

	HB 4822 (Price) 3rd Grade Reading	MASA Comment
MDE: 3rd Grade Reading Policy Requirements [Sec. 1280F(1)]	<p>The Department shall do the following to ensure proficient ELA scores on grade 3 assessment:</p> <ul style="list-style-type: none"> • <i>Approve 3+ valid and reliable screening, formative, and diagnostic reading assessment based on 6 independent criteria.</i> • <i>Develop a process to let pupils retake the 3rd grade reading assessment.</i> • <i>Recommend or develop a reading/literacy coach model that includes 28 independent criteria.</i> 	<ul style="list-style-type: none"> • Funding for diagnostic reading assessments is available through sections 35a(4) and 104d(1) of the school aid act. It is uncertain if there will be alignment between appropriations implementation and policy bill. • Concerns about the 28 independent criteria required for the reading/literacy coach model. Research changes frequently and it may not be prudent to lock current research into statute. • There is currently a shortage in literacy/reading coaches and inclusion of some criteria may further dilute the available pool. • The legislature should consider increasing the number of available literacy/reading coaches through post-secondary and critical shortage changes. • Language specifies training teachers to diagnose. Consider using alternative language to diagnose as it is a loaded term and opens the door to teacher preparation, certification and licensure issues.
Local District: 3rd Grade Reading Policy Requirements [Sec. 1280F(2)]	<p>Beginning in the 2016-17 school year, the board of a school district shall do all of the following ensure proficient ELA scores on the grade 3 assessment:</p> <ul style="list-style-type: none"> • <i>Select 1 valid and reliable screening, formative, and diagnostic assessment system from the assessment systems approved by the department.</i> • <i>Assess a pupil's progress in reading skills at least 3 times per school year in grades K-3.</i> • <i>Provide an individual reading improvement plan (three types) for the pupil within 30 days after the identification of the reading deficiency.</i> • <i>Provide intensive reading intervention for the pupil in accordance with the individual reading improvement plan until the pupil no longer has a deficiency in reading.</i> • <i>Provide written notice to the pupil's parent or legal guardian of the delay or barrier to reading in writing.</i> • <i>Provide tools to assist the parent or legal guardian to engage in intervention and to address or correct any barrier to reading at home.</i> • <i>Submit early literacy data to the department annually in</i> 	<ul style="list-style-type: none"> • The majority of school districts already assess students three times per year as part of a multi-tiered system of support (MTSS). This data is used to determine which students require intervention in the area of reading. • Schools currently providing reading intervention under Title Part A (federal) or 31a (state) funds already have plans in place to ensure students receive intervention that addresses the deficiency. Students are provided services until they reach grade level or further testing is requested to determine if the student has a learning disability. Creating a formal individualized reading plan may cause confusion with an individualized education plan required under special education. • Parents of children receiving Title One services must be notified and grant permission for their child to receive those services. Title One funds must be set-aside for schools to work with parents in ways they can support their child at home. This section describes what is already occurring in schools. • These items are already addressed within the school improvement plan that schools are required by the Michigan Department of Education to complete on an annual basis. Schools receiving Title One funds must also address these areas in their school-wide or

