



A Lot of States Were Doing It: The Development of Michigan's Read by Grade Three Law

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COLLEGE OF EDUCATION | MICHIGAN STATE UNIVERSITY

236 Erickson Hall, 620 Farm Lane, East Lansing, MI48824 | (517) 884-0377 | www.EPICedpolicy.org

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ABSTRACT

In recent years, many states have adopted policies to ensure students are reading proficiently by third grade. This kind of policy transfer across states is not a unique phenomenon; researchers have documented analogous proliferations of similar policies both in and outside the field of education. However, there has been little attention paid to *how* policy transfer happens in K-12 education policy, particularly at the state level. To better understand how education policies spread across states, we turn to the case of Michigan’s Read by Grade Three Law, which was adopted in 2016. Guided by the Multiple Streams Framework and the theory of policy transfer, we trace the policy process surrounding the Law’s conception, development, and passage, relying on data from semi-structured interviews from 24 stakeholders involved in the development of the Law as well as policy documents from all 50 states and D.C. We find that events in the problem and political streams opened a policy window that allowed for the passage of the Law. These findings contribute to policymakers’ and other stakeholders’ understandings of the development and passage of third-grade literacy policies—information that will be important as these policies continue to receive national attention in both policy and research communities. Moreover, this study is one of few in the field to focus on the critical role of policy entrepreneurs in joining together the multiple streams, while also providing a nuanced view of how policy transfer and policy entrepreneurship promote the convergence of ideas and solutions to particular problems.

Keywords: early literacy, multiple streams framework, policy diffusion, policy entrepreneurship, policy transfer, retention, third-grade reading.

“A LOT OF STATES WERE DOING IT”: THE DEVELOPMENT OF MICHIGAN’S READ BY GRADE THREE LAW

In recent years, a majority of states have adopted policies intended to promote early literacy, with particular attention paid to ensuring that students are reading proficiently by third grade (The Council of Chief State School Officers [CCSSO], 2019). These policies share many key elements, including mandates for evidence-based literacy instruction, diagnostic and progress monitoring assessments, literacy interventions for students identified as needing additional support, and, in some cases, retention for third graders who do not meet a predetermined cut score on their state’s reading assessment. This kind of education policy transfer across states is not a unique phenomenon; researchers have documented analogous proliferations of similar policies related to charter schools, teacher evaluation, and school choice (Kraft & Gilmour, 2017; Renzull & Roscigno, 2005; Wong & Langevin, 2007). Indeed, the spread of policy ideas across states has occurred in fields that extend beyond K-12 education, such as in health care (Carter & LaPlant, 1997), criminal justice reform (Bergin, 2010), and transportation (Moreland-Russell et al., 2013). The study of policy transfer has documented how local, state, and even national policymakers imitate others as they implement policies intended to reach some common but localized goal (Stone, 2000).

Although the imitation phenomenon has been well-documented in the policy literature, there has been little attention paid to *how* policy transfer happens in K-12 education policy. This is a particularly interesting venue in which to study policy spread, as U.S. K-12 education policy is highly localized, with the majority of education policy dictated by states and local school districts, school buildings, and even individual classrooms (Mitra, 2018). To better understand how education policies spread across states, we turn to the case of Michigan and early literacy policy. Michigan adopted its Read by Grade Three Law in 2016 (State of Michigan 98th Legislature, 2016) and today is one of 19 states with similar retention-based third-grade literacy policies. Guided by Kingdon’s Multiple Streams Framework (MSF; Kingdon, 1984) and the theory of policy transfer (Dolowitz & Marsh, 1996, 2000; Evans & Davies, 1999; Marsh & Sharman, 2008; Stone, 2000), we ask, *what factors influenced the development and passage of Michigan’s Read by Grade Three Law?*

To answer this question, we trace the policy process surrounding the Law's conception, development, and passage, relying on data from semi-structured interviews from 24 stakeholders involved in the development of the Law, including state legislators, officials from the Michigan Department of Education (MDE), and external stakeholders (e.g., early literacy leaders, educational association leadership). In order to understand how early literacy policies spread—or transfer—between states, we also analyze policy documents from all 50 states and D.C.

We find that events in the problem and political streams opened a policy window that allowed for the passage of the Read by Grade Three Law (Kingdon, 1984). Given that Florida was among the earliest and most influential states to implement a third-grade literacy policy in 2002, followed by the adoption of similar policies in 18 other states by 2021, we examine the critical role of policy entrepreneurs in the transfer of core components of early literacy policies across states. Our findings from this research will contribute to policymakers' and other stakeholders' understandings of the development and passage of third-grade literacy policies—information that will be important as these policies continue to receive national attention in both policy and research communities. Moreover, this study is one of few in the field to focus primarily on how policy entrepreneurs (see Leiberhan, 2002; Mintrom & Vergari, 1996) play a critical role in joining together the multiple streams as identified by Kingdon (1984). Lastly, this study provides a nuanced view of how policy transfer (Dolowitz & Marsh, 1996; 2000) and policy entrepreneurship join together to promote the convergence of ideas and solutions to particular problems.

CONCEPTUAL FRAMEWORK

To examine the conditions that influenced the development and passage of Michigan's Read by Grade Three Law, we use two complementary theories: Multiple Streams Framework (Kingdon, 1984) and policy transfer (Dolowitz & Marsh, 2000; also see Dolowitz & Marsh, 1996; Evans & Davies, 1999; Marsh & Sharman, 2008; Stone, 2000). According to MSF, policy issues emerge on government decision-making agendas through three "streams": problem, policy, and political. In the problem stream, many conditions exist that can rise to the level of problems. Kingdon (1984) distinguishes between conditions and problems, where conditions "become defined as problems when we come to believe that we should do something about them" (p. 109). This can occur through a dramatic or obvious change in an indicator (e.g., a sudden decrease in test scores), or a focusing event such as a court case (e.g., *Brown v. Board of Education*) or disaster (e.g., Columbine, Sandy Hook). However, a defined problem only becomes a *pressing* problem—one that requires deliberate political action—when it can be collectively solved (Jones et al., 2016; Petridou & Mintrom, 2020). In this way,

only some conditions translate into problems, and only some problems ultimately receive political attention.

The policy stream is predicated on the relative prominence of problems. Those problems deemed to be most pressing by members of the policy community garner myriad proposals (i.e., alternatives). This is particularly true when reasonable solutions already exist within the political landscape (e.g., third-grade literacy policies). Lastly, the political stream is made up of public mood, the political composition of the legislature and other governing bodies, election results, and changes in administration. If the political stream is ripe, it can interact with the other streams to form the circumstances needed to adopt policy innovations (Kingdon, 1984).

