

HOUSE BILL No. 4175

February 5, 2013, Introduced by Rep. Somerville and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1531 (MCL 380.1531), as amended by 2007 PA 32;
and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1531. (1) Except as provided in this act, the
2 superintendent of public instruction shall determine the
3 requirements for and issue all licenses and certificates for
4 teachers, including preprimary teachers, and the requirements for
5 an endorsement of teachers as qualified counselors and an
6 endorsement of teachers for teaching a foreign language in an
7 elementary grade in the public schools of the state.

8 (2) Except as otherwise provided in this act, the

1 superintendent of public instruction shall only issue a teaching
2 certificate to a person who has passed appropriate examinations as
3 follows:

4 (a) For a secondary level teaching certificate, has passed
5 both the basic skills examination and the appropriate available
6 subject area examination for each subject area in which he or she
7 applies to be certified.

8 (b) For an elementary level teaching certificate, has passed
9 the basic skills examination and, if it is available, the
10 elementary certification examination, and has passed the
11 appropriate available subject area examination for each subject
12 area, if any, in which he or she applies to be certified.

13 (3) Except as otherwise provided in this act, the
14 superintendent of public instruction shall issue a Michigan
15 teaching certificate to a person holding a certificate from another
16 state or a teaching degree from an out-of-state teacher preparation
17 institution who applies for a Michigan teaching certificate only if
18 the person passes appropriate examinations as follows:

19 (a) For a secondary level teaching certificate, pass both the
20 basic skills examination and the appropriate available subject area
21 examination for each subject area in which he or she applies to be
22 certified. The superintendent of public instruction may accept
23 passage of an equivalent examination approved by the superintendent
24 of public instruction to meet 1 or both of these requirements.

25 (b) For an elementary level teaching certificate, pass the
26 basic skills examination and, if it is available, the elementary
27 certification examination, and pass the appropriate available

1 subject area examination for each subject area, if any, in which he
2 or she applies to be certified. The superintendent of public
3 instruction may accept passage of an equivalent examination
4 approved by the superintendent of public instruction to meet 1 or
5 more of these requirements.

6 (4) Except as otherwise provided in this act, the
7 superintendent of public instruction shall only issue a teaching
8 certificate to a person who has met the elementary or secondary, as
9 applicable, reading credit requirements established under
10 superintendent of public instruction rule. ~~If a person holds a~~
11 ~~teaching certificate, then beginning July 1, 2009, notwithstanding~~
12 ~~any rule to the contrary, the superintendent of public instruction~~
13 ~~shall not advance the person's certification to professional~~
14 ~~certification unless the person has successfully completed at least~~
15 ~~a 3 credit course of study with appropriate field experiences in~~
16 ~~the diagnosis and remediation of reading disabilities and~~
17 ~~differentiated instruction. To meet this requirement, the course of~~
18 ~~study should include the following elements, as determined by the~~
19 ~~department to be appropriate for the person's certification level~~
20 ~~and endorsements: interest inventories, English language learning~~
21 ~~screening, visual and auditory discrimination tools, language~~
22 ~~expression and processing screening, phonemics, phonics,~~
23 ~~vocabulary, fluency, comprehension, spelling and writing assessment~~
24 ~~tools, and instructional strategies. A person may complete the~~
25 ~~course of study either as part of his or her teacher preparation~~
26 ~~program or during the first 6 years of his or her employment in~~
27 ~~classroom teaching.~~

1 (5) Not later than January 11, 2002, the superintendent of
2 public instruction, in cooperation with appropriate curriculum
3 specialists and teacher educators, shall revise existing reading
4 standards to recognize reading disorders and to enable teachers to
5 make referrals for instruction and support for pupils with reading
6 disorders.

7 (6) Subject to subsection (8), if a person holding a teaching
8 certificate from another state applies to the superintendent of
9 public instruction for a Michigan teaching certificate and meets
10 the requirements of this subsection, the superintendent of public
11 instruction shall issue to the person a Michigan professional
12 education teaching certificate and applicable endorsements
13 comparable to those the person holds in the other state, without
14 requiring the person to pass a basic skills examination or the
15 applicable subject area examination otherwise required under
16 subsection (2) or (3). To be eligible to receive a Michigan
17 professional education teaching certificate under this subsection,
18 a person shall provide evidence satisfactory to the department that
19 he or she meets all of the following requirements:

20 (a) Has taught successfully for at least 3 years in a position
21 for which the person's teaching certification from the other state
22 was valid.

23 (b) Has earned, after his or her initial certification in
24 another state, at least 18 semester credit hours in a planned
25 course of study at an institution of higher education approved by
26 the superintendent of public instruction or has earned, at any
27 time, a master's or doctoral degree approved by the superintendent

1 of public instruction.

2 (c) Has met the elementary or secondary, as applicable,
3 reading credit requirement established under superintendent of
4 public instruction rule.

