



Read by 3rd Grade

District Guide



2019/2020

District Read by 3rd Grade Guide Table of Contents

Education and Learning Contact Information.....	1
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District Resources

- MDE Retention Guideline (cut scores memo)5
- GISD Essential Document List.....9
- GISD Retention and Promotion Process10
- Good Cause Exemption District Responsibility Checklist11
- Retention Notification Template.....12
- Good Cause Exemption Request Template13
- Approval for Good Cause Exemption Template14
- Denial for Good Cause Exemption Template.....15
- Portfolio Options16
- ELA Student Portfolio Cover Sheet Template17
- Science and Social Studies Student Portfolio Cover Sheet Template.....18
- MDE Read by Third Grade Guide/FAQ19
- A Guide for Parents PowerPoint (Link).....35

Family Resources

- Facts for Families: What is the Read by Third Grade Law?38
- Facts for Families: What is a Good Cause Exemption Process?40
- Essentials for Families Poster (Link)41
- Early Literacy Book Marks42
- eResources Supporting Early Literacy44

Legislation

- Read by Third Grade Legislation48
- MAISA Summary of Read by Third Grade Legislation56

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District Resources

tinyurl.com/districtguide3



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

GRETCHEN WHITMER
GOVERNOR

SHEILA A. ALLES
INTERIM STATE SUPERINTENDENT

MEMORANDUM

DATE: May 16, 2019

TO: Local and Intermediate School District Superintendents
Public School Academy Directors

FROM: Venessa A. Keesler, Ph.D., Deputy Superintendent 
Division of Educator, Student, and School Supports

SUBJECT: Read by Grade Three Retention Guidelines

In 2016, the Michigan legislature passed what is now referred to as the "Read by Grade 3" (RBG3) legislation. **This law requires that students who are more than one year behind grade-level in reading are subject to retention and additional support to improve their reading level. This component of the law takes effect for the 2020-2021 school year, using assessment data from the spring 2020 assessments.** This communication is provided as a courtesy heads up for schools and districts in advance of the actual implementation of this component of the law.

Identifying a RBG3 Cut Score

Grade 3 English language arts (ELA) performance is measured by the M-STEP assessment. The cut scores associated with the performance levels are Not Proficient, Partially Proficient, Proficient, and Advanced. These performance levels, which are required for our state summative assessments, do not correlate to a grade-level equivalency score. In other words, a performance level of "not proficient" on the ELA test does not necessarily tell us if the student is a grade level behind in terms of their reading. To comply with the RBG3 law, a unique and separate cut score for the 3rd grade ELA test was established specifically to measure reading as outlined in the law.

To establish this reading cut score, the Michigan Department of Education (MDE) worked with educators and technical experts to conduct a standard setting process with the 3rd Grade ELA M-STEP to support the requirements of RBG3. The four-phase standard setting comprised an initial standard setting, editing the performance level descriptors (PLDs), a replication of the standard setting, and a review workshop.

Participants' recommendations at the standard settings were consistent, and the recommended cut score was validated by the review committee.

The standard setting was implemented in four phases:

- 1) On July 13, 2018—a committee of eleven Michigan educators used the Michigan Content Standards and test items from the M-STEP to enumerate the knowledge, skills, and abilities expected of students who met the RBG3 requirements and they recommended a cut score for RBG3. This is known as a “Bookmark Standard Setting Procedure” and is one valid and reliable method for setting standards on assessments.
- 2) On November 30, 2018—a team of two Michigan educators and MDE literacy leads convened to review and refine the performance level descriptors. Performance level descriptors are statements or definitions that explain what is expected at that particular performance level. They verified the PLDs aligned with the expectations associated with the RBG3 requirement.
- 3) On December 3, 2018—a committee of nine Michigan educators, including reading coaches and interventionists, convened to replicate the Bookmark Procedure. These educators recommended cut scores similar to those recommended by the July 2018 committee.
- 4) On December 4, 2018—a committee of seven Michigan educators and stakeholders convened to review the recommendations from the two standard settings. As part of a policy-focused workshop, the participants endorsed the findings of the standard setting committees and made a unified cut score recommendation to the MDE.

RBG3 Category	Cut Score	Response
1	1252 or lower	Subject to the retention policy and will be given the resources and supports below*
2	1253-1271	Additional reading supports are recommended, <i>not required</i> (not subject to retention policy)
3	1272 or higher	Meets the Grade 3 reading requirement (not subject to retention policy and additional needs or supports can be determined at the local level)

Please note: It is not possible to determine “how many” questions a student has to get wrong to be flagged, due to the way the assessments are scored. The scale score is the information that can be used.

When a student is flagged for possible retention (RBG3 Category 1), the law requires that they:

- Are assigned to highly effective teacher or highest rated grade 3 teacher or a reading specialist
- Are provided evidence-based reading programs with proven achievement results
- Receive daily targeted small group or 1-to-1 reading intervention
- Receive ongoing progress monitoring
- Receive supplemental reading instruction

Please note: the law also includes a number of good cause exemptions under which a student would not be retained. The district works with the parents and other decision makers as appropriate to determine this. The retention flag is only one component of the final retention decision.

Projected Impact

Based on the spring 2018 data, this recommendation means approximately 5% of students would be subject to the retention policy (scoring 1252 or lower), 17.5% of students would be provided additional support (scoring 1253 – 1271), and 77.5% of students would meet the grade 3 reading requirement (scoring 1272 or higher). This is a statewide score. This law will be implemented at the local level. At this time the MDE has only run this analysis at a statewide aggregate level.

Next Steps

- The MDE will monitor these numbers using these new cut scores over the summer based on the 2019 assessment data. Any updates will be provided as part of our statewide release at the beginning of the school year.
- The MDE hopes to use this information to collaborate with benchmark vendors who wish to create an equivalent cut score on their own assessment which could be used as an “alternate assessment” as part of the RBG3 law.
- The MDE has available resources for districts, schools and parents regarding the RBG3 law and will be adding to those resources, with a particular focus on communication tools for parents.

Resources

- The [Read by Grade Three Guide](#) is now available. This guide was created in collaboration with a Read by Grade Three committee and will be updated on a quarterly basis.
- The MDE website for Read by Grade Three-Parent Awareness Toolkit:
https://www.michigan.gov/mde/0,4615,7-140-28753_74161-490688--,00.html

For questions regarding the RBG3 reading cut score, please contact the Office of Educational Assessment and Accountability at mde-oaaa@michigan.gov.

For questions regarding the RBG3 law, please contact Early Literacy at mde-earlyliteracy@michigan.gov.

cc: Michigan Education Alliance

Document List

Document Name	Description
<u>3rd Grade Retention and Promotion Processes for Districts</u>	This describes the good cause exemptions, portfolio requirements, and alternative assessment.
<u>Good Cause Exemption District Responsibility Checklist</u>	Includes dates and requirements the district must meet.
<u>Retention Notification Letter</u>	Letter that must be sent home to parents after CEPI notification.
<u>Good Cause Exemption Request</u>	Form the parent fills out to request exemption.
<u>Approval for Good Cause Exemption</u>	Letter district sends to notify parents of promotion.
<u>Denial for Good Cause Exemption</u>	Letter district sends to notify parents of denial.
<u>Student Portfolio Cover</u>	Information to include in the portfolio and exemption approval.

3rd Grade Retention and Promotion Processes

Beginning in 2019-2020, MDE will provide CEPI (Center for Educational Performance and Information) state assessment data within fourteen days of finalized scores. CEPI will then notify parents and school districts of students who are subject to retention because they scored more than one grade level behind on the ELA portion of the third grade state assessment (M-Step).

Parents of students who receive a letter of retention from CEPI may request a Good Cause Exemption within thirty days of CEPI's notification. Good Cause Exemptions may be granted for any of the following reasons:

- The student has an IEP or section 504 plan.
- The student is an English Learner who has had less than three years of instruction in an EL program.
- The student was previously retained **and** has been receiving intensive reading intervention for two or more years.
- The student has been enrolled in his/her current school for less than two years **and** did not receive an appropriate individual reading improvement plan (IRIP) at the previous school.
- The parent requested an exemption in the best interest of the student within thirty days of the CEPI notification.

Parents may also request their child be enrolled in fourth grade if the child:

- Portfolio that demonstrates third grade proficiency in the following areas:
 - Reading proficiency with multiple student samples
 - Math state assessment proficiency
 - Science standards proficiency
 - Social Studies standards proficiency

OR

- Alternative standardized reading assessment

Good Cause Exemption District Responsibility Checklist

Retention/Promotion

1	MDE will provide CEPI with Grade 3 state assessment scores no later than May 23rd .
2	CEPI will notify school(s) and parents of students to be retained no later than June 1st of each year.
3	A school district or charter school should notify parents or guardians of possible retention based on standardized testing. The notification should also include information on how a student could be promoted using an alternative assessment, student portfolio or good cause exemption. The request for promotion must occur within 30 days of notification by CEPI.
4	Collect student portfolios on retained students from teachers before they leave for the summer.
5	By September 1st of each school year, the district must submit retention reports to CEPI, containing information on the number of students retained in Grade 3 and the number of students promoted to Grade 4 under good cause exemptions. Good cause exemptions must be reported out by individual cause.

District Procedure for Good Cause Exemption

The superintendent or district designee would:

1	Review the request of parent(s)/guardian(s) or teacher and supporting information.
2	Discuss the recommendation with the student's Grade 3 teacher and individualized education program team (if applicable).
3	Determine whether the exemption is in the best interest of the student.
4	At least 30 days before the start of school , provide a determination in writing, whether or not to recommend a good cause exemption.

