



HOUSE BILL No. 4090

January 17, 1995, Introduced by Rep. Bryant and referred to the Committee on Education.

A bill to amend section 1531 of Act No. 451 of the Public Acts of 1976, entitled as amended

"The school code of 1976,"

as amended by Act No. 335 of the Public Acts of 1993, being section 380.1531 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 1531 of Act No. 451 of the Public Acts
2 of 1976, as amended by Act No. 335 of the Public Acts of 1993,
3 being section 380.1531 of the Michigan Compiled Laws, is amended
4 to read as follows:

5 Sec. 1531. (1) Except as provided in this section, the
6 state board shall determine the requirements for and issue all
7 licenses and certificates for teachers, including preprimary
8 teachers, and the requirements for an endorsement of teachers as
9 qualified counselors and an endorsement of teachers for teaching

1 a foreign language in an elementary grade in the public schools
2 of the state.

3 (2) ~~Beginning July 1, 1992 and subject~~ SUBJECT to
4 ~~subsection (12)~~ SUBSECTIONS (3) AND (4), the state board shall
5 only issue a teaching certificate to a person who has passed
6 appropriate examinations as follows:

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

11 (b) For an elementary level teaching certificate, has passed
12 the basic skills examination and, if it is available, the elemen-
13 tary certification examination, and has passed the appropriate
14 available subject area examination for each subject area, if any,
15 in which he or she applies to be certified.

16 (3) ~~Beginning July 1, 1992~~ SUBJECT TO SUBSECTION (4), THE
17 STATE BOARD SHALL ISSUE A MICHIGAN TEACHING CERTIFICATE TO A
18 person holding a certificate from another state or a teaching
19 degree from an out-of-state teacher preparation institution who
20 applies for a Michigan teaching certificate ~~shall be required to~~
21 ~~pass~~ ONLY IF THE PERSON PASSES appropriate examinations as
22 follows:

23 (a) For a secondary level teaching certificate, pass both
24 the basic skills examination and the appropriate available
25 subject area examination for each subject area in which he or she
26 applies to be certified. The state board may accept passage of

1 an equivalent examination approved by the state board to meet 1
2 or both of these requirements.

3 (b) For an elementary level teaching certificate, pass the
4 basic skills examination and, if it is available, the elementary
5 certification examination, and pass the appropriate available
6 subject area examination for each subject area, if any, in which
7 he or she applies to be certified. The state board may accept
8 passage of an equivalent examination approved by the state board
9 to meet 1 or more of these requirements.

10 (4) IF A PERSON HOLDING A TEACHING CERTIFICATE FROM ANOTHER
11 STATE APPLIES TO THE STATE BOARD FOR A MICHIGAN TEACHING CERTIFI-
12 CATE AND IF THE PERSON PROVIDES EVIDENCE SATISFACTORY TO THE
13 STATE BOARD THAT HE OR SHE MEETS THE STANDARDS FOR CERTIFICATION
14 BY THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS, AS
15 APPROVED BY THE STATE BOARD, THE STATE BOARD SHALL ISSUE TO THE
16 PERSON A MICHIGAN TEACHING CERTIFICATE AND APPLICABLE ENDORSE-
17 MENTS COMPARABLE TO THE TEACHING CERTIFICATE AND ENDORSEMENTS THE
18 PERSON HOLDS IN THE OTHER STATE WITHOUT REQUIRING THE PERSON TO
19 PASS AN EXAMINATION UNDER SUBSECTION (2) OR (3). THE STATE BOARD
20 MAY DENY A MICHIGAN TEACHING CERTIFICATE TO A PERSON DESCRIBED IN
21 THIS SUBSECTION FOR FRAUD, MATERIAL MISREPRESENTATION, OR CON-
22 CEALMENT IN THE PERSON'S APPLICATION FOR A CERTIFICATE OR FOR A
23 CONVICTION OF THE PERSON AS AN ADULT OF AN ACT OF IMMORAL CONDUCT
24 CONTRIBUTING TO THE DELINQUENCY OF A CHILD OR A FELONY RELATED
25 REASONABLY AND ADVERSELY TO THE ABILITY OF THE PERSON TO SERVE IN
26 AN ELEMENTARY OR SECONDARY SCHOOL.