When these three streams join together, they produce a “policy window” (Kingdon, 1984). This policy window can create an opportunity for policy change by allowing advocates to push their solutions forward. Notably, policy entrepreneurs, who are individuals or actors from inside (i.e., elected or appointed officials) or outside government (e.g., interest groups, research organizations), play key roles in this process. Policy entrepreneurs either wait for these streams to join together, or work to do so on their own (Doig & Hargrove, 1990). They then present a solution that addresses the pressing problem, often advocating for a specific “pet” policy or political agenda. For instance, policy entrepreneurs can shape the problem stream by interpreting and relaying for others the indicators or focusing events that cause problems to need a solution. This is done via leading by example, framing the problem to suit their needs, or communicating with others in their networks (Dewulf & Bouwen, 2012; Mintrom & Luetjens, 2017; Shpaizman et al., 2016). Kingdon (1984) further calls these collective efforts a “softening up” process, helping to make meaning of pressing problems for other members of the policy community. Entrepreneurs can then gauge how receptive the policy community is to adopting their policy alternative. In turn, entrepreneurs’ alternatives tend to rise on the decision-making agenda as they galvanize policy proposals around a specific solution to a given problem (Kingdon, 1984; Mintrom & Vergari, 1998). When the administration favors their particular innovation (e.g., a retention-based third-grade literacy policy), it is likely to become law.

MSF serves as a useful tool through which to examine national attention toward early literacy policy formation. For example, Young and colleagues (2010) show how political pressure from respective administrations, regional and national interest, and declining reading achievement was symbolic of the failure of public schools. This perceived failure caused governors to identify early literacy as a pressing problem in need of a solution, influencing which issues were placed on the decision-making agenda. In Wisconsin, Brown (2007) documents the development of Wisconsin’s “no

social promotion” statutes that were intended to improve students’ literacy. In particular, the Wisconsin governor framed retention as the solution to fix “passing students along.” The state legislature, however, resisted implementing student retention as the sole solution to the early literacy problem, instead proposing and passing a policy alternative: a multiple-indicator retention policy. Although this extant literature examining the adoption of early literacy policies through MSF helps to shed light on the rise of comprehensive literacy policies nationally, it largely neglects the role of policy entrepreneurs as critical actors in helping to shape the policies themselves. Our study aims to fill this gap.

Moreover, while Kingdon’s (1984) MSF helps us understand the importance of policy entrepreneurs in framing problems and particular solutions to such problems, it does not leave space for examining the particular way that early literacy policies spread across the United States, generating a kind of de facto set of specific elements that were considered appropriate across individual states in their adoption of early literacy policies. To better understand how the national discourse around early literacy policies shaped individual states’ reforms, we adopt the concept of “policy transfer,” which highlights how “knowledge about policies, administrative arrangements, institutions and ideas in one political setting (past or present) [is] used in the development of policies, administrative arrangements, institutions and ideas in another political setting” (Dolowitz & Marsh, 2000, p. 344; also see Dolowitz & Marsh, 1996; Evans & Davies, 1999; Marsh & Sharman, 2008; Stone, 2000). Despite similarities to “policy diffusion” (Berry & Berry, 2007; Shipan & Volden, 2008; 2012), Marsh and Sharman (2009) argue that diffusion emphasizes structural processes in political adoption whereas transfer privileges agency. As such, policy transfer provides a more applicable theory for examining the development and passage of Michigan’s Read by Grade Three Law.

As we explain in detail below, policy entrepreneurs were highly influential agents in the passage of the Law, promoting the transfer of Florida’s early literacy policy to Michigan. But because the policy entrepreneurs in question were non-governmental agents, they could not impose their policies on a given system. Instead, they provided the rhetoric and scholarly discourse (Stone, 2000) needed to shift attitudes and legitimize their position. From this view, policy entrepreneurs promote the “voluntary” transfer (see Dolowitz & Marsh, 1996) of policies across governmental entities, particularly when their ideological disposition aligns with the prospective policy community (see Stone, 2000). This is done through several strategies, two of which we elaborate in this study: 1) emulation and 2) elite networking/interaction (see Bennett, 1991). Emulation involves borrowing ideas and adapting policy approaches, tools, or structures to local conditions whereas elite networking involves agents sharing their expertise to form common patterns of understanding regarding policy.

By combining the theories of MSF and policy transfer, we seek to highlight how state and national conditions resulted in the rise of early literacy as a pressing problem for Michigan. In particular, we explore how addressing early literacy in the state became an urgent problem, and how one approach gained considerable traction across states (i.e., retention-based third-grade literacy policies). Moreover, we use this framework to unpack how non-governmental actors can become critical policy entrepreneurs, interpreting problems and networking particular solutions for decisionmakers. In Michigan, we found two key policy entrepreneurs—the Great Lakes Education Project (GLEP) and ExcelinEd—influenced a majority-Republican administration to adopt a retention-based third-grade literacy policy. While some alternative and supplementary components were added by Democrats before passage, much of the Law retained the retention-based theory of change to address Michigan’s early literacy problem.

THIRD-GRADE LITERACY POLICIES

State and national efforts in recent decades have made early literacy a priority, laying the groundwork for the transference of third-grade literacy policies in several states. These efforts can be traced back to a flurry of policy recommendations in the late 1990s. For instance, in 1997, the U.S. Congress asked the National Institute of Child Health and Human Development to work with the U.S. Department of Education to establish a National Reading Panel to review the existing evidence surrounding the best ways to teach reading (Pearson, 2020). They found that the best approach to reading instruction included explicit instruction in phonemic awareness, systematic phonics instruction, methods to improve fluency, and ways to enhance comprehension (National Institute of Child Health and Human Development, 2019). Additionally, in 1998, the National Research Council published a report similarly concluding that reading ability is determined by multiple factors, including knowledge, language, and other internal processes (Pearson, 2020). That same year, the Department of Education implemented the Reading Excellence Act, which awarded \$210 million dollars annually from 1998 to 2000 in grants to states to improve their K-3 literacy instruction with the goal of teaching every child to read by the end of third grade (H.R. 2614, 1998).

These efforts, which reflected growing concerns about flagging early literacy in the U.S., set the stage for the current wave of early literacy policies enacted nationally (National Institute for Literacy, 2008). In 2002, the Department of Education authorized the Reading First program under No Child Left Behind, which replaced the expired Reading Excellence Act. This program similarly allocated funding to implement evidenced-based reading instruction and hire literacy coaches to support K-3 reading achievement (U.S. Department of Education, 2014). In the process, these funds

encouraged states to attend to early literacy, leading several states to implement their own policies alongside Reading First. On a broad level, these state policies prescribed interventions to support early literacy efforts and sometimes instituted retention policies under which third graders must score above a certain level on the state standardized literacy assessment in order to be promoted to fourth grade (CCSSO, 2019). We refer to these policies as retention-based third-grade literacy policies.

