

HOUSE BILL No. 4687

June 4, 2015, Introduced by Reps. Zemke, Price, Yonker and Kelly 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.

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
9 superintendent of public instruction shall only issue a teaching
10 certificate to a person who has passed appropriate examinations as
11 follows:

12 (a) For a secondary level teaching certificate, has passed

1 both the basic skills examination and the appropriate available
2 subject area examination for each subject area in which he or she
3 applies to be certified.

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

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

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

21 (b) For an elementary level teaching certificate, pass the
22 basic skills examination and, if it is available, the elementary
23 certification examination, and pass the appropriate available
24 subject area examination for each subject area, if any, in which he
25 or she applies to be certified. The superintendent of public
26 instruction may accept passage of an equivalent examination
27 approved by the superintendent of public instruction to meet 1 or

1 more of these requirements.

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

24 (5) Not later than January 11, 2002, the superintendent of
25 public instruction, in cooperation with appropriate curriculum
26 specialists and teacher educators, shall revise existing reading
27 standards to recognize reading disorders and to enable teachers to

1 make referrals for instruction and support for pupils with reading
2 disorders.

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

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

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

25 (c) Has met the elementary or secondary, as applicable,
26 reading credit requirement established under superintendent of
27 public instruction rule.

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

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

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

19 (10) For the purposes of this section, the superintendent of
20 public instruction, based upon criteria recommended pursuant to
21 subsection (11), shall develop, select, or develop and select 1 or
22 more basic skills examinations and subject area examinations. In
23 addition, the superintendent of public instruction, based upon
24 criteria recommended pursuant to subsection (11), shall approve an
25 elementary certification examination and a reading subject area
26 examination.

27 (11) The superintendent of public instruction shall appoint an

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

22 (12) The superintendent of public instruction shall appoint a
23 7-member standing technical advisory council comprised of persons
24 who are experts in measurement and assessment. This council shall
25 advise the superintendent of public instruction and the teacher
26 examination committee on the validity, reliability, and other
27 technical standards of the examinations that will be used or are

1 being used and of the administration and use of those examinations.

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

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

19 (15) The department, or if approved by the superintendent of
20 public instruction, a private testing service, may assess fees for
21 taking the basic skills examination, elementary certification
22 examination, and the subject area examinations. The fees, which
23 shall be set by the superintendent of public instruction, shall not
24 exceed ~~\$50.00 for a basic skills examination or \$75.00 for an~~
25 ~~elementary certification examination or a subject area examination.~~
26 ~~However, if a subject area examination for vocational education~~
27 ~~includes a performance examination, an additional fee may be~~

1 ~~assessed for taking the performance examination, not to exceed the~~
2 actual cost of **THE EXAMINATION AND OF** administering the ~~performance~~
3 examination. Fees received by the department shall be expended
4 solely for administrative expenses that it incurs in implementing
5 this section.

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

16 (17) As used in this section:

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

25 (b) "Elementary certification examination" means a
26 comprehensive examination for elementary certification that has
27 been developed or selected by the superintendent of public

1 instruction for demonstrating the applicant's knowledge and
2 understanding of the core subjects normally taught in elementary
3 classrooms and for determining whether or not an applicant is
4 eligible for an elementary level teaching certificate.

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

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

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