<p>School Principal: 3rd Grade Reading Policy Requirements [Sec. 1280F(1E)]</p>	<p>the form and manner prescribed by the department.</p> <ul style="list-style-type: none"> • <i>Employ reading/literacy coaches</i>, using the reading/literacy coach model recommended or developed by the department under subsection. • <i>Identify how to best monitor the implementation and effectiveness</i> of the reading/literacy coach model recommended. <p>A school principal shall do all of the following for (K-3):</p> <ul style="list-style-type: none"> • Target specific areas of professional development based on the reading needs data. • Differentiate and intensify professional development for teachers based on data gathered by monitoring teacher progress. • Establish a collaborative system to improve reading proficiency. • Ensure that time is provided for teachers to meet for professional development. 	<p>targeted assisted plans. This section is not necessary as it already occurs.</p> <ul style="list-style-type: none"> • Funding a literacy coach in a district where at-risk or federal funds under Title One are already limited will cause significant financial implications for a district. • Many of these requirements are currently (in some form or another) being implemented in most districts in Michigan through the MTSS process. The requirement to employ a reading/literacy coach may be financially complex for some districts. The cost for hiring an individual with an effective skill set in the outline of duties for this position would be impossible for some districts. Additionally there is no ratio mentioned in the legislation. • There are cost associated with approved assessments, screenings, plans, monitoring, coaches, PD, parent notices, read-at-home plans, interventions, after-school tutoring, and supplemental materials. Indicating that that it is the intention for the school district to prioritize state and federal funds does not eliminate the states obligation to address the costs associated under the Headlee Act • Funding for literacy coaches is available through sections 35a(5) of the school aid act. It is uncertain if there will be alignment between appropriations implementation and policy bill. Additionally, the appropriations cap on literacy coaches is \$37,000 per grant for a total of \$3 million at the ISD level only. • The requirement that districts address or correct any barrier to reading at home is arbitrarily vague and may invite legal challenges.
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<p>Retention [Sec. 1280F(5A)]</p>	<p>Beginning with the 2016-17 school year, if a pupil enrolled in grade 3 in a school district or PSA is rated 1 full grade level or more behind in reading, as determined by the department based on the reading portion of the grade 3 state ELA assessment, ensure that the pupil is NOT enrolled in grade 4 until 1 of the following occurs:</p> <ul style="list-style-type: none"> • The pupil achieves a grade 3 reading score as determined by the department based on the grade 3 state ELA assessment. • The pupil demonstrates a grade 3 reading level through performance on an alternative standardized reading assessment approved by the State Superintendent. • The pupil demonstrates a grade 3 reading level through a portfolio, as evidenced by demonstrating mastery of all grade 3 state ELA standards through multiple samples. 	<ul style="list-style-type: none"> • A focus on retention is not supported by research, and many research supported policies and practices for improving literacy education are more promising solutions. The preponderance of research evidence from many different fields does not support mandatory retention as an effective approach to addressing problems of low levels of literacy achievement. • The M-STEP assessment does not assess grade level proficiency. • Spring state assessment results are not provided to districts until late summer or early fall (this year, they will be released in late fall). Students will have already started the 4th grade. In order to enforce this section of the bill, schools will need ACCURATE state assessment results no later than the beginning of May (or earlier) to meet the requirements of this section. Also, test results are embargoed until all grades complete testing and districts can appeal results. How will that be handled given the wording of this section? • Once a student is assessed one grade level below the grade 3 proficiency, instead of retention, a timeframe for providing intensive research-based intervention including using rate of improvement data would be more appropriate.
<p>Reading intervention programs: K-3 [Sec. 1280F(3A)]</p>	<p>For pupils who exhibit a reading <i>deficiency</i>, a reading intervention program that <i>includes some or all</i> of the following features:</p> <ul style="list-style-type: none"> • Is provided to each pupil who is identified with a reading deficiency based on screening and diagnostic tools, and identifies and addresses the pupil’s barriers to reading. • Screens and monitors the progress of each pupil’s reading skills at least 3 times year • Provides highly effective core reading instruction that is comprehensive and meets the majority of the general education classroom needs. • Provides reading intervention that meets, at a minimum, the following specifications: <ul style="list-style-type: none"> o Assists pupils in developing the ability to read at grade level. o Provides intensive development in the 5 major reading components: Phonemic awareness, phonics, fluency, vocabulary, and comprehension. o Provides initial and ongoing analysis of each pupil’s reading progress. 	

<p>Reading intervention programs: Grade 3 [Sec. 1280F(3B)]</p>	<ul style="list-style-type: none"> o Is implemented during regular school hours in addition to regular classroom reading instruction. • Provides parents and legal guardians with a “read at home” plan outlined in a parental contract, including participation in parent and guardian training workshops and regular parent-guided or guardian-guided home reading. <p>For pupils who do not achieve a grade 3 reading level score based on the reading portion of the grade 3 ELA assessment must that <i>include all</i> of the following features:</p> <ul style="list-style-type: none"> • Provides administration ongoing progress monitoring assessments. • Provides supplemental research-based reading intervention delivered by a teacher or tutor with specialized reading training that is provided before school, after school, during school hours but outside of regular ELA classroom time. • Provides parents and legal guardians with a “read at home” plan outlined in a parental contract, including participation in parent and guardian training workshops and regular parent-guided or guardian-guided home reading. 	<ul style="list-style-type: none"> • The timing of the 3rd grade reading assessment is problematic. Students would have little time (or intervention) to improve before the end of the school year, nor would there be time to facilitate any of the options available for the student to move to grade 4. • Grade 3 students are assessed in spring of that grade and test results are not returned until late summer or early fall. If a student is not achieving in reading, the optimum is to provide intensive instruction in grades 1 and 2 and consider a plan for that versus 3rd grade retention.
<p>Reading Intervention Programs: Retained Students [Sec. 1280F(6)]</p>	<p>The school district or PSA shall provide all of the following “as appropriate for the student”:</p> <ul style="list-style-type: none"> • A reduced pupil-teacher ratio or 1-to-1 reading intervention with a volunteer • Assign to the pupil a highly effective teacher of reading, the highest evaluated teacher in the school as determined by that system, or a reading specialist. • Reading programs that are research-based and have proven results in accelerating pupil reading achievement within the same school year. • Reading instruction and intervention for the majority of pupil contact time each day that incorporates opportunities to master the grade 4 state standards in 	<ul style="list-style-type: none"> • The legislation suggests 1 to 1 intervention with a volunteer. While volunteers are important members of the learning community, and certainly can be utilized to supplement regular instruction by a highly qualified teacher these individuals should not be considered as the primary source for intervention with struggling readers. • It is not possible to provide reading instruction/intervention for the majority of the pupil’s contact day and incorporate grade level content standards in other core academic areas. Who will provide that instruction, as the classroom teacher will need to teach the 4th grade content? The reading/literacy coach is an interventionist and not content area teacher (according to Section 1).

