

HOUSE BILL No. 5603

February 20, 2018, Introduced by Reps. Kelly, Garcia, Crawford, Lilly, Hornberger, Griffin and Zemke and referred to the Committee on Education Reform.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1531 (MCL 380.1531), as amended by 2015 PA 159.

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~~ **AN INDIVIDUAL** who has passed appropriate
11 examinations as 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~~ **AN INDIVIDUAL** holding a
13 certificate from another state or a teaching degree from an out-of-
14 state teacher preparation institution who applies for a Michigan
15 teaching certificate only if the ~~person~~ **INDIVIDUAL** passes
16 appropriate examinations as follows:

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

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

1 instruction may accept passage of an equivalent examination
2 approved by the superintendent of public instruction to meet 1 or
3 more of these requirements.

4 (4) Except as otherwise provided in this act, ~~the~~
5 ~~superintendent of public instruction shall only issue a teaching~~
6 ~~certificate to a person who has met the elementary or secondary, as~~
7 ~~applicable, reading credit requirements established under~~
8 ~~superintendent of public instruction rule. If a person holds a~~
9 ~~teaching certificate, then beginning July 1, 2009, notwithstanding~~
10 ~~any rule to the contrary, the superintendent of public instruction~~
11 ~~shall not advance the person's certification to professional~~
12 ~~certification unless the person has successfully completed at least~~
13 ~~a 3-credit course of study with appropriate field experiences in~~
14 ~~the diagnosis and remediation of reading disabilities and~~
15 ~~differentiated instruction. To meet this requirement, the course of~~
16 ~~study should include the following elements, as determined by the~~
17 ~~department to be appropriate for the person's certification level~~
18 ~~and endorsements: interest inventories, English language learning~~
19 ~~screening, visual and auditory discrimination tools, language~~
20 ~~expression and processing screening, phonemics, phonics,~~
21 ~~vocabulary, fluency, comprehension, spelling and writing assessment~~
22 ~~tools, and instructional strategies. A person may complete the~~
23 ~~course of study either as part of his or her teacher preparation~~
24 ~~program or during the first 6 years of his or her employment in~~
25 ~~classroom teaching.~~**BEGINNING JULY 1, 2018, THE SUPERINTENDENT OF**
26 **PUBLIC INSTRUCTION SHALL ONLY ISSUE AN ELEMENTARY LEVEL PROVISIONAL**
27 **TEACHING CERTIFICATE TO AN INDIVIDUAL WHO HAS EARNED AT LEAST 6**

1 CREDITS IN THE TEACHING OF READING THAT INCLUDE INSTRUCTION IN AT
2 LEAST ALL OF THE FOLLOWING:

3 (A) THE IMPORTANCE OF UTILIZING RIGOROUS TEXT AND HIGHER-LEVEL
4 QUESTIONING SKILLS THROUGHOUT THE LITERACY BLOCK.

5 (B) HOW TO DEVELOP A PUPIL'S ACADEMIC AND CONTENT VOCABULARY.

6 (C) RESEARCH ON DEVELOPMENTAL READINESS, INCLUDING AT LEAST
7 RESEARCH FROM THE GESELL INSTITUTE.

8 (D) HOW TO TEACH AND PRONOUNCE THE 44 PHONEMES FOUND IN THE
9 ENGLISH CODE.

10 (E) HOW TO RECOGNIZE THE DIFFERENCES BETWEEN SYNTHETIC AND
11 ANALYTICAL PHONICS.

12 (F) THE IMPORTANCE OF BOTH PHONOLOGICAL AND PHONEMIC AWARENESS
13 AND THE 6 CORE SKILLS OF PHONEMIC AWARENESS.

14 (G) HOW TO TEACH ENCODING AND DECODING INTERCHANGEABLY.

15 (H) HOW TO UTILIZE DEVELOPMENTALLY APPROPRIATE HANDWRITING
16 SKILLS.

17 (I) HOW TO RECOGNIZE SIGNS OF VISUAL AND AUDITORY DISABILITIES
18 OR BARRIERS IN PUPILS.

19 (J) HOW TO ASSESS ENGLISH LANGUAGE LEVELS.