ABC Elementary

1234 Main Street

Your Town, MI 48484

Phone: (800)123-4567

Fax: (800)123-4567

Dear Parent(s)/Guardian(s):

In 2016, the State of Michigan passed the Read by Third Grade Law to ensure that children who exit Third Grade are meeting a state determined score on the reading portion of the state assessment. Students must meet this score in order to be promoted to the Fourth Grade.

You may have received a letter from the state of Michigan informing you that your child is being retained in Third Grade. As a parent(s)/guardian(s), you have the right to request a good cause exemption in order to have your child promoted to fourth grade. This Good Cause Exemption Request form is included and should be submitted within thirty days of the notification from the state of Michigan.

Below are the five good cause exemptions:

- The student has an IEP or a section 504 plan.
- The student is an English Learner who has had less than three years of instruction in an EL program.
- The student was previously retained **and** has been receiving intensive reading intervention for two or more years.
- The student has been enrolled in his/her current school for less than two years **and** did not receive an appropriate individual reading improvement plan (IRIP) at the previous school.
- The parent requested an exemption in the best interest of the student within thirty days of the CEPI notification.

Your child may also be promoted based on a portfolio that has been compiled by your child's third grade teacher. This portfolio will include documentation that demonstrates your child's proficiency in ELA, math, science and social studies.

For more information, please contact _____.

Sincerely,

Superintendent

ABC Elementary

1234 Main Street

Your Town, MI 48484

Phone: (800)123-4567

Fax: (800)123-4567

Third Grade Retention Good Cause Exemption Request

Elementary School Student Attends:	
Student First Name:	Student Last Name:
Parent First Name:	Parent Last Name:
Parent Address:	
Parent Phone:	

Reason for Request:

Please check the specific reason(s) why promotion to fourth grade is in the best interest of your child:

- My child has an IEP.
- My child has a 504 plan.
- My child is limited English Proficient who has had less than 3 years of instruction in an EL program.
- My child received intensive reading intervention for two or more years but still demonstrates a reading deficiency **and** was previously retained in kindergarten, first grade, second grade, or third grade or attended a young 5's program.
- My child has been enrolled in the district for less than two years and there is evidence that my child was not provided with an appropriate Individual Reading Improvement Plan (IRIP).
- It is in the best interest of my child to be promoted to 4th grade.

I am aware that the decision by the district is final and not subject to appeal.

Parent Signature: _____ Date: _____

Office Use Only
Date Received: _____ Received by: _____
Exemption Granted:
<input type="checkbox"/> Yes
<input type="checkbox"/> No

ABC Elementary

1234 Main Street

Your Town, MI 48484

Phone: (800)123-4567

Fax: (800)123-4567

Dear Parents/Guardians:

This letter is in response to a Good Cause Exemption request submitted for your child to be promoted to the Fourth Grade.

The district received your good cause exempt request and after careful examination, your child qualifies for a good cause exemption in the following area:

- Your child has an IEP.
- Your child has a 504 plan.
- Your child is limited English Proficient who has had less than 3 years of instruction in an EL program.
- Your child received intensive reading intervention for two or more years but still demonstrates a reading deficiency **and** was previously retained in kindergarten, first grade, second grade, or third grade or attended a young 5's program.
- Your child has been enrolled in the district for less than two years and there is evidence that your child was not provided with an appropriate Individual Reading Improvement Plan (IRIP).
- It is in the best interest of your child to be promoted to 4th grade.
- Your child has demonstrated proficiency in math on the state assessment, has demonstrated proficiency in science and social studies as shown through a pupil portfolio as determined by the teacher who provided the Grade Three instruction to my child.

Thank you for your commitment to your child's education. If you have any questions, please contact

_____.

Sincerely,

Superintendent

ABC Elementary

1234 Main Street

Your Town, MI 48484

Phone: (800)123-4567

Fax: (800)123-4567

Dear Parents/Guardians:

This letter is in response to a Good Cause Exemption request submitted for your child to be promoted to the Fourth Grade.

The district received your good cause exempt request and after careful examination your child **does not** qualify for a good cause exemption and **will be retained in third grade**.

- Your child does not have an IEP.
- Your child does not have a 504 plan.
- Your child is limited English Proficient, and has been enrolled for 3 years of instruction in an EL program.
- Your child has received intensive reading intervention for two or more years **and** has not been previously retained.
- Your child has been enrolled in the district for two or more years and there is evidence that your child was provided with an appropriate Individual Reading Improvement Plan (IRIP).
- It is in the best interest of your child that the student be retained in 3rd grade.

Thank you for your commitment to your child's education. Please understand this is a final district decision and is not subject to appeal.

Sincerely,

Superintendent

Portfolios: 2 Options

1. ELA portfolio demonstrates that the student is proficient on 3rd Grade ELA standards with multiple work samples.

OR

2. Student is proficient on the state math assessment and demonstrates proficiency with Science and Social Studies standards through a portfolio.

If the student meets either of these options they can be promoted to 4th grade. Students being promoted to 4th grade under either of these options should receive literacy supports in 4th grade.

STUDENT PORTFOLIO COVER SHEET FOR ELA			
ABC Elementary			
1234 Main Street	Phone: (800)123-4567		
Your Town, MI 48484	Fax: (800)123-4567	ELA Grade:	
Student Name:		List of the attached documentation.	
Student Number:	DOB:		
Teacher Name:	Date:		
Math M-Step Level:			
District Assessment			
ELA:			
District Reading Assessment(s):			
As the third grade teacher of this student, I am recommending _____ be promoted to the fourth grade due to the contents of this portfolio, which provide evidence that this student has met the content standards for third grade ELA.			
Teacher Signature:	Date:		
		Date Received:	
		Received By:	
		Exemption Granted: ____Yes ____No	

STUDENT PORTFOLIO COVER SHEET FOR SCIENCE AND SOCIAL STUDIES			
ABC Elementary			
1234 Main Street	Phone: (800)123-4567		
Your Town, MI 48484	Fax: (800)123-4567	Math M-Step Proficiency	Science Grade:
Student Name:		List of the attached documentation.	List of the attached documentation.
Student Number:	DOB:		
Teacher Name:	Date:		
District Assessment			
As the third grade teacher of this student, I am recommending			
Teacher Signature:	Date:		
		Central Office Use Only	
		Date Received:	
		Received By:	
		Exemption Granted: ____Yes ____No	



Read by Grade Three Guide October 2019

Introduction to the Read by Grade 3 Guide

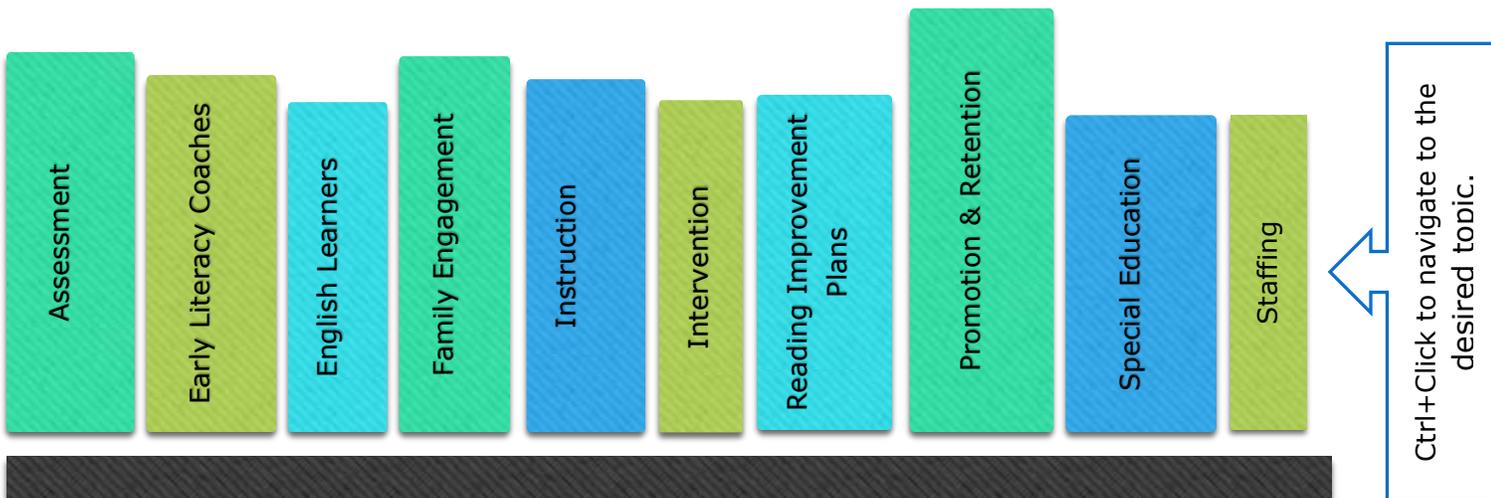
The Michigan Department of Education (MDE) has compiled resources and responses to frequently asked questions regarding [MCL 380.1280f](#), referred to as the “Read by Grade Three” law. The purpose of this guide is to support district implementation of the legislation by providing current information.

As new information and resources become available, this guide will be updated. Please send any questions regarding this guide to MDE-EarlyLiteracy@michigan.gov.

NOTE: *Italics indicate new content added as of October 2019.*

How to Use the Guide

The books below are linked to the information in these sections of the guide. Click below to be directed to the topic.



Assessment

1. How is deficiency defined?

Deficiency is defined in the law as “scoring below grade level or being determined to be at-risk of reading failure based on a screening assessment, diagnostic assessment, standardized summative assessment, or progress monitoring.”

2. What assessment will be used to flag for retention and what score will constitute more than one grade level behind at the end of third grade?

A unique Read by Grade Three score on the ELA M-STEP will be used to flag for retention. For detailed information please see the [Read by Grade Three Retention Guidelines memo](#).

