

## DYSLEXIA SCREENING IN SCHOOLS AND OTHER REQUIREMENTS FOR TEACHING LITERACY

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**Senate Bill 567 (H-3) as reported from committee**  
**Sponsor: Sen. Jeff Irwin**

Analysis available at  
<http://www.legislature.mi.gov>

**Senate Bill 568 (H-2) as reported from committee**  
**Sponsor: Sen. Dayna Polehanki**

**House Committee: Education**  
**Senate Committee: Education**  
**Complete to 9-25-24**

### SUMMARY:

Senate Bills 567 and 568 would amend the Revised School Code to require a dyslexia screening to be part of state-approved reading assessments (SB 567) and to require teacher preparation programs to include instruction on identifying and addressing dyslexia in students (SB 568).

**Senate Bill 567** would add requirements relating to how the Michigan Department of Education (MDE) and public schools in the state must assist students with *dyslexia*, as well as making other changes that reflect the repeal of provisions of law that mandated the retention of students not reading to an appropriate grade level by the end of their third grade year.<sup>1</sup>

As used in the bill, *dyslexia* would mean both of the following:

- A specific learning disorder that is neurobiological in origin and characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities that typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction.
- A specific learning disorder that may include secondary consequences, such as problems in reading comprehension and a reduced reading experience that can impede the growth of vocabulary and lead to social, emotional, and behavioral difficulties.

#### Reading assessment systems

Section 1280f of the Revised School Code contains requirements for MDE relating to its responsibility to help ensure that an increasing number of pupils achieve a score of proficient in English Language Arts on the third grade portion of the state assessment (M-STEP).<sup>2</sup> MDE has met the requirement in this section to approve three or more valid and reliable screening, formative, and diagnostic reading assessment systems for selection and use by school districts and public school academies (PSAs, also known as charter schools) in accordance with the stated criteria.

The bill would change this requirement so that, subject to their availability, MDE would have to approve three or more valid and reliable screening and progress-monitoring reading

<sup>1</sup> <https://www.legislature.mi.gov/Bills/Bill?ObjectName=2023-SB-0012>

<sup>2</sup> [https://www.michigan.gov/-/media/Project/Websites/mde/OEAA/General/Guide\\_to\\_State\\_Assessments.pdf](https://www.michigan.gov/-/media/Project/Websites/mde/OEAA/General/Guide_to_State_Assessments.pdf)

assessments by January 1, 2026, and remove references to these assessments being systems, as well as remove other required components for the assessments. These approved assessment systems are different from the M-STEP, the state’s standardized assessment, which measures student proficiency in different academic subjects at different grade levels.

As part of deciding whether to approve an assessment model for districts, MDE would also have to consider the degree of compatibility with other approved statewide assessment measures, to minimize the impact on instructional time in addition to the other existing considerations.

### Literacy coaches

Section 1280f also requires that MDE recommend or develop an early literacy coach model (which the bill would rename as “literacy coach model”) that includes certain components. The department presently has an approved model available on its website.<sup>3</sup> Senate Bill 567 would add the following requirements regarding literacy coaches and the support they provide to other educators in their respective districts. As part of their required duties, these coaches would have to do all of the following:

- Use data diagnostically to adjust intervention instruction and to understand reasons why a pupil may not be responding to intervention instruction as expected.
- Use evidence-based instructional methods and the features of evidence-based interventions for pupils who experience difficulties with decoding and word recognition.
- Engage in the appropriate use of statewide professional learning tools and evidence-based practices that meet the research requirements consistent with the science of reading.
- Implement the required professional learning for educators in certain roles.

By the 2027-2028 school year, each school district, intermediate school district (ISD), and PSA would have to provide assurance to MDE that all literacy consultants, literacy coaches, and other personnel providing reading intervention or reading instruction to students in grades K to 12 in the school district, ISD, or PSA received professional learning regarding all of the following, as applicable:

- The characteristics of dyslexia and underlying factors that place pupils at risk for difficulties in learning to decode accurately and efficiently.
- Secondary consequences of dyslexia, such as problems in reading comprehension and a reduced reading experience that can impede the growth of vocabulary and background knowledge and lead to social, emotional, and behavioral difficulties.
- Instructional adjustments for pupils with dyslexia and instructional adjustments to address the underlying factors that place pupils at risk for difficulties in learning to decode accurately and efficiently.
- Methods to develop schoolwide and classroom infrastructure to meet the collective and individual needs of pupils using a ***multi-tiered system of support (MTSS)***.
- Evidence-based instructional methods and features of evidence-based interventions that are grounded in the science of reading and principles of structured literacy that are designed for pupils with characteristics of dyslexia and pupils at risk for difficulties in learning to decode accurately and efficiently.