20 (K) HOW TO INCORPORATE ENGLISH LANGUAGE LEARNER AND ENGLISH-
21 AS-A-SECOND-LANGUAGE STRATEGIES INTO LITERACY INSTRUCTION.

22 (l) HOW TO DETERMINE READING LEVELS THROUGH THE USE OF
23 DIAGNOSTIC ASSESSMENTS.

24 (M) HOW TO ADMINISTER, ANALYZE, AND MAKE INSTRUCTIONAL
25 DECISIONS BASED ON 3 POINTS OF DATA.

26 (N) HOW TO DETERMINE AND RECOGNIZE THE LEARNING STYLES OF EACH
27 PUPIL.

1 (O) HOW TO IDENTIFY EASY GRADE LEVEL, INSTRUCTIONAL GRADE
2 LEVEL, AND FRUSTRATION GRADE LEVEL READING MATERIAL.

3 (P) HOW TO MATCH EACH PUPIL WITH MATERIALS ON HIS OR HER
4 READING LEVEL AND PROVIDE RIGOROUS INDEPENDENT LEVEL AND
5 INSTRUCTIONAL LEVEL MATERIALS.

6 (Q) HOW TO USE A KEYWORDS TO READING APPROACH DEVELOPED BY
7 JEANNETTE VEATCH OR SYLVIA ASHTON-WARNER.

8 (R) THE IMPORTANCE OF READING INSTRUCTION THAT IS EXPLICITLY
9 AND SYSTEMATICALLY TAUGHT IN CONJUNCTION WITH HIGH-LEVEL
10 APPLICATION, INCLUDING TEACHING A PUPIL HOW TO WRITE AND SPELL HIS
11 OR HER OWN NAME.

12 (5) EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, THE
13 SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL ONLY ISSUE A SECONDARY
14 LEVEL PROVISIONAL TEACHING CERTIFICATE TO AN INDIVIDUAL WHO HAS MET
15 THE READING CREDIT REQUIREMENTS ESTABLISHED UNDER SUPERINTENDENT OF
16 PUBLIC INSTRUCTION RULE.

17 (6) BEGINNING JULY 1, 2009, NOTWITHSTANDING ANY RULE TO THE
18 CONTRARY, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL NOT
19 ADVANCE AN INDIVIDUAL'S CERTIFICATION TO A PROFESSIONAL
20 CERTIFICATION UNLESS THAT INDIVIDUAL HAS SUCCESSFULLY COMPLETED A
21 3-CREDIT COURSE OF STUDY, WITH APPROPRIATE FIELD EXPERIENCES, IN
22 THE DIAGNOSIS AND REMEDIATION OF READING DISABILITIES AND
23 DIFFERENTIATED INSTRUCTION, EITHER AS PART OF HIS OR HER TEACHER
24 PREPARATION PROGRAM OR DURING THE FIRST 6 YEARS OF HIS OR HER
25 EMPLOYMENT IN CLASSROOM TEACHING. THE COURSE OF STUDY SHALL INCLUDE
26 THE FOLLOWING ELEMENTS AS DETERMINED BY THE DEPARTMENT TO BE
27 APPROPRIATE FOR THE INDIVIDUAL'S CERTIFICATION LEVEL AND

1 **ENDORSEMENTS:**

2 (A) **INTEREST INVENTORIES.**

3 (B) **ENGLISH LANGUAGE LEARNING SCREENING.**

4 (C) **VISUAL AND AUDITORY DISCRIMINATION TOOLS.**

5 (D) **LANGUAGE EXPRESSION AND PROCESSING SCREENING.**

6 (E) **PHONEMICS, PHONICS, VOCABULARY, FLUENCY, COMPREHENSION,**
7 **SPELLING, AND WRITING ASSESSMENT TOOLS.**

8 (F) **INSTRUCTIONAL STRATEGIES.**

9 (7) ~~(5)~~—Not later than January 11, 2002, the superintendent of
10 public instruction, in cooperation with appropriate curriculum
11 specialists and teacher educators, shall revise existing reading
12 standards to recognize reading disorders and to enable teachers to
13 make referrals for instruction and support for pupils with reading
14 disorders.

