

HOUSE BILL No. 6033

July 22, 1992, Introduced by Reps. Bennane, Kilpatrick, Gire, Yokich, Pitoniak and Anthony and referred to the Committee on Judiciary.

A bill to amend Act No. 451 of the Public Acts of 1976,
entitled as amended

"The school code of 1976,"

as amended, being sections 380.1 to 380.1852 of the Michigan
Compiled Laws, by adding sections 1535b and 1539c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 451 of the Public Acts of 1976, as
2 amended, being sections 380.1 to 380.1852 of the Michigan
3 Compiled Laws, is amended by adding sections 1535b and 1539c to
4 read as follows:

5 SEC. 1535B. (1) IF THE STATE BOARD IS NOTIFIED THAT A
6 PERSON WHO HOLDS A TEACHING CERTIFICATE IN THIS STATE AND WHO IS
7 SUBJECT TO A SUPPORT ORDER HAS BEEN FOUND TO BE AT LEAST 3 MONTHS
8 IN ARREARS ON THAT SUPPORT ORDER, THE STATE BOARD SHALL NOTIFY
9 THE PERSON IN WRITING THAT AFTER AN OPPORTUNITY FOR A HEARING

1 BEFORE THE STATE BOARD HIS OR HER TEACHING CERTIFICATE SHALL BE
2 SUSPENDED UNTIL THE ARREARAGE IS PAID. THE HEARING SHALL BE
3 SCHEDULED NOT LESS THAN 30 DAYS AFTER THE DATE THE NOTICE IS
4 SENT. AT THE HEARING, THE PERSON MAY PRESENT PROOF OF PAYMENT OF
5 THE ARREARAGE.

6 (2) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3), THE ONLY
7 ISSUES TO BE CONSIDERED BY THE STATE BOARD ARE WHETHER THE PERSON
8 IS THE HOLDER OF A TEACHING CERTIFICATE AND WHETHER THE ARREARAGE
9 HAS BEEN PAID.

10 (3) IF AT THE HEARING THE STATE BOARD DETERMINES THAT
11 EXTREME HARDSHIP TO THE PERSONS THE HOLDER OF THE TEACHING CER-
12 TIFICATE SERVES WOULD BE CREATED BY THE SUSPENSION, THE STATE
13 BOARD SHALL NOT SUSPEND THE CERTIFICATE BUT SHALL INSTEAD CONDI-
14 TION THE HOLDING OF THE CERTIFICATE UPON COMPLIANCE WITH THE SUP-
15 PORT ORDER.

16 (4) THE STATE BOARD MAY PROMULGATE, AS NECESSARY, RULES TO
17 IMPLEMENT THIS SECTION.

18 SEC. 1539C. (1) IF THE STATE BOARD IS NOTIFIED THAT A
19 PERSON WHO HOLDS STATE BOARD APPROVAL IN THIS STATE AND WHO IS
20 SUBJECT TO A SUPPORT ORDER HAS BEEN FOUND TO BE AT LEAST 3 MONTHS
21 IN ARREARS ON THAT SUPPORT ORDER, THE STATE BOARD SHALL NOTIFY
22 THE PERSON IN WRITING THAT AFTER AN OPPORTUNITY FOR A HEARING
23 BEFORE THE STATE BOARD HIS OR HER STATE BOARD APPROVAL SHALL BE
24 SUSPENDED UNTIL THE ARREARAGE IS PAID. THE HEARING SHALL BE
25 SCHEDULED NOT LESS THAN 30 DAYS AFTER THE DATE THE NOTICE IS
26 SENT. AT THE HEARING, THE PERSON MAY PRESENT PROOF OF PAYMENT OF
27 THE ARREARAGE.

1 (2) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3), THE ONLY
2 ISSUES TO BE CONSIDERED BY THE STATE BOARD ARE WHETHER THE PERSON
3 IS THE HOLDER OF A STATE BOARD APPROVAL AND WHETHER THE ARREARAGE
4 HAS BEEN PAID.

5 (3) IF AT THE HEARING THE STATE BOARD DETERMINES THAT
6 EXTREME HARDSHIP TO THE PERSONS THE HOLDER OF THE STATE BOARD
7 APPROVAL SERVES WOULD BE CREATED BY THE SUSPENSION, THE STATE
8 BOARD SHALL NOT SUSPEND THE APPROVAL BUT SHALL INSTEAD CONDITION
9 THE HOLDING OF THE APPROVAL UPON COMPLIANCE WITH THE SUPPORT
10 ORDER.

11 (4) THE STATE BOARD MAY PROMULGATE, AS NECESSARY, RULES TO
12 IMPLEMENT THIS SECTION.