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<sup>3</sup> [https://www.michigan.gov/-/media/Project/Websites/mde/Literacy/Read-by-Grade-3-Law/MDE\\_Early\\_Lit\\_Coaching\\_Model.pdf](https://www.michigan.gov/-/media/Project/Websites/mde/Literacy/Read-by-Grade-3-Law/MDE_Early_Lit_Coaching_Model.pdf)

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

*Multi-tiered system of support (MTSS)* would mean a comprehensive framework that includes three distinct tiers of instructional support and is composed of a collection of evidence-based strategies designed to meet the individual needs and assets of a whole pupil at all achievement levels.

Literacy coaches would also be required to do the following under the bill:

- Advise in developing schoolwide and classroom infrastructure to meet the collective and individual needs of pupils using an MTSS framework.
- Train school staff (in addition to teachers, who are already required to be trained by coaches) in data analysis and using different techniques to differentiate instruction.
- Model for teachers who have a classroom that includes a pupil with an individual reading plan, instruction with pupils in whole and small groups. (Modeling and coaching for teachers who teach grades K to 3 is already required.)

The bill would allow an individual who is not a district-identified literacy coach to perform some of their required obligations if that individual meets the requirements that a district-identified literacy coach does.

By the start of the 2027-2028 school year, MDE would have to provide technical assistance to school districts, ISDs, and PSAs to aid them in reporting information contained in a pupil's individual reading improvement plan.

*Diagnostic assessments* refer to assessments given before starting a new content area, while *formative assessments* refer to assessments given during the teaching of that content area. The bill would remove language specifying the types of assessment system that should be approved by MDE and instead simply use the term "assessment."

#### Dyslexia supports

By September 1, 2025, MDE would have to develop dyslexia expertise to provide technical assistance to districts, ISDs, and PSAs regarding dyslexia and underlying factors that place pupils at risk for difficulties in learning to decode accurately and efficiently.

MDE would have to offer this expertise by providing guidance on at least both of the following:

- Structured literacy.
- Professional learning about dyslexia to public schools.

To support the implementation of these requirements, MDE would have to regularly review and update the Michigan Dyslexia Handbook (or a similar publicly available dyslexia resource guide that includes information regarding the education of pupils with dyslexia or characteristics of dyslexia), to be used by public schools. Reviews and updates would then have to be conducted at an interval not to exceed five years and be based on current research.

The bill would establish a series of deadlines for MDE to release or publish certain materials for use by public schools:

By not later than January 1, 2026, MDE would have to provide a list of approved valid and reliable screening and progress monitoring reading assessments for selection and use by school districts and PSAs and, in addition to meeting applicable requirements regarding approved assessment tools, identify, within each approved assessment for selection and use by school districts and public school academies, a list of the elements of a reliable and valid universal **screening assessment** for the purpose of identifying pupils with characteristics of dyslexia or difficulties in learning to decode accurately and efficiently that are or are not included in the approved assessment. Not later than September 1, 2026, MDE would also have to develop expertise to provide technical assistance to ISDs, school districts, and PSAs regarding the appropriate selection and use at each grade level of reliable and valid universal screening assessments for the identification of pupils who exhibit characteristics of dyslexia, as well as pupils who display difficulties in learning to decode accurately and efficiently, to minimize impact on instructional time.

**Screening assessment** would mean an assessment designed to proactively identify pupils who may be at risk of developing academic, social, emotional, or behavioral challenges so that support can be provided and to provide data to inform systems-level decisions. All of the following would apply to a screening assessment:

- A screening assessment must include, as appropriate for grade level or age as determined by MDE, in alignment with the required guidelines, elements designed to identify difficulties in learning to decode and recognize words, including at least all of the following:
  - Phonemic awareness.
  - Rapid automatized naming.
  - Letter-sound correspondence.
  - Single-word reading.
  - Nonsense-word reading.
  - Oral passage reading fluency.
- A screening assessment may include elements designed to identify comprehension difficulties, including at least all of the following:
  - Retelling.
  - **Cloze reading procedure.**
  - Answering questions about a reading passage.