15 (8) ~~(6)~~—Subject to subsection ~~(8)~~, **(10)**, if a ~~person~~ **AN**
16 **INDIVIDUAL** holding a teaching certificate from another state
17 applies to the superintendent of public instruction for a Michigan
18 teaching certificate and meets the requirements of this subsection,
19 the superintendent of public instruction shall issue to the ~~person~~
20 **INDIVIDUAL** a Michigan professional education teaching certificate
21 and applicable endorsements comparable to those the ~~person~~
22 **INDIVIDUAL** holds in the other state, without requiring the ~~person~~
23 **INDIVIDUAL** to pass a basic skills examination or the applicable
24 subject area examination otherwise required under subsection (2) or
25 (3). To be eligible to receive a Michigan professional education
26 teaching certificate under this subsection, ~~a person~~ **AN INDIVIDUAL**
27 shall provide evidence satisfactory to the department that he or

1 she meets all of the following requirements:

2 (a) Has taught successfully for at least 3 years in a position
3 for which the ~~person's~~**INDIVIDUAL'S** teaching certification from the
4 other state was valid.

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

11 (c) Has met the elementary or secondary, as applicable,
12 reading credit requirement established under superintendent of
13 public instruction rule.

14 (9) ~~(7) A person~~**AN INDIVIDUAL** who receives a teaching
15 certificate and endorsement or endorsements under subsection ~~(6)~~
16 (8) is eligible to receive 1 or more additional endorsements
17 comparable to endorsements the ~~person~~**INDIVIDUAL** holds in another
18 state only if the ~~person~~**INDIVIDUAL** passes the appropriate subject
19 area examinations required under subsection (2) or (3).

20 (10) ~~(8)~~The superintendent of public instruction shall deny a
21 Michigan teaching certificate to a ~~person~~**AN INDIVIDUAL** described
22 in subsection ~~(6)~~(8) for fraud, material misrepresentation, or
23 concealment in the ~~person's~~**INDIVIDUAL'S** application for a
24 certificate or for a conviction for which a ~~person's~~**AN**
25 **INDIVIDUAL'S** teaching certificate may be revoked under section
26 1535a.

27 (11) ~~(9)~~The department, based upon criteria recommended

~~pursuant to~~ **UNDER** subsection ~~(11)~~, **(13)**, shall provide to approved teacher education institutions guidelines and criteria approved by the superintendent of public instruction for use in the development or selection of a basic skills examination and approved guidelines and criteria for use in the development or selection of subject area examinations.

(12) ~~(10)~~ For the purposes of this section, the superintendent of public instruction, based upon criteria recommended ~~pursuant to~~ **UNDER** subsection ~~(11)~~, **(13)**, shall develop, select, or develop and select 1 or more basic skills examinations and subject area examinations. In addition, the superintendent of public instruction, based upon criteria recommended ~~pursuant to~~ **UNDER** subsection ~~(11)~~, **(13)**, shall approve an elementary certification examination **THAT INCLUDES AN ASSESSMENT OF PEDAGOGICAL SKILLS, INCLUDING AN ASSESSMENT OF THE APPLICANT'S ABILITY TO EFFECTIVELY DELIVER INSTRUCTION**, and a reading subject area examination. **THE READING SUBJECT AREA EXAMINATION SHALL ASSESS WHETHER AN APPLICANT HAS SUFFICIENT KNOWLEDGE OF THE SKILLS LISTED IN SUBSECTION (4).** If the department develops for use under this subsection an examination that had previously been contracted for using a competitive bid process, then the department shall not expend on the development of that examination an amount that exceeds the amount that the department expended on procurement of the most recent competitively-bid version of that examination.

(13) ~~(11)~~ The superintendent of public instruction shall appoint an 11-member teacher examination advisory committee comprised of representatives of approved teacher education

institutions and Michigan education organizations and associations. Not more than 1/2 of the members comprising this committee shall be certified teachers. This committee shall recommend criteria to be used by the superintendent of public instruction in the development, selection, or development and selection of 1 or more basic skills examinations, and criteria to be used by the superintendent of public instruction in the development, selection, or development and selection of subject area examinations. In addition, the committee shall recommend guidelines for the use and administration of those examinations. The basic skills examinations referred to in this subsection may be developed by the superintendent of public instruction or selected by the superintendent of public instruction from commercially or university developed examinations. In addition, an approved teacher education institution, ~~pursuant to~~ **UNDER** guidelines and criteria described in subsection ~~(9), (11)~~, may develop an examination at its own expense for approval by the superintendent of public instruction. An approved teacher education institution that develops its own examination is liable for any litigation that results from the use of its examination.

