

HOUSE BILL NO. 6247

June 16, 2022, Introduced by Reps. Posthumus, O'Malley and Slagh 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 2018 PA 235.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1531. (1) Except as **otherwise** 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

endorsement of teachers for teaching a foreign language in an elementary grade in the public schools of the state.

(2) Except as otherwise provided in this act, the superintendent of public instruction shall only issue a teaching certificate to an individual who has passed appropriate examinations as follows:

(a) For a secondary level teaching certificate, has passed the appropriate available subject area examination for each subject area in which he or she applies to be certified.

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

(3) Except as otherwise provided in this act, the superintendent of public instruction shall issue a Michigan teaching certificate to an individual holding a certificate from another state or a teaching degree from an out-of-state teacher preparation institution who applies for a Michigan teaching certificate only if the individual ~~passes appropriate examinations as follows:~~ **meets either of the following requirements, as applicable:**

(a) For ~~a~~ **an individual who holds a teaching degree from an out-of-state teacher preparation institution, the individual passes the appropriate examinations as follows:**

(i) **For a** secondary level teaching certificate, ~~pass~~ **passes** the appropriate available subject area examination for each subject area in which he or she applies to be certified. The superintendent of public instruction may accept passage of an equivalent

1 examination approved by the superintendent of public instruction to
2 meet this requirement.

3 (ii) ~~(b)~~ For an elementary level teaching certificate, ~~pass,~~
4 **passes**, if it is available, the elementary certification
5 examination, and ~~pass~~**passes** the appropriate available subject area
6 examination for each subject area, if any, in which he or she
7 applies to be certified. The superintendent of public instruction
8 may accept passage of an equivalent examination approved by the
9 superintendent of public instruction to meet 1 or both of these
10 requirements.

11 (b) For an individual holding a certificate from another
12 state, the individual meets all of the following:

13 (i) Holds the teaching certificate from an equivalent
14 department to the department, as determined by the department, in
15 at least 1 other state of the United States.

16 (ii) All of the following are met for each certificate
17 described in subparagraph (i) that he or she holds:

18 (A) The certificate is in good standing.

19 (B) There were minimum education requirements and, if
20 applicable, work experience in effect for certification in the
21 other state, and the other state verifies that he or she met those
22 requirements for certification in that state.

23 (C) If the other state required an examination for
24 certification, he or she passed the examination.

25 (iii) Has not had a teaching certificate revoked, and has not
26 voluntarily surrendered a teaching certificate, in any other state
27 of the United States or a foreign country while under investigation
28 for unprofessional conduct.

29 (iv) Has not had discipline imposed by an equivalent department

1 to the department. If another state of the United States has taken
2 disciplinary action against the applicant, the department shall
3 determine if the cause for the action was corrected and the matter
4 resolved. If the matter has not been resolved by that other state,
5 the department shall not issue or deny a certificate until the
6 matter is resolved.

7 (v) Does not have a complaint, allegation, or investigation
8 pending before an equivalent department to the department in
9 another state of the United States or a foreign country that
10 relates to unprofessional conduct. If the applicant has any
11 complaints, allegations, or investigations pending, the department
12 shall suspend the application process and shall not issue or deny a
13 certificate to the applicant until the complaint, allegation, or
14 investigation is resolved.

15 (vi) Pays all applicable fees for certification.

16 (vii) Is of good moral character.

17 (4) Except as otherwise provided in this act, **and excluding**
18 **individuals described in subsection (3),** the superintendent of
19 public instruction shall only issue a teaching certificate to an
20 individual who has met the elementary or secondary, as applicable,
21 reading credit requirements established under superintendent of
22 public instruction rule. If an individual holds a teaching
23 certificate, ~~then beginning July 1, 2009,~~ notwithstanding any rule
24 to the contrary, **excluding individuals described in subsection (6),**
25 the superintendent of public instruction shall not advance the
26 individual's certification to professional certification unless the
27 individual has successfully completed at least a 3-credit course of
28 study with appropriate field experiences in the diagnosis and
29 remediation of reading disabilities and differentiated instruction.

1 To meet this requirement, the course of study should include the
2 following elements, as determined by the department to be
3 appropriate for the individual's certification level and
4 endorsements: interest inventories, English language learning
5 screening, visual and auditory discrimination tools, language
6 expression and processing screening, phonemics, phonics,
7 vocabulary, fluency, comprehension, spelling and writing assessment
8 tools, and instructional strategies. An individual may complete the
9 course of study either as part of his or her teacher preparation
10 program or during the first 6 years of his or her employment in
11 classroom teaching.