Florida, which passed its Just Read, Florida! retention-based third-grade literacy policy in 2002, is largely considered the trailblazer of such policies (CCSSO, 2019). Florida's policy includes several provisions designed to improve students' literacy in grades K-3, including early identification of students who need additional supports, ongoing monitoring and communication with families, a range of literacy interventions, and third-grade retention for students who do not meet a certain score on the state assessment. By 2021, 19 states had adopted retention-based third-grade literacy policies that contained several elements of Florida's policy.

While the evidence is clear on the importance of early literacy (e.g., Cunningham & Stanovich, 1997; Fiester, 2010; Hernandez, 2011; Lesnick et al., 2010; Sparks et al., 2014), it is mixed about the efficacy of third-grade retention (Greene & Winters, 2004; 2006; 2007; Jacob, 2005; Jacob & Lefgren, 2004; Lorence et al., 2014; Roderick et al., 2002; Roderick & Nagaoka, 2005; Schwerdt et al., 2017; Weiss et al., 2018; Winters & Greene, 2012). In this paper, we examine how Florida's third grade literacy policy transferred to other states, and in particular to Michigan.

DATA AND METHODS

To help us understand what factors influenced the development and passage of Michigan's Read by Grade Three Law, we rely on state-level stakeholder interviews ($N = 24$) and early literacy policy documents from all 50 states and D.C. We conduct a qualitative analysis of all interviews and policy documents following a coding scheme developed inductively and based our MSF/policy transfer framework.

Stakeholder Interviews

We conducted semi-structured interviews in fall 2019 with 24 stakeholders involved in the development of the Law, including state legislators ($n = 11$), MDE officials ($n = 5$), and external stakeholders (e.g., early literacy leaders, educational association leadership; $n = 8$). We purposively sampled interviewees based on their involvement in the development of the Law, as our intent was not to produce a generalizable study, but rather to document how the Read by Grade Three Law specifically unfolded and why.

We designed interview questions to elicit participants’ perceptions of and involvement in the development of the Read by Grade Three Law. Although we modified each interview protocol to reflect the unique role and experience of our respondents, they all followed the same general outline of topics. We first asked participants how they became involved in conversations about early literacy and in particular the Read by Grade Three Law. We then asked about their involvement in the early formation of the Law and whether and how they are currently involved in its implementation. We further asked participants what they saw as the main goals of the Law, the factors that led to its formation, and their perceptions of the various interventions included in the Law (e.g., literacy coaches, retention) and how those ended up in the legislation. We concluded by asking interviewees to share advice with policymakers in other states who may wish to create and implement similar legislation.

We conducted these interviews in person or via Zoom, and each interview lasted between 45 and 60 minutes. We recorded the interviews, and a third party transcribed the recordings. Members of the research team subsequently vetted them for accuracy and deidentified them of any personally identifiable information. We categorized the 24 state-level stakeholders we interviewed into seven groups: representatives of educators’ associations (4 interviews, 17% of sample), early literacy leaders (5, 21%), staff from the former and current Governors’ offices (2, 8%), MDE (6, 25%), staff from other state agencies (2, 8%), and former and current legislators (6, 25%; see Table 1). Within the legislator group, we interviewed three Democrats and three Republicans, all but one of whom were directly involved in drafting the Read by Grade Three Law.

TABLE 1. Interview Sample Characteristics		
Interviews		
Stakeholder Group	Number	Percent
Association	4	17%
Early Literacy Leader	5	21%
Governor's Office	2	8%
Legislator	6	25%
MDE	6	25%
Other State Agencies	2	8%
Total	24	100%

Third-Grade Literacy Policy Documents

To assess the extent to which the Read by Grade Three Law resembled other states' third-grade literacy policies, we collected and coded all states' early literacy policies. To compile these policies, we began by drawing from four existing datasets: (1) The National Conference of State Legislatures' *Third-Grade Reading Legislation* (Weyer, 2019), (2) Education Commission of the States' (ECS) *Third-Grade Reading Policies* (Workman, 2014), (3) the Council of Chief State School Officers' *Third-Grade Reading Laws: Implementation and Impact* (CCSSO, 2019), and (4) ECS' *State Kindergarten-Through-Third-Grade Policies* (ECS, 2018). To ensure that we captured the most recent policies for a comprehensive dataset, we supplemented this information by conducting a Google search for each state using the search phrase "[STATE] third-grade literacy policy." This led to the inclusion of 26 additional policy documents. When we were unclear whether a policy was related to early literacy, or whether a policy was still current, we reached out to state legislatures to confirm.

Across all 50 states and D.C., we collected 167 early literacy policy documents. We excluded 26 because they were not relevant to the state's third-grade literacy policy or were duplicative of policies found in other documents, giving us a final analytical sample of 141 documents. The number of documents per state ranged from zero (Montana, New Hampshire, Pennsylvania, South Dakota) to ten (Mississippi).

Analytic Approach

Stakeholder Interviews

We analyzed all interview transcripts via Dedoose—a computer-assisted qualitative data analysis software—following an iterative process. First, the lead author read through all of the interview transcripts and created memos, including observations about the data to use in order to generate codes. Using these memos in combination with the existing literature, we created an initial codebook of 50 inductive and a priori codes, including definitions and examples for each code.ⁱ We included parent codes

ⁱ We organized the coding scheme into a hierarchy and employed automatic upcoding in Dedoose such that coding any child or grandchild codes would code the parent code(s) under which they were housed. An example of this is with the parent code Policy Transfer. Based on the memos we generated from an initial read of the data, we created two inductive child codes, National Literacy Policy and Other States' Literacy Policies, to reflect the unique contribution of each. Further, we created inductive grandchild codes (e.g., under Other States' Literacy Policies we created grandchild codes for Florida, Kentucky, Massachusetts, Minnesota, and Tennessee as these were the states interviewees mentioned in their discussion of the development of the Law).

(with child/grandchild codes nested within) for Policy Transfer (how other states' and national policy efforts affected the development of the Law), Michigan Context (the role of the state's unique context and circumstances), Preexisting Support for Literacy (to reflect the contribution of Michigan's previous and ongoing efforts surrounding literacy), Research (how it was—and was not—used in the development of the Law), and Relationships between Groups (to reflect how stakeholder groups' relationships with each other played a role). For a full list of codes, see Appendix A.