**Cloze reading procedure** would mean an objective reading assessment that deletes words in a designated reading passage.

Also by not later than January 1, 2026, MDE would have to publish a list of evidence-based tier 1, class-wide elementary reading curricula and materials that are aligned with science of reading methods that research has shown to improve literacy outcomes and help pupils achieve reading proficiency. The department would also be required to develop dyslexia expertise to provide technical assistance to school districts, ISDs, and PSAs regarding evidence-based instructional methods and the features of evidence-based interventions for pupils exhibiting the characteristics of dyslexia, or pupils who have difficulties in learning to decode accurately and efficiently. This would include instructional methods and curriculum resources that use a code emphasis approach to

address the decoding and word-recognition components of reading and that are supported by the *science of reading*. The instructional methods and curriculum resources described here could not include instructional methods or curriculum resources that minimize the importance of primarily using letter sound information to decode or recognize unknown words, including any of the uses of letter-sound information, unless that type of instructional method and curriculum resource is being used to confirm the meaning of unknown words after decoding has been attempted.

*Science of reading* would mean a cumulative and evolving body of evidence whose research studies follow a scientific process of inquiry and utilize scientific methods to help answer questions related to reading development and issues related to reading and writing derived from research from multiple fields of cognitive psychology, communications sciences, developmental psychology, education, special education, implementation science, linguistics and neuroscience.

By not later than August 1, 2027, each public school would have to update its selection of a valid and reliable screening and progress-monitoring reading assessment to ensure that the selected system includes a reliable and valid universal screening assessment in accordance with the bill's new requirement that approved assessments include a way to identify pupils with dyslexia and the guidance provided by the department, if it does not do so already. In complying with this requirement, a public school must minimize the impact on instructional time by selecting approved assessments that include elements fulfilling multiple assessment requirements, or, when appropriate, by adding approved assessment measures or combining compatible approved assessments that, when utilized together, include all of the elements of a reliable and valid universal screening assessment.

By not later than the beginning of the 2027-2028 school year, each school district, ISD, and PSA would have to provide assurance to MDE that all literacy consultants, literacy coaches, and other personnel providing reading intervention or reading instruction to students in grades kindergarten to 12 in the public school received professional learning regarding all of the following, as applicable:

- The characteristics of dyslexia and underlying factors that place pupils at risk for difficulties in learning to decode accurately and efficiently.
- Secondary consequences of dyslexia, such as problems in reading comprehension and a reduced reading experience that can impede the growth of vocabulary and background knowledge and lead to social, emotional, and behavioral difficulties.
- Instructional adjustments for pupils with dyslexia and instructional adjustments to address the underlying factors that place pupils at risk for difficulties in learning to decode accurately and efficiently.
- Methods to develop schoolwide and classroom infrastructure to meet the collective and individual needs of pupils using MTSS.
- Evidence-based instructional methods and features of evidence-based interventions that are grounded in the science of reading and principles of *structured literacy* that are designed for pupils with characteristics of dyslexia and pupils at risk for difficulties in learning to decode accurately and efficiently.
- Evidence-based instructional methods and features of evidence-based interventions that are grounded in the science of reading and principles of structured literacy that are designed to effectively meet the needs of most pupils.

- The completion of a program of study approved under section 1531e (as outlined in SB 568) would fulfill the above requirements.

**Structured literacy** would mean systemic, direct, explicit, cumulative, and diagnostic instruction that integrates listening, speaking, reading, and writing and emphasizes the structure of language across the speech sound system (phonology); the writing system (orthography); the structure of sentences (syntax); the meaningful parts of words (morphology); the meaning of words, phrases, sentences, and text (semantics); and the processing of oral and written discourse.

If the **benchmark assessment** or progress-monitoring assessment used by a school also meets the requirements for dyslexia screening, then a public school could utilize that assessment for the screening as well.

**Benchmark assessment** would mean an assessment administered periodically throughout a school year and used for one or more of the following purposes:

- To predict and identify learner readiness for success on a later summative assessment.
- To evaluate ongoing education programs and interventions.
- To provide teachers with individual learners' performance data to inform instruction.

