

HOUSE BILL No. 6273

November 5, 1998, Introduced by Rep. Varga and referred to the Committee on Regulatory Affairs.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 1535a, 1539a, and 1539b (MCL 380.1535a,
380.1539a, and 380.1539b), as amended by 1995 PA 289.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1535a. (1) Subject to subsection (2), if a person who
2 holds a teaching certificate that is valid in this state is con-
3 victed of a crime described in this subsection, the state board
4 shall notify the person in writing that his or her teaching cer-
5 tificate may be suspended because of the conviction and of his or
6 her right to a hearing before the state board. If the person
7 does not avail himself or herself of this right to a hearing
8 within 30 working days after receipt of this written
9 notification, the teaching certificate of that person shall be
10 suspended. If a hearing takes place, the state board may suspend

1 the person's teaching certificate based upon the issues and
2 evidence presented at the hearing. This subsection applies to
3 any of the following crimes:

4 (a) Any felony.

5 (b) Any of the following misdemeanors:

6 (i) Criminal sexual conduct in the fourth degree or an
7 attempt to commit criminal sexual conduct in the fourth degree.

8 (ii) Child abuse in the third or fourth degree or an attempt
9 to commit child abuse in the third or fourth degree.

10 (iii) A misdemeanor involving cruelty, torture, or indecent
11 exposure involving a child.

12 (iv) A misdemeanor violation of section 7410 of the public
13 health code, ~~Act No. 368 of the Public Acts of 1978, being sec-~~
14 ~~tion 333.7410 of the Michigan Compiled Laws~~ 1978 PA 368, MCL
15 333.7410.

16 (v) A violation of section 115, 141a, 145a, or 359 of the
17 Michigan penal code, ~~Act No. 328 of the Public Acts of 1931,~~
18 ~~being sections 750.115, 750.141a, 750.145a, and 750.359 of the~~
19 ~~Michigan Compiled Laws~~ 1931 PA 328, MCL 750.115, 750.141A,
20 750.145A, AND 750.359, or a misdemeanor violation of section 81,
21 81a, or 145c of ~~Act No. 328 of the Public Acts of 1931, being~~
22 ~~sections 750.81, 750.81a, and 750.145c of the Michigan Compiled~~
23 ~~Laws~~ THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.81, 750.81A,
24 AND 750.145C.

25 (vi) A misdemeanor violation of section ~~33 of the Michigan~~
26 ~~liquor control act, Act No. 8 of the Public Acts of the Extra~~
27 ~~Session of 1933, being section 436.33 of the Michigan Compiled~~

1 ~~Laws~~ 701 OF THE MICHIGAN LIQUOR CONTROL CODE OF 1998, 1998 PA
2 58, MCL 436.1701.

3 (2) If a person who holds a teaching certificate that is
4 valid in this state is convicted of a crime described in this
5 subsection, the state board shall find that the public health,
6 safety, or welfare requires emergency action and shall order sum-
7 mary suspension of the person's teaching certificate under sec-
8 tion 92 of the administrative procedures act of 1969, ~~Act~~
9 ~~No. 306 of the Public Acts of 1969, being section 24.292 of the~~
10 ~~Michigan Compiled Laws~~ 1969 PA 306, MCL 24.292. However, if a
11 person convicted of a crime described in this subsection is
12 incarcerated in a state correctional facility, the state board
13 may delay ordering the summary suspension until not later than 10
14 work days after the person is released from secure confinement.
15 This subsection does not limit the state board's ability to order
16 summary suspension of a person's teaching certificate for a
17 reason other than described in this subsection. This subsection
18 applies to conviction of any of the following crimes:

19 (a) Criminal sexual conduct in any degree, assault with
20 intent to commit criminal sexual conduct, or an attempt to commit
21 criminal sexual conduct in any degree.

22 (b) Felonious assault on a child, child abuse in any degree,
23 or an attempt to commit child abuse in any degree.

24 (c) Cruelty, torture, or indecent exposure involving a
25 child.