3. Where do I find information about MDE approved assessments to include in an early literacy assessment system?

For information on Early Literacy Assessment Systems, please visit the [Read by Grade Three Assessments website](#). Please note there is an [initial assessment list](#) and an [extensive assessment list](#).

4. When do we need to begin administering assessments from the approved assessment system and to whom?

The initial component of the assessment system must be delivered within the first 30 school days of the academic year.

5. When outlining assessment accommodations on an Individual Education Plan (IEP), are the initial and extensive assessments given considered state or district assessments?

The initial and extensive assessments are district assessments. A state assessment is a required summative assessment used for accountability purposes. Student needs should be outlined in a student's IEP. The provisions in that IEP should address how those needs are being addressed. Accommodations selected for classroom, district and state assessments should mirror that which is provided during instruction, according to the needs of the student.

6. Must students who take MI-Access participate in the district assessments required in the Read by Grade Three law?

There is no exemption from the district assessments for the Read by Grade Three legislation. The IDEA at 34 CFR Section 300.320(a)(6)(ii) states, "If the IEP Team determines that the child must take an alternate assessment instead of a particular regular State or districtwide assessment of student achievement, a statement of why— (A) The child cannot participate in the regular assessment; and (B) The particular alternate assessment selected is appropriate for the child" is required. An IEP team does not have the authority to exempt any student from a statewide assessment. The IEP team can only determine that a student take an alternate assessment.

7. What is the assessment expectation for students who are severely cognitively impaired?

All students are required to be assessed in kindergarten through third grade to screen and diagnose reading difficulties, inform instruction and intervention needs, and assess progress towards a growth target under MCL 380.1280f. Students with significant cognitive impairments are instructed with alternate academic content standards. To comply with the Read by Grade Three law, districts should select an initial (screener/benchmark) reading assessment for all students in the first 30 days of school. Districts should determine which alternate initial assessment tool they think is best for assessing the reading level of this population of students. This may involve

using a commercial alternate reading screener or creating a local tool. Students for whom additional reading level information is needed beyond the initial alternate assessment tool, must be given an extensive (diagnostic) reading level assessment. The extensive alternate reading level assessment may be a commercial alternate reading tool, or districts may decide to develop their own alternate extensive reading level tool.

8. How do the Essential Instructional Practices fit in with our assessment system?

The [Essential Instructional Practices](#) are a set of practices to support what research suggests will have a positive impact on literacy development. The practices, in conjunction with the assessments, can be used to build an effective literacy program.

9. Who will determine what constitutes "deficiency" on the various assessments?

The guidelines for what constitutes a deficiency are determined at the local level. This determination should be based on the selected assessments utilized by the school district. The assessment results assist with predicting those students who are at-risk of falling one, or more, grade-levels behind on the third-grade Michigan ELA summative assessment (M-STEP).

10. How do we ensure we continue to focus on the whole child while simultaneously using predictability of the assessments administered before the third-grade state assessment?

In addition to addressing reading deficits, schools and public school academies (PSAs) will need to reflect on what they know about student learning and simultaneously address social emotional skills and mental well-being to ensure the growth needed. Schools and PSAs can utilize observational assessment, integration of literacy practices across content areas, and Essential Instructional Practices for Literacy, in addition to other methods, to help students succeed. For more information regarding Michigan's Whole Child definition please view the [MDE Whole Child one pager](#).

11. Are districts still required to deliver a benchmark assessment to students in grades K-2?

Yes, districts must meet the requirements of the Read by Grade Three law (MCL 380.1280f) by selecting an initial assessment from the list of approved assessments. The Michigan Early Literacy Benchmark Assessment, as specified in the current state aid appropriations law [PA 265 of 2018, Section 104c(4)], qualifies as such an assessment. Districts must also meet the

PORTFOLIOS

PORTFOLIOS MUST SHOW STUDENT COMPETENCIES IN ELA, SCIENCE, AND SOCIAL STUDIES STANDARDS. THIS DEMONSTRATION OF LEARNING SHOULD INCLUDE: STUDENT WORK SAMPLES ALIGNED TO THE STANDARDS, EVIDENCE OF PROFICIENCY OF STANDARDS (BENCHMARK ASSESSMENT DATA), AND EVIDENCE OF STUDENT PERFORMANCE AND COMPETENCIES (OBSERVATIONAL AND FORMATIVE ASSESSMENT).

requirements of PA 265 of 2018, Section 104c(4) by continuing to administer a benchmark assessment in mathematics in grades K – 2 in the fall and spring, as the third-grade reading law (MCL 380.1280f) does not address mathematics.

12. Will MDE provide portfolio guidelines?

The MDE will provide support around Portfolio-Based assessments, but not specific to this legislation. Districts should create standards and practices that align with their assessment systems and instructional delivery.

13. If the portfolio demonstrates proficiency in ALL subject areas, except for ELA, is that a reason for a Good Cause Exemption?

The law states that the student must demonstrate BOTH proficiency on all subject areas assessed on the grade 3 state assessment other than English language arts AND demonstrate proficiency in Science and Social Studies as shown through the pupil portfolio and as determined by the teacher who provided the grade 3 instruction to the pupil in Science and Social Studies, as applicable.

14. What is CEPI?

CEPI is the acronym for the [Center for Educational Performance and Information](#). This is the agency responsible for collecting, securely managing, and reporting education data in Michigan.

15. When will CEPI send letters notifying the parent their child has been flagged for retention?

If a third grade student is flagged for retention based on the spring 2020 ELA M-STEP assessment, CEPI will mail a notification to the parents of the student within 14 days of receiving the student assessment results.

16. What information will be in the letter that CEPI sends?

Section 5(d)(i-iv) of this legislation currently outlines what the letter should entail regarding student status. To protect student information, the letter will not include the name of the student nor their specific score. Specific details of this letter have yet to be formalized. For information purposes, MDE and CEPI will provide an example of the letter to districts.

17. Will all students receive a letter from CEPI?

Only students scoring below 1252 on the Grade 3 ELA M-STEP will receive a letter.

18. How will districts know that the letters have been mailed?

Notification that letters have been mailed will be sent from MDE to ISD and district superintendents, and building/PSA principals through the State Superintendent's Thursday communication, as well as through GovDelivery to the MDE ELA list serve.

19. What happens if CEPI does not have the correct address for a student?

The MDE will provide districts with a list of students who should expect to receive a letter. Districts are encouraged to send their own communication to parents as well.

20. What is the required timing for school officials to meet with the parent once they receive the certified letter from CEPI?

A parent may request a meeting within 30 days of receiving the letter and be notified of student placement at least 30 days prior to the start of the school year.

21. Will CEPI send letters home to parents/guardians of students with IEPs or 504s?

Beginning with the 2019-2020 school year, CEPI is required to send a letter, via certified mail, to parents whose child scored more than one grade level behind on the State Summative Assessment. This letter is sent to all identified students, regardless of disability status. The parent, teacher, or other school personnel will need to initiate the process for a good cause exemption.

FOR MORE INFORMATION REGARDING English Learners, PLEASE REVIEW THE [ENGLISH LEARNER GUIDANCE DOCUMENT](#).

22. Will the M-STEP testing window change in spring 2020?

No, the M-STEP testing window will remain the same in spring 2020. For more information regarding the testing window, please visit

https://www.michigan.gov/documents/mde/OEAA_Assessment_Calendar_638432_7.pdf.

Early Literacy Coaches

1. If a district does not have an early literacy coach, would they rely on the Intermediate School District (ISD) early literacy coach?

The legislation states that districts are expected to utilize their ISD early literacy coach at a minimum.

English Learners (EL)

1. Does 3rd grade count as one of the three years when calculating time spent in an English Learner (EL) program for the good cause exemption?

The three-year count commences on the first day of initial enrollment.

2. What are the assessment expectations for English Learners and students in Dual, Bilingual and Transitional Programs?

All students are required to be assessed in kindergarten through third grade to screen and diagnose reading difficulties, inform instruction and intervention needs, and assess progress towards a growth target under MCL 380.1280f. Students who are English Learners or students in dual, bilingual or transitional programs and who are instructed in a language other than English should be assessed in the language(s) of instruction. To comply with the third-grade reading law, districts should select an initial (screener/benchmark) reading assessment for all students in the first 30 days of school. Districts should determine which initial assessment tool they think is best for assessing the reading level of this population of students. This may involve using a commercial reading screener in a language other than English or creating a local tool.

Family Engagement

THE MDE SUPPORTS FAMILIES AS PARTNERS IN THEIR CHILD'S LITERACY SUCCESS. THE FOLLOWING RESOURCES HAVE BEEN DEVELOPED AND COMPILED TO SHARE WITH FAMILIES. IT IS RECOMMENDED THAT RESOURCES BE PAIRED WITH CONVERSATIONS WITH FAMILIES ABOUT LITERACY DEVELOPMENT AND EXPECTATIONS TO FULLY SUPPORT THE STUDENT AT HOME AND SCHOOL.

- [Facts for Families: What is the Read by Grade Three Law?](#)
- [Essentials for Families Poster](#)
- [Read by Grade Three Bookmarks](#)
- [Read by Grade Three Full Video](#)



- [Read by Grade Three Short Video](#)



- [Read by Grade Three Parent Tip Video](#)



1. Is the Read-at-Home plan required for grades K-3 or just grade 3?

In grades K-3, tools need to be provided to parents to address the deficiency or delay at home. The legislation does not specifically address a Read-at-Home plan until grade 3. While the Read-at-Home plan is only required at grade 3, districts are encouraged to provide this plan for all students in K-3 as well as for students who are passed on to grade 4 who exhibit a reading deficiency.

