a need for intervention
19 to address difficulties in learning to decode and recognizing
20 words.

21 (e) Provide that tier 2 support, as described in subdivision
22 (d), must include instructional methods and curriculum resources
23 that use a code emphasis approach to address the decoding and word-
24 recognition components of reading and that are supported by the
25 science of reading. The instructional methods and curriculum
26 resources described in this subdivision must include, but are not
27 limited to, specialized instructional procedures, duration, and
28 frequency. However, these instructional methods and curriculum
29 resources must not include instructional methods or curriculum

1 resources that minimize the importance of primarily using letter-
2 sound information to decode or recognize unknown words, including,
3 but not limited to, any of the uses of letter-sound information
4 described in subdivision (c) (iii) (A) to (E), unless such
5 instructional methods and curriculum resources are being used to
6 confirm the meaning of unknown words after decoding has been
7 attempted.

8 (f) Provide that pupils receiving intervention consisting of
9 tier 2 support, as described in subdivision (d), must have their
10 progress monitored by the individuals providing the intervention
11 instruction using appropriate assessments to determine the pupils'
12 response to intervention instruction.

13 (g) Provide that, if pupils who are receiving intervention at
14 the tier 2 level of support as described in this subsection are not
15 making measurable progress in response to reading intervention at a
16 rate that will result in meaningful improvements in performance,
17 intensive tier 3 support must be provided to the pupil using
18 evidence-based instructional adaptations that must be documented in
19 the pupil's individual reading improvement plan. If the pupil is
20 determined to have a specific learning disability in reading, these
21 interventions may be provided through the student's individualized
22 education plan.

23 (h) Provide that a pupil described in subdivision (g) has a
24 current individual reading intervention plan meeting the
25 requirements of subsection (10) (b).

26 (i) Provide that, for the purposes of subdivision (g), an
27 intervention response team at the school district, intermediate
28 school district, or public school academy in which a pupil
29 described in subdivision (g) is enrolled shall refine the pupil's

1 individual reading improvement plan with the teacher providing the
2 intervention instruction to the pupil under subdivision (g) to
3 meaningfully accelerate reading outcomes.

4 (j) Provide that, if a pupil's response to the intervention
5 instruction described in subdivisions (a) to (g) or subsection (10)
6 is insufficient and there is reason to suspect the pupil has a
7 disability, subject to state and federal laws concerning special
8 education, the school district, intermediate school district, or
9 public school academy must consider the need for a full and
10 comprehensive evaluation to determine eligibility for special
11 education services.

12 (24) Beginning with the 2027-2028 school year, if a reliable
13 and valid universal screening assessment indicates the need for
14 intervention, to the extent that the school district, intermediate
15 school district, or public school academy is not already providing
16 the pupil with the evidence-based intervention services described
17 in subsections (10) and (23), the school district, intermediate
18 school district, or public school academy in which the pupil is
19 enrolled shall provide the pupil with evidence-based intervention
20 services that are grounded in the science of reading and the
21 principles of structured literacy approaches or programs.

22 (25) A school district, an intermediate school district, or a
23 public school academy shall ensure that the necessary
24 accommodations or equipment are provided to pupils as required
25 under section 504 of title V of the rehabilitation act of 1973, 29
26 USC 794, and title II of the Americans with disabilities act of
27 1990, 42 USC 12131 to 12165.

28 (26) If the parent or legal guardian of a pupil has an
29 independent, comprehensive evaluation conducted for dyslexia or

1 other learning disabilities, the school district, intermediate
2 school district, or public school academy in which the pupil is
3 enrolled shall ensure that any applicable requirements under the
4 individuals with disabilities education act, Public Law 108-446,
5 are fulfilled.

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

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

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

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

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

29 (29) For pupils identified as English language learners by the

pupil's teacher or other school staff or by a state-required language proficiency assessment, if available staff resources allow, a school district or public school academy is encouraged to provide the following intervention services in addition to those required under subsection (10)(c):

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

(b) Opportunities for speech production.

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

(d) Feedback for the pupil, including explanations in the pupil's native language.

(30) An individual who is not a district-identified literacy coach may be utilized to meet the requirements under subsection (1)(b)(i) and (ii) if that individual meets the requirements that a district-identified literacy coach must meet under subsection (1)(b)(iv).

(31) The instructional methods and curriculum resources described in subsection (23)(c)(iii)(A) to (E) may be used, as appropriate, for purposes other than addressing decoding and word-recognition components of reading and for any purpose to comply with section 504 of title V of the rehabilitation act of 1973, 29 USC 794, or title II of the Americans with disabilities act of 1990, 42 USC 12131 to 12165.

(32) As used in this section:

1 (a) "Benchmark assessment" means an assessment administered
2 periodically throughout a school year and used for 1 or more of the
3 following purposes:

4 (i) To predict and identify learner readiness for success on a
5 later summative assessment.

6 (ii) To evaluate ongoing education programs and interventions.

7 (iii) To provide teachers with individual learners' performance
8 data to inform instruction.