26 (d) A violation of section 7401(2)(a)(i), 7403(2)(a)(i),
27 7410, or 7416 of the public health code, ~~Act No. 368 of the~~

1 ~~Public Acts of 1978, being sections 333.7401, 333.7403, 333.7410,~~
2 ~~and 333.7416 of the Michigan Compiled Laws~~ 1978 PA 368, MCL
3 333.7401, 333.7403, 333.7410, AND 333.7416.

4 (e) A violation of section 83, 89, 91, 316, 317, or 529 of
5 the Michigan penal code, ~~Act No. 328 of the Public Acts of 1931,~~
6 ~~being sections 750.83, 750.89, 750.91, 750.316, 750.317, and~~
7 ~~750.529 of the Michigan Compiled Laws~~ 1931 PA 328, MCL 750.83,
8 750.89, 750.91, 750.316, 750.317, AND 750.529.

9 (3) After the completion of a person's sentence, the person
10 may request a hearing before the state board on reinstatement of
11 his or her teaching certificate. Based upon the issues and evi-
12 dence presented at the hearing, the state board may reinstate,
13 continue the suspension of, or permanently revoke the person's
14 teaching certificate.

15 (4) All of the following apply to a person described in this
16 section whose conviction is reversed upon final appeal:

17 (a) The person's teaching certificate shall be reinstated
18 upon his or her notification to the state board of the reversal.

19 (b) If the suspension of the person's teaching certificate
20 under this section was the sole cause of his or her discharge
21 from employment, the person shall be reinstated, upon his or her
22 notification to the appropriate local or intermediate school
23 board of the reversal, with full rights and benefits, to the
24 position he or she would have had if he or she had been continu-
25 ously employed.

26 (5) The prosecuting attorney of the county in which a person
27 who holds a teaching certificate was convicted of a crime

1 described in subsection (1) shall notify the state board, and any
2 public school, school district, intermediate school district, or
3 nonpublic school in which the person is employed, of that conviction and of the sentence imposed on the person. The prosecuting
4 attorney of each county shall inquire of each person convicted in
5 the county of a crime described in subsection (1) whether the
6 person holds a teaching certificate.

8 (6) If the superintendent of a school district or intermediate
9 school district, the chief administrative officer of a non-
10 public school, the president of the board of a school district or
11 intermediate school district, or the president of the governing
12 board of a nonpublic school is notified by a prosecuting attorney
13 or learns through an authoritative source that a person who holds
14 a teaching certificate and who is employed at the time by the
15 school district, intermediate school district, or nonpublic
16 school has been convicted of a crime described in subsection (1),
17 the superintendent, chief administrative officer, or board president shall notify the state board of that conviction.

19 (7) If a person convicted of a crime described in subsection
20 (2) is incarcerated in a state correctional facility and the
21 state board delays summary suspension as described in subsection
22 (2), the state board shall contact the department of corrections
23 and request to be notified before the person is released from
24 secure confinement. Upon receipt of that request, the department
25 of corrections shall notify the state board at least 30 work days
26 before the person is released from secure confinement.

1 (8) For the purposes of this section, a certified copy of
2 the court record is conclusive evidence of conviction of a crime
3 described in this section. For the purposes of this section,
4 conviction of a crime described in this subsection is considered
5 to be reasonably and adversely related to the ability of the
6 person to serve in an elementary or secondary school and is suf-
7 ficient grounds for suspension or revocation of the person's
8 teaching certificate.

9 (9) This section does not do any of the following:

10 (a) Prohibit a person who holds a teaching certificate from
11 seeking monetary compensation from a school board or intermediate
12 school board if that right is available under a collective bar-
13 gaining agreement or another statute.

14 (b) Limit the rights and powers granted to a school district
15 or intermediate school district under a collective bargaining
16 agreement, this act, or another statute to discipline or dis-
17 charge a person who holds a teaching certificate.

18 (c) Exempt a person who holds a teaching certificate from
19 the operation of section 1539a if the person also holds a school
20 administrator's certificate.

21 (10) The state board may promulgate, as necessary, rules to
22 implement this section pursuant to the administrative procedures
23 act of 1969, ~~Act No. 306 of the Public Acts of 1969, being sec-~~
24 ~~tions 24.201 to 24.328 of the Michigan Compiled Laws~~ 1969 PA
25 306, MCL 24.201 TO 24.328.