2. Will there be standard supports for Read-at-Home plans and professional development for parents or caregivers?

Districts and PSAs have the authority to determine the format and content of Read-at-Home plans and professional development for families.

Instruction

THE RECOMMENDED PRACTICES SHOULD OCCUR THROUGHOUT THE DAY, INCLUDING BEING INTEGRATED INTO OPPORTUNITIES FOR SCIENCE AND SOCIAL STUDIES LEARNING, NOT EXCLUSIVELY IN AN ISOLATED BLOCK IDENTIFIED AS “ENGLISH LANGUAGE ARTS” OR “LITERACY.” AT THE SAME TIME, LITERACY INSTRUCTION SHOULD NOT TAKE THE PLACE OF SCIENCE AND SOCIAL STUDIES INQUIRY NOR ADDRESSING THE MICHIGAN GRADE LEVEL CONTENT EXPECTATIONS FOR SOCIAL STUDIES NOR ADDRESSING THE MICHIGAN K – 12 SCIENCE STANDARDS. IN THE LONG TERM, THAT APPROACH IS COUNTERPRODUCTIVE; LATER ACADEMIC ACHIEVEMENT IS PREDICTED NOT ONLY BY LITERACY KNOWLEDGE AND SKILLS, BUT BY MATHEMATICS LEARNING, KNOWLEDGE OF THE NATURAL AND SOCIAL WORLD, AND CERTAIN ASPECTS OF PHYSICAL, SOCIAL, AND EMOTIONAL DEVELOPMENT. FINALLY, IT IS IMPORTANT TO READ THIS DOCUMENT IN RELATION TO THE STATE OF MICHIGAN’S SPECIFIC [STANDARDS FOR LITERACY DEVELOPMENT IN KINDERGARTEN THROUGH THIRD GRADE](#).

Michigan Association of Intermediate School Administrators General Education Leadership Network Early Literacy Task Force (2016). [Essential instructional practices in early literacy: K to 3](#). Lansing, MI: Authors

1. **How can we best prepare students for success on the 3rd grade summative assessment (M-STEP)?**

The M-STEP is Michigan’s English Language Arts (ELA) state summative assessment. As such, it is matched with the rigor and content of the Michigan state academic standards. Initially used three years ago, the M-STEP assesses in formats that may be new to some educators. All Michigan educators are encouraged to familiarize themselves with the Michigan state academic standards as well as the M-STEP assessment to understand what students will be expected to know and do at each grade level. Information on the this assessment can be found at the [M-STEP Resource Page](#).

2. **What is a reading program?**

A reading program is a locally determined system of assessment, instruction, curriculum and resources. This system is used to provide evidenced-based instruction on literacy for all students.

3. **How do I know if my district’s reading program meets the requirements in the law?**

The law requires that the assessment, instruction, curriculum, and resources of a program be evidence-based; which means based in research and with proven efficacy.

4. **What is evidence-based instruction as defined in the Read by Grade Three law (MCL.380.1280f)?**

In this legislation, “evidence-based” means based in research and with proven efficacy. Additional guidance on this definition will be provided in the future and will be linked to the ESSA definition for continuity.

5. **Is my district allowed to create a Young Fives or Developmental Kindergarten class with the intent of the program being planned retention in order to meet the requirements in the law of previously retained?**

The MDE is not in support of creating "young fives" or "developmental kindergarten," or extra-year placement programs at any grade level with the intent of affording students "previously retained" status as described in the Read by Grade Three law (MCL 380.1280f). Districts shall always appropriately place each student based on the strengths and needs of the Whole Child.

Intervention

1. **If a student is retained in 3rd grade, does the reading instruction and intervention need to incorporate opportunities to master grade 4 state standards in other core academic areas?**

If applicable and appropriate for the needs of the student.

2. **To deliver a summer camp or program, can we partner/collaborate with county library summer programs?**

Yes, the MDE strongly supports the use of appropriate partners in providing supports to students.

3. **What state or federal funds can be used to support summer reading camps?**

Title I Funds- For a Schoolwide Program all students may participate in Title I interventions such as summers reading camps. For Targeted Assistance Programs only specific, identified students can participate in summer reading camps if funded by Title I. Section 35a(5) Additional Instructional Time grant funds can be used to support summer reading camps.

Reading Improvement Plans

1. **What is an Individual Reading Improvement Plan (IRIP)?**

The IRIP describes the reading intervention services a pupil needs to remedy the reading deficiency.

2. **When do I start creating IRIPs for students with reading deficiencies?**

The district should create IRIPs for students in grades K-3 within 30 calendar days of the student showing a deficit.

3. **What if within the 30 calendar days a student goes from deficient to proficient? Does there still need to be an official IRIP?**

Need for an IRIP should be based on the full assessment system, including classroom assessments and formative practices and be provided to students as needed to support learning and literacy proficiency.

4. **Are students in a "young fives" and developmental kindergarten program required to have an IRIP?**

Yes, if they show a deficiency.

5. Will a standard format or template to facilitate the development of IRIPs be developed?

Local education agencies will need to create a process based on their specific context and needs to support student learning needs. The identified process is then used to create each IRIP with the pupil's teacher, school, principal, and parent or legal guardian and other pertinent school personnel. The IRIP describes the reading intervention services the pupil will receive. This intensive intervention plan should be used until the pupil no longer has a reading deficiency and be modified as needed based on identified student needs.

The MDE recommends that local education agencies revise the plan as necessary according to demonstrated student needs. Teams may also want to explicitly address special education and English learners through a specific section of this plan.

6. Do parents of the students also need to be notified of the deficiency and be provided tools to support as required by the Read by Grade Three law?

Yes, the school and parents should work together to address the identified deficiency.

7. What are the options if parents dissent/opt out of signing/agreeing to an IRIP?

The law does not provide an opt-out process. Districts and PSAs are encouraged to maintain communication with parents and guardians about their student's reading progress and plan. Districts and PSAs are required to document efforts by the student's school to engage the parent or legal guardian and whether those efforts were successful. They are also required to document any dissenting opinions expressed by school personnel or a parent or guardian concerning the individual reading improvement plan.

Promotion and Retention

1. Which score will be used to initially flag students for retention?

A unique Read by Grade Three score on the ELA M-STEP will be used to flag for retention. For detailed information please see the [Read by Grade Three Retention Guidelines memo](#).

2. When will students be retained?

Based on the spring 2020 ELA M-STEP, 3rd grade students flagged for retention, may be retained in the 2020-2021 school year.

3. If an end of Grade 3 assessment indicates retention, but services over the summer provide sufficient acceleration as demonstrated at end of summer or beginning of the next school year, can a student be moved at that time?

Districts and PSAs are encouraged to develop placement policies to provide evidence of competency in grade 3 ELA standards through a pupil portfolio with multiple work

samples. Students must demonstrate a grade 3 reading level before being promoted to fourth grade.

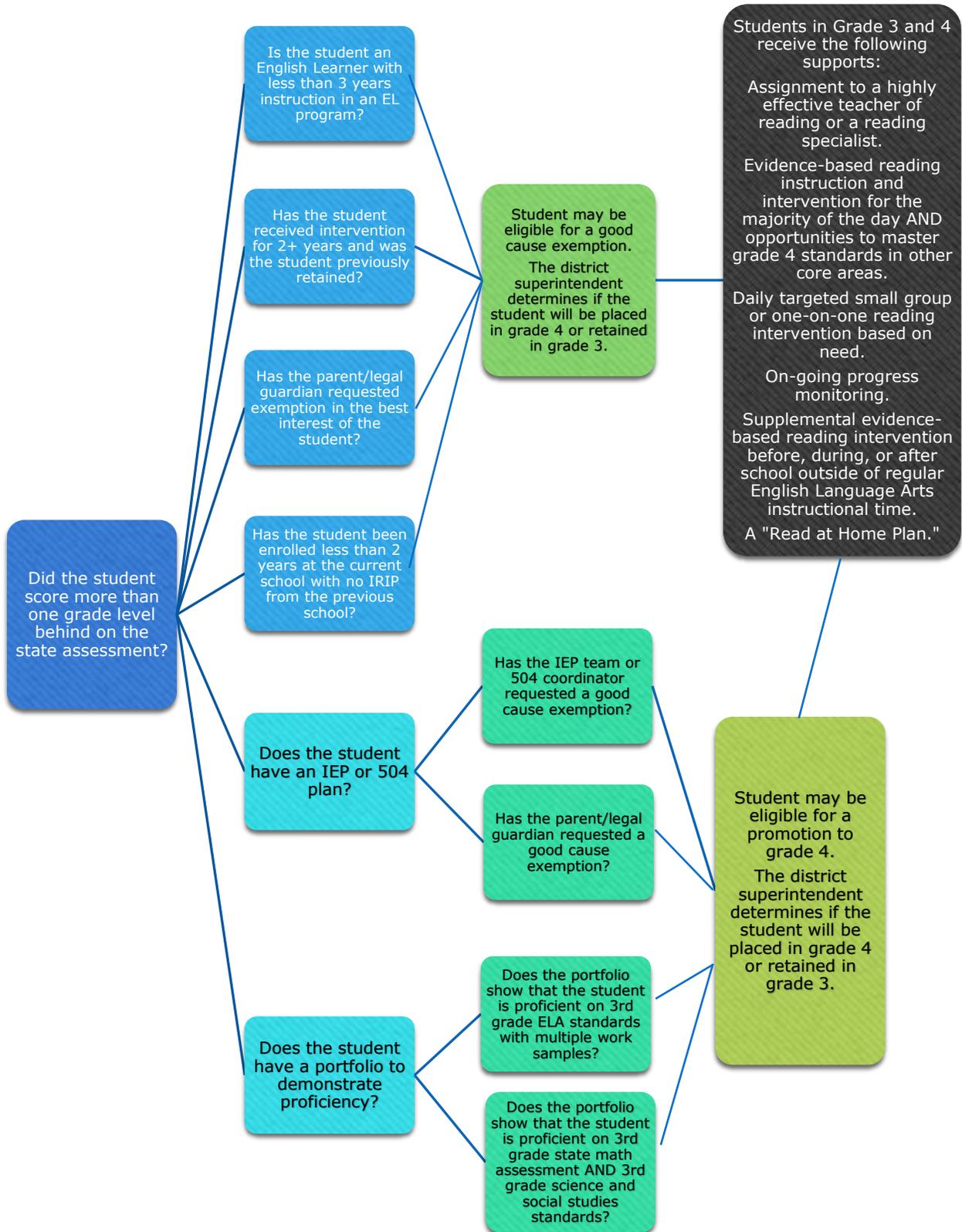
4. Can a teacher other than the student's assigned homeroom teacher advocate for a Good Cause Exemption?

