

# HOUSE BILL No. 4823

August 18, 2015, Introduced by Reps. Price, Yonker, Garcia, Kelly, Crawford and Santana  
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:

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

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

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

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

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

1 approved by the superintendent of public instruction to meet 1 or  
2 more of these requirements.

3 (4) Except as otherwise provided in this act, the  
4 superintendent of public instruction shall only issue a teaching  
5 certificate to a person who has met the elementary or secondary, as  
6 applicable, reading credit requirements established under  
7 superintendent of public instruction rule. ~~If a person holds a~~  
8 ~~teaching certificate, then beginning July 1, 2009, notwithstanding~~

9 **IN ADDITION, BOTH OF THE FOLLOWING APPLY, AS APPLICABLE:**

10 (A) FOR A PERSON NOT COVERED BY SUBDIVISION (B),  
11 **NOTWITHSTANDING** any rule to the contrary, the superintendent of  
12 public instruction shall not advance the person's certification to  
13 professional certification unless the person has successfully  
14 completed at least a 3-credit course of study with appropriate  
15 field experiences in the diagnosis and remediation of reading  
16 disabilities and differentiated instruction. To meet this  
17 requirement, the course of study should include the following  
18 elements, as determined by the department to be appropriate for the  
19 person's certification level and endorsements: interest  
20 inventories, English language learning screening, visual and  
21 auditory discrimination tools, language expression and processing  
22 screening, phonemics, phonics, vocabulary, fluency, comprehension,  
23 spelling and writing assessment tools, and instructional  
24 strategies. **BEGINNING JANUARY 1, 2016, THE COURSE OF STUDY MUST**  
25 **INCLUDE DATA-DRIVEN INSTRUCTIONAL METHODS.** A person may complete  
26 the course of study either as part of his or her teacher  
27 preparation program or during the first 6 years of his or her

1 employment in classroom teaching.

2 (B) FOR A PERSON WHO ENROLLS IN A TEACHER PREPARATION PROGRAM  
3 FOR THE FIRST TIME AFTER JULY 1, 2015, NOTWITHSTANDING ANY RULE TO  
4 THE CONTRARY, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL NOT  
5 ADVANCE THE PERSON'S CERTIFICATION TO PROFESSIONAL CERTIFICATION  
6 UNLESS THE PERSON HAS SUCCESSFULLY COMPLETED AS PART OF HIS OR HER  
7 TEACHER PREPARATION PROGRAM AT LEAST A 6-CREDIT COURSE OF STUDY  
8 WITH APPROPRIATE FIELD EXPERIENCES IN THE DIAGNOSIS AND REMEDIATION  
9 OF READING DISABILITIES AND DIFFERENTIATED INSTRUCTION. TO MEET  
10 THIS REQUIREMENT, THE COURSE OF STUDY MUST INCLUDE THE FOLLOWING  
11 ELEMENTS, AS DETERMINED BY THE DEPARTMENT TO BE APPROPRIATE FOR THE  
12 PERSON'S CERTIFICATION LEVEL AND ENDORSEMENTS: INTEREST  
13 INVENTORIES, ENGLISH LANGUAGE LEARNING SCREENING, VISUAL AND  
14 AUDITORY DISCRIMINATION TOOLS, LANGUAGE EXPRESSION AND PROCESSING  
15 SCREENING, PHONEMICS, PHONICS, VOCABULARY, FLUENCY, COMPREHENSION,  
16 SPELLING AND WRITING ASSESSMENT TOOLS, AND INSTRUCTIONAL  
17 STRATEGIES. BEGINNING JANUARY 1, 2016, THE COURSE OF STUDY MUST  
18 INCLUDE DATA-DRIVEN INSTRUCTIONAL METHODS.

19 (5) Not later than January 11, 2002, the superintendent of  
20 public instruction, in cooperation with appropriate curriculum  
21 specialists and teacher educators, shall revise existing reading  
22 standards to recognize reading disorders and to enable teachers to  
23 make referrals for instruction and support for pupils with reading  
24 disorders.