26 (11) As used in this section:

1 (a) "Conviction" means a judgment entered by a court upon a
2 plea of guilty, guilty but mentally ill, or nolo contendere or
3 upon a jury verdict or court finding that a defendant is guilty
4 or guilty but mentally ill.

5 (b) "State correctional facility" means a correctional
6 facility under the jurisdiction of the department of
7 corrections.

8 Sec. 1539a. (1) Subject to subsection (2), if a person who
9 holds a school administrator's certificate that is valid in this
10 state is convicted of a crime described in this subsection, the
11 state board shall notify the person in writing that his or her
12 school administrator's certificate may be suspended because of
13 the conviction and of his or her right to a hearing before the
14 state board. If the person does not avail himself or herself of
15 this right to a hearing within 30 working days after receipt of
16 this written notification, the school administrator's certificate
17 of that person shall be suspended. If a hearing takes place, the
18 state board may suspend the person's school administrator's cer-
19 tificate based upon the issues and evidence presented at the
20 hearing. This subsection applies to any of the following
21 crimes:

22 (a) Any felony.

23 (b) Any of the following misdemeanors:

24 (i) Criminal sexual conduct in the fourth degree or an
25 attempt to commit criminal sexual conduct in the fourth degree.

26 (ii) Child abuse in the third or fourth degree or an attempt
27 to commit child abuse in the third or fourth degree.

1 (iii) A misdemeanor involving cruelty, torture, or indecent
2 exposure involving a child.

3 (iv) A misdemeanor violation of section 7410 of the public
4 health code, ~~Act No. 368 of the Public Acts of 1978, being sec-~~
5 ~~tion 333.7410 of the Michigan Compiled Laws~~ 1978 PA 368, MCL
6 333.7410.

7 (v) A violation of section 115, 141a, 145a, or 359 of the
8 Michigan penal code, ~~Act No. 328 of the Public Acts of 1931,~~
9 ~~being sections 750.115, 750.141a, 750.145a, and 750.359 of the~~
10 ~~Michigan Compiled Laws~~ 1931 PA 328, MCL 750.115, 750.141A,
11 750.145A, AND 750.359, or a misdemeanor violation of section 81,
12 81a, or 145c of ~~Act No. 328 of the Public Acts of 1931, being~~
13 ~~sections 750.81, 750.81a, and 750.145c of the Michigan Compiled~~
14 ~~Laws~~ THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.81, 750.81A,
15 AND 750.145C.

16 (vi) A misdemeanor violation of section ~~33 of the Michigan~~
17 ~~liquor control act, Act No. 8 of the Public Acts of the Extra~~
18 ~~Session of 1933, being section 436.33 of the Michigan Compiled~~
19 ~~Laws~~ 701 OF THE MICHIGAN LIQUOR CONTROL CODE OF 1998, 1998 PA
20 58, MCL 436.1701.

21 (2) If a person who holds a school administrator's certifi-
22 cate that is valid in this state is convicted of a crime
23 described in this subsection, the state board shall find that the
24 public health, safety, or welfare requires emergency action and
25 shall order summary suspension of the person's school
26 administrator's certificate under section 92 of the
27 administrative procedures act of 1969, ~~Act No. 306 of the Public~~

~~1 Acts of 1969, being section 24.292 of the Michigan Compiled Laws~~
2 1969 PA 306, MCL 24.292. However, if a person convicted of a
3 crime described in this subsection is incarcerated in a state
4 correctional facility, the state board may delay ordering the
5 summary suspension until not later than 10 work days after the
6 person is released from secure confinement. This subsection does
7 not limit the state board's ability to order summary suspension
8 of a person's school administrator's certificate for a reason
9 other than described in this subsection. This subsection applies
10 to conviction of any of the following crimes:

11 (a) Criminal sexual conduct in any degree, assault with
12 intent to commit criminal sexual conduct, or an attempt to commit
13 criminal sexual conduct in any degree.

14 (b) Felonious assault on a child, child abuse in any degree,
15 or an attempt to commit child abuse in any degree.