1 (5) ~~(4) Not later than June 1, 1988, the~~ THE department,
 2 based upon criteria recommended pursuant to subsection ~~(6)~~ (7),
 3 shall provide to state board approved teacher education institu-
 4 tions state board approved guidelines and criteria for use in the
 5 development or selection of a basic skills examination ~~—~~ and
 6 ~~not later than June 1, 1989,~~ approved guidelines and criteria
 7 for use in the development or selection of subject area
 8 examinations.

9 (6) ~~(5)~~ For the purposes of this section, ~~not later than~~
 10 ~~January 1, 1989,~~ the state board, based upon criteria recom-
 11 mended pursuant to subsection ~~(6)~~ (7), shall develop, select,
 12 or develop and select 1 or more basic skills examinations ~~—~~ and
 13 ~~not later than January 1, 1990,~~ subject area examinations. In
 14 addition, the state board, based upon criteria recommended pursu-
 15 ant to subsection ~~(6)~~ (7), shall approve an elementary certifi-
 16 cation examination ~~not later than October 1, 1992~~ and a reading
 17 subject area examination. ~~not later than October 1, 1993.~~

18 (7) ~~(6) Not later than January 18, 1987, the~~ THE state
 19 board shall appoint an 11-member teacher examination advisory
 20 committee comprised of representatives of approved teacher educa-
 21 tion institutions and Michigan education organizations and
 22 associations. Not more than 1/2 of the members comprising this
 23 committee shall be certified teachers. ~~Not later than January~~
 24 ~~1, 1988, this~~ THE committee shall recommend criteria to be used
 25 by the state board in the development, selection, or development
 26 and selection of 1 or more basic skills examinations ~~—~~ and ~~not~~
 27 ~~later than January 1, 1989,~~ criteria to be used by the state

1 board in the development, selection, or development and selection
2 of subject area examinations. In addition, ~~by those dates,~~ the
3 committee shall recommend guidelines for the use and administra-
4 tion of those examinations. The basic skills examinations
5 referred to in this subsection may be developed by the state
6 board or selected by the state board from commercially or univer-
7 sity developed examinations. In addition, an approved teacher
8 education institution, pursuant to guidelines and criteria
9 described in subsection ~~(4)~~ (5), may develop an examination at
10 its own expense for approval by the state board. An approved
11 teacher education institution that develops its own examination
12 is liable for any litigation that results from the use of its
13 examination.

14 (8) ~~(7) Not later than January 18, 1987, the~~ THE state
15 board shall appoint a 7-member standing technical advisory coun-
16 cil comprised of persons who are experts in measurement and
17 assessment. This council shall advise the state board and the
18 teacher examination committee on the validity, reliability, and
19 other technical standards of the examinations that will be used
20 or are being used UNDER THIS SECTION and of the administration
21 and use of those examinations.

22 (9) ~~(8) Not later than November 30 , 1992 and~~ OF each
23 year, ~~thereafter,~~ the state board shall submit in writing a
24 report on the development or selection and use of the basic
25 skills examination, the elementary certification examination, and
26 the subject area examinations to the house and senate education
27 committees. The report shall also contain a financial statement

1 regarding revenue received from the assessment of fees levied
2 pursuant to subsection ~~(10)~~ (11) and the amount of and any pur-
3 poses for which that revenue was expended.

4 (10) ~~(9)~~ The basic skills examination, the elementary cer-
5 tification examination, and the subject area examinations
6 required by this section may be taken at different times during
7 an approved teacher preparation program, but, subject to subsec-
8 tion ~~(11)~~ (12), the basic skills examination must be passed
9 before a person is enrolled for student teaching and the elemen-
10 tary certification examination and the subject area examinations,
11 as applicable, must be passed before a person is recommended for
12 certification.