<p>Grade 3 Enrollment [Sec. 1280F(5B)]</p>	<p>other core academic areas.</p> <ul style="list-style-type: none"> • Daily targeted small group or 1-to-1 reading intervention. • Ongoing progress monitoring assessments to frequently monitor pupil progress. • Supplemental research-based reading intervention delivered by a teacher or tutor with specialized reading training that is provided outside of regular ELA classroom time, or any combination of these. • Provide parents and legal guardians with a “read at home” plan outlined in a parental contract, including participation in parent and guardian training workshops. <p>Beginning in the 2016-17 school year, if a child younger than 10 years of age seeks to enroll for the first time in a school district or PSA in grade 4, the board of the school district or board of directors of the PSA shall not allow the child to enroll in grade 4 unless 1 of the following occurs:</p> <ul style="list-style-type: none"> • The child achieves a grade 3 level reading score as determined by the department based on the reading portion of the grade 3 state ELA assessment. • The child demonstrates a grade 3 reading level through performance on an alternative standardized reading assessment approved by the state superintendent. • The child demonstrates a grade 3 reading level through a pupil portfolio. 	<ul style="list-style-type: none"> • This could require that districts either delay enrollment until this information is received through school records from the previous district or the student is tested by the new school. The dilemma is: (1) enroll all incoming 4th grade students in 3rd grade until this can be accomplished or (2) enroll them in 4th grade and then transfer them to 3rd grade if this is not met. Neither scenario is in the best interest of the student. • The proposal could be strengthened if it further clarified when a student comes to the district behind in reading ability.
<p>Instructional “Smart” Promotion [Sec. 1280F(5C)]</p>	<p>If a pupil is not enrolled in grade 4 due to the operation of this subsection and the pupil has demonstrated proficiency in mathematics, science, writing, or social studies as determined by the grade 3 state assessment in the applicable subject or by the pupil’s grade 3 reading teacher, the board of the school district or board of directors of the PSA shall ensure that the pupil is provided instruction commensurate with the pupil’s achievement level in that specific subject area. This instruction may be given in a grade 4 classroom setting.</p>	<ul style="list-style-type: none"> • This section is almost impossible to implement as class size limitations may prevent the student from receiving content area instruction in 4th grade. If that occurs, is the 3rd grade teacher responsible for now teaching 3rd and 4th grade content or does the student repeat that content in the 3rd grade? • Students will continue to be classified in 3rd grade. This will create state wide assessment challenges. They will either receive instruction in fourth grade material they are proficient in and take the 3rd grade assessment again. Or, take the fourth grade assessment and risk Federal ESEA eligibility violations.

Good Cause Exemptions
[Sec. 1280F(7,8)]

A student is granted an exemption to retention if one of the following occurs:

1. The pupil is a student with an individualized education program that determines the pupil is ineligible to take the standard grade 3 state assessment, the MI-Access assessment or any similar alternative state assessment, according to his or her individualized education program.
2. The pupil is a limited English proficient student who has had less than 2 years of instruction in an English language learner program.
3. The pupil has received intensive reading intervention for 2 or more years but still demonstrates a deficiency in reading and was previously retained in kindergarten, grade 1, grade 2, or grade 3.

* If a pupil is enrolled in grade 4 due to a Good Cause exemption, the pupil remains eligible for reading intervention services. The services for a pupil described in this subsection shall be similar to those provided to pupils in grade 3 under this section.

