



# HOUSE BILL No. 4531

March 7, 1995, Introduced by Reps. London, Kukuk, Perricone, Dobb, Walberg, Oxender, Goschka, Porreca, Bodem, LeTarte, McBryde, Hill, DeMars, Johnson, Bryant, Dalman, Jersevic and Randall and referred to the Committee on Education.

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 section 1809.

**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 section 1809 to read as  
4 follows:

5 SEC. 1809. (1) IN ADDITION TO ANY OTHER PENALTY PROVIDED BY  
6 LAW, A PERSON WHO KNOWINGLY USES A SURRENDERED, SUSPENDED,  
7 REVOKED, NULLIFIED, FRAUDULENTLY OBTAINED, ALTERED, OR FORGED  
8 TEACHING CERTIFICATE, OR WHO KNOWINGLY USES AS HIS OR HER OWN A  
9 VALID TEACHING CERTIFICATE OF ANOTHER PERSON, TO OBTAIN

1 EMPLOYMENT IN A POSITION REQUIRING A TEACHING CERTIFICATE OR WHO  
2 REMAINS EMPLOYED IN A POSITION REQUIRING A TEACHING CERTIFICATE  
3 KNOWING THAT HE OR SHE DOES NOT HOLD A VALID TEACHING CERTIFICATE  
4 IS GUILTY OF A MISDEMEANOR, PUNISHABLE AS FOLLOWS:

5 (A) FOR THE FIRST OFFENSE, BY IMPRISONMENT FOR NOT MORE THAN  
6 93 DAYS OR A FINE OF \$100.00, OR BOTH.

7 (B) FOR A SECOND OR SUBSEQUENT OFFENSE, BY IMPRISONMENT FOR  
8 NOT LESS THAN 93 DAYS NOR MORE THAN 6 MONTHS, OR A FINE OF NOT  
9 LESS THAN \$300.00 NOR MORE THAN \$500.00, OR BOTH.

10 (2) IN ADDITION TO ANY OTHER PENALTY PROVIDED BY LAW, A  
11 PERSON WHO KNOWINGLY USES A SURRENDERED, SUSPENDED, REVOKED, NUL-  
12 LIFIED, FRAUDULENTLY OBTAINED, ALTERED, OR FORGED SCHOOL  
13 ADMINISTRATOR'S CERTIFICATE, OR WHO KNOWINGLY USES AS HIS OR HER  
14 OWN A VALID SCHOOL ADMINISTRATOR'S CERTIFICATE OF ANOTHER PERSON,  
15 TO OBTAIN EMPLOYMENT IN A POSITION REQUIRING A SCHOOL  
16 ADMINISTRATOR'S CERTIFICATE OR WHO REMAINS EMPLOYED IN A POSITION  
17 REQUIRING A SCHOOL ADMINISTRATOR'S CERTIFICATE KNOWING THAT HE OR  
18 SHE DOES NOT HOLD A VALID SCHOOL ADMINISTRATOR'S CERTIFICATE IS  
19 GUILTY OF A MISDEMEANOR, PUNISHABLE AS FOLLOWS:

20 (A) FOR THE FIRST OFFENSE, BY IMPRISONMENT FOR NOT MORE THAN  
21 93 DAYS OR A FINE OF \$100.00, OR BOTH.

22 (B) FOR A SECOND OR SUBSEQUENT OFFENSE, BY IMPRISONMENT FOR  
23 NOT LESS THAN 93 DAYS NOR MORE THAN 6 MONTHS, OR A FINE OF NOT  
24 LESS THAN \$300.00 NOR MORE THAN \$500.00, OR BOTH.

25 (3) IN ADDITION TO ANY OTHER PENALTY PROVIDED BY LAW, A  
26 PERSON WHO KNOWINGLY USES A SURRENDERED, SUSPENDED, REVOKED,  
27 NULLIFIED, FRAUDULENTLY OBTAINED, ALTERED, OR FORGED STATE BOARD

1 APPROVAL, OR WHO KNOWINGLY USES AS HIS OR HER OWN A VALID STATE  
2 BOARD APPROVAL OF ANOTHER PERSON, TO OBTAIN EMPLOYMENT IN A POSI-  
3 TION REQUIRING STATE BOARD APPROVAL OR WHO REMAINS EMPLOYED IN A  
4 POSITION REQUIRING STATE BOARD APPROVAL KNOWING THAT HE OR SHE  
5 DOES NOT HOLD A VALID STATE BOARD APPROVAL IS GUILTY OF A MISDE-  
6 MEANOR, PUNISHABLE AS FOLLOWS:

7 (A) FOR THE FIRST OFFENSE, BY IMPRISONMENT FOR NOT MORE THAN  
8 93 DAYS OR A FINE OF \$100.00, OR BOTH.

9 (B) FOR A SECOND OR SUBSEQUENT OFFENSE, BY IMPRISONMENT FOR  
10 NOT LESS THAN 93 DAYS NOR MORE THAN 6 MONTHS, OR A FINE OF NOT  
11 LESS THAN \$300.00 NOR MORE THAN \$500.00, OR BOTH.

12 (4) THE STATE BOARD MAY REFUSE TO ISSUE OR RENEW A TEACHING  
13 CERTIFICATE, SCHOOL ADMINISTRATOR'S CERTIFICATE, OR STATE BOARD  
14 APPROVAL, OR REFUSE TO ISSUE AN ENDORSEMENT FOR A TEACHING CER-  
15 TIFICATE OR SCHOOL ADMINISTRATOR'S CERTIFICATE, TO A PERSON CON-  
16 VICTED OF A VIOLATION OF THIS SECTION.

17 (5) AS USED IN THIS SECTION, "STATE BOARD APPROVAL" MEANS  
18 THAT TERM AS DEFINED IN SECTION 1539B.

19 Section 2. This amendatory act shall take effect  
20 September 1, 1995.