

**SUBSTITUTE FOR
HOUSE BILL NO. 5603**

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

1 examinations as follows:

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

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

11 (3) Except as otherwise provided in this act, the
12 superintendent of public instruction shall issue a Michigan
13 teaching certificate to ~~a person~~ **AN INDIVIDUAL** holding a
14 certificate from another state or a teaching degree from an out-of-
15 state teacher preparation institution who applies for a Michigan
16 teaching certificate only if the ~~person~~ **INDIVIDUAL** passes
17 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.~~**BEGINNING JULY 1, 2019, THE SUPERINTENDENT OF**
27 **PUBLIC INSTRUCTION SHALL ONLY ISSUE AN ELEMENTARY LEVEL PROVISIONAL**

1 TEACHING CERTIFICATE TO AN INDIVIDUAL WHO HAS EARNED AT LEAST 12
2 EARLY ELEMENTARY CREDITS AND AT LEAST 9 LATER ELEMENTARY CREDITS IN
3 THE TEACHING OF READING THAT INCLUDE INSTRUCTION IN AT LEAST ALL OF
4 THE FOLLOWING:

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

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

8 (C) RESEARCH ON DEVELOPMENTAL READINESS IN YOUNG CHILDREN,
9 INCLUDING HOW CHILDREN GROW ALONG THE SAME PATHS, BUT AT THEIR OWN
10 PACE.

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

13 (E) HOW TO RECOGNIZE THE DIFFERENCES BETWEEN SYNTHETIC AND
14 ANALYTICAL PHONICS.

15 (F) PHONOLOGICAL AND PHONEMIC AWARENESS SKILLS INCLUDING THE 6
16 CORE SKILLS OF IDENTIFYING, MATCHING, BLENDING, SEGMENTING,
17 DELETING, AND SUBSTITUTING; WHY THOSE SKILLS ARE IMPORTANT; HOW
18 THOSE SKILLS DEVELOP; HOW TO ASSESS THOSE SKILLS; AND HOW TO TEACH
19 THOSE SKILLS.

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

21 (H) HOW TO UTILIZE DEVELOPMENTALLY APPROPRIATE HANDWRITING
22 SKILLS.

23 (I) HOW TO RECOGNIZE SIGNS OF VISUAL AND AUDITORY DISABILITIES
24 OR BARRIERS IN PUPILS AND WHEN IT IS APPROPRIATE TO SEEK THE
25 SUPPORT OF A SPECIALIST.

26 (J) HOW TO ASSESS ENGLISH LANGUAGE LEVELS.

27 (K) HOW TO INCORPORATE STRATEGIES FOR ENGLISH LANGUAGE

1 LEARNERS.

2 (I) HOW TO DETERMINE READING LEVELS THROUGH THE USE OF
3 DIAGNOSTIC ASSESSMENTS.

4 (M) HOW TO IDENTIFY INDEPENDENT READING LEVEL, INSTRUCTIONAL
5 READING LEVEL, AND FRUSTRATION READING LEVEL READING MATERIAL.

6 (N) HOW TO MATCH EACH PUPIL WITH MATERIALS ON HIS OR HER
7 READING LEVEL AND PROVIDE RIGOROUS INDEPENDENT LEVEL AND
8 INSTRUCTIONAL LEVEL MATERIALS.

9 (O) HOW TO ADMINISTER, ANALYZE, AND MAKE INSTRUCTIONAL
10 DECISIONS BASED ON 3 POINTS OF DATA.

11 (P) HOW TO DETERMINE AND RECOGNIZE THE LEARNING PREFERENCES OF
12 EACH PUPIL.

13 (Q) HOW TO USE A KEYWORDS TO READING APPROACH.

14 (R) THE IMPORTANCE OF READING INSTRUCTION THAT IS EXPLICITLY
15 AND SYSTEMATICALLY TAUGHT IN CONJUNCTION WITH HIGH-LEVEL
16 APPLICATION, INCLUDING TEACHING A PUPIL IN GRADES K-3 HOW TO WRITE
17 AND SPELL HIS OR HER OWN NAME.

18 (5) EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, THE
19 SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL ONLY ISSUE A SECONDARY
20 LEVEL PROVISIONAL TEACHING CERTIFICATE TO AN INDIVIDUAL WHO HAS MET
21 THE READING CREDIT REQUIREMENTS ESTABLISHED UNDER SUPERINTENDENT OF
22 PUBLIC INSTRUCTION RULE.