The lead author then discussed this codebook with a colleague who is not directly involved in, but familiar with, the project, to get feedback on its clarity and usefulness. After this, we piloted the coding scheme on one of the interview transcripts, which led to the addition of one inductive code—Sequence of Events—which we used to keep track of how interviewees described the order in which various events took place related to the development of the Law. This was added because it became clear that understanding interviewees' recollection of the order in which events happened would be foundational to understanding the factors that led to the development of the Law.

To establish reliability in the coding scheme, we conducted an interrater reliability (IRR) test between one member of our research team and the aforementioned colleague, which resulted in a Cohen's Kappa (κ) of 0.76. Two codes were particularly problematic: Poor Literacy Performance and Urgency. After discussing these coding discrepancies with the colleague, we clarified our definitions and examples for each code to make more explicit when to employ each. The same individuals then conducted a second IRR with a resulting $\kappa = 0.95$, indicating very strong reliability in the coding scheme. The final codebook contained 51 codes, including 7 parent codes, 19 child codes, 24 grandchild codes, and 1 great-grandchild code. The lead author then coded all 24 transcripts. Another member of the research team also reviewed the interview transcripts as part of a separate analysis and identified similar themes, further supporting the reliability of the coding scheme.

To analyze the interview data, we first used Dedoose to generate descriptive information related to code presence (whether a particular code was applied in a given interview), code application (how many times a code was applied in a given interview), and code co-occurrence (when two codes appeared together) overall and by subgroup. This allowed us to observe initial patterns in the data and determine what to explore further. From this initial analysis, we selected sets of coded excerpts for further analysis. We considered not only the frequency with which codes were applied, but also subgroup patterns (e.g., when codes were applied across all subgroups, or when a particular subgroup was the only group not to utilize a particular code). As we read through and analyzed these selected data, we developed an analytic memo to track emergent themes, constantly comparing data (Glaser & Strauss, 1967) to that

which was previously analyzed and seeking relationships between our various codes. We then read through and synthesized this memo to determine our overall findings. Throughout the findings, we incorporate direct, deidentified quotes from these interviews that are representative of larger themes.

Policy Documents

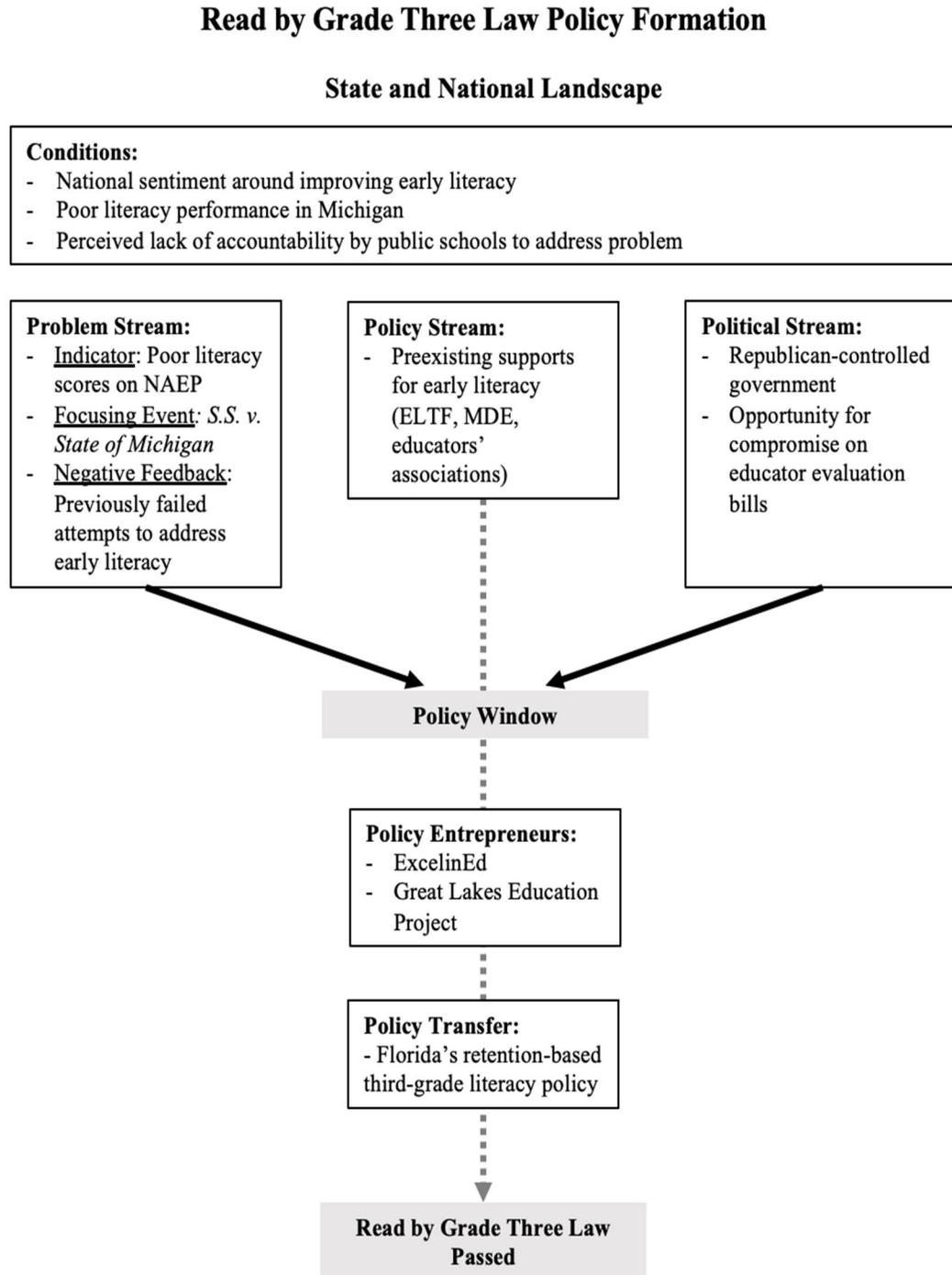
We also coded and analyzed the early literacy policy documents in Dedoose. We developed our coding scheme a priori based on our knowledge of third-grade literacy policies and the common elements included in them. We included parent codes for Assessment, Funding, Instruction/Tier I, Interventions/Tiers II and III, Parental Notification, Professional Development, Retention, and State Literacy Organization. These parent codes included child codes representing more detailed elements of the policy (e.g., specific interventions). In total, the codebook included 50 codes. For a full list of these codes, see Appendix B.

