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Date: August 24, 2015

RE: House Bill 4822 (2015)

Like our counterparts at the Michigan Association of Intermediate School Administrators (MAISA) and the Michigan Association of School Administrators (MASA), MAASE rejects HB 4822. With regard to special education programs and services and students with Individualized Education Programs (IEPs), MAASE raises concerns about the following issues:

- **Retention is not an evidence-based practice, and the threat of retention is not a motivator; it is a punitive punishment.** Over 207 studies over the last 30 years have demonstrated that there are substantial negative effects when students are retained in the same grade, which doubling the dropout risk, lowering subsequent academic achievement, and ongoing stigmatization from peers, to name a few.¹
- Including the development of an IEP when a child is not proficient on the third grade reading measure is inappropriate.
 - There are many children who need significant additional time in a subject to become proficient. **This is not a special education issue;** it is a general education issue dealing with resources, the structure of our school day, and more.
 - This measure alone will serve to **reverse the progress that our school systems have made in the last decade in implementing strong multi-tiered systems of support (MTSS)** to ensure that 70-80% of the students in a building are responding to the core curriculum, instruction, and assessment. By providing this loophole, parents and general education teachers will demand special education evaluations in order for their child to achieve positive promotion. Our special education system was designed for 5-8% of the population, yet statewide, we are serving 12.77% of the student population in special education (*MI School Data, 2014-15*).
- HB 4822 is **a series of unfunded mandates**, which include significantly more screening, evaluation, data collection and reporting, professional learning, and additional instructional supports. HB 4822's reference to 'prioritizing'... state school aid funding, general funds, and any federal funds' is not a solution to cash-strapped districts, nor is relying on unrelated statewide financial comparisons.²
- HB 4822 is **interventionist in its approach**, meaning it aims to create an 'expert' model, where a few people in a school/district are seen as the 'experts'. A more sustainable approach would be to require regular, intensive, evidence-based professional development to build capacity in the teachers who spend the entire day with students at the elementary level. An expert model might work in well-performing schools, but will not work in a district where ALL students need additional reading support.

¹ Hattie, J. (2013). *Visible learning: A synthesis of over 800 meta-analyses relating to achievement*; Routledge. Duke, N., Moje, E., Palincsar, A. (2014). *Three IRA Literacy Research Panel Members Comment on Third Grade Retention Laws*.

² *Third-Grade Reading Workgroup Report to Governor Rick Snyder. (2015, June 3)*.

- HB4822 contains inappropriate **requirements for parent reading plans and home programs**. Many of the parents of children who struggle to read cannot read themselves, have a disability, are English learners, or work multiple jobs to keep food on the table for their families.

HB 4822 **does not belong in legislation**, as it is an attempt to codify many best practices (in addition to many practices that are not backed by research, such as retention). Much of the evidence-based content in HB 4822 should be put into a statewide guidelines document that is jointly developed by the Michigan Department of Education, educators in the field, parents, universities, legislators, and more. It is clear that legislators share the concerns of those in the field regarding the importance of reading proficiency for ALL students, as well as the moral imperative of increasing the time and energy we devote to supporting our students who struggle. HB 4822 is not the way to accomplish this.

MAASE welcomes the opportunity to engage in additional dialogue around this issue, and to assist in the development of a set of statewide, evidence-based guidelines in the area of reading.