Act No. 96
Public Acts of 1995
Approved by the Governor
June 20, 1995
Filed with the Secretary of State
June 22, 1995

STATE OF MICHIGAN

88TH LEGISLATURE

REGULAR SESSION OF 1995

Introduced by Reps. London, Kukuk, Perricone, Dobb, Walberg, Oxender, Goschka, Porreca, Bodem, LeTarte, McBryde, Hill, DeMars, Johnson, Bryant, Dalman, Jersevic and Randall

ENROLLED HOUSE BILL No. 4531

AN ACT to amend 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," as amended, being sections 380.1 to 380.1852 of the Michigan Compiled Laws, by adding section 1809.

The People of the State of Michigan enact:

Section 1. Act No. 451 of the Public Acts of 1976, as amended, being sections 380.1 to 380.1852 of the Michigan Compiled Laws, is amended by adding section 1809 to read as follows:

Sec. 1809. (1) In addition to any other penalty provided by law, a person who uses or attempts to use a teaching certificate that he or she knows is surrendered, suspended, revoked, nullified, fraudulently obtained, altered, or forged, or who uses or attempts to use as his or her own a valid teaching certificate that he or she knows is issued to another person, to obtain employment in a position requiring a valid teaching certificate or who remains employed in a position requiring a valid teaching certificate knowing that he or she does not hold a valid teaching certificate is guilty of a misdemeanor, punishable as follows:

(a) For the first offense, by imprisonment for not more than 93 days or a fine of not more than $500.00, or both.

(b) For a second or subsequent offense, by imprisonment for not less than 93 days or more than 6 months, or a fine of not less than $500.00 or more than $1,000.00, or both.

(2) In addition to any other penalty provided by law, a person who uses or attempts to use a school administrator's certificate that he or she knows is surrendered, suspended, revoked, nullified, fraudulently obtained, altered, or forged, or who uses or attempts to use as his or her own a valid school administrator's certificate that he or she knows is issued to another person, to obtain employment as a school administrator or who remains employed in a position requiring a valid school administrator's certificate knowing that he or she does not hold a valid school administrator's certificate is guilty of a misdemeanor, punishable as follows:

(a) For the first offense, by imprisonment for not more than 93 days or a fine of not more than $500.00, or both.

(b) For a second or subsequent offense, by imprisonment for not less than 93 days or more than 6 months, or a fine of not less than $500.00 or more than $1,000.00, or both.

(3) In addition to any other penalty provided by law, a person who uses or attempts to use a state board approval that he or she knows is surrendered, suspended, revoked, nullified, fraudulently obtained, altered, or forged, or who uses or attempts to use as his or her own a valid state board approval that he or she knows is issued to another person, to obtain employment in a position requiring a valid state board approval or who remains employed in a position requiring a valid state board approval knowing that he or she does not hold a valid state board approval is guilty of a misdemeanor, punishable as follows:

(a) For the first offense, by imprisonment for not more than 93 days or a fine of not more than $500.00, or both.

(b) For a second or subsequent offense, by imprisonment for not less than 93 days or more than 6 months, or a fine of not less than $500.00 or more than $1,000.00, or both.

(4) In addition to any other penalty provided by law, a person who uses or attempts to use a college or university transcript or a certificate or other credential that he or she knows is fraudulently obtained, altered, or forged, or who uses or attempts to use as his or her own a college or university transcript or a certificate or other credential that he or she knows is that of another person, to obtain a teaching certificate, school administrator's certificate, or state board approval in this state is guilty of a misdemeanor, punishable as follows:

(a) For the first offense, by imprisonment for not more than 93 days or a fine of not more than $500.00, or both.

(b) For a second or subsequent offense, by imprisonment for not less than 93 days or more than 6 months, or a fine of not less than $500.00 or more than $1,000.00, or both.

(5) The state board may refuse to issue or renew a teaching certificate, school administrator's certificate, or state board approval, or refuse to issue an endorsement for a teaching certificate or school administrator's certificate, to a person convicted of a violation of this section.

(6) As used in this section, "state board approval" means that term as defined in section 1539b.

Section 2. This amendatory act shall take effect August 1, 1995.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved _____

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Governor.