We coded each policy document for the presence of each of these 50 items, giving the document a 1 if it included the item and 0 otherwise. Because most states' early literacy policies were comprised of more than one policy document, we then aggregated all of the policy documents from a given state to create indicators for whether the state included each item in its third-grade literacy policy. We resolved any discrepancies (e.g., if one policy document in a state indicated that retention was allowed while another indicated that it was required) by using the code from the most recent policy document.

FINDINGS

In this section, we describe how events and conditions in each of the three streams (i.e., problem, policy, and political) contributed to the passage of the Read by Grade Three Law, and how policy transfer helps explain why Michigan's policy—and those of many other states—so closely resembles Florida's. We further describe how non-governmental policy entrepreneurs played a role in these processes, specifically through emulation and elite networking. Conditions in both the problem and political streams allowed for a policy window to open, and policy entrepreneurs had a proposal ready in the policy stream. After a period of softening up policymakers to the idea of a retention-based third-grade literacy policy, these policy entrepreneurs were able to successfully galvanize support for the passage of their preferred version of the Read by Grade Three Law in the Michigan legislature. We trace these processes in Figure 1.

FIGURE 1. Read by Grade Three Law Policy Formation



Problem Stream

The problem stream centered around Michigan's declining literacy performance, particularly in relation to other states. Nineteen out of 24 interviewees (79%) cited this as one of the primary factors contributing to the need for a third-grade literacy policy in Michigan. As described above, Kingdon (1984) distinguishes between conditions and problems, where conditions become defined as problems through changes in indicators, focusing events, or feedback about the operation of existing programs. As shown in Figure 1, interviewees described a combination of these factors in elevating poor literacy performance from a condition to a pressing problem in Michigan.

First, while poor literacy performance had been an ongoing condition in Michigan, as evidenced by the state's consistently below-average fourth-grade reading scores on the National Assessment of Educational Progress (NAEP; The Nation's Report Card, n.d.), one-third of our interviewees specifically referenced 2015 NAEP scores as an indicator that early literacy was a problem that needed to be addressed. This was the second consecutive NAEP administration in which the state's average fourth-grade reading score declined and was significantly lower than the national average (U.S. Department of Education, 2015). Indeed, problems sometimes involve comparisons, particularly when there is potential competition across governmental entities (Kingdon, 1984; Marsh & Sharman, 2009). Interviewees with whom we spoke often compared Michigan's performance on NAEP to other states as a rationale for why early literacy needed to be addressed. Further, some went so far as to claim that Michigan's performance was an urgent "crisis" in need of a fast solution. One official from the Governor's office at the time of the Law's passage commented:

We were really alarmed by finding out that Michigan was going backwards on its NAEP scores. We were one of the few states actually going negative as you looked over the years, and that caused a lot of concern, which is what I think got this initiative started.

Second, compounding Michigan's poor performance on the NAEP, one legislator described how a court case in Highland Park (a school district in the Greater Detroit area), *S.S. v. State of Michigan*, acted as a focusing event that brought attention to poor literacy performance in the state. In *S.S. v. State of Michigan*, the American Civil Liberties Union (ACLU) of Michigan charged the state with failing to take effective measures to ensure that Highland Park students were reading at grade level after less than 10% of the district's students in grades 3-8 scored proficient on the state assessment. Though the court ultimately ruled against the ACLU, as one legislator explained, "That event was a catalyst in the introduction of the original bill."

Lastly, legislators described Michigan's several prior failed attempts at addressing literacy performance. Indeed, the Read by Grade Three Law was at least the state's third attempt at making reading and literacy a priority in Michigan. In the late 1990s and early 2000s, the state implemented a plan that provided kits to parents when they left the hospital with a newborn that included books, parenting activities, and cassette tapes to promote reading. As one Republican legislator with whom we spoke said, "This was our attempt to try and get the emphasis on early childhood development." Then, in 2005-2006, the federal government granted Michigan \$80 million to improve reading. However, the same legislator felt that it was "an absolute waste of money" because "nothing ever happened from that [money]." These quotes highlight how legislators did not perceive either of these efforts as effective in improving the state's scores and believed that they needed to approach the problem differently moving forward. This began to open a policy window for a solution like the Read by Grade Three Law. As the same legislator reinforced:

I think it's the most serious thing that we've done. As I said, in the '90s, we did the reading plan for Michigan. Eighty-million dollars by the Feds in the mid 2000s to try and do—nothing. This is our, maybe not last-best hope, but it certainly, yeah, one that, maybe, you know? If it causes this much consternation, then clearly something's working. Or, you know, it got people thinking?

Political Stream

Events and circumstances in the political stream further contributed to the opening of a policy window. At the time that the Read by Grade Three Law was passed, Republicans controlled both the House of Representatives and the State Senate, as well as the governor's mansion. This created politically fertile ground for the passage of a retention-based third-grade literacy policy, as our analysis of early literacy policy documents shows that these policies have historically been the product of Republican-backed legislation.

Despite political uniformity, the passage of the Law was also aided by an opportunity for political compromise. Indeed, Democratic legislators mentioned that they initially became involved in talks about third-grade literacy because they had a set of bills on educator evaluation that they wanted passed and agreed to work with the Republicans on the Read by Grade Three Law if the Republicans would reciprocate on their evaluation bills. As one Democratic legislator told us:

[They] couldn't get the votes [they] wanted, [they] needed, on [their] side of the committee to pass the third-grade reading law...Our ask was that we would help [the Republicans] on this, but we needed [their] help in passing

a robust evaluation bill and process. We cut a deal...we were satisfied with the reading legislation. I think the politics may have gotten in the way of letting us get there, but the reason we were able to get [the Republicans] the votes was because they were willing to give us the eval[uation] bill that we wanted. The amendments that we put in...those were really around the very specific pieces around the intervention, and the multiple methods of proving proficiency—that it wasn't just the M-STEP.

Similarly, Republicans needed votes from Democrats to pass the Read by Grade Three Law. As a result, Republicans were willing compromise with Democrats to include elements for which Democrats advocated (i.e., alternatives), particularly “good cause exemptions” to mandatory retention for particular groups of students. Another Democratic legislator commented on this negotiation: “The exemptions were big. Exempting IEPs [students with disabilities], exempting second language learners. Those were not supported—those are not things that the advocates wanted...It's a compromise. Legislation is making the sausage and it's compromise.” Once these alternatives were included during caucus, the bill was more politically palatable for Democrats. So, despite some concerns with third-grade retention, many ultimately voted for the bill. The same Democratic legislator went on to say:

When you look at a bill with tremendous resources and positives and assistance to those that need assistance and knowing that there were very few negatives and it most likely was not going to affect very many children, if any in the school district—in my district, it made sense to go with the bill.