23 (6) BEGINNING JULY 1, 2009, NOTWITHSTANDING ANY RULE TO THE
24 CONTRARY, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL NOT
25 ADVANCE AN INDIVIDUAL'S CERTIFICATION TO A PROFESSIONAL
26 CERTIFICATION UNLESS THAT INDIVIDUAL HAS SUCCESSFULLY COMPLETED A
27 3-CREDIT COURSE OF STUDY, WITH APPROPRIATE FIELD EXPERIENCES, IN

1 THE DIAGNOSIS AND REMEDIATION OF READING DISABILITIES AND
2 DIFFERENTIATED INSTRUCTION, EITHER AS PART OF HIS OR HER TEACHER
3 PREPARATION PROGRAM OR DURING THE FIRST 5 YEARS OF HIS OR HER
4 EMPLOYMENT IN CLASSROOM TEACHING. THE COURSE OF STUDY SHALL INCLUDE
5 THE FOLLOWING ELEMENTS AS DETERMINED BY THE DEPARTMENT TO BE
6 APPROPRIATE FOR THE INDIVIDUAL'S CERTIFICATION LEVEL AND
7 ENDORSEMENTS:

8 (A) INTEREST INVENTORIES.

9 (B) ENGLISH LANGUAGE LEARNING SCREENING.

10 (C) VISUAL AND AUDITORY DISCRIMINATION TOOLS.

11 (D) LANGUAGE EXPRESSION AND PROCESSING SCREENING.

12 (E) PHONEMICS, PHONICS, VOCABULARY, FLUENCY, COMPREHENSION,
13 SPELLING, AND WRITING ASSESSMENT TOOLS.

14 (F) INSTRUCTIONAL STRATEGIES.

15 (7) ~~(5)~~—Not later than January 11, 2002, the superintendent of
16 public instruction, in cooperation with appropriate curriculum
17 specialists and teacher educators, shall revise existing reading
18 standards to recognize reading disorders and to enable teachers to
19 make referrals for instruction and support for pupils with reading
20 disorders.

21 (8) ~~(6)~~—Subject to subsection ~~(8)~~, ~~(10)~~, if a ~~person~~ **AN**
22 **INDIVIDUAL** holding a teaching certificate from another state
23 applies to the superintendent of public instruction for a Michigan
24 teaching certificate and meets the requirements of this subsection,
25 the superintendent of public instruction shall issue to the ~~person~~
26 **INDIVIDUAL** a Michigan professional education teaching certificate
27 and applicable endorsements comparable to those the ~~person~~

INDIVIDUAL holds in the other state, without requiring the ~~person~~
INDIVIDUAL to pass a basic skills examination or the applicable
 subject area examination otherwise required under subsection (2) or
 (3). To be eligible to receive a Michigan professional education
 teaching certificate under this subsection, ~~a person~~ **AN INDIVIDUAL**
 shall provide evidence satisfactory to the department that he or
 she meets all of the following requirements:

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

(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.

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

(10) ~~(8)~~ The superintendent of public instruction shall deny a
 Michigan teaching certificate to ~~a person~~ **AN INDIVIDUAL** described

1 in subsection ~~(6)~~ **(8)** for fraud, material misrepresentation, or
 2 concealment in the ~~person's~~ **INDIVIDUAL'S** application for a
 3 certificate or for a conviction for which a ~~person's~~ **AN**
 4 **INDIVIDUAL'S** teaching certificate may be revoked under section
 5 1535a.

6 **(11)** ~~(9)~~ The department, based upon criteria recommended
 7 ~~pursuant to~~ **UNDER** subsection ~~(11)~~, **(13)**, shall provide to approved
 8 teacher education institutions guidelines and criteria approved by
 9 the superintendent of public instruction for use in the development
 10 or selection of a basic skills examination and approved guidelines
 11 and criteria for use in the development or selection of subject
 12 area examinations.

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

1 the development of that examination an amount that exceeds the
2 amount that the department expended on procurement of the most
3 recent competitively-bid version of that examination.

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

27 **(14)** ~~(12)~~—The superintendent of public instruction shall

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

8 **(15)** ~~(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~~**UNDER** subsection ~~(15)~~**(17)** and the amount of and any
16 purposes for which that revenue was expended.

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

26 **(17)** ~~(15)~~ The department, or if approved by the superintendent
27 of public instruction, a private testing service, may assess fees

for taking the basic skills examination, elementary certification examination, and the subject area examinations. The fees, which shall be set by the superintendent of public instruction, shall not exceed the actual cost of the examination and of administering the examination. Fees received by the department shall be expended solely for administrative expenses that it incurs in implementing this 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.

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

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

(a) "Basic skills examination" means an examination developed or selected by the superintendent of public instruction or

1 developed ~~pursuant to~~ **UNDER** subsection ~~(11)~~ **(13)** by an approved
2 teacher education institution for the purpose of demonstrating the
3 applicant's knowledge and understanding of basic language and
4 mathematical skills and other skills necessary for the certificate
5 sought, and for determining whether or not an applicant is eligible
6 for a provisional Michigan teaching certificate.

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

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

23 **(20)** ~~(18)~~ The superintendent of public instruction shall
24 promulgate rules for the implementation of this section.

25 **(21)** ~~(19)~~ Notwithstanding any rule to the contrary, the
26 superintendent of public instruction shall continue to issue state
27 elementary or secondary continuing education certificates ~~pursuant~~

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

11 Enacting section 1. This amendatory act takes effect July 1,
12 2018.