#### Dyslexia screenings

Starting with the 2027-2028 school year, and continuing in each school year thereafter, each public school would have to ensure that required pupils are screened for characteristics of dyslexia and difficulties in learning to decode accurately and efficiently using a reliable and valid universal screening assessment. All the following pupils enrolled in a public school would have to be screened:

- Each pupil in kindergarten, grade 1, grade 2, and grade 3, including those who transferred to that public school from another public school in Michigan and have not been screened for characteristics of dyslexia and difficulties in learning to decode accurately and efficiently using a reliable and valid universal screening assessment at their previous school.
- For pupils in kindergarten, grade 1, grade 2, or grade 3 who transferred from a school outside of Michigan, no screening would be needed if they present written documentation to their new school showing that they were subject to a reliable and valid universal screening assessment at their previous school.
- Each pupil in any of grades 4 to 12 who, as determined by that pupil's teacher, educational-support staff, or the pupil's parent or legal guardian, demonstrates any of the following:
  - Escape or avoidance behaviors when asked to engage in reading or writing activities.
  - Effortful or laborious reading.
  - Reading-comprehension difficulties caused by inaccurate or inefficient word reading.
  - Significant spelling or encoding difficulties not caused by fine-motor or visual-motor difficulties.
  - Low performance on the school's approved English language arts standards.

- Low performance on the school’s approved standardized assessments.
- Reading deficiency.

Pupils in grades K to 3 who are required to be screened by their school would have to be screened no fewer than three times during a school year. Pupils who changed schools would have to be screened within 90 days of enrollment at their new school, and then screened thereafter on the same screening schedule as the other pupils in their grade.

Reading improvement and reading intervention plans

Current law requires reading improvement programs for students in grades K to 3 to be provided by their school. The bill would amend this so that, beginning with the start of the 2027-2028 school year, if a reliable and valid universal screening assessment indicated that a pupil is exhibiting characteristics of dyslexia, or the assessment indicates that the pupil is experiencing difficulty in learning to decode accurately and efficiently, then their school would have to ensure that a tiered delivery system, which includes word recognition instruction, is provided to the pupil.

The bill would make the following changes regarding reading intervention for students:

- For students who exhibit a reading deficiency, the intervention would have to use curriculum resources and evidence-based practices aligned to the research requirements consistent with the science of reading, with the goal of ensuring pupils are proficient readers by the end of grade 3.
- The intervention would have to provide extensive, explicit instruction consistent with structured literacy in decoding, word recognition, spelling, writing, and language comprehension skills, including vocabulary, morphology, and syntax, and processes for skillful reading.
- For students in grade 3 who are identified as having a reading deficiency through their school’s chosen screening assessment, as well as for pupils in grades K-12 who are receiving intensive tier 2 and tier 3 support, their improvement plan would have to include a written description of the intervention plan. The written description would have to include all the following:
  - Quarterly and annual learning goals that describe how and when the pupil is expected to progress from their current level to grade level proficiency.
  - The name, if any, type, content, frequency, and duration of evidence-based interventions, curriculum resources, and assessments that will be utilized, and the extent to which they conform to best practices identified by MDE for addressing the pupil’s specific identified reading difficulties.
  - A summary of why the intervention resources and evidence-based practices selected for the student’s intervention are best suited for the student’s needs.
  - A description of the assessment data and the pupil’s assessment scores that will be used to monitor their progress, and adaptations that will be provided to their instruction based on assessment feedback.
  - Information about adjustments that may be made to intensify the intervention instruction as needed.
  - The pupil’s unique identifier.
  - A date by which the pupil’s teacher, school principal, parent or legal guardian, and other appropriate school staff would annually review and update the student’s individual reading improvement plan. This would include reviewing and determining if learning goals have been met.

The bill would require each student's individual reading improvement plan to be provided to the ISD by their school, based on the school's location and/or membership in that ISD. The version provided to the ISD could not include any identifying information about the student or the teacher that provides instruction to the pupil. Each ISD would then collate the information received and provide it to MDE based on a timeline and manner determined by MDE. The department would be prohibited from sharing an individual reading improvement plan with an outside vendor.

#### English language learners

Students who are English language learners have a specified set of requirements for reading interventions, and schools are encouraged to provide additional resources and supports to those students to aid their learning. The bill would modify these requirements so that they would apply to students who are English language learners *and* have been identified as having characteristics of dyslexia or difficulty decoding through the screening tool used by their school. The bill would replace existing requirements for a plan with the following, so a plan would have to include:

- Language support in word recognition and decoding.
- Language comprehension skills to support expanding vocabulary and understanding text.
- Intentional English language development that includes using only words and text to teach decoding and word recognition.