Ultimately, the Republican makeup of Michigan's state government and the opportunity for legislative compromise—combined with events in the problem stream (i.e., NAEP, *S.S. v. State of Michigan*, negative feedback about previous efforts to improve literacy)—opened a policy window for the potential to pass a retention-based third-grade literacy policy in Michigan.

Policy Stream

As Kingdon (1984) explains, the chance that an issue rises on the agenda increases dramatically if a solution can be attached to it. As described above, solutions are generated by policy communities—which in the case of the Read by Grade Three Law included members of various state-level stakeholder groups: association members, early literacy leaders, the Governor's office, legislators, MDE, and other state agencies. While each of these groups agreed on the need to address early literacy in Michigan, they disagreed about the content of such legislation, particularly a retention component. As one Democratic legislator shared, “They [all] want kids to learn on track

by the end of third grade. They [all] want it. [But] they disagree on how to implement it [i.e., the solution].”

Nonetheless, before policymakers were even considering the Read by Grade Three Law, early literacy efforts in Michigan outside of a formal policy context were converging on elements that could be included in an eventual third-grade literacy policy. These efforts largely revolved around literacy professional development, including literacy coaching. Though literacy coaches would ultimately become part of the Read by Grade Three Law, several Intermediate School Districts (ISDs) had already hired literacy coaches before the Law was passed.ⁱⁱ The state also allocated ISDs \$37,500 that they could apply for and match to create a salary for a literacy coach in fall 2015, a year before the Law was passed. These ISD Early Literacy Coaches spawned the creation of the Michigan Association of Intermediate School Administrators (MAISA) General Education Leadership Network’s Early Literacy Task Force (ELTF). As early literacy leaders explained to us, after the state allocated money for literacy coaches, MAISA decided to create universal job descriptions for these coaches, as opposed to having each ISD create their own:

[MAISA] convened the first meeting of the Early Literacy Task Force in December of 2015. We came together—that very first meeting was really all about creating job descriptions for the coaches that we had received funding for that came out of the governor’s Workgroup before the Read by Three legislation was even passed.

The ELTF originally formed to draft these job descriptions, and the organization went on to create several practice guides that served as the foundation for teacher professional development called the Literacy Essentials. Eventually, the ISD Early Literacy Coaches were folded into the Read by Grade Three Law, but their prior existence and state support laid the groundwork for including them. Indeed, 17 out of 24 interviewees (71%) recognized the role of the set of preexisting supports for literacy and took care to emphasize that they were happening before the actual passage of the Law.

Early literacy efforts at MDE also predated the Read by Grade Three Law and contributed to the inclusion of various elements in the Law. MDE staff mentioned that

ⁱⁱ In Michigan, ISDs, which are sometimes called Regional Educational Service Agencies (RESAs), are educational entities that operate between the Michigan Department of Education and local education agencies. ISDs often serve the local education agencies within a given county. Local education agencies can receive a range of services through their ISD.

“literacy is part of what we talk about at the Department of Education all the time. We already talk about literacy.” They described multiple grants they supported related to early literacy before the Law, including for literacy coaching, additional instructional time in literacy, and literacy assessments. Education association officials also mentioned that they had “been involved in improving literacy in Michigan for 5, 6 years” and received state grants to support teacher professional development in literacy. All of these prior efforts had become widely accepted solutions to addressing early literacy in the state and facilitated their inclusion in the Read by Grade Three Law.

However, interviewees explained that the retention component of the Law was much more contentious. Nonetheless, the opening of a policy window allowed key policy entrepreneurs to push forward a retention-based third-grade literacy policy. In particular, they advocated for Michigan to pass a policy similar to Florida’s. We found a clear partisan split in whether interviewees favored retention, with Republican legislators the only stakeholder group to fully support its inclusion in the Law. From their view, retention became the “teeth” that was lacking in previously failed efforts to address early literacy. As one Republican legislator with whom we spoke said, “Right now, the teeth is in the threat of retention.” They went on to say this approach was needed because “schools will not do anything unless there’s some punitive measure.” But no other stakeholder group favored including retention in the Read by Grade Three Law.

Interviewees largely attributed the Law’s passage with a retention component to the success of key policy entrepreneurs in aiding the policy transfer of such a law. As Kingdon (1984) explains, policy entrepreneurs work to “soften up” their preferred solution over time, and when an administration favors their solution, it is likely to be enacted. Interviewees traced this softening up process back to 2013 when State Representative Amanda Price (R) introduced a bill that was, according to one Democratic legislator, “basically a straight retention, no professional development, or prescribed intervention requirements or anything like that.” Though the lack of additional supports made the bill politically infeasible, this same legislator explained that Representative Price was working with ExcelinEd at the time, a group that the GLEP—a think tank founded by the DeVos family—brought in. Together, ExcelinEd and GLEP would serve as key policy entrepreneurs in the passage of the Read by Grade Three Law.

ExcelinEd is a nonprofit education organization based in Florida and chaired by former Republican Governor Jeb Bush, and has been a prominent advocate of passing third-grade literacy policies similar to Florida’s retention-based law across the country. Nearly a third of interviewees across multiple stakeholder groups mentioned

ExcelinEd's influence in the development of Michigan's Read by Grade Three Law. As one interviewee explained:

I would say at least half of [the different elements of the Law] landed in there because of...ExcelinEd, and the work they did in Florida because that was the team that was consulted, and the boilerplate language, I think, came from them. Our legislators are very involved with that group, so I know that's where it came from.

Two interviewees also viewed the legislation as being “strongly influenced” by GLEP. One Democratic legislator explained to us that GLEP was the “biggest advocate for the bill” and worked with Republican legislators to help bring in ExcelinEd. In addition, GLEP funded a great deal of the advocacy work to pass the Read by Grade Three Law. According to one external stakeholder:

They [GLEP] have a lot of money, and they were able to leverage their dollars into policy...again, how do you afford to bring in legislators and advocates and others from the state of Florida? You have to have money to be able to do that...They used their money towards what they believed.

Conjointly, these policy entrepreneurs facilitated the policy transfer of Florida's retention-based third-grade literacy law to Michigan. However, because ExcelinEd and GLEP are non-governmental agents (i.e., they cannot themselves pass legislation), they had to promote the “voluntary transfer” of this solution (Dolowitz & Marsh, 1996)—a challenge given that no stakeholder groups except Republican legislators supported a retention-based policy. To this end, we found that they relied on the tactics of emulation and elite networking (Bennett, 1991).