9 (b) "CEPI" means the center for educational performance and
10 information created under section 94a of the state school aid act
11 of 1979, MCL 388.1694a.

12 (c) "Cloze reading procedure" means an objective reading
13 assessment that deletes words in a designed reading passage.

14 (d) "Code emphasis" means direct, explicit instruction on the
15 code system of written English at the sound, syllable, morpheme,
16 and word level so pupils develop automaticity in accurate sound-
17 symbol associations used for word recognition and for developing a
18 robust sight-word vocabulary.

19 (e) "Cumulative" means the practice of basing new concepts on
20 those previously learned and maximizing retention of concepts
21 through regular, systematic review to gain automaticity and
22 fluency.

23 (f) "Diagnostic instruction" means continuous assessment and
24 individualization of instruction to meet each pupil's instructional
25 needs.

26 (g) "Dyslexia" means both of the following:

27 (i) A specific learning disorder that is neurobiological in
28 origin and characterized by difficulties with accurate or fluent
29 word recognition and by poor spelling and decoding abilities that

1 typically result from a deficit in the phonological component of
2 language that is often unexpected in relation to other cognitive
3 abilities and the provision of effective classroom instruction.

4 (ii) A specific learning disorder that may include secondary
5 consequences, such as problems in reading comprehension and a
6 reduced reading experience that can impede the growth of vocabulary
7 and lead to social, emotional, and behavioral difficulties.

8 (h) "Evidence-based" means an activity, program, process,
9 service, strategy, or intervention that demonstrates statistically
10 significant effects on improving pupil outcomes or other relevant
11 outcomes and that meets at least both of the following:

12 (i) At least 1 of the following:

13 (A) Is based on strong evidence from at least 1 well-designed
14 and well-implemented experimental study.

15 (B) Is based on moderate evidence from at least 1 well-
16 designed and well-implemented quasi-experimental study.

17 (C) Is based on promising evidence from at least 1 well-
18 designed and well-implemented correlational study with statistical
19 controls for selection bias.

20 (D) Demonstrates a rationale based on high-quality research
21 findings or positive evaluation that the activity, program,
22 process, service, strategy, or intervention is likely to improve
23 pupil outcomes or other relevant outcomes.

24 (ii) Includes ongoing efforts to examine the effects of the
25 activity, program, process, service, strategy, or intervention.

26 (i) "Explicit" means direct and deliberate instruction through
27 continuous pupil-teacher interaction that includes explanation,
28 teacher modeling or example, and multiple opportunities to practice
29 with feedback for students to develop mastery.

1 (j) "Fidelity" means the extent to which an assessment or
2 intervention is implemented as it was designed.

3 (k) "Intervention response team" means a group of individuals
4 with expertise in assessments, literacy, working with English
5 language learners, working with pupils with disabilities, and
6 behavioral efforts who develop individualized plans to support
7 pupils with significant and persistent needs. An intervention
8 response team must include at least 1 certificated teacher who has
9 English as a second language or bilingual education as an
10 endorsement on the teacher's certificate.

11 (l) "Leveled text" means text that has characteristics of
12 predictable text and text focused on teaching high-frequency words
13 without regard to sound-symbol associations. Leveled texts are
14 assigned a level based on a difficulty scale according to print
15 features, content, themes, ideas, text structure, language, and
16 literary elements. Leveled text does not provide pupils
17 opportunities to apply newly learned phonological and orthographic
18 knowledge.

19 (m) "Multi-tiered system of support (MTSS)" means a
20 comprehensive framework that includes 3 distinct tiers of
21 instructional support and is composed of a collection of evidence-
22 based strategies designed to meet the individual needs and assets
23 of a whole pupil at all achievement levels.

24 (n) "Phonemic awareness" means the conscious awareness of all
25 of the following:

26 (i) Individual speech sounds, including, but not limited to,
27 consonants and vowels, in spoken syllables.

28 (ii) The ability to consciously manipulate through, including,
29 but not limited to, matching, blending, segmenting, deleting, or

1 substituting, individual speech sounds described in subparagraph
2 (i) .

3 (iii) All levels of the speech sound system, including, but not
4 limited to, word boundaries, rhyme recognition, stress patterns,
5 syllables, onset-rime units, and phonemes.

6 (o) "Predictable text" means text that replicates language
7 patterns using rhythm and rhyme to teach pupils phrasing and
8 cadence.

9 (p) "Progress-monitoring assessment" means an assessment used
10 after a pupil is identified and matched with intervention support
11 to determine if the pupil continues to need intervention, if
12 supports need to be modified or changed, or if supports can be
13 faded.

14 (q) "Reading deficiency" means scoring below grade level or
15 being determined to be at risk of not meeting grade-level reading
16 expectations based on a screening assessment, standardized
17 summative assessment, or progress monitoring.

18 (r) "Reading leadership team" means a collaborative system led
19 by a school building's principal or program director and consisting
20 of a cross-section of faculty who are interested in working to
21 improve literacy instruction across the curriculum.