Good Cause exemption Process
[Sec. 1280F(9)]

- At the request of the pupil's parent or upon the teacher's own initiative, the pupil's grade 3 teacher submits to the principal a recommendation for a Good Cause exemption along with documentation that indicates Good Cause.
- The principal of the pupil's school shall review and discuss

- There are strong concerns about this proposed language dealing with Special Education students. This proposed policy is not consistent with how we have treated Special Education students in the past, and it appears to be in direct conflict with federal law. Even severely disabled students (for example who are immobile or unable to communicate) are required to take an alternative assessment under federal (ESEA) and state law. This proposed language contradicts the practice of including all Special Education students in the assessment process. It should also be noted that state alternate assessments are not based on grade level proficiencies. Additionally, it is the role of the IEP team to set annual goals and objectives for each student to show progress depending upon their disability.
- One remedy for this language would be to give a 'good cause' exemption to any student with an IEP who takes the alternative assessment to the state reading assessment. And, for the those students who take the regular assessment but may still have reading difficulties, the IEP team should be able to exempt the student based upon their knowledge of the student. There also needs to be clarifying language for students who have disabilities that impact learning and have 504 plans.
- This section states that an ELL student could be exempted if they have received less than 2 years of instruction in an ELL program. This should be extended to at least 3 years of instruction. Many of these students are refugees from countries where adults and children have not had an opportunity to be in an educational environment. Our experience in working with these immigrants has shown us these students need more time and support than 2 years would allow. Developmentally these children will progress slower and at different rates because of their social and academic needs.
- The proposal does not provide an opportunity for a parent and school district work collaboratively and seek a good cause determination.

	<p>the recommendation with 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 principal shall make a determination in writing of whether or not to recommend that the Good Cause exemption be granted for the pupil.</p> <ul style="list-style-type: none"> • If the principal determines to recommend that the Good Cause exemption be granted, he or she shall submit that recommendation to the superintendent of the school district. • The superintendent of the school district shall accept or reject the principal’s recommendation in writing, and the superintendent’s decision to grant or deny the exemption is final. • The superintendent of the pupil’s school district shall notify the pupil’s parent or legal guardian of the determination and decision. 	
<p>Repeating 3rd Grade [Sec. 1280F(1)]</p>	<p>A school district or PSA shall not require a pupil to repeat grade 3 more than once due to the operation of this section.</p>	
<p>Summer Reading Camps [Sec. 1280F(4)]</p>	<p>For those grade 3 pupils who do not achieve a grade 3 reading level score as determined by the department based on the reading portion of the grade 3 ELA assessment, school districts and PSAs are encouraged to offer summer reading camps staffed with highly effective teachers of reading.</p>	
<p>ELA Assessment Retake [Sec. 1280F(11)]</p>	<p>With the agreement of the pupil’s teacher and the pupil’s parent or legal guardian, a pupil may retake the graded 3 state ELA assessment before grade 4 to attempt to achieve a score in reading indicating that the pupil is less than 1 grade level behind, as determined by the department, for the purposes of this section. Also, with the agreement of the pupil’s parent or legal guardian, a pupil described in subsection (8) may retake the state ELA assessment after advancing to grade 4 to determine if the pupil has achieved a score in reading indicating that the pupil is less than 1 grade level behind, as determined by the department, for the</p>	<ul style="list-style-type: none"> • This section states the student MAY retake the 3rd grade ELA assessment after progressing to the 4th grade. When during the school year would that happen? Does this mean the student will take the 3rd grade ELA M-STEP and the 4th grade ELA M-STEP? If students don’t take the ELA M-STEP at their grade level, the district runs the risk of not having 95% of their students take the exam and there are implications for that. Why not use one of the state recommended reading assessments and eliminate this section altogether?

<p>Funding [Sec. 1280F(12)]</p>	<p>purposes of determining continued eligibility for reading intervention services under this section.</p> <p>A school district or PSA shall prioritize its state school aid funding, general funds, and any federal funds available for these purposes to implement and support activities under this section. This section does not require or state an intention to require a school district or PSA to supplant state funds with federal funds for implementing or supporting the activities under this section and does not prohibit a school district or PSA from continuing to use federal funds for any of the purposes or activities described in this section.</p>	<ul style="list-style-type: none">• There are cost associated with approved assessments, screenings, plans, monitoring, coaches, PD, parent notices, read-at-home plans, interventions, after-school tutoring, and supplemental materials. Indicating that that it is the intention for the school district to prioritize state and federal funds does not eliminate the states obligation to address the costs associated under the Headlee Act.• Indicating intent of Federal fund use will not absolve the state and local districts of potential supplanting violations. Districts would be forced to cut Federal funding.• Funding a literacy coach in a district where at-risk or federal funds under Title One are already limited will cause significant financial implications for a district.• Districts are required to identify the achievement gaps in ALL content areas and use their federal funds (Title One) to close those gaps. This means that if a gap in math achievement exists, Title funds must be used to help students achieve at grade level. We question if the legislature can mandate how to use federal funds even in an implied manner under this legislation.
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