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

1 examinations.

2 **(15)** ~~(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)~~ **(17)** and the amount of and any
10 purposes for which that revenue was expended.

11 **(16)** ~~(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~~ **AN INDIVIDUAL** is
16 enrolled for student teaching and the elementary certification
17 examination and the subject area examinations, as applicable, must
18 be passed before ~~a person~~ **AN INDIVIDUAL** is recommended for
19 certification.

20 **(17)** ~~(15)~~ The department, or if approved by the superintendent
21 of public instruction, a private testing service, may assess fees
22 for taking the basic skills examination, elementary certification
23 examination, and the subject area examinations. The fees, which
24 shall be set by the superintendent of public instruction, shall not
25 exceed the actual cost of the examination and of administering the
26 examination. Fees received by the department shall be expended
27 solely for administrative expenses that it incurs in implementing

1 this section. If the superintendent of public instruction increases
 2 a fee charged for an examination under this subsection, at least 1
 3 year before implementing the fee increase, the department shall
 4 notify each approved teacher education institution of the amount of
 5 the fee increase. An approved teacher education institution shall
 6 notify each of its affected students of the timing and amount of
 7 such a fee increase.

8 **(18)** ~~(16)~~ If a ~~person~~ **AN INDIVIDUAL** holding a teaching
 9 certificate from another state applies for a Michigan teaching
 10 certificate and meets all requirements for the Michigan teaching
 11 certificate except passage of the appropriate examinations under
 12 subsection (3), the superintendent of public instruction shall
 13 issue a nonrenewable temporary teaching certificate, good for 1
 14 year, to the ~~person~~ **INDIVIDUAL**. The superintendent of public
 15 instruction shall not issue a Michigan teaching certificate to the
 16 ~~person~~ **INDIVIDUAL** after expiration of the temporary teaching
 17 certificate unless the ~~person~~ **INDIVIDUAL** passes appropriate
 18 examinations as described in subsection (3).

19 **(19)** ~~(17)~~ As used in this section:

20 (a) "Basic skills examination" means an examination developed
 21 or selected by the superintendent of public instruction or
 22 developed ~~pursuant to~~ **UNDER** subsection ~~(11)~~ **(13)** by an approved
 23 teacher education institution for the purpose of demonstrating the
 24 applicant's knowledge and understanding of basic language and
 25 mathematical skills and other skills necessary for the certificate
 26 sought, and for determining whether or not an applicant is eligible
 27 for a provisional Michigan teaching certificate.

(b) "Elementary certification examination" means a comprehensive examination for elementary certification that has been developed or selected by the superintendent of public instruction for demonstrating the applicant's knowledge and understanding of the core subjects normally taught in elementary classrooms, **FOR DEMONSTRATING THE APPLICANT'S KNOWLEDGE OF PEDAGOGICAL SKILLS, INCLUDING ASSESSING THE APPLICANT'S ABILITY TO EFFECTIVELY DELIVER INSTRUCTION**, and for determining whether or not an applicant is eligible for an elementary level teaching certificate.

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

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

(21) ~~(19)~~ Notwithstanding any rule to the contrary, the superintendent of public instruction shall continue to issue state elementary or secondary continuing education certificates pursuant to ~~UNDER R 390.1132(1) of the Michigan administrative code~~ **ADMINISTRATIVE CODE** to ~~persons~~ **INDIVIDUALS** who completed the requirements of that rule by December 31, 1992 and who apply for that certificate not later than March 15, 1994. If the superintendent of public instruction has issued a state elementary or secondary professional education certificate to a ~~person~~ **AN**

1 **INDIVIDUAL** described in this section, the superintendent of public
2 instruction shall consider the ~~person~~**INDIVIDUAL** to have a state
3 elementary or secondary, as applicable, continuing education
4 certificate.

5 Enacting section 1. This amendatory act takes effect July 1,
6 2018.