

**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

1 certificate to a person who has passed appropriate examinations as
2 follows:

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

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

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

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

24 (b) For an elementary level teaching certificate, pass the
25 basic skills examination and, if it is available, the elementary
26 certification examination, and pass the appropriate available
27 subject area examination for each subject area, if any, in which he

1 or she applies to be certified. The superintendent of public
2 instruction may accept passage of an equivalent examination
3 approved by the superintendent of public instruction to meet 1 or
4 more of these requirements.

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

27 (5) Not later than January 11, 2002, the superintendent of

1 public instruction, in cooperation with appropriate curriculum
2 specialists and teacher educators, shall revise existing reading
3 standards to recognize reading disorders and to enable teachers to
4 make referrals for instruction and support for pupils with reading
5 disorders.

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

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

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

1 (c) Has met the elementary or secondary, as applicable,
2 reading credit requirement established under superintendent of
3 public instruction rule.

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

10 (8) The superintendent of public instruction shall deny a
11 Michigan teaching certificate to a person described in subsection
12 (6) for fraud, material misrepresentation, or concealment in the
13 person's application for a certificate or for a conviction for
14 which a person's teaching certificate may be revoked under section
15 1535a.

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

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

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1 elementary certification examination and a reading subject area
2 examination. <<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.>>

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

25 (12) The superintendent of public instruction shall appoint a
26 7-member standing technical advisory council comprised of persons
27 who are experts in measurement and assessment. This council shall

1 advise the superintendent of public instruction and the teacher
2 examination committee on the validity, reliability, and other
3 technical standards of the examinations that will be used or are
4 being used and of the administration and use of those examinations.

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

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

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

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~~1 elementary certification examination or a subject area examination.~~

~~2 However, if a subject area examination for vocational education~~

~~3 includes a performance examination, an additional fee may be~~

~~4 assessed for taking the performance examination, not to exceed the~~

~~5 actual cost of administering the performance examination. Fees~~

6 received by the department shall be expended solely for

7 administrative expenses that it incurs in implementing this

8 section. <<IF THE SUPERINTENDENT OF PUBLIC INSTRUCTION INCREASES A
FEE CHARGED FOR AN EXAMINATION UNDER THIS SUBSECTION, AT LEAST 1 YEAR
BEFORE IMPLEMENTING THE FEE INCREASE, THE DEPARTMENT SHALL NOTIFY
EACH APPROVED TEACHER EDUCATION INSTITUTION OF THE AMOUNT OF THE FEE
INCREASE. AN APPROVED TEACHER EDUCATION INSTITUTION SHALL NOTIFY EACH
OF ITS AFFECTED STUDENTS OF THE TIMING AND AMOUNT OF SUCH A FEE
INCREASE.>>

9 (16) If a person holding a teaching certificate from another
10 state applies for a Michigan teaching certificate and meets all

11 requirements for the Michigan teaching certificate except passage

12 of the appropriate examinations under subsection (3), the

13 superintendent of public instruction shall issue a nonrenewable

14 temporary teaching certificate, good for 1 year, to the person. The

15 superintendent of public instruction shall not issue a Michigan

16 teaching certificate to the person after expiration of the

17 temporary teaching certificate unless the person passes appropriate

18 examinations as described in subsection (3).

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 subsection (11) by an approved teacher

23 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.

1 (b) "Elementary certification examination" means a
2 comprehensive examination for elementary certification that has
3 been developed or selected by the superintendent of public
4 instruction for demonstrating the applicant's knowledge and
5 understanding of the core subjects normally taught in elementary
6 classrooms and for determining whether or not an applicant is
7 eligible for an elementary level teaching certificate.

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

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

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

27 Enacting section 1. This amendatory act takes effect 90 days

1 after the date it is enacted into law.