A parent or guardian, any third-grade teacher, the Section 504 coordinator, or any member of the student's Individualized Education Plan (IEP) team can request a Good Cause Exemption. The district superintendent will make a determination in writing of the requested exemption.

5. Can schools submit an exemption for their entire special needs population?

No. Having an Individual Education Plan can be cause for an exemption, but each individual circumstance needs to be considered.

Is a Student Eligible for a Good Cause Exemption and/or Promotion to Grade 4?



6. If a student is promoted based on a Good Cause Exemption, what needs to be done for the student in 4th grade?

The pupil remains eligible for reading intervention services designed to enable the pupil to achieve proficiency in reading and would be similar to those provided for a student who was retained in grade 3.

7. If there is language regarding student caseload or student placement within classrooms that conflicts with the placement requirement for students with highly effective teachers, what recommendations are there? (i.e., if there are 1 highly effective and 3 effective teachers at a grade level)

Students who have been retained can be assigned to 1 or more of the following:

- A highly effective teacher
- The highest evaluated grade three teacher
- A teacher with a reading specialist endorsement

If a district or PSA cannot furnish the number of teachers needed to satisfy the criteria required in the law, the district or PSA develops a staffing plan for providing services. The plan must be posted on the district or PSA website.

8. What is the process for exempting students from this legislation?

No student is exempt from the law. Districts and PSAs are encouraged to develop processes and procedures in accordance with the law.

9. What is the process for opting out of the retention portion of the Read by Grade Three law?

There is not an opt-out option in the Read by Grade Three Law. There is, however, a procedure for promotion for grade three students who may initially be flagged for retention. Please see the Promotion and Retention section of the [Read by Grade Three Guide](#).

It is important that districts clearly communicate their policy and procedure for promotion and retention to all stakeholders. Regardless of promotion or retention practices, districts should communicate how students will be supported within a Multi-Tiered System of Supports (MTSS). For example, all students should receive high-quality, research supported, literacy instruction that is differentiated for the needs of the student. Some students may need to receive additional targeted research supported instruction with embedded formative assessment. This high-quality instruction should be coupled with coaching and job-embedded professional learning.

Special Education

1. Are students with Individual Education Plans (IEPs) exempt from the IRIP?

No, students with IEPs are not exempt from the IRIP.

2. Can the student’s Individualized Education Program (IEP) be considered a student’s Individual Reading Intervention Plan (IRIP)?

An IEP is the district’s offer of a Free Appropriate Public Education which includes special education programs and services to address the unique needs of the student that result from the student’s disability. The IEP should not reference an IRIP, however, **for students with significant cognitive impairments, the IRIP may reference appropriate reading supports, communication and language goals, etc., specified in student’s IEP.**

An IRIP does not meet the IDEA requirements for students with an IEP.

An IRIP must address interventions that are available to all students with a reading deficiency who may or may not have an IEP. The IRIP cannot substitute services of an IEP, but provides additional support to improve reading proficiency.

3. Is it reasonable and appropriate for the IRIP to be delivered by the special education teacher as part of special education service time?

Yes, but the IEP should address the reading goals that the special education teacher will be working on. The IRIP is not a legal document for IDEA requirements. The IRIP may reference an IEP, if appropriate.

4. Will the MI-Access ELA assessment be appropriate for the determination of need for an Individual Reading Improvement Plan?

MI-Access ELA assessment is a state level summative assessment and should never be used as a screener or individualized achievement test.

Staffing

The Michigan Read By Grade Three legislation ([MCL 380.1280f](#)) requires districts to complete a staffing plan if they are unable to meet staffing requirements as outlined in the law. **Although this requirement is only for schools who cannot meet the staffing requirements as outlined in the law**, a local district may choose to provide annual updates to support transparency. The visual below provides guidance on what should be included in a staffing plan.

Student Assignment

- Explain how students are prioritized for assignment to teachers
- Explain how teacher skill is being measured in reading and being matched to student need

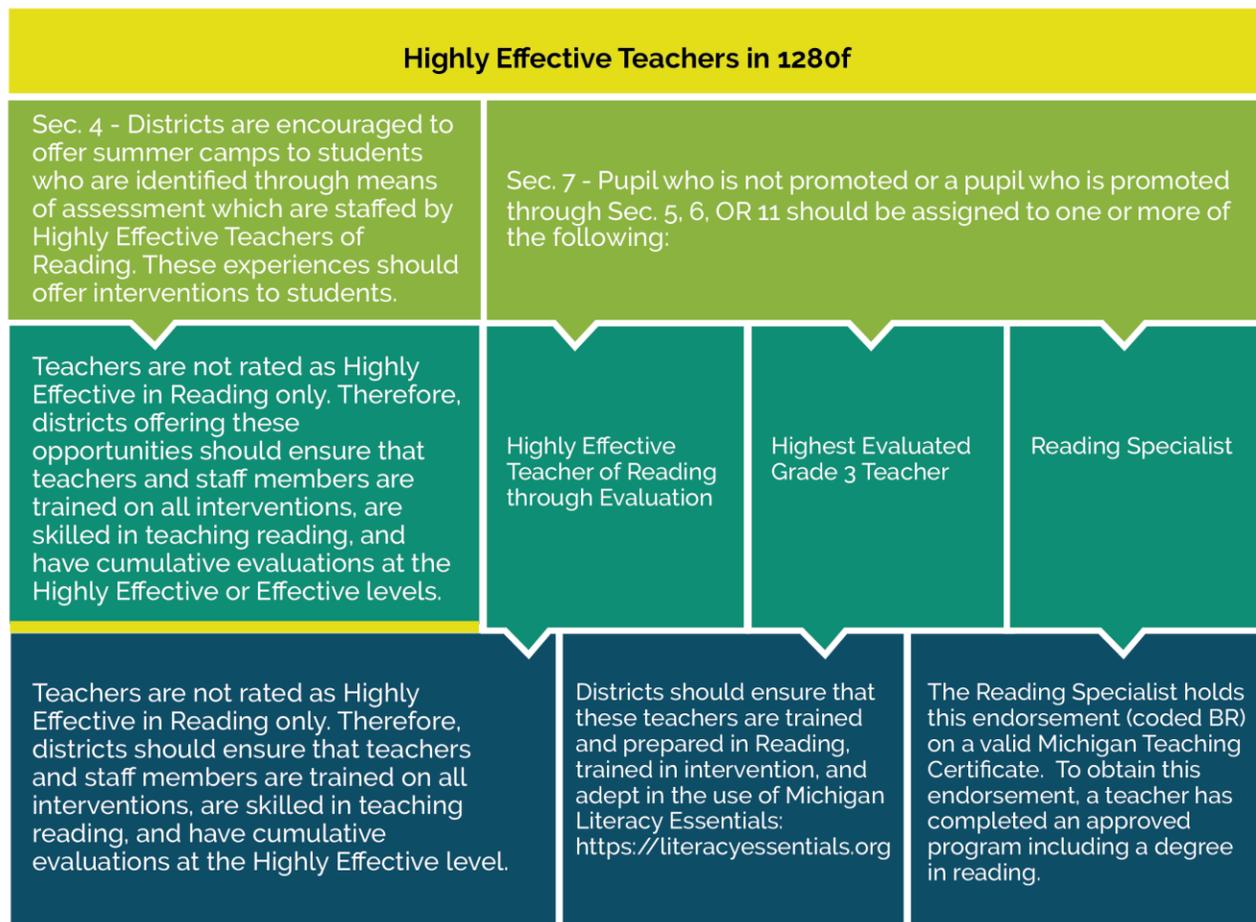
Teacher Credentials and Training

- Describe the credentials for teachers who are providing classroom instruction and those providing Interventions
- Share the professional learning plan for teachers; highlight efforts to improve literacy instruction

Meeting the Legislation

- Explain district staffing and student assignment practices
- Explain ongoing district processes to meet legislative requirements along with needs of all students

The Michigan Read By Grade Three legislation (MCL 380.1280f) informs districts on the assignment of students to effectively prepared teachers in two difference subsections. The following flowchart may assist districts with understanding how this could impact their practice and staffing. For additional assistance, please contact the Office of Educator Excellence at 517-241-5000.



Other

1. How does the new reading law interplay with ESSA/Title I requirements?

There is not a direct correlation between the Michigan law and the ESSA/Title I requirements, but they are not in opposition to each other either. ESSA does not directly address early literacy - it is much broader. Title I services are based on a comprehensive needs assessment, so if there is a need for reading/literacy interventions, Title I funds could support that work.

2. Do the existing Title I supports in districts and schools already, in effect, meet the added instructional time and interventions for students demonstrated deficiencies in reading?