A pupil who is an English language learner and has been assessed at an entering level or beginning level of English language proficiency on a state-required language proficiency assessment, or at a comparable level in accordance with MDE guidelines, would not be required to be screened for dyslexia on the same schedule as non-English language learner peers. Once an English language learner progresses to the level of developing or higher on the assessment, then they would be subject to screenings, although it would also include spelling skills, phonemic awareness, and oral reading fluency in their native language.

#### Notification of nonproficiency in reading on third grade M-STEP

Under current law, once MDE finalizes the scoring for the M-STEP Grade 3 Test, they are required to provide that data to the Center for Educational Performance and Innovation (CEPI). The center must then identify pupils with reading deficiencies and notify their parents or legal guardians and take other actions in regard to notifying the pupils' respective schools.

Starting with the 2027-2028 school year, by June 30 annually, MDE would be required to notify the parent or legal guardian of a pupil completing grade 3 who scored not proficient in reading, as determined by their M-STEP score and end-of-year screening assessment data. This notification would have to be done via certified mail and include the following:

- A statement that the student scored not proficient in reading based the state assessment and district-identified screening data.
- A statement that the school is required to provide the pupil with certain supports, and detail those supports.
- A statement that the parent or legal guardian has the right to request a meeting with school officials to discuss supports and interventions.

For a student who has a reading deficiency based on the screening assessment, their district or PSA must then provide an intervention. This intervention must include evidence-based instructional strategies that are aligned to the research requirements consistent with the science



of reading to assist the pupil in becoming a successful reader. The bill would delete additional specific criteria for what the intervention must include.

- Include multiple distinct tiers of instructional support framework (MTSS models typically feature three tiers of support).
- Be a comprehensive framework composed of a collection of evidence-based strategies designed to meet the individual needs and assets of the whole pupil at all achievement levels.
- Tier 1 support of the distinct tiers of instructional support would have to meet at least all of the following:
  - Encompass a combination of evidence-based strategies that are available to all learners.
  - Effectively meet the needs of most pupils.
  - For the instructional methods and curriculum resources used to address the decoding and word-recognition components of reading, use a code emphasis instructional approach, and be supported by the science of reading. Except as otherwise provided elsewhere in section 1280f, the instructional methods and curriculum resources must not minimize the importance of primarily using letter-sound information to decode or recognize unknown words. The bill specifically mentions the following as being ineligible to be used as part of this tier as well as Tier 2, unless such instructional methods and curriculum resources are being used to confirm the meaning of unknown words after decoding has been attempted:
    - Prompting pupils to guess unknown words using pictures and illustrations.
    - Skipping over an unknown word or words to use the meaning of the passage to recognize the unknown word or words.
    - Identifying only the first sound of an unknown word and then being prompted to guess the word using the word's initial sound and the meaning of the text surrounding the word.
    - Memorizing a word in its written form.
    - Using predictable text and *leveled text* to provide initial word recognition instruction and practice in reading new learned letter-sound correspondences. (*Leveled text* would mean text that has characteristics of predictable text and text focused on teaching high-frequency words without regard to sound-symbol associations. Leveled texts are assigned a level based on difficulty scale according to print features, content, themes, ideas, text structure, language, and literary elements. Leveled text does not provide pupils opportunities to apply newly learned phonological and orthographic knowledge.)
- Tier 2 support would have to be provided to small groups of pupils to whom at least one of the following applies:
  - Screening-assessment data indicate a need for intervention to address difficulties in the pupils' learning to decode and recognizing words accurately and efficiently.
  - Tier 1 instructional data indicate a need for intervention to address difficulties in learning to decode and recognizing words.
- Provide that Tier 2 support must include instructional methods and curriculum resources that use a code emphasis approach to address the decoding and word-

recognition components of reading and that are supported by the science of reading. The instructional methods and curriculum resources would have to include specialized instructional procedures, duration, and frequency.