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

18 (6) Subject to subsection ~~(8)~~, ~~(7)~~, if an individual holding a
19 teaching certificate from another state applies to the
20 superintendent of public instruction for a Michigan teaching
21 certificate and meets the requirements of this subsection, the
22 superintendent of public instruction shall issue to the individual
23 a Michigan professional education teaching certificate and
24 applicable endorsements comparable to those the individual holds in
25 the other state. ~~, without requiring the individual to pass the~~
26 ~~applicable subject area examination otherwise required under~~
27 ~~subsection (2) or (3).~~ To be eligible to receive a Michigan
28 professional education teaching certificate under this subsection,
29 an individual shall provide evidence satisfactory to the department

that he or she meets all of the following requirements:

(a) ~~Has~~ **Except as otherwise provided in this subdivision, has** taught successfully for at least ~~3 years~~ **6 months** in a position for which the individual's teaching certification from the other state was valid. **This subdivision does not apply to an individual who is in the Armed Forces of the United States, who is a veteran, or who is the dependent of an individual who is in the Armed Forces of the United States or a veteran. As used in this subdivision:**

(i) "Armed Forces of the United States" means the United States Army, Air Force, Navy, Marine Corps, Space Force, or Coast Guard or other military force designated by Congress as part of the Armed Forces of the United States, including the reserve components.

(ii) "Dependent" means a spouse, surviving spouse, child who is under 26 years of age, or surviving child who is under 26 years of age.

(iii) "Veteran" means that term as defined in section 1 of 1965 PA 190, MCL 35.61.

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

(c) ~~Has met the elementary or secondary, as applicable, reading credit requirement established under superintendent of public instruction rule.~~ **Meets all of the following:**

(i) Holds the teaching certificate from an equivalent department to the department, as determined by the department, in at least 1 other state of the United States.

1 (ii) All of the following are met for each certificate
2 described in subparagraph (i) that he or she holds:

3 (A) The certificate is in good standing.

4 (B) There were minimum education requirements and, if
5 applicable, work experience in effect for certification in the
6 other state, and the other state verifies that he or she met those
7 requirements for certification in that state.

8 (C) If the other state required an examination for
9 certification, he or she passed the examination.

10 (iii) Has not had a teaching certificate revoked, and has not
11 voluntarily surrendered a teaching certificate, in any other state
12 of the United States or a foreign country while under investigation
13 for unprofessional conduct.

14 (iv) Has not had discipline imposed by an equivalent department
15 to the department. If another state of the United States has taken
16 disciplinary action against the applicant, the department shall
17 determine if the cause for the action was corrected and the matter
18 resolved. If the matter has not been resolved by that other state,
19 the department shall not issue or deny a certificate until the
20 matter is resolved.

21 (v) Does not have a complaint, allegation, or investigation
22 pending before an equivalent department to the department in
23 another state of the United States or a foreign country that
24 relates to unprofessional conduct. If the applicant has any
25 complaints, allegations, or investigations pending, the department
26 shall suspend the application process and shall not issue or deny a
27 certificate to the applicant until the complaint, allegation, or
28 investigation is resolved.

29 (vi) Pays all applicable fees for certification.

1 **(vii) Is of good moral character.**

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

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

14 **(8) (9)**—The department, based upon criteria recommended under
15 subsection ~~(11)~~, **(10)**, shall provide to approved teacher education
16 institutions approved guidelines and criteria for use in the
17 development or selection of subject area examinations.

18 **(9) (10)**—For the purposes of this section, the superintendent
19 of public instruction, based upon criteria recommended under
20 subsection ~~(11)~~, **(10)**, shall develop, select, or develop and select
21 1 or more subject area examinations. In addition, the
22 superintendent of public instruction, based upon criteria
23 recommended under subsection ~~(11)~~, **(10)**, shall approve an
24 elementary certification examination and a reading subject area
25 examination. If the department develops for use under this
26 subsection an examination that had previously been contracted for
27 using a competitive bid process, then the department shall not
28 expend on the development of that examination an amount that
29 exceeds the amount that the department expended on procurement of

1 the most recent competitively-bid version of that examination.

