

**HOUSE SUBSTITUTE FOR
SENATE BILL NO. 358**

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 any rule to the contrary, the superintendent of public instruction
10 shall not advance the person's certification to professional
11 certification unless the person has successfully completed at least
12 a 3-credit course of study with appropriate field experiences in
13 the diagnosis and remediation of reading disabilities and
14 differentiated instruction. To meet this requirement, the course of
15 study should include the following elements, as determined by the
16 department to be appropriate for the person's certification level
17 and endorsements: interest inventories, English language learning
18 screening, visual and auditory discrimination tools, language
19 expression and processing screening, phonemics, phonics,
20 vocabulary, fluency, comprehension, spelling and writing assessment
21 tools, and instructional strategies. A person may complete the
22 course of study either as part of his or her teacher preparation
23 program or during the first 6 years of his or her employment in
24 classroom teaching.

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

1 standards to recognize reading disorders and to enable teachers to
2 make referrals for instruction and support for pupils with reading
3 disorders.

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

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

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

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

1 public instruction rule.

2 (7) A person 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 person holds in another state only if the person
6 passes the appropriate subject area examinations required under
7 subsection (2) or (3).

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

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

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

1 SUBSECTION AN EXAMINATION THAT HAD PREVIOUSLY BEEN CONTRACTED FOR
2 USING A COMPETITIVE BID PROCESS, THEN THE DEPARTMENT SHALL NOT
3 EXPEND ON THE DEVELOPMENT OF THAT EXAMINATION AN AMOUNT THAT
4 EXCEEDS THE AMOUNT THAT THE DEPARTMENT EXPENDED ON PROCUREMENT OF
5 THE MOST RECENT COMPETITIVELY-BID VERSION OF THAT EXAMINATION.

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

1 (12) The superintendent of public instruction shall appoint a
2 7-member standing technical advisory council comprised of persons
3 who are experts in measurement and assessment. This council shall
4 advise the superintendent of public instruction and the teacher
5 examination committee on the validity, reliability, and other
6 technical standards of the examinations that will be used or are
7 being used and of the administration and use of those examinations.

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

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

25 (15) The department, or if approved by the superintendent of
26 public instruction, a private testing service, may assess fees for
27 taking the basic skills examination, elementary certification

1 examination, and the subject area examinations. The fees, which
2 shall be set by the superintendent of public instruction, ~~shall not~~
3 ~~exceed \$50.00 for a basic skills examination or \$75.00 for an~~
4 ~~elementary certification examination or a subject area examination.~~
5 ~~However, if a subject area examination for vocational education~~
6 ~~includes a performance examination, an additional fee may be~~
7 ~~assessed for taking the performance examination, not to exceed the~~
8 ~~actual cost of administering the performance examination.~~ **SHALL NOT**
9 **EXCEED THE ACTUAL COST OF THE EXAMINATION AND OF ADMINISTERING THE**
10 **EXAMINATION.** Fees received by the department shall be expended
11 solely for administrative expenses that it incurs in implementing
12 this section. **IF THE SUPERINTENDENT OF PUBLIC INSTRUCTION INCREASES**
13 **A FEE CHARGED FOR AN EXAMINATION UNDER THIS SUBSECTION, AT LEAST 1**
14 **YEAR BEFORE IMPLEMENTING THE FEE INCREASE, THE DEPARTMENT SHALL**
15 **NOTIFY EACH APPROVED TEACHER EDUCATION INSTITUTION OF THE AMOUNT OF**
16 **THE FEE INCREASE. AN APPROVED TEACHER EDUCATION INSTITUTION SHALL**
17 **NOTIFY EACH OF ITS AFFECTED STUDENTS OF THE TIMING AND AMOUNT OF**
18 **SUCH A FEE INCREASE.**

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

1 examinations as described in subsection (3).

2 (17) As used in this section:

3 (a) "Basic skills examination" means an examination developed
4 or selected by the superintendent of public instruction or
5 developed pursuant to subsection (11) by an approved teacher
6 education institution for the purpose of demonstrating the
7 applicant's knowledge and understanding of basic language and
8 mathematical skills and other skills necessary for the certificate
9 sought, and for determining whether or not an applicant is eligible
10 for a provisional Michigan teaching certificate.

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

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

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

26 (19) Notwithstanding any rule to the contrary, the
27 superintendent of public instruction shall continue to issue state

1 elementary or secondary continuing education certificates pursuant
2 to R 390.1132(1) of the Michigan administrative code to persons who
3 completed the requirements of that rule by December 31, 1992 and
4 who apply for that certificate not later than March 15, 1994. If
5 the superintendent of public instruction has issued a state
6 elementary or secondary professional education certificate to a
7 person described in this section, the superintendent of public
8 instruction shall consider the person to have a state elementary or
9 secondary, as applicable, continuing education certificate.

10 Enacting section 1. This amendatory act takes effect 90 days
11 after the date it is enacted into law.