5 (7) A person who receives a teaching certificate and
6 endorsement or endorsements under subsection (6) is eligible to
7 receive 1 or more additional endorsements comparable to
8 endorsements the person holds in another state only if the person
9 passes the appropriate subject area examinations required under
10 subsection (2) or (3).

11 (8) The superintendent of public instruction shall deny a
12 Michigan teaching certificate to a person described in subsection
13 (6) for fraud, material misrepresentation, or concealment in the
14 person's application for a certificate or for a conviction for
15 which a person's teaching certificate may be revoked under section
16 1535a.

17 (9) The department, based upon criteria recommended pursuant
18 to subsection (11), shall provide to approved teacher education
19 institutions guidelines and criteria approved by the superintendent
20 of public instruction for use in the development or selection of a
21 basic skills examination and approved guidelines and criteria for
22 use in the development or selection of subject area examinations.

23 (10) For the purposes of this section, the superintendent of
24 public instruction, based upon criteria recommended pursuant to
25 subsection (11), shall develop, select, or develop and select 1 or
26 more basic skills examinations and subject area examinations. In
27 addition, the superintendent of public instruction, based upon

1 criteria recommended pursuant to subsection (11), shall approve an
2 elementary certification examination and a reading subject area
3 examination.

4 (11) The superintendent of public instruction shall appoint an
5 11-member teacher examination advisory committee comprised of
6 representatives of approved teacher education institutions and
7 Michigan education organizations and associations. Not more than
8 1/2 of the members comprising this committee shall be certified
9 teachers. This committee shall recommend criteria to be used by the
10 superintendent of public instruction in the development, selection,
11 or development and selection of 1 or more basic skills
12 examinations, and criteria to be used by the superintendent of
13 public instruction in the development, selection, or development
14 and selection of subject area examinations. In addition, the
15 committee shall recommend guidelines for the use and administration
16 of those examinations. The basic skills examinations referred to in
17 this subsection may be developed by the superintendent of public
18 instruction or selected by the superintendent of public instruction
19 from commercially or university developed examinations. In
20 addition, an approved teacher education institution, pursuant to
21 guidelines and criteria described in subsection (9), may develop an
22 examination at its own expense for approval by the superintendent
23 of public instruction. An approved teacher education institution
24 that develops its own examination is liable for any litigation that
25 results from the use of its examination.

26 (12) The superintendent of public instruction shall appoint a
27 7-member standing technical advisory council comprised of persons

1 who are experts in measurement and assessment. This council shall
2 advise the superintendent of public instruction and the teacher
3 examination committee on the validity, reliability, and other
4 technical standards of the examinations that will be used or are
5 being used and of the administration and use of those examinations.

6 (13) Not later than November 30 of each year, the
7 superintendent of public instruction shall submit in writing a
8 report on the development or selection and use of the basic skills
9 examination, the elementary certification examination, and the
10 subject area examinations to the house and senate education
11 committees. The report shall also contain a financial statement
12 regarding revenue received from the assessment of fees levied
13 pursuant to subsection (15) and the amount of and any purposes for
14 which that revenue was expended.

15 (14) The basic skills examination, the elementary
16 certification examination, and the subject area examinations
17 required by this section may be taken at different times during an
18 approved teacher preparation program, but the basic skills
19 examination must be passed before a person is enrolled for student
20 teaching and the elementary certification examination and the
21 subject area examinations, as applicable, must be passed before a
22 person is recommended for certification.

23 (15) The department, or if approved by the superintendent of
24 public instruction, a private testing service, may assess fees for
25 taking the basic skills examination, elementary certification
26 examination, and the subject area examinations. The fees, which
27 shall be set by the superintendent of public instruction, shall not

1 exceed \$50.00 for a basic skills examination or \$75.00 for an
2 elementary certification examination or a subject area examination.
3 However, if a subject area examination for vocational education
4 includes a performance examination, an additional fee may be
5 assessed for taking the performance examination, not to exceed the
6 actual cost of administering the performance examination. Fees
7 received by the department shall be expended solely for
8 administrative expenses that it incurs in implementing this
9 section.

10 (16) If a person holding a teaching certificate from another
11 state applies for a Michigan teaching certificate and meets all
12 requirements for the Michigan teaching certificate except passage
13 of the appropriate examinations under subsection (3), the
14 superintendent of public instruction shall issue a nonrenewable
15 temporary teaching certificate, good for 1 year, to the person. The
16 superintendent of public instruction shall not issue a Michigan
17 teaching certificate to the person after expiration of the
18 temporary teaching certificate unless the person passes appropriate
19 examinations as described in subsection (3).