16 (c) Cruelty, torture, or indecent exposure involving a
17 child.

18 (d) A violation of section 7401(2)(a)(i), 7403(2)(a)(i),
19 7410, or 7416 of the public health code, ~~Act No. 368 of the~~
20 ~~Public Acts of 1978, being sections 333.7401, 333.7403, 333.7410,~~
21 ~~and 333.7416 of the Michigan Compiled Laws~~ 1978 PA 368, MCL
22 333.7401, 333.7403, 333.7410, AND 333.7416.

23 (e) A violation of section 83, 89, 91, 316, 317, or 529 of
24 the Michigan penal code, ~~Act No. 328 of the Public Acts of 1931,~~
25 ~~being sections 750.83, 750.89, 750.91, 750.316, 750.317, and~~
26 ~~750.529 of the Michigan Compiled Laws~~ 1931 PA 328, MCL 750.83,
27 750.89, 750.91, 750.316, 750.317, AND 750.529.

1 (3) After the completion of the person's sentence, the
2 person may request a hearing before the state board on reinstate-
3 ment of his or her school administrator's certificate. Based
4 upon the issues and evidence presented at the hearing, the state
5 board may reinstate, continue the suspension of, or permanently
6 revoke the person's school administrator's certificate.

7 (4) All of the following apply to a person described in this
8 section whose conviction is reversed upon final appeal:

9 (a) The person's school administrator's certificate shall be
10 reinstated upon his or her notification to the state board of the
11 reversal.

12 (b) If the suspension of the person's school administrator's
13 certificate under this section was the sole cause of his or her
14 discharge from employment, the person shall be reinstated, upon
15 his or her notification to the appropriate local or intermediate
16 school board of the reversal, with full rights and benefits, to
17 the position he or she would have had if he or she had been con-
18 tinuously employed.

19 (5) The prosecuting attorney of the county in which a person
20 who holds a school administrator's certificate was convicted of a
21 crime described in subsection (1) shall notify the state board,
22 and any public school, school district, intermediate school dis-
23 trict, or nonpublic school in which the person is employed, of
24 that conviction and of the sentence imposed on the person. The
25 prosecuting attorney of each county shall inquire of each person
26 convicted in the county of a crime described in subsection (1)
27 whether the person holds a school administrator's certificate.

1 (6) If the superintendent of a school district or
2 intermediate school district, the chief administrative officer of
3 a nonpublic school, the president of the board of a school dis-
4 trict or intermediate school district, or the president of the
5 governing board of a nonpublic school is notified by a prosecut-
6 ing attorney or learns through an authoritative source that a
7 person who holds a school administrator's certificate and who is
8 employed at the time by the school district, intermediate school
9 district, or nonpublic school has been convicted of a crime
10 described in subsection (1), the superintendent, chief adminis-
11 trative officer, or board president shall notify the state board
12 of that conviction.

13 (7) If a person convicted of a crime described in subsection
14 (2) is incarcerated in a state correctional facility and the
15 state board delays summary suspension as described in subsection
16 (2), the state board shall contact the department of corrections
17 and request to be notified before the person is released from
18 secure confinement. Upon receipt of that request, the department
19 of corrections shall notify the state board at least 30 work days
20 before the person is released from secure confinement.

21 (8) For the purposes of this section, a certified copy of
22 the court record is conclusive evidence of conviction of a crime
23 described in this section. For the purposes of this section,
24 conviction of a crime described in this subsection is considered
25 to be reasonably and adversely related to the ability of the
26 person to serve in an elementary or secondary school and is

1 sufficient grounds for suspension or revocation of the person's
2 school administrator's certificate.

3 (9) This section does not do any of the following:

4 (a) Prohibit a person who holds a school administrator's
5 certificate from seeking monetary compensation from a school
6 board or intermediate school board if that right is available
7 under a collective bargaining agreement or another statute.

8 (b) Limit the rights and powers granted to a school district
9 or intermediate school district under a collective bargaining
10 agreement, this act, or another statute to discipline or dis-
11 charge a person who holds a school administrator's certificate.