Elite networking takes place when agents share their expertise to shape others' understanding of a policy (Bennett, 1991). According to our interviewees, this process began when GLEP connected Representative Price and other Michigan legislators with ExcelinEd. One Democratic legislator told us that ExcelinEd worked with Michigan legislators on other issues, saying, “They came and talked with us many times about a lot of things, but this being one of them.” This suggests that previous relationships between the two parties may have made them a trusted partner in these new third-grade literacy policy efforts.

ExcelinEd continued to engage in elite networking in a Third-Grade Reading Workgroup that former Governor Rick Snyder assembled. Governor Snyder called for the creation of the Workgroup in his 2015 State of the State Address, tasking it with making policy recommendations for how Michigan should address its poor literacy performance. The Workgroup was led by a businessperson and consisted of three

Republican and three Democratic legislators—all chairs of the various education committees—as well as the State Budget Office director. Half of all interviewees across all stakeholder groups discussed the Workgroup and explained to us that early on, they identified the literacy work that ExcelinEd was doing in Florida and used that as a model for their recommendations.

The Workgroup members we interviewed explained that they brought in numerous individuals and groups working on early literacy “on both sides” of the issue, including MDE staff, researchers, early literacy organizations, curriculum specialists, reading interventionists, and district administrators—as well as ExcelinEd. Ultimately, one of the Workgroup’s recommendations was a “smart promotion policy” in which students who were behind in reading by the end of third grade would continue to receive literacy instruction and interventions at the third-grade level while moving on to the next grade level in any subjects in which they demonstrated proficiency (Kennedy et al., 2015). In other words, they recommended a retention-based third-grade literacy policy—ExcelinEd’s preferred solution (see ExcelinEd, 2020).

Interviewees explained to us that ExcelinEd remained involved throughout the legislative process after legislators formally introduced the Read by Grade Three bill. At the time of its introduction, many legislators—particularly Democrats—had still not softened up to the idea of a retention-based policy. As one Republican legislator said:

I think there were a lot of legislators that were uncomfortable to hear the way [retention] was first—like a pretty draconian approach at first which is gonna capture hundreds to thousands of kids... they didn't feel comfortable with that. But we're able to work the system that way, people coming back to the caucus and saying, 'I really don't feel comfortable with this part.' We were able to soften it up in a number of cases.

The stakeholders we interviewed further explained that ExcelinEd provided testimony about the Read by Grade Three Law throughout the legislative process. Across stakeholder groups, interviewees agreed that including retention created a sense of urgency around early literacy and “provide[d] some fire under the education community.” Even Democratic legislators acknowledged that sometimes policy needed to include high-stakes incentives. One Democratic legislator told us, “Unless you have a big stick, you don't get their attention. That's painful to say, because that's not the way anything should work.” The Republican legislators we interviewed also mentioned that if districts ultimately decided not to retain any students, that would be okay with them. Notwithstanding, they felt that it was necessary to include retention in the Law to create a “distant threat.” As one Republican legislator said:

We never in that discussion set out to say, we think that retention is a useful intervention for getting kids to read by third grade. That wasn't really the intention. It was more about having this distant threat out there that, if you guys don't get serious and have this conversation, this is what happens.

This suggests that Democratic legislators became more open to the idea of including retention in the state's third-grade literacy policy as ExcelinEd continued to advocate for it. However, they also explained that ExcelinEd's outsized influence overshadowed the influence of other groups like MDE and literacy experts. As one early literacy expert reinforced:

The testimony from ExcelinEd was...We need this law, because it'll help you get better outcomes, like Florida...We had some voice but not a lot...We didn't agree with retention... [But] different [policy] players just weren't interested necessarily in how [MDE and others] had been approaching this, I think. We weren't strongly at the table. Likely, these differences amongst stakeholder influences were because of former networking ties ExcelinEd built over time in Michigan, particularly with Republican policymakers.

On the other hand, ExcelinEd engaged in emulation, or the process of borrowing ideas and adapting policies to local conditions (Bennett, 1991). Specifically, they facilitated the policy transfer of Florida's retention-based third-grade literacy policy. Michigan's Read by Grade Three Law contains similar language and interventions as Florida's policy, and 15 of the 24 stakeholders we interviewed (66%, across all groups) described Florida's policy as influential on Michigan's Read by Grade Three Law, with Florida mentioned a total of 36 times.

Our analysis of state policy documents further reveals how effectively policy entrepreneurs engaged in this emulation and policy transfer process. As one stakeholder said, the Read by Grade Three Law ended up as "almost a copy of the Florida law" with minor tweaks. However, Florida's influence is not unique to Michigan's Read by Grade Three Law. Indeed, 46 states plus D.C. (92%) have some type of third-grade literacy policy. Further, 18 states and D.C. (37%) include a required retention component, with another 9 (18%) allowing for retention. Analogous to Florida, almost all of these policies (91%) include diagnostic and/or progress monitoring assessments to identify students who need additional literacy supports and interventions for these students (i.e., Tier 2 and 3 supports; 91%). The most common interventions include additional instructional time in literacy, evidence-based literacy interventions, home reading programs that include resources for families, and summer programs—all of which were included in Florida's law and are

now included in more than half of states' third-grade literacy policies (including Michigan's). Additionally, 70% specify general instructional (i.e., Tier 1) requirements, most commonly evidence-based reading instruction (62%), with nearly half specifically mentioning the "big five" components of reading: phonemic awareness, phonics, fluency, vocabulary, and comprehension. Finally, 64% require that schools and districts notify families when a student is identified as being behind in reading, 55% include professional development, and 21% include literacy coaches—all of which are included in Florida's policy.

More generally, Michigan's Read by Grade Three Law mirrors the Just Read, Florida! initiative in several ways. The two states' third-grade literacy policies only differed on 9 out of 50 areas (18%). Further, the areas on which they differed were elements that very few states included in their policies. For example, Florida's policy includes school/district reading plans; the provision of an alternative/transitional instructional setting, online or computer-based instruction, and smaller classes for students identified as needing additional literacy supports; teacher certification requirements; and the creation of a state literacy organization. Meanwhile, Michigan's policy includes school/district literacy leadership teams and exemptions to retention for students who are new to their school/district or based on parental appeal. Thus, Michigan's and Florida's policies were identical on all central components and differed slightly on marginal details. We argue that these differences reflect how policy entrepreneurs, when emulating policies from other places, adapt these policy approaches to local conditions.