20 (17) As used in this section:

21 (a) "Basic skills examination" means an examination developed
22 or selected by the superintendent of public instruction or
23 developed pursuant to subsection (11) by an approved teacher
24 education institution for the purpose of demonstrating the
25 applicant's knowledge and understanding of basic language and
26 mathematical skills and other skills necessary for the certificate
27 sought, and for determining whether or not an applicant is eligible

1 for a provisional Michigan teaching certificate.

2 (b) "Elementary certification examination" means a
3 comprehensive examination for elementary certification that has
4 been developed or selected by the superintendent of public
5 instruction for demonstrating the applicant's knowledge and
6 understanding of the core subjects normally taught in elementary
7 classrooms and for determining whether or not an applicant is
8 eligible for an elementary level teaching certificate.

9 (c) "Subject area examination" means an examination related to
10 a specific area of certification, which examination has been
11 developed or selected by the superintendent of public instruction
12 for the purpose of demonstrating the applicant's knowledge and
13 understanding of the subject matter and determining whether or not
14 an applicant is eligible for a Michigan teaching certificate.

15 (18) The superintendent of public instruction shall promulgate
16 rules for the implementation of this section.

17 (19) Notwithstanding any rule to the contrary, the
18 superintendent of public instruction shall continue to issue state
19 elementary or secondary continuing education certificates pursuant
20 to R 390.1132(1) of the Michigan administrative code to persons who
21 completed the requirements of that rule by December 31, 1992 and
22 who apply for that certificate not later than March 15, 1994. If
23 the superintendent of public instruction has issued a state
24 elementary or secondary professional education certificate to a
25 person described in this section, the superintendent of public
26 instruction shall consider the person to have a state elementary or
27 secondary, as applicable, continuing education certificate.

1 (20) NOTWITHSTANDING ANY RULE TO THE CONTRARY, AN INDIVIDUAL
2 IS NOT REQUIRED TO HAVE ANY TEACHING CERTIFICATE TO TEACH IN THIS
3 STATE OTHER THAN A VALID PROVISIONAL TEACHING CERTIFICATE OR THE
4 SINGLE TEACHING CERTIFICATE DESCRIBED IN SUBDIVISION (A), EXCEPT
5 THAT THE SUPERINTENDENT OF PUBLIC INSTRUCTION MAY CONTINUE TO
6 REQUIRE AN OCCUPATIONAL TEACHING CERTIFICATE FOR INSTRUCTION THAT
7 REQUIRED THAT CERTIFICATE AS OF THE EFFECTIVE DATE OF THIS
8 SUBSECTION. BEGINNING ON THE EFFECTIVE DATE OF THIS SUBSECTION, ALL
9 OF THE FOLLOWING APPLY TO THE ISSUANCE OF TEACHING CERTIFICATES IN
10 THIS STATE, OTHER THAN AN OCCUPATIONAL EDUCATION CERTIFICATE:

11 (A) THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL ISSUE A
12 SINGLE TEACHING CERTIFICATE THAT IS VALID FOR TEACHING IN THIS
13 STATE RATHER THAN ISSUING A PROVISIONAL TEACHING CERTIFICATE AND
14 THEN ISSUING A MICHIGAN PROFESSIONAL EDUCATION CERTIFICATE AT THE
15 EXPIRATION OF A PROVISIONAL TEACHING CERTIFICATE. THE EDUCATION
16 REQUIREMENTS FOR THE SINGLE TEACHING CERTIFICATE SHALL NOT EXCEED
17 THE EDUCATION REQUIREMENTS IN EFFECT AS OF THE EFFECTIVE DATE OF
18 THIS SUBSECTION FOR A PROVISIONAL TEACHING CERTIFICATE.

19 (B) SUBJECT TO SUBDIVISION (C), UPON EXPIRATION OF AN
20 INDIVIDUAL'S TEACHING CERTIFICATE THAT IS IN EFFECT AS OF THE
21 EFFECTIVE DATE OF THIS SECTION, WHETHER IT IS A PROVISIONAL OR
22 PROFESSIONAL EDUCATION TEACHING CERTIFICATE, AND FULFILLMENT OF
23 REQUIREMENTS FOR RENEWAL OF THAT TEACHING CERTIFICATE, THE
24 SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL ISSUE TO THE INDIVIDUAL
25 THE SINGLE TEACHING CERTIFICATE DESCRIBED IN SUBDIVISION (A).

26 (C) THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL NOT REQUIRE
27 COMPLETION OF ANY CREDIT HOURS, CONTINUING EDUCATION UNITS, OR

1 DEGREE REQUIREMENTS FOR THE ISSUANCE OR RENEWAL OF THE SINGLE
2 TEACHING CERTIFICATE DESCRIBED IN SUBDIVISION (A) EXCEPT FOR THE
3 EDUCATION REQUIREMENTS UNDER SUBDIVISION (A) .

4 Enacting section 1. Section 1531e of the revised school code,
5 1976 PA 451, MCL 380.1531e, is repealed.