Currently, Title I funds may be used to support instructional time, if this need is documented in the comprehensive needs assessment. Not all districts may have data that would lead to providing added instructional time or interventions for students demonstrating reading efficiencies. If Title I funds are currently being used for these interventions and the student performance is not showing improvement, then the current initiatives supported by these funds should be reevaluated. It is not recommended to continue implementing initiatives that are not improving student achievement.

3. If there are more students demonstrating deficiencies than there are resources to intervene, does a school/district prioritize to serve those with greatest needs first?

The Read by Grade Three legislation states that any student who exhibits a reading deficiency at any time must be provided with an Individual Reading Improvement Plan within 30 days. This language clarifies that all students demonstrating deficiencies must be served.

Read by Grade Three

Parent Awareness Toolkit PowerPoint



Read by Grade Three: A Guide For Parents



THE MICHIGAN DEPARTMENT OF EDUCATION
OFFICE OF PARTNERSHIP DISTRICTS (OPD)
OFFICE OF EDUCATIONAL SUPPORTS (OES)

https://www.michigan.gov/mde/0,4615,7-140-28753_74161-498394--,00.html

Parent Resources

Facts for Families: What is the Read by Grade Three Law?

In 2016, the Michigan Legislature passed a law that requires schools to identify learners who are struggling with reading and writing and to provide additional help. The law states that third graders may repeat third grade if they are more than one grade level behind beginning with the 2019-2020 school year. These *Facts for Families* help families understand the Read by Grade Three Law so they can support their child.



How is my child identified as having a reading concern?

Assessments are given to all children who are in Kindergarten through Third grade **within 30 days of the first day of school**. An Individualized Reading Improvement Plan (IRIP) will be written for all learners who have been identified through these assessments as having a reading concern.

When is an Individualized Reading Improvement Plan (IRIP) developed?

An IRIP is developed following identification of a reading concern **within 30 days** of the screening assessment. The IRIP is developed with the help of teachers, the principal, parent or legal guardian, and anyone else that the team agrees needs to be involved. Your child will remain on an IRIP as long as there is a reading concern. Your child will be assessed several times through the year to check on their progress. IRIPs should be updated to reflect the needs of your child.

What is the “Read at Home” plan?

A “Read at Home” plan is developed between the school and family to develop efforts you will take to support your child at home. Resources and activities are provided to families.

What if my child’s reading does not improve?

Your child will take the M-STEP in the spring of their third-grade year. The M-STEP is the Michigan Student Test of Educational Progress. The M-STEP measures what your child should be able to know and do. If your child scores one or more grade level behind the third-grade reading level, then a notification will be generated for you and your child’s school that your child **may** be retained.

When do I get notification that my child may be retained?

If your child's reading score on the English Language Arts M-STEP is more than one year below grade level, you and your child's school will be notified by **June 1** of that school year.

When do I need to talk to the school if I don't agree with the decision to retain my child?

If you do not agree with the decision, you should request a meeting with your child's school and file a **Good Cause Exemption within 30 days** of receiving a notice regarding potential retention. Your child's school must make themselves available to discuss your child's progress.

When will I find out if my child is being retained after I ask for a Good Cause Exemption?

Your child's school needs to have a decision on retaining your child **30 days before the first day of school**. This decision is made by the school principal and/or superintendent and is a final decision.

What support will my child get if they are retained in 3rd Grade?

The school will provide a reading program that is designed to improve your child's specific reading concern. This program includes teaching strategies to help your child be a successful reader. Your child may also be assigned to a highly effective teacher of reading, a reading specialist, an evidence-based reading program, daily small group instruction, ongoing assessments, or specialized reading help.

Facts for Families:

What is a Good Cause Exemption Process?

What is a Good Cause Exemption?

A specific reason within the law for a child to be promoted to 4th grade.

In 2016, the Michigan Legislature passed the Read by Grade Three Law that requires schools to identify and support students in grades Kindergarten through third grade who are struggling with reading and writing. The law states that third graders may be retained if they are more than one grade level behind at the end of the 2019-20 school year. This document explains what the law calls a **Good Cause Exemption**.

Who can ask for a Good Cause Exemption?

- A parent or guardian of a third grader.
- The third grade teacher.
- The Individualized Education Program (IEP) or 504 Coordinator.

When do I apply for a Good Cause Exemption?

Within 30 days of being notified that your child may be retained.

What does the law offer as a Good Cause Exemption?

If a child has:

- An Individualized Education Program (IEP)
- A Section 504 Plan
- Limited English with less than three years of instruction in an English Language Learner (EL) Program.
- Received intensive reading intervention for 2 or more years, and was retained in kindergarten, 1st, or 2nd grade.
- Been enrolled in their current school for less than two years and there is evidence that your child was not provided with an appropriate individual reading improvement plan (IRIP).

Or the child's parent or legal guardian has requested, in the appropriate timeframe:

- The child not be retained, and the superintendent, chief administrator, or his or her designee has determined that promotion is in the best interest of the child.

How do I request a Good Cause Exemption?

Contact the school where your child will be attending 4th grade and ask about their Good Cause Exemption Process.

What happens when I request a Good Cause Exemption?

The superintendent, or their designee, will review the request and make the final decision **at least 30 days** before the first day of school. This decision is final.



What support will my child get if they are retained in 3rd grade? AND What support will my child get if they are promoted to the 4th grade?

- Your child will receive appropriate reading support at school.
- You and your child may be provided with a "Read at Home" plan with activities to help your child at home.



Essentials Poster for Families

Essentials for Families

WHAT FAMILIES CAN DO TO SUPPORT READING AND WRITING
For children and families Kindergarten to Third Grade



Take it with you when you go!
Bring a book or magazine any time you and your child need to wait, like at a bus stop or doctor's office. There is always time to fit in reading!

Promote Reading and Writing

- Have books throughout the home and in a special place. This helps children see themselves as readers and writers.
- Have fun! Write letters to friends and family. Read a recipe. Read and write together to make it fun!
- Be an adult reader so your child sees you reading.

Have Patience

- When children are trying to sound out an unfamiliar word, give them time to do so.
- Help your child look closely at the first letter or letters of the word.
- Explain words that your child does not understand.

Encourage Writing

- Provide a place - it is important for children to have a place to write like a desk or table.
- Explain to your child why writing is important as you do things like making grocery lists or text.

Talk About What You Read

- Ask your child questions about the story.
- Lead with questions such as, "Why do you think the fish might have done that?" or "What do you think will happen next?"
- Connect what you read with conversations, such as, "if the children in this story did a clean-up day for Earth Day, what do you think we could do for Earth Day?"

Read Aloud Together

- Story books are fun and so are informational books, magazines, and newspapers. Try reading different types of materials with your child.
- Did you find a new word? Talk about the word, discuss examples, and find ways to use the word. The more we use a new word, the better we learn it.

Read Everywhere

- Provide things to read all over the home like storybooks, newspapers, or poetry.
- Find books or other reading material tied to your child's interests!
- Read and talk about signs in the environment.

For Michigan's Read by Grade Three Guide, please visit: bit.ly/Read_by_Gr3_Guide
Do you have more questions?
Email: mde-earlyliteracy@michigan.gov







Reading is the gateway to new ideas!

Reading empowers children to stretch their imaginations, explore their world, and discover all of its exciting possibilities. Parents and families have an important role to play in helping children become strong readers. Cut out and use these handy bookmarks to support reading at home. Each bookmark includes a reading tip to support your child's reading outside of the classroom.

ADDITIONAL RESOURCES

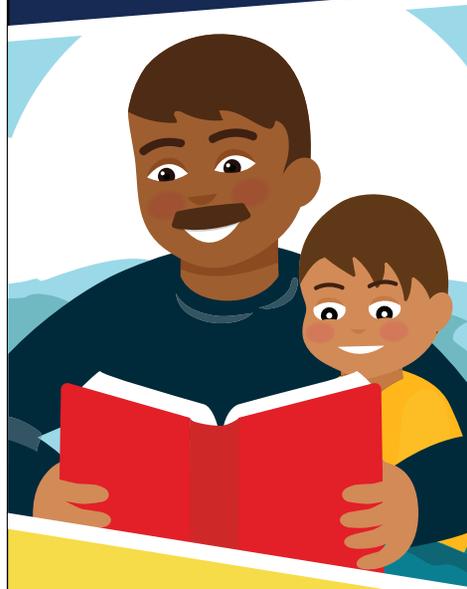
Check out book lists by age group at readingrockets.org/books/summer.

Sign up for weekly text messages with reading tips, in English or Spanish, at startwithabook.org/sms.

Learn about Read by Grade Three and early literacy in Michigan at <http://bit.ly/MIEarlyLiteracy>.

Read for
20 MINUTES
Every Day!

Take advantage of every opportunity to read, from books to today's weather report. Reading for 20 minutes each day helps children learn new words and develop necessary reading skills.



Learn about Read by Grade Three and early literacy in Michigan at <http://bit.ly/MIEarlyLiteracy>.

Sing Songs
AND SAY
Tongue Twisters!

Singing rhyming songs, reading rhyming books, and saying tongue twisters with your child helps them learn new sounds in words.



Learn about Read by Grade Three and early literacy in Michigan at <http://bit.ly/MIEarlyLiteracy>.

Choose the
RIGHT BOOKS

Ask your child's teacher or a librarian for help picking out books that match your child's interests and that are just right—not too hard and not too easy.



Learn about Read by Grade Three and early literacy in Michigan at <http://bit.ly/MIEarlyLiteracy>.



eResources Supporting Early Literacy

The Early Literacy eResources available in the Michigan eLibrary support the *Essential Instructional Practices in Early Literacy* published by the Early Literacy Task Force, a subcommittee of the Michigan Association of Intermediate School Administrators General Education Leadership Network.