25 (6) Subject to subsection (8), if a person holding a teaching  
26 certificate from another state applies to the superintendent of  
27 public instruction for a Michigan teaching certificate and meets

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

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

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

20 (c) Has met the elementary or secondary, as applicable,  
21 reading credit requirement established under superintendent of  
22 public instruction rule.

23 (7) A person who receives a teaching certificate and  
24 endorsement or endorsements under subsection (6) is eligible to  
25 receive 1 or more additional endorsements comparable to  
26 endorsements the person holds in another state only if the person  
27 passes the appropriate subject area examinations required under

1 subsection (2) or (3).

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

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

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

22 (11) The superintendent of public instruction shall appoint an  
23 11-member teacher examination advisory committee comprised of  
24 representatives of approved teacher education institutions and  
25 Michigan education organizations and associations. Not more than  
26 1/2 of the members comprising this committee shall be certified  
27 teachers. This committee shall recommend criteria to be used by the

1 superintendent of public instruction in the development, selection,  
2 or development and selection of 1 or more basic skills  
3 examinations, and criteria to be used by the superintendent of  
4 public instruction in the development, selection, or development  
5 and selection of subject area examinations. In addition, the  
6 committee shall recommend guidelines for the use and administration  
7 of those examinations. The basic skills examinations referred to in  
8 this subsection may be developed by the superintendent of public  
9 instruction or selected by the superintendent of public instruction  
10 from commercially or university developed examinations. In  
11 addition, an approved teacher education institution, pursuant to  
12 guidelines and criteria described in subsection (9), may develop an  
13 examination at its own expense for approval by the superintendent  
14 of public instruction. An approved teacher education institution  
15 that develops its own examination is liable for any litigation that  
16 results from the use of its examination.

17 (12) The superintendent of public instruction shall appoint a  
18 7-member standing technical advisory council comprised of persons  
19 who are experts in measurement and assessment. This council shall  
20 advise the superintendent of public instruction and the teacher  
21 examination committee on the validity, reliability, and other  
22 technical standards of the examinations that will be used or are  
23 being used and of the administration and use of those examinations.

24 (13) Not later than November 30 of each year, the  
25 superintendent of public instruction shall submit in writing a  
26 report on the development or selection and use of the basic skills  
27 examination, the elementary certification examination, and the

1 subject area examinations to the house and senate education  
2 committees. The report shall also contain a financial statement  
3 regarding revenue received from the assessment of fees levied  
4 pursuant to subsection (15) and the amount of and any purposes for  
5 which that revenue was expended.

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

14 (15) The department, or if approved by the superintendent of  
15 public instruction, a private testing service, may assess fees for  
16 taking the basic skills examination, elementary certification  
17 examination, and the subject area examinations. The fees, which  
18 shall be set by the superintendent of public instruction, shall not  
19 exceed \$50.00 for a basic skills examination or \$75.00 for an  
20 elementary certification examination or a subject area examination.  
21 However, if a subject area examination for vocational education  
22 includes a performance examination, an additional fee may be  
23 assessed for taking the performance examination, not to exceed the  
24 actual cost of administering the performance examination. Fees  
25 received by the department shall be expended solely for  
26 administrative expenses that it incurs in implementing this  
27 section.



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

11           (17) As used in this section:

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

20           (b) "Elementary certification examination" means a  
21 comprehensive examination for elementary certification that has  
22 been developed or selected by the superintendent of public  
23 instruction for demonstrating the applicant's knowledge and  
24 understanding of the core subjects normally taught in elementary  
25 classrooms and for determining whether or not an applicant is  
26 eligible for an elementary level teaching certificate.

27           (c) "Subject area examination" means an examination related to

1 a specific area of certification, which examination has been  
2 developed or selected by the superintendent of public instruction  
3 for the purpose of demonstrating the applicant's knowledge and  
4 understanding of the subject matter and determining whether or not  
5 an applicant is eligible for a Michigan teaching certificate.

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

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