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BILL ANALYSIS

Senate Fiscal Agency

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**House Bill 4339 (Substitute H-1 as reported without amendment)****Sponsor: Representative Thomas L. Hickner****House Committee: Education****Senate Committee: Education and Mental Health****Date Completed: 5-28-87****RATIONAL**

There are many vocational education instructors who do not hold teaching certificates but are teaching under annual vocational authorizations, which are issued by the Department of Education at the request of a school district and are renewable each year upon the recommendation of a school district. Some of these instructors have been recruited from business and industry, and are expected to work toward State certification once hired. Although an authorization to hire a teacher without a certificate initially is granted to a school district when the district has been unable to find a certified teacher for the post, school districts have rehired vocational instructors under annual authorizations regardless of the availability of certified teachers. The Department of Education notified school districts in 1985, however, that beginning with the 1987-88 school year positions held by instructors with annual authorizations would have to be posted in case certified teachers were available. These vocational teachers with annual authorizations, many of whom left jobs in industry to teach and have been working toward certification, now face uncertainty about their future in education in light of the Department's ruling. In fact, the Department of Education issued 1,500 annual authorizations for the 1986-87 school year. Approximately 500 of those authorizations were granted to full-time employees who could be subject to loss of employment due to certification rule requirements effective July 1, 1987. Some people recommend amending the School Code to protect experienced vocational teachers who are working toward certification from having their job put at risk.

**CONTENT**

The bill would amend the School Code to allow the board of a school district or intermediate school district to renew through June 30, 1995, an annual vocational authorization of a noncertificated vocational teacher who was employed by the district or intermediate school district on June 1, 1987, even if a certificated teacher were available for hire, if both of the following conditions were met:

- The noncertificated teacher was annually and continually enrolled and was completing credit in an approved vocational teacher preparation program leading to vocational certification.
- The noncertificated teacher had a planned vocational teacher preparation program leading to vocational certification that was on file with the employing school district or intermediate school district, his or her teacher preparation institution, and the Department of Education.

A vocational teacher preparation institution would be required to utilize the employment experience of an

annually authorized teacher for the purpose of waiving student teaching as a requirement for vocational certification, if the annually authorized teacher were supervised by the teacher preparation institution.

MCL 380.1233

**FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

**ARGUMENTS****Supporting Argument**

The bill would protect the jobs of vocational education instructors currently teaching under annual authorizations issued by the Department of Education at the request of their school district. If a vocational teacher were working toward certification, under the bill, his or her authorization could be renewed even if a certified teacher were available. This is the only fair treatment for these teachers, some of whom gave up jobs in industry to teach when vocational teachers were scarce and have performed to the satisfaction of their school district for many years. Without the bill, experienced vocational instructors, who are not certified, could lose their job and be replaced by less experienced, certified teachers, regardless of the wishes of the employing districts. Good instructors should not have to face the insecurity of having their jobs advertised as open and the uncertainty of being replaced.

**Opposing Argument**

A fully certified vocational teacher should have priority in hiring over vocational teacher who is not certified, because certification assumes that the person has been trained to teach and is qualified to teach. Besides, certified teachers have priority in hiring in other subject areas.

**Response:** The bill would apply only to teachers employed as of June 1, 1987. Essentially, it would "grandfather" vocational teachers who are now working. No teachers hired after that date on annual authorizations would be protected from the Department of Education's procedures, which require school districts to demonstrate that there are no certified teachers available before an annual authorization can be issued.

**Opposing Argument**

Given the need to attract people to teaching from industry, particularly in the rapidly changing technical areas, the protection in the bill should be extended to all vocational instructors. No one in the future would consider leaving a job in industry to take a vocational teaching position if he

H.B. 4339 (5-28-87)

or she faced the possibility every year of being replaced.

**Response:** While the issue of attracting experience professionals from business and industry to teaching may need to be addressed, this bill would deal with an existing problem: the uncertainty of the jobs of currently-employed vocational educators who are working toward certification.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

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