These eResources, available to all residents in the State of Michigan, extend the amount of reading material and opportunities for reading in the classroom, and at home. Additional eResource features aligned with these early literacy practices include:

- a **read-aloud feature** for books and encyclopedia content with text that is highlighted while it is being read; **pronunciation tools** for vocabulary words
- child-friendly **explanations of words** within texts and reinforcement of those words with tools such as videos and photos
- activities that build **phonological awareness** including listening to books and songs with rhyming, and sorting pictures, objects and words by sound.

Age	eResource	Description
PreK – 2 nd grade		Play and read to learn letters, numbers, shapes and more.
PreK – 3 rd grade		Follow Trek and Taffy the cat around the world. Share their love of colors, numbers and other fun things. Read along stories and pictures help teach students basic concepts.
K – 5 th grade		Easy-to-read content for elementary school learners. Hundreds of activities science projects and experiments.
3 rd – 5 th grade		Homework help resources for grades 3-5. Find information on countries, animals, people, maps, photos and articles.
K – 8 th grade		Titles that support K-8 students across all subject areas. Full-text access of available from your computer or download titles to the most popular portable devices.

Visit MeL.org

Click on eResources to find these Early Literacy eResources and more!

The image displays two screenshots of the Michigan eLibrary website. The left screenshot shows the main navigation menu with 'eResources' circled in red and a red arrow pointing to it. The right screenshot shows the 'eResources' page with a search bar and a list of popular eResources.

Michigan eLibrary
Supporting Michigan Libraries

MeLCat **eResources** Library Staff Educators

Find the right resources. Better. Faster.

Search MeLCat for music, books, audio, and more

Kids Library Staff Educators

Michigan eLibrary / eResources

eResources

Search for Database by Name

All A B C D E F G H I J K L M N O P Q R S T U V W X Y Z #

All Subjects All Vendors / Providers Go

Popular eResources

The most frequently-used eResources

- Atozdatabases >
- AutoMate >
- Britannica School >
- Consumer Reports (part of MasterFILE) >
- LearningExpress Library >
- MasterFILE Complete >
- MyHeritage Library Edition >
- Novelist Plus >
- Opposing Viewpoints in Context >

Need MeL Support?

For questions, or to set up training, please contact:

Liz Breed

Michigan eLibrary Coordinator

Library of Michigan

Michigan Department of Education

517-335-1497

breedl@michigan.gov

Legislation

Act No. 306
 Public Acts of 2016
 Approved by the Governor
 October 6, 2016
 Filed with the Secretary of State
 October 6, 2016
 EFFECTIVE DATE: October 6, 2016

STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2016

Introduced by Reps. Price, Kelly, Crawford, Yonker, Franz, Garcia, Santana, Lyons, Poleski, Cox, Runestad, Chatfield, Callton, Tedder and Schor

ENROLLED HOUSE BILL No. 4822

AN ACT to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to make appropriations for certain purposes; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” (MCL 380.1 to 380.1852) by adding section 1280f.

The People of the State of Michigan enact:

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

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

(i) Each approved assessment system shall provide a screening assessment, monitoring capabilities for monitoring progress toward a growth target, and a diagnostic assessment.

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

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

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

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

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

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

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

(B) Administering and analyzing instructional assessments.

(C) Providing differentiated instruction and intensive intervention.

(D) Using progress monitoring.

(E) Identifying and addressing reading deficiency.

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

(A) Model effective instructional strategies for teachers.

(B) Facilitate study groups.

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

(D) Coach and mentor colleagues.

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

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

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

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

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

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

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

(iii) In the context of performing the functions described in subparagraph (ii), an early literacy coach shall not be asked to perform administrative functions that will confuse his or her role for teachers.

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

(A) Have experience as a successful classroom teacher.

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

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

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

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

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

(a) Select 1 valid and reliable screening, formative, and diagnostic reading assessment system from the assessment systems approved by the department under subsection (1)(a). A school district or public school academy shall use this assessment system for pupils in grades K to 3 to screen and diagnose difficulties, inform instruction and intervention needs, and assess progress toward a growth target. A school district or public school academy periodically shall assess a pupil's progress in reading skills at least 3 times per school year in grades K to 3. The first of these assessments for a school year shall be conducted within the first 30 school days of the school year.

(b) For any pupil in grades K to 3 who exhibits a reading deficiency at any time, based upon the reading assessment system selected and used under subdivision (a), provide an individual reading improvement plan for the pupil within 30 days after the identification of the reading deficiency. The individual reading improvement plan shall be created by the pupil's teacher, school principal, and parent or legal guardian and other pertinent school personnel, and shall describe the reading intervention services the pupil will receive to remedy the reading deficiency. A school district or public school academy shall provide intensive reading intervention for the pupil in accordance with the individual reading improvement plan until the pupil no longer has a reading deficiency.

(c) If a pupil in grades K to 3 is identified as having an early literacy delay or reading deficiency, provide written notice to the pupil's parent or legal guardian of the delay or reading deficiency in writing and provide tools to assist the parent or legal guardian to engage in intervention and to address or correct any reading deficiency at home.

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

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

- (ii) Differentiate and intensify professional development for teachers based on data gathered by monitoring teacher progress in improving pupil proficiency rates among their pupils.
 - (iii) Establish a collaborative system within the school to improve reading proficiency rates in grades K to 3.
 - (iv) Ensure that time is provided for teachers to meet for professional development.
- (e) Utilize, at least, early literacy coaches provided through the intermediate school district in which the school district or public school academy is located, as provided for under section 35a(4) of the state school aid act of 1979, MCL 388.1635a. However, a public school academy may use an early literacy coach provided by the public school academy, at the expense of the public school academy, rather than using an early literacy coach provided through an intermediate school district if the early literacy coach and the usage of the early literacy coach otherwise meet the requirements of this section.
- (3) Subject to subsection (14), a school district or public school academy shall provide reading intervention programs for pupils in grades K to 3, including at least all of the following:
- (a) For pupils who exhibit a reading deficiency, a reading intervention program intended to ensure that pupils are proficient readers by the end of grade 3 and that includes some or all of the following features:
 - (i) Is provided to each pupil in grades K to 3 who is identified with a reading deficiency based on screening and diagnostic tools, and identifies and addresses the pupil's reading deficiency.
 - (ii) Periodically screens and monitors the progress of each pupil's reading skills, at least 3 times per year.
 - (iii) Provides evidence-based core reading instruction that is comprehensive and meets the majority of the general education classroom needs.
 - (iv) Provides reading intervention that meets, at a minimum, the following specifications:
 - (A) Assists pupils exhibiting a reading deficiency in developing the ability to read at grade level.
 - (B) Provides intensive development in the 5 major reading components: phonemic awareness, phonics, fluency, vocabulary, and comprehension.
 - (C) Is systematic, explicit, multisensory, and sequential.
 - (D) Is implemented during regular school hours in addition to regular classroom reading instruction.
 - (v) Provides parents, legal guardians, or other providers of care for the pupil with a "Read at Home" plan, including parent, guardian, or care provider training workshops and regular home reading.
 - (vi) Documents efforts by the pupil's school to engage the pupil's parent or legal guardian and whether or not those efforts were successful.
 - (vii) Documents any dissenting opinions expressed by school personnel or a parent or legal guardian concerning the individual reading improvement plan provided for the pupil under subsection (2)(b).
 - (b) For grade 3 pupils exhibiting a reading deficiency as determined by the pupil's teacher through the diagnostic reading assessment system selected by the school district or public school academy under subsection (2)(a), a reading intervention program intended to correct the identified area or areas of reading deficiency and that includes all of the following features as needed by the individual pupil:
 - (i) Is evidence-based and has proven results in accelerating pupil reading achievement within the same school year.
 - (ii) Provides more dedicated time than the pupil's previous school year in evidence-based reading instruction and intervention.
 - (iii) Provides daily targeted small group or 1-to-1 reading intervention based on pupil needs as determined by assessment data, including explicit and systematic instruction with more detailed and varied explanations, more extensive opportunities for guided practice, and more opportunities for error correction and feedback.
 - (iv) Provides administration of ongoing progress monitoring assessments to frequently monitor pupil progress.
 - (v) Provides supplemental evidence-based reading intervention delivered by a teacher, tutor, or volunteer with specialized reading training that is provided before school, after school, during school hours but outside of regular English language arts classroom time, or any combination of these.
 - (vi) Provides parents, legal guardians, or other providers of care for a pupil with a "Read at Home" plan, including parent, guardian, or care provider training workshops and regular home reading.
 - (vii) Documents efforts by the pupil's school to engage the pupil's parent or legal guardian and whether or not those efforts were successful.
 - (viii) Documents any dissenting opinions expressed by school personnel or a parent or legal guardian concerning the individual reading improvement plan provided for the pupil under subsection (2)(b).
 - (c) Subject to subsection (15), for pupils identified as English language learners by the pupil's teacher or by the diagnostic reading assessment selected by the school district or public school academy under subsection (2)(a), intervention services that include at least all of the following:
 - (i) Ongoing assessments that provide actionable data for teachers to use in interventions.

(ii) Instruction in academic vocabulary.

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

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

(4) For all pupils exhibiting a reading deficiency as determined by the pupil's teacher through the diagnostic reading assessment system selected by the school district or public school academy under subsection (2)(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.

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

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

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

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

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

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

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

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

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

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

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

(i) That, based on standardized testing, this state has determined that the pupil may be required to be retained in grade 3 as provided under state law, with a reference to this section along with an explanation that even if the pupil is not eligible to enroll in grade 4 based on state assessments, the pupil may still be allowed to enroll in grade 4 if he or she demonstrates a grade 3 reading level through performance on an alternative standardized reading assessment or through a pupil portfolio.