DISCUSSION & CONCLUSION

Evidence from our interviews and third-grade literacy policy documents show that a policy window for the passage of the Read by Grade Three Law opened in the problem and political streams. This window was then further opened by the national climate regarding early literacy and the transference of retention-based third-grade literacy policies across states via policy entrepreneurs.

In the problem stream, Michigan's poor literacy performance was elevated from a condition to a pressing problem by declining NAEP scores, the Highland Park court case highlighting low proficiency levels on state assessments, and negative feedback regarding previously failed attempts at addressing early literacy in the state. Events in the political stream further contributed to the opening of a policy window, including a Republican-dominated state government that had proven amenable to passing early literacy policies similar to other states. In 2015, then-Governor Rick Snyder called for a Third-Grade Reading Workgroup to propose policy recommendations for addressing

the state's early literacy crisis, bringing further attention to the issue. Meanwhile, Democratic legislators saw an opportunity to compromise with Republicans on the Read by Grade Three Law in exchange for legislation on educator evaluation.

When this policy window opened in the problem and political streams, policy entrepreneurs (ExcelinEd and GLEP) ensured that one solution—a retention-based third-grade literacy policy—made it to the forefront of the legislative agenda. While various components of such a policy, particularly surrounding literacy professional development, had already been advanced by members of the broader policy community including MDE and educators' associations, the retention component was softened up over time due these two key policy entrepreneurs. Through emulation and elite networking, ExcelinEd and GLEP framed a retention-based third-grade literacy policy as successfully tested in another state—Florida—highlighting how policy can transfer from one context to another. Our analysis of state early literacy policy documents further documents the widespread transfer of several components of Florida's policy across the 50 states and the similarity between Florida's and Michigan's policies. In this way, the passage of the Read by Grade Three Law was the product of developments in independent streams that were joined together by highly influential policy entrepreneurs pushing their preferred alternative out of Florida that had already successfully been transferred to several other states.

By tracing the evolution and development of the Read by Grade Three Law, this study highlights several key elements of the policy process, particularly how certain conditions come to be defined as a pressing problem in need of a solution. At the same time, it showcases how the theory of policy transfer can extend our understanding of Kingdon's (1984) original conception of MSF. As the political and policy contexts both nationally and locally become increasingly polarized (Fiorina & Abrams, 2008; Heltzel & Laurin, 2020; Hopkins & Sides, 2015), it is critical to understand why and how contentious reforms move through the policy process to become law. In the case of Michigan's Read by Grade Three Law, the policy, problem, and political streams joined to surface the need for "something new" that could build on extant efforts already underway in the state. On one hand, the political realities of both parties needing the other to pass their own unrelated reforms enabled a "softening up" of the policy space such that there was an entry point for compromise. On the other hand, policy entrepreneurs played an outsized role in transferring a controversial policy that had been implemented in one state—to mixed reviews—to another. By being ready with a solution and with evidence—however mixed—from Florida, ExcelinEd and GLEP were able to successfully take key elements of the Florida policy and institute them in Michigan's.

Indeed, how the Read by Grade Three Law evolved over time has important implications for its implementation. Given several key stakeholders' lack of buy-in to the most controversial element of the reform (i.e., retention), it should be no surprise that educators and district leaders remain critical of the overarching policy. Moreover, because Michigan could not or would not fund the non-retention components (particularly coaching) of the Law to the same level as Florida, key intermediate outcomes that should lead to the Law's eventual success in improving early literacy in Michigan have not come to fruition (see Strunk et al., 2021, for a full discussion). Thus, this study highlights that the transfer of a policy from one state to another relies on a deeper understanding of the local context and willingness from all parties to provide capacity-building and funding to ensure policy success. This may be difficult to accomplish when policy adoption relies on non-governmental policy entrepreneurs who are unfamiliar with the local state context.

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APPENDIX A: INTERVIEW CODES

- Policy Transfer
 - National Literacy Policy
 - ALEC
 - Common Core
 - Education Reform Community
 - ExcelinEd
 - National Reading Panel
 - Reading First
 - Other States' Literacy Policies
 - Florida
 - Kentucky
 - Massachusetts
 - Minnesota
 - Tennessee
- Michigan Context
 - Economic Factors
 - Educational Factors
 - ACLU Lawsuit
 - Poor Literacy Performance
 - Urgency
 - Prior Lack of Success with Early Literacy Efforts
 - Human Capital
 - Workforce
 - Influential Groups
 - GLEP
 - Lobbyists
 - Unions
 - Local Control
 - Political Factors
 - Elected School Board
 - Lack of Collaboration
 - Lack of Involvement of Researchers
 - Lack of Stick-With-It-Ness
 - Party Politics
 - Term Limits
- Preexisting Support for Literacy
 - Coaching
 - Early Literacy Task Force

- Funding/Grants
 - Gov. Snyder's Third-Grade Reading Workgroup
 - Literacy Essentials
 - PreK-12 Literacy Commission
 - Previous Third-Grade Reading Bills
- Relationships between Groups
 - Collaborative
 - Tenuous
- Research
 - When Research Was Used
 - When Research Wasn't Used
- Sequence of Events

APPENDIX B: POLICY DOCUMENT CODES

- Assessments
 - Diagnostic Assessments
 - Progress Monitoring Assessments
- Funding
- Instruction/Tier I
 - Evidence-Based Reading Instruction
 - Big 5
 - School/District Literacy Leadership Teams
 - School/District Reading Plans
- Intervention/Tiers II and III
 - Additional Instructional Time in Literacy
 - Additional Interventions for Retained Students
 - Additional Opportunities for Error Correction and Feedback
 - Additional Opportunities for Guided Practice
 - Alternative/Transitional Instructional Setting
 - Assignment to Highly Effective Teacher
 - Evidence-Based Literacy Interventions
 - Frequent Progress Monitoring
 - Home Reading Program
 - Resources for Families
 - Individual Reading Improvement Plans
 - Online or Computer-Based Instruction
 - Out-of-School-Time Interventions
 - Reading Specialist
 - Small Group/1:1 Intervention
 - Smaller Classes
 - Summer School
- Parental Notification of Reading Deficiency
- Professional Development
 - Literacy Coaches
 - Professional Development in Literacy
 - Teacher Certification Requirements
- Retention
 - Allows Retention
 - Alternative Ways to Demonstrate Proficiency
 - Alternative Assessment
 - Course Grades
 - Portfolio

- Proficiency in Other Subjects
 - Summer School Attendance
- Exemptions
 - Administrator Appeal
 - English Learners
 - New to School/District
 - Parent Appeal
 - Previously Retained
 - Students with Disabilities
 - Teacher Appeal
- Requires Retention
- State Literacy Organization