- Provide that pupils receiving intervention consisting of Tier 2 support must have their progress monitored by the individuals providing the intervention instruction using appropriate assessments to determine the pupils' response to intervention instruction.
- Provide that, if pupils who are receiving intervention at the Tier 2 level are not making measurable progress in response to reading intervention at a rate that will result in meaningful improvements in performance, intensive Tier 3 support must be provided to the pupil using evidence-based instructional adaptations that must be documented in the pupil's individual reading improvement plan. If the pupil is determined to have a specific learning disability in reading, these interventions could instead be provided through the student's individualized education plan.
- Provide that a pupil with a Tier 2 level intervention has a current individual reading intervention plan
- Provide that, for a pupil with a Tier 2 level intervention, an intervention response team at the pupil's school refine the pupil's individual reading improvement plan with the teacher providing the intervention instruction to the pupil to meaningfully accelerate reading outcomes.
- Provide that, if a pupil's response to the intervention instruction is insufficient for accelerating reading outcomes after repeated attempts to adapt and intensify the instruction, subject to state and federal laws concerning special education, the pupil's school must consider the need for a full and comprehensive evaluation to determine eligibility for special education services.

Students who would be receiving a Tier 2 level support would have to be notified, and certain information would have to be sent to their parent or legal guardian within 30 days of the determination being made.

If it is determined by the public school that a pupil has functional difficulties due to characteristics of dyslexia or underlying factors that place that pupil at risk for difficulties in learning to decode accurately and efficiently, then the board of that school must ensure that the necessary accommodations or equipment are provided to the pupil as required under section 504 of Title V of the Rehabilitation Act of 1973, 29 USC 794, and Title II of the Americans with Disabilities Act of 1990, 42 USC 12131 to 12165.

The bill would also require that, if a parent or legal guardian of a student has an independent, comprehensive evaluation conducted for dyslexia or other learning disabilities, then the school district, ISD, or PSA must ensure that any applicable requirements under the Individuals with Disabilities Education Act (IDEA), Public Law 108-446, are met.

MCL 380.1280f

**Senate Bill 568** contains the proposed requirements for teacher preparation programs and alternate teacher preparation programs regarding dyslexia training for their respective candidates. The following would be required to be taught as part of teacher preparation programs under the bill:

- The characteristics of dyslexia and underlying factors that place pupils at risk for difficulties in learning to decode accurately and efficiently.

- The secondary consequences of dyslexia, such as problems in reading comprehension and a reduced reading experience that can impede the growth of vocabulary and background knowledge and that can lead to social, emotional, and behavioral difficulties.
- Instructional adjustments for pupils with dyslexia and instructional adjustments for addressing underlying factors that place pupils at risk for difficulties in learning to decode accurately and efficiently.
- Methods for developing schoolwide and classroom infrastructure that meet the collective and individual needs of pupils using an MTSS.<sup>4</sup>
- For a teacher preparation program or an alternative teaching program that prepares individuals for certification or endorsements that involve reading instruction, language arts, or special education, as appropriate, or for school psychologist licensure, in addition to the above requirements, both of the following:
  - Evidence-based instructional methods and features of evidence-based interventions that are grounded in the science of reading and principles of structured literacy that are designed for pupils with characteristics of dyslexia and pupils at risk for difficulties in learning to decode accurately and efficiently.
  - Evidence-based instructional methods and features of evidence-based interventions that are grounded in the science of reading and principles of structured literacy that are designed to effectively meet the needs of most pupils.

If these elements are not incorporated into a teacher preparation or alternate teacher preparation program by September 30, 2027, MDE could revoke the program’s approval, and approval for programs that lack these elements would not be granted.

However, if the program did not prepare individuals for certification or endorsements that involve reading instruction, language arts, or special education, or for school psychologist licensure, then MDE could issue a waiver for one or more of the above listed requirements. These waivers would have to be reviewed at least every two years to ensure the waiver is still appropriate and aligned with the department’s goals for teacher preparation.

Proposed MCL 380.1531e

The bills are tie-barred to each other, which means that neither bill can take effect unless both bills are enacted into law.

## **BACKGROUND AND BRIEF DISCUSSION:**

Section 1280f of the Revised School Code outlines the requirements for additional supports to provide to students who are not meeting the required level of reading proficiency, aligned to the former provisions of the “Read by Grade 3” Law,<sup>5</sup> which included a retention mandate for students who were not reading at the required proficiency level by the end of third grade. While the retention mandate was repealed earlier this session, a focus has remained on increasing the

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<sup>4</sup> <https://www.michigan.gov/mde/services/school-performance-supports/mtss>

<sup>5</sup> <https://www.legislature.mi.gov/Bills/Bill?ObjectName=2015-HB-4822>

percentage of students scoring “proficient” or higher on the M-STEP, Michigan’s state standardized assessment that is used as the default measure of progress for student learning.