13 (11) ~~(10)~~ The department, or if approved by the state
14 board, a private testing service, may assess fees for taking the
15 basic skills examination, elementary certification examination,
16 and the subject area examinations. The fees, which shall be set
17 by the state board, shall not exceed \$50.00 for a basic skills
18 examination or \$75.00 for an elementary certification examination
19 or a subject area examination. However, if a subject area exami-
20 nation for vocational education includes a performance examina-
21 tion, an additional fee may be assessed for taking the per-
22 formance examination, not to exceed the actual cost of adminis-
23 tering the performance examination. Fees received by the depart-
24 ment shall be expended solely for administrative expenses that it
25 incurs in implementing subsections (2) to (15).

26 (12) ~~(11)~~ For persons who took an examination administered
27 under this section in February 1992 or April 1992, the department

1 ~~shall make available not later than June 30, 1992 the results of~~
2 ~~the examination indicating both the person's score on the exami-~~
3 ~~nation and whether the person has passed or failed the~~
4 ~~examination.~~ If a person failed a basic skills examination
5 administered in February 1992 or 1 or more subject area examina-
6 tions administered in April 1992, the department shall allow the
7 person to retake the failed examination once without charge to
8 the person. Subsequent reexaminations ~~shall be~~ ARE subject to
9 the fees described in subsection ~~-(10)-~~ (11). A person who
10 failed a basic skills examination administered in February 1992
11 or April 1992 may be enrolled for student teaching before passing
12 the basic skills examination but must pass the basic skills exam-
13 ination before he or she may be recommended for certification.

14 ~~-(12) Until September 1, 1993, a person holding a teaching~~
15 ~~certificate that was in effect on January 1, 1992 who applies for~~
16 ~~an elementary level teaching certificate or for certification in~~
17 ~~a subject area, and who meets the other applicable requirements,~~
18 ~~is not required to pass the elementary certification examination~~
19 ~~or appropriate subject area examination, as applicable, in order~~
20 ~~to receive the elementary level teaching certificate or to be~~
21 ~~certified in the subject area.~~

22 (13) As used in this section:

23 (a) "Basic skills examination" means an examination devel-
24 oped or selected by the state board or developed pursuant to sub-
25 section ~~-(6)-~~ (7) by an approved teacher education institution
26 for the purpose of demonstrating the applicant's knowledge and
27 understanding of basic language and mathematical skills and other

1 skills necessary for the certificate sought, and for determining
2 whether or not an applicant is eligible for a provisional
3 Michigan teaching certificate. ~~Not later than June 30, 1987,~~
4 ~~the department shall advise the state board and the legislature~~
5 ~~whether or not the department recommends that the basic skills~~
6 ~~examination include an examination of a person's knowledge and~~
7 ~~understanding of 1 or more of the following: brain function,~~
8 ~~learning styles, and learning processes.~~

9 (b) "Elementary certification examination" means a compre-
10 hensive examination for elementary certification that has been
11 developed or selected by the state board for demonstrating the
12 applicant's knowledge and understanding of the core subjects nor-
13 mally taught in elementary classrooms and for determining whether
14 or not an applicant is eligible for an elementary level teaching
15 certificate.

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

22 (14) The state board shall certify as qualified the supervi-
23 sors required in section 1506. The state board shall certify
24 teachers as qualified to teach the class described in section
25 1507(1), based upon the recommendation of a teacher training
26 institution, upon an evaluation of the teacher's educational

1 qualifications and experience, and upon any additional
2 requirements the state board considers necessary.

3 (15) The state board shall promulgate rules for the imple-
4 mentation of this section.

5 (16) Notwithstanding any rule promulgated by the state board
6 to the contrary, the state board shall continue to issue state
7 elementary or secondary continuing education certificates pursu-
8 ant to R 390.1132(1) of the Michigan administrative code to per-
9 sons who completed the requirements of that rule by December 31,
10 1992 and who ~~apply~~ APPLIED for that certificate not later than
11 March 15, 1994. If the state board has issued a state elementary
12 or secondary professional education certificate to a person
13 described in this section, the state board shall consider the
14 person to have a state elementary or secondary, as applicable,
15 continuing education certificate.