12 (c) Exempt a person who holds a school administrator's cer-
13 tificate from the operation of section 1535a.

14 (10) The state board may promulgate, as necessary, rules to
15 implement this section pursuant to the administrative procedures
16 act of 1969, ~~Act No. 306 of the Public Acts of 1969, being sec-~~
17 ~~tions 24.201 to 24.328 of the Michigan Compiled Laws~~ 1969 PA
18 306, MCL 24.201 TO 24.328.

19 (11) As used in this section:

20 (a) "Conviction" means a judgment entered by a court upon a
21 plea of guilty, guilty but mentally ill, or nolo contendere or
22 upon a jury verdict or court finding that a defendant is guilty
23 or guilty but mentally ill.

24 (b) "State correctional facility" means a correctional
25 facility under the jurisdiction of the department of
26 corrections.

1 Sec. 1539b. (1) Subject to subsection (2), if a person who
2 holds state board approval is convicted of a crime described in
3 this subsection, the state board shall notify the person in writ-
4 ing that his or her state board approval may be suspended because
5 of the conviction and of his or her right to a hearing before the
6 state board. If the person does not avail himself or herself of
7 this right to a hearing within 30 working days after receipt of
8 this written notification, the person's state board approval
9 shall be suspended. If a hearing takes place, the state board
10 may suspend the person's state board approval, based upon the
11 issues and evidence presented at the hearing. This subsection
12 applies to any of the following crimes:

13 (a) Any felony.

14 (b) Any of the following misdemeanors:

15 (i) Criminal sexual conduct in the fourth degree or an
16 attempt to commit criminal sexual conduct in the fourth degree.

17 (ii) Child abuse in the third or fourth degree or an attempt
18 to commit child abuse in the third or fourth degree.

19 (iii) A misdemeanor involving cruelty, torture, or indecent
20 exposure involving a child.

21 (iv) A misdemeanor violation of section 7410 of the public
22 health code, ~~Act No. 368 of the Public Acts of 1978, being sec-~~
23 ~~tion 333.7410 of the Michigan Compiled Laws~~ 1978 PA 368, MCL
24 333.7410.

25 (v) A violation of section 115, 141a, 145a, or 359 of the
26 Michigan penal code, ~~Act No. 328 of the Public Acts of 1931,~~
27 ~~being sections 750.115, 750.141a, 750.145a, and 750.359 of the~~

1 ~~Michigan Compiled Laws~~ 1931 PA 328, MCL 750.115, 750.141A,
2 750.145A, AND 750.359, or a misdemeanor violation of section 81,
3 81a, or 145c of ~~Act No. 328 of the Public Acts of 1931, being~~
4 ~~sections 750.81, 750.81a, and 750.145c of the Michigan Compiled~~
5 ~~Laws~~ THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.81, 750.81A,
6 AND 750.145C.

7 (vi) A misdemeanor violation of section ~~33 of the Michigan~~
8 ~~liquor control act, Act No. 8 of the Public Acts of the Extra~~
9 ~~Session of 1933, being section 436.33 of the Michigan Compiled~~
10 ~~Laws~~ 701 OF THE MICHIGAN LIQUOR CONTROL CODE OF 1998, 1998 PA
11 58, MCL 436.1701.

12 (2) If a person who holds state board approval is convicted
13 of a crime described in this subsection, the state board shall
14 find that the public health, safety, or welfare requires emer-
15 gency action and shall order summary suspension of the person's
16 state board approval under section 92 of the administrative pro-
17 cedures act of 1969, ~~Act No. 306 of the Public Acts of 1969,~~
18 ~~being section 24.292 of the Michigan Compiled Laws~~ 1969 PA 306,
19 MCL 24.292. However, if a person convicted of a crime described
20 in this subsection is incarcerated in a state correctional facil-
21 ity, the state board may delay ordering the summary suspension
22 until not later than 10 work days after the person is released
23 from secure confinement. This subsection does not limit the
24 state board's ability to order summary suspension of a person's
25 state board approval for a reason other than described in this
26 subsection. This subsection applies to conviction of any of the
27 following crimes:

1 (a) Criminal sexual conduct in any degree, assault with
2 intent to commit criminal sexual conduct, or an attempt to commit
3 criminal sexual conduct in any degree.