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

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

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

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

(f) If a pupil is not enrolled in grade 4 at the beginning of a school year due to the operation of this subsection, then before placing the child in grade 4 during the school year, an appropriate school official of the pupil's school district or public school academy shall provide written notification to the pupil's parent or legal guardian of the proposed placement.

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

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

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

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

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

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

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

(iii) A reading specialist.

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

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

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

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

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

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

(8) If the superintendent of the pupil's school district or chief administrator of the pupil's public school academy, or his or her designee, grants a good cause exemption from the requirements of subsection (5)(a) for a pupil, then a pupil may be promoted to grade 4 without meeting the requirements of subsection (5)(a). A good cause exemption may be granted only according to the procedures under subsection (10) and only for 1 of the following:

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

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

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

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

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

(9) Subject to subsection (14), if a pupil is promoted to grade 4 due to a good cause exemption granted under subsection (8), the pupil remains eligible for reading intervention services designed to enable the pupil to achieve proficiency in reading. The services for a pupil described in this subsection shall be similar to those provided to pupils in grade 3 under this section.

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

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

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

(c) For a pupil enrolled in a public school academy, the chief administrator of the public school academy, or his or her designee, shall review and discuss the recommendation with the pupil's grade 3 teacher and, if the pupil has an individualized education program, with the pupil's individualized education program team. After this discussion, the chief administrator or his or her designee shall make a determination in writing of whether or not to grant the good cause exemption for the pupil. The decision by the chief administrator or his or her designee is final.

(d) For a pupil for whom a request has been received from the pupil's parent or legal guardian, as described in subsection (8)(e), if the request is received within 30 days after the notification by CEPI under subsection (5)(d), the superintendent of the school district or chief administrator of the public school academy, as applicable, or his or her designee, shall review the request and any supporting information and shall consider whether or not the good cause exemption is in the best interests of the pupil. After this consideration, he or she shall make a determination in writing of whether or not to grant the good cause exemption. This determination shall be made and communicated to the parent or legal guardian at least 30 days before the first day of school for the school year. The decision of the superintendent or chief administrator, or his or her designee, is final.

(e) The superintendent of the pupil's school district or chief administrator of the pupil's public school academy, or his or her designee, shall notify the pupil's parent or legal guardian of the determination and decision under subdivision (b), (c), or (d), as applicable.

(11) For a pupil or child described in subsection (6) or a pupil who has been granted a good cause exemption under subsection (8), the school district or public school academy shall provide intensive reading intervention, as described under subsection (7), for the pupil until he or she no longer has a reading deficiency.

(12) A school district or public school academy shall not require a pupil to repeat grade 3 more than once due to the operation of this section.

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

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

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

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

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

(15) For pupils identified as English language learners by the pupil's teacher or by the diagnostic reading assessment selected by the school district or public school academy under subsection (2)(a), 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 (3)(c):

(a) Instruction in the pupil's native language, with withdrawal of that instruction as appropriate as the pupil improves his or her 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 his or her native language.

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

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

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

(17) As used in this section:

(a) "Evidence-based" means based in research and with proven efficacy.

(b) "Individualized education program" means that term as described in R 340.1721e of the Michigan administrative code.

(c) "Kindergarten" includes a classroom for young 5-year-olds, commonly referred to as "young 5s" or "developmental kindergarten".

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

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

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

This act is ordered to take immediate effect.



.....
Clerk of the House of Representatives



.....
Secretary of the Senate

Approved

.....
Governor

HB 4822—Third Grade Reading

Brief Bill Summary and History

The Michigan House and Senate came to a compromise last week on HB 4822, the Third Grade Reading bill. The legislation underwent many changes before passing both chambers. It has been presented to Governor Snyder for signature.

As introduced, the legislation required mandated retention of third grade students based on a single assessment. The legislation also included increased responsibilities for the Michigan Department of Education (MDE) and local districts to offer wrap around services for students with reading deficiencies. As passed, the legislation continued to include mandated retention but added several good cause exemptions, including a parent initiated exemption that would allow a student to be promoted to fourth grade. MDE has a large role in the final version of the legislation. Since the legislation is so new, MDE has not yet created a plan for implementation. It will be reviewing the final version of the legislation and providing guidance in the future.

Full Bill Description:

MDE Responsibilities

MDE is required to approve three or more valid and relative reading assessments for the use by school districts and PSA's. The approved assessments shall include screening, monitoring, and diagnostic tools. MDE will also develop an early literacy coach model with mandated features including professional development, instructional and diagnosis strategies, and tools to address reading deficiencies. The legislation lists the qualifications of early literacy coaches and clarifies their role within a school by mandating that they not also act as a classroom teacher or be asked to perform administrative duties.

School District Interventions

Beginning in the 2017-2018 school year, the board of a school district or PSA is required to choose an assessment system including a screening, formative, and diagnostic assessment for students in grades K-3. Each student must be assessed at least 3 times per year, with the first assessment occurring in the first 30 days of the school year.

If there are students who demonstrate reading deficiencies based on the assessments, the school must provide an individual reading improvement plan (IRP) within 30 days of the identification. The IRP should be developed by the pupil's teacher, parent or legal guardian, school principal, and any other important personnel. The plan will remain in place until the pupil no longer has a reading deficiency. The school must inform the pupil's parents in writing if a pupil is identified as having an early literacy delay or reading deficiency.

A school principal or chief administrator is required to target specific areas of professional development for teachers in grades K-3 based on the reading development needs of the pupils and may change the

professional development based on data gathered on teacher progress. The principal should create a collaborative system to improve reading proficiency and allow teachers the time for professional development. Schools should use the early literacy coaches, which are provided through the intermediate school districts (ISDs) and funded through the State School Aid Budget. They may also utilize additional coaches.

A school district or PSA shall also establish a reading intervention program for students in grades K-3. The bill outlines a list of requirements for a program for students with reading deficiencies with the goal that they are proficient by the end of 3rd grade. The requirements include periodic screening and monitoring, evidence-based core reading instruction, intensive development in the five major reading components, and establishing a read-at-home plan. The school must document efforts to engage parents and legal guardians in the program. If a student in 3rd grade has a reading deficiency, the school must adhere to additional guidelines when developing a reading intervention plan. The plan must include more dedicated time to reading instruction and intervention, daily small group intervention, supplemental evidenced based reading intervention delivered by an individual with specialized reading training. A read-at-home plan is also included in this intervention. Summer reading camps for students with reading deficiencies are encouraged, though not required, in the legislation. An intervention plan created for ELL students is also detailed in the legislation.

Retention and Notification

Beginning in the 2019-2020 school year, a pupil in 3rd grade shall not be enrolled in 4th grade until he or she receives a reading score that is less than one grade level behind on the 3rd grade ELA assessment, demonstrate 3rd grade reading level on an alternative assessment, or demonstrate 3rd grade reading level through a pupil portfolio.

By May 23rd or not later than 14 days after MDE finalizes the scores for the 3rd grade assessment, whichever is earlier, MDE shall provide CEPI with the 3rd grade assessment scores for every pupil enrolled in a public school. By June 1st of each year, CEPI will identify each pupil that may not enter 4th grade based on the assessment criteria and will notify the parent of each pupil by mail. The school district or PSA may also notify the parent but is not required to do so.

The letter that CEPI sends to parents must state that, based on assessments, the state has determined the pupil may be required to be retained in 3rd grade. The pupil may still be allowed to enroll in 4th grade through an alternative assessment or a pupil portfolio. The letter will inform parents that they may request a good cause exemption from the school district within 30 days of the notification which would allow the pupil to enroll in 4th grade. The parent has the right to request a meeting with school officials to discuss the retention and possible good cause exemption. The district must ensure school officials are made available for the requested meeting.

Good Cause Exemptions

As mentioned, a pupil may be enrolled in 4th grade if a parent requests a good cause exemption. This exemption is accepted if the superintendent or chief administrator determines promotion is in the best interest of the pupil.

The legislation includes four other good cause exemptions: Students with an IEP or a 504 plan, limited English proficient students who have had less than 3 year of instruction in an ELL program, students who

have received 2 or more years of intensive reading intervention and were previously retained, and students who have not received an appropriate IRP may be granted a good cause exemption. The good cause exemptions can be requested by a teacher or a parent. A superintendent or his/her designee will review the exemption and make the determination.

Smart Promotion

The final version of HB 4822 included the ability for a pupil to progress to 4th grade under a provision called “Smart Promotion.” If a pupil is proficient in all subject areas assessed on the 3rd grade assessment, other than ELA, and if the pupil is proficient in science and social studies as shown through a pupil portfolio, the pupil may be enrolled in 4th grade.

Intervention Services for Students

Students who are retained in 3rd grade or promoted based on a good cause exemption or smart promotion provision will continue to receive a reading intervention program from the school district or PSA. The legislation lays out all of the features of the intervention program including implementing effective instructional strategies, assigning the pupil a highly effective teacher or the highest evaluated teacher based on the teacher evaluation system, and daily targeted small group reading interventions.

If staffing levels allow, the legislation lays out interventions the schools may consider for ELL students. These interventions include instruction in the pupil’s native language, opportunities for speech production, and common English language development strategies.

Staffing Plan

Beginning June 4, 2019, if a school district or PSA cannot meet the staffing requirements to satisfy the criteria in the legislation, the school must develop a staffing plan to provide services. The plan must be posted on the school website and describe how the school will meet the requirements of this Act.

Reporting

Beginning September 1, 2020, a school district or PSA shall submit a retention report to CEPI. The report must include the number of pupils retained and the number of pupils promoted to 4th grade due to good cause.



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