

Act No. 63
Public Acts of 1991
Approved by the Governor
July 3, 1991
Filed with the Secretary of State
July 3, 1991

**STATE OF MICHIGAN
86TH LEGISLATURE
REGULAR SESSION OF 1991**

Introduced by Senators Emmons, Wartner, DeGrow and Schwarz

ENROLLED SENATE BILL No. 273

AN ACT to amend sections 651, 1246, and 1536 of Act No. 451 of the Public Acts of 1976, entitled as amended "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and classify the laws relating to elementary and secondary education; to provide for the classification, organization, regulation, and maintenance of schools, school districts, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, and intermediate school districts; to provide for the regulation of school teachers and school administrators; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal certain acts and parts of acts," sections 651 and 1246 as amended by Act No. 163 of the Public Acts of 1986 and section 1536 as amended by Act No. 161 of the Public Acts of 1990, being sections 380.651, 380.1246, and 380.1536 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Sections 651, 1246, and 1536 of Act No. 451 of the Public Acts of 1976, sections 651 and 1246 as amended by Act No. 163 of the Public Acts of 1986 and section 1536 as amended by Act No. 161 of the Public Acts of 1990, being sections 380.651, 380.1246, and 380.1536 of the Michigan Compiled Laws, are amended to read as follows:

Sec. 651. (1) Except as provided in subsection (2) and in section 1536, a person employed by an intermediate school district as a superintendent or other person whose primary responsibility is administering instructional programs or as a chief business official shall possess a valid Michigan school administrator's certificate issued by the state board.

(2) An intermediate school district may employ as a superintendent or other person whose primary responsibility is administering instructional programs or as a chief business official a person who is enrolled in a program leading to certification as a school administrator, whether or not a person possessing a school administrator's certificate is available for the position. Beginning July 1, 1988, a person who is employed as a school administrator pursuant to this subsection shall have 5 years to meet the certification requirements of section 1536.

(3) A person employed by an intermediate school district as a superintendent or other person whose primary responsibility is administering instructional programs shall possess a valid teacher's certificate. However, until July 1, 1996, this subsection does not apply to a person whose primary responsibility is administering special education instructional programs.

Sec. 1246. (1) Except as provided in subsection (2) and in section 1536, a person employed by a school district as a superintendent, principal, assistant principal, or other person whose primary responsibility is administering instructional programs or as a chief business official shall possess a valid Michigan school administrator's certificate issued by the state board.

(2) A school district may employ as a superintendent, principal, assistant principal, or other person whose primary responsibility is administering instructional programs or as a chief business official a person who is enrolled in a program leading to certification as a school administrator, whether or not a person possessing a school administrator's certificate is available for the position. Beginning July 1, 1988, a person who is employed as a school administrator pursuant to this subsection shall have 5 years to meet the certification requirements of section 1536.

(3) A person employed by a school district as a superintendent, principal, assistant principal, or other person whose primary responsibility is administering instructional programs shall possess a valid teacher's certificate. However, until July 1, 1996, this subsection does not apply to a person whose primary responsibility is administering special education instructional programs.

Sec. 1536. (1) The state board shall develop a school administrator's certificate which shall be issued to all school district and intermediate school district superintendents, principals, assistant principals, and other persons whose primary responsibility is administering instructional programs and to school district and intermediate school district chief business officials.

(2) A school administrator's certificate developed under subsection (1) shall be issued not later than July 1, 1990 to all persons who are employed by the department of education, the department of mental health, the department of social services, and the department of corrections in a position the state board determines to be equivalent to a position specified in subsection (1).

(3) The state board also shall develop appropriate certificate endorsements for school district and intermediate school district superintendents; chief business officials; building administrators, by elementary school, middle school, and high school level; and for persons who are employed by the department of education, the department of mental health, the department of social services, and the department of corrections in a position the state board determines to be equivalent to a position specified in this subsection or whose primary responsibility is administering instructional programs for K to 12 pupils. The state board shall determine the educational and professional experience requirements for and issue all certificates for these administrators and shall determine how these administrators may obtain renewal units for periodic recertification.

(4) The state board may provide a waiver for any person who is not able to meet the requirements described in this section, including a requirement that an administrator must possess a valid teaching certificate, due to unusual circumstances.

(5) The state board shall issue an initial school administrator's certificate to any person who is employed by the department of education, the department of mental health, the department of social services, or the department of corrections in a position the state board determines to be equivalent to a position specified in subsection (1) and who does not meet the certification requirements for the position the person holds on July 1, 1990. A school administrator's certificate issued under this subsection is valid only while the person is employed by that department in such a position. A person who holds a school administrator's certificate issued under this subsection must meet the certification requirements of subsections (1) and (8) and section 1531a if the person desires to transfer to a different position within that department that requires a school administrator's certificate or to a position that requires a school administrator's certificate in another department, a school district, or an intermediate school district.

(6) Until July 1, 1996, the state board shall issue a school administrator's certificate to a person with temporary or full approval as a special education director or supervisor even if the person does not possess a valid teaching certificate, if the person applies for and meets all of the other requirements for a school administrator's certificate under this section or rules promulgated pursuant to this section. A school administrator's certificate issued under this subsection is subject to the requirements for renewal of a school administrator's certificate under this section.

(7) A school administrator's certificate issued under this section is valid for 5 years and shall be renewed upon completion of renewal units as determined by the state board.

(8) The state board shall promulgate rules to implement this section.

This act is ordered to take immediate effect.

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Secretary of the Senate.

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Clerk of the House of Representatives.

Approved

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Governor.