22 (s) "Reliable" means something that is based on the
23 consistency of a set of scores that are designed to measure the
24 same thing.

25 (t) "Science of reading" means a cumulative and evolving body
26 of evidence whose research studies follow a scientific process of
27 inquiry and utilize scientific methods to help answer questions
28 related to reading development and issues related to reading and
29 writing derived from research from multiple fields of cognitive

1 psychology, communication sciences, developmental psychology,
2 education, special education, implementation science, linguistics,
3 and neuroscience.

4 (u) "Screening assessment" means an assessment designed to
5 proactively identify pupils who may be at risk of developing
6 academic, social, emotional, or behavioral challenges so that
7 support can be provided and to provide data to inform systems-level
8 decisions. All of the following apply to a screening assessment:

9 (i) A screening assessment must include, as appropriate for
10 grade level or age as determined by the department, in alignment
11 with the guidelines described in subsections (2) and (4), elements
12 designed to identify difficulties in learning to decode and
13 recognize words, including at least all of the following:

- 14 (A) Phonemic awareness.
- 15 (B) Rapid automatized naming.
- 16 (C) Letter-sound correspondence.
- 17 (D) Single-word reading.
- 18 (E) Nonsense-word reading.
- 19 (F) Oral passage reading fluency.

20 (ii) A screening assessment may include, as appropriate for
21 grade level or age as determined by the department, in alignment
22 with the guidelines described in subsections (2) and (4), elements
23 designed to identify comprehension difficulties, including at least
24 all of the following:

- 25 (A) Retelling.
- 26 (B) Cloze reading procedure.
- 27 (C) Answering questions about a reading passage.

28 (v) "Standardized assessment" means an assessment that is
29 administered and scored in a consistent or standard manner.

1 (w) "Structured literacy" means systematic, direct, explicit,
2 cumulative, and diagnostic instruction that integrates listening,
3 speaking, reading, and writing and emphasizes the structure of
4 language across the speech sound system (phonology); the writing
5 system (orthography); the structure of sentences (syntax); the
6 meaningful parts of words (morphology); the meaning of words,
7 phrases, sentences, and text (semantics); and the processing of
8 oral and written discourse.

9 (x) "Systematic" means following the logical order of language
10 and moving from the most basic concepts to the more advanced.

11 (y) "Valid" means the degree to which a method assesses what
12 it claims or intends to assess.

13 **Sec. 1531/. Notwithstanding any other provision of this act or**
14 **a rule to the contrary, but except as otherwise provided in section**
15 **1531, the superintendent of public instruction shall not issue an**
16 **initial professional teaching certificate to an individual unless**
17 **the individual presents evidence satisfactory to the superintendent**
18 **of public instruction demonstrating that the individual meets both**
19 **of the following:**

20 (a) The individual has completed at least 3 years of teaching,
21 as defined in rules promulgated by the superintendent of public
22 instruction.

23 (b) The individual meets any of the following:

24 (i) Was rated as either effective or highly effective on the
25 individual's year-end performance evaluation under section 1249 for
26 the 3 consecutive school years immediately preceding the
27 individual's application for the professional teaching certificate.

28 (ii) Was rated as either effective or highly effective on the
29 individual's year-end performance evaluation under section 1249 for

1 at least 3 nonconsecutive school years before the individual's
2 application for the professional teaching certificate and submits a
3 recommendation from the chief school administrator of the school at
4 which the individual is currently employed that the individual be
5 issued a professional teaching certificate.

6 (iii) Since issuance of the individual's most recent teaching
7 certificate, the individual completed at least 3 years of
8 successful experience in an appropriate assignment, as determined
9 by the superintendent of public instruction, including experience
10 as a teacher leader, a teacher of children from birth to pre-K, a
11 teacher of adult education, or a provider of K to 12 instruction in
12 an assignment that does not require a year-end performance
13 evaluation under section 1249.

14 Sec. 1531m. The superintendent of public instruction shall not
15 issue an initial advanced professional education certificate to an
16 individual, or renew an individual's advanced professional
17 education certificate, unless the individual presents evidence
18 satisfactory to the superintendent of public instruction
19 demonstrating that the individual meets criteria established by the
20 department and either of the following:

21 (a) Has been rated as highly effective or effective on the
22 individual's year-end evaluation under section 1249 for 3 out of
23 the 5 most recent school years and has not been rated ineffective
24 on the individual's year-end evaluation under section 1249 within
25 the 5 most recent school years.

26 (b) Since issuance of the individual's most recent teaching
27 certificate, the individual completed at least 3 years of
28 successful experience in an appropriate assignment, as determined
29 by the superintendent of public instruction, including experience

1 as a teacher leader, a teacher of children from birth to pre-K, a
2 teacher of adult education, or a provider of K to 12 instruction in
3 an assignment that does not require a year-end performance
4 evaluation under section 1249.

5 Enacting section 1. This amendatory act does not take effect
6 unless Senate Bill No. 380 of the 103rd Legislature is enacted into
7 law.