The bill proposes new requirements for interventions that must be provided to students who are identified as needing additional help in reading. Depending on whether the student is identified as having a characteristic of dyslexia or not, they must receive an intervention if a valid and reliable assessment identifies the student as needing intervention. The intent of SB 567 is to provide for more supports for students who have a reading improvement plan or a reading intervention plan, or both. Reading improvement plans were instituted under 2016 PA 306 as a way to ensure that students who did not score proficient on the state assessment were receiving additional help to bring them up to the required proficiency.

It has been estimated that as many as 20% of students may have dyslexia, which impacts a person’s ability to read and spell fluently. Being able to decode, or properly translate printed words into spoken words, is a key difficulty caused by dyslexia, and the bill specifically requires instruction in decoding be provided as part of the intervention for students who are identified as needing additional support, regardless of whether they are identified as having a characteristic of dyslexia. The bill focuses on characteristics of dyslexia to make clear teachers are not diagnosing a student with dyslexia through the use of assessment tools and screenings implemented by their school.

Additionally, there is a movement within educational circles to shift to an approach that favors a heavy emphasis on phonetic awareness among students learning to read. There is no prescribed method in state law for how students should be taught to read, and historically, the legislature has deferred to local districts in determining which curriculum and methods to use to meet state content standards. Supporters hope that promoting this method of learning will lead to increased learning gains among students generally, but especially for those who are identified as having dyslexia or characteristics of dyslexia, with the ultimate goal of improving the percentage of students who score as proficient or higher on the state assessment.

While proponents of the bills say that prescribing a more specific way of aiding students through intervention is needed to give students the support they need to improve their reading, critics say that it goes too far in prescribing how a teacher and school should help students once an area of need is identified. Furthermore, critics point to discussions within the education research community as to whether the approach favored by the bill is the most effective way to aid students who are struggling to read proficiently.

## **FISCAL IMPACT:**

**Senate Bill 567** would create costs for the state and could create costs for local school districts, intermediate school districts, and public school academies.

MDE has noted that they already meet some of the requirements in the bill, including developing dyslexia expertise to provide technical assistance, updating a dyslexia resource guide every five years, and providing guidance on screening English Language Learner pupils in their native language. In order to provide a list of screening and progress monitoring reading

assessments and to publish a list of evidence-based reading curricula, MDE has noted that they would need \$300,000 and an additional FTE. A cost estimate for MDE to assist schools in reporting information in individual reading improvement plans is pending.

The bill revises the responsibility for notifying parents and legal guardians when a pupil is not proficient in reading from the CEPI to MDE, creating a cost savings for CEPI and a cost increase for MDE. In addition, the bill adds a requirement that notifications must be sent via certified mail. CEPI has noted that under a previous similar requirement to send notifications via certified mail, more than 60% of the letters were returned. As a result, the requirement was revised to the current practice of sending notifications through first class mail. CEPI estimated the return to certified mailings would cost \$175,000 for staff time, processing, and postage. Under the bill, MDE would incur this cost, as the notification requirements are shifted from CEPI to MDE.

Districts, ISDs, and PSAs could incur new costs through new requirements for literacy coaches, reading assessments, reading improvement and intervention plans, and dyslexia screenings.

Under the bill, literacy coaches would have additional responsibilities that may be absorbed using existing staff time and have additional training requirements. Certain districts, ISDs, or PSAs with literacy coaches who do not meet the new requirements may incur costs for professional development or hiring additional staff.

The bill expands requirements for reading assessments, reading instruction and interventions, and dyslexia screenings. MDE has noted that many of these requirements are at least partially in place, but districts, ISDs, or PSAs may incur potentially significant costs to the extent that current practices are not aligned with the bill's new requirements.

In addition, districts and PSAs would be required to provide a copy of each pupil's individual reading improvement plan to their ISD and ISDs would be required to collate this information and submit it to MDE. This cost would likely be absorbed using existing staff time.

**Senate Bill 568** would have no fiscal impact for the state and could create costs for certain institutions of higher education.

Under the bill, public institutions of higher education with teacher preparation programs that do not currently offer instruction on dyslexia would be required to add it to their curriculum. MDE has noted that most institutions already meet this requirement.

Legislative Analyst: Josh Roesner  
Fiscal Analysts: Jacqueline Mullen  
Noel Benson

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.