2 **(10)** ~~(11)~~—The superintendent of public instruction shall
3 appoint an 11-member teacher examination advisory committee
4 composed of representatives of approved teacher education
5 institutions and Michigan education organizations and associations.
6 Not more than 1/2 of the members comprising this committee shall be
7 certified teachers. This committee shall recommend criteria to be
8 used by the superintendent of public instruction in the
9 development, selection, or development and selection of subject
10 area examinations. In addition, the committee shall recommend
11 guidelines for the use and administration of those examinations.

12 **(11)** ~~(12)~~—The superintendent of public instruction shall
13 appoint a 7-member standing technical advisory council composed of
14 individuals who are experts in measurement and assessment. This
15 council shall advise the superintendent of public instruction and
16 the teacher examination committee on the validity, reliability, and
17 other technical standards of the examinations that will be used or
18 are being used and of the administration and use of those
19 examinations.

20 **(12)** ~~(13)~~—Not later than November 30 of each year, the
21 superintendent of public instruction shall submit in writing a
22 report on the development or selection and use of the elementary
23 certification examination and the subject area examinations to the
24 house and senate education committees. The report ~~shall~~**must** also
25 contain a financial statement regarding revenue received from the
26 assessment of fees levied under subsection ~~(15)~~**(14)** and the amount
27 of and any purposes for which that revenue was expended.

28 **(13)** ~~(14)~~—The elementary certification examination and the
29 subject area examinations required by this section may be taken at

1 different times during an approved teacher preparation program, but
2 the elementary certification examination and the subject area
3 examinations, as applicable, must be passed before an individual is
4 recommended for certification.

5 (14) ~~(15)~~—The department, or if approved by the superintendent
6 of public instruction, a private testing service, may assess fees
7 for taking the elementary certification examination and the subject
8 area examinations. The fees, which ~~shall~~**must** be set by the
9 superintendent of public instruction, ~~shall~~**must** not exceed the
10 actual cost of the examination and of administering the
11 examination. Fees received by the department shall be expended
12 solely for administrative expenses that it incurs in implementing
13 this section. If the superintendent of public instruction increases
14 a fee charged for an examination under this subsection, at least 1
15 year before implementing the fee increase, the department shall
16 notify each approved teacher education institution of the amount of
17 the fee increase. An approved teacher education institution shall
18 notify each of its affected students of the timing and amount of
19 such a fee increase.

20 ~~(16) If an individual holding a teaching certificate from~~
21 ~~another state applies for a Michigan teaching certificate and meets~~
22 ~~all requirements for the Michigan teaching certificate except~~
23 ~~passage of the appropriate examinations under subsection (3), the~~
24 ~~superintendent of public instruction shall issue a nonrenewable~~
25 ~~temporary teaching certificate, good for 1 year, to the individual.~~
26 ~~The superintendent of public instruction shall not issue a Michigan~~
27 ~~teaching certificate to the individual after expiration of the~~
28 ~~temporary teaching certificate unless the individual passes~~
29 ~~appropriate examinations as described in subsection (3).~~

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

~~(a) "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 and for determining whether or not an applicant is eligible for an elementary level teaching certificate.~~

~~(b) "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.~~

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

~~(16) (19)~~ Notwithstanding any rule to the contrary, the superintendent of public instruction shall continue to issue state elementary or secondary continuing education certificates under R 390.1132(1) of the Michigan Administrative Code to 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 an individual described in this section, the superintendent of public instruction shall consider the individual to have a state elementary or secondary, as applicable, continuing education certificate.

~~(17) (20)~~ Not later than January 1, 2019, the superintendent

1 of public instruction, in consultation with the department of
2 ~~talent and economic development~~ **labor and economic opportunity** and
3 groups or individuals representing employers, economic development
4 agencies, trade unions, secondary school principals, middle and
5 elementary school principals, teachers, school district and
6 intermediate school district superintendents, and others as
7 determined appropriate by the department, shall promulgate rules to
8 allow an individual to use time spent engaging with local employers
9 or technical centers toward the renewal of a teaching certificate
10 in the same manner as state continuing education or professional
11 development.

12 (18) As used in this section:

13 (a) "Elementary certification examination" means a
14 comprehensive examination for elementary certification that has
15 been developed or selected by the superintendent of public
16 instruction for demonstrating the applicant's knowledge and
17 understanding of the core subjects normally taught in elementary
18 classrooms and for determining whether or not an applicant is
19 eligible for an elementary level teaching certificate.

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