4 (b) Felonious assault on a child, child abuse in any degree,
5 or an attempt to commit child abuse in any degree.

6 (c) Cruelty, torture, or indecent exposure involving a
7 child.

8 (d) A violation of section 7401(2)(a)(i), 7403(2)(a)(i),
9 7410, or 7416 of the public health code, ~~Act No. 368 of the~~
10 ~~Public Acts of 1978, being sections 333.7401, 333.7403, 333.7410,~~
11 ~~and 333.7416 of the Michigan Compiled Laws~~ 1978 PA 368, MCL
12 333.7401, 333.7403, 333.7410, AND 333.7416.

13 (e) A violation of section 83, 89, 91, 316, 317, or 529 of
14 the Michigan penal code, ~~Act No. 328 of the Public Acts of 1931,~~
15 ~~being sections 750.83, 750.89, 750.91, 750.316, 750.317, and~~
16 ~~750.529 of the Michigan Compiled Laws~~ 1931 PA 328, MCL 750.83,
17 750.89, 750.91, 750.316, 750.317, AND 750.529.

18 (3) After the completion of the person's sentence, the
19 person may request a hearing before the state board on reinstate-
20 ment of his or her state board approval. Based upon the issues
21 and evidence presented at the hearing, the state board may rein-
22 state, continue the suspension of, or permanently revoke the
23 person's state board approval.

24 (4) All of the following apply to a person described in this
25 section whose conviction is reversed upon final appeal:

26 (a) The person's state board approval shall be reinstated
27 upon his or her notification to the state board of the reversal.

1 (b) If the suspension of the state board approval was the
2 sole cause of his or her discharge from employment, the person
3 shall be reinstated upon his or her notification to the appropri-
4 ate local or intermediate school board of the reversal, with full
5 rights and benefits, to the position he or she would have had if
6 he or she had been continuously employed.

7 (5) The prosecuting attorney of the county in which a person
8 who holds state board approval was convicted of a crime described
9 in subsection (1) shall notify the state board, and any public
10 school, school district, intermediate school district, or nonpub-
11 lic school in which the person is employed, of that conviction
12 and of the sentence imposed on the person. The prosecuting
13 attorney of each county shall inquire of each person convicted in
14 the county of a crime described in subsection (1) whether the
15 person holds state board approval. The state board shall make
16 available to prosecuting attorneys a list of school occupations
17 that commonly require state board approval.

18 (6) If the superintendent of a school district or intermedi-
19 ate school district, the chief administrative officer of a non-
20 public school, the president of the board of a school district or
21 intermediate school district, or the president of the governing
22 board of a nonpublic school is notified by a prosecuting attorney
23 or learns through an authoritative source that a person who holds
24 state board approval and who is employed at the time by the
25 school district, intermediate school district, or nonpublic
26 school has been convicted of a crime described in subsection (1),

1 the superintendent, chief administrative officer, or board
2 president shall notify the state board of that conviction.

3 (7) If a person convicted of a crime described in subsection
4 (2) is incarcerated in a state correctional facility and the
5 state board delays summary suspension as described in subsection
6 (2), the state board shall contact the department of corrections
7 and request to be notified before the person is released from
8 secure confinement. Upon receipt of that request, the department
9 of corrections shall notify the state board at least 30 work days
10 before the person is released from secure confinement.

11 (8) For the purposes of this section, a certified copy of
12 the court record is conclusive evidence of conviction of a crime
13 described in this section. For the purposes of this section,
14 conviction of a crime described in this subsection is considered
15 to be reasonably and adversely related to the ability of the
16 person to serve in an elementary or secondary school and is suf-
17 ficient grounds for suspension or revocation of the person's
18 state board approval.

19 (9) This section does not do any of the following:

20 (a) Prohibit a person who holds state board approval from
21 seeking monetary compensation from a school board or intermediate
22 school board if that right is available under a collective bar-
23 gaining agreement or another statute.

24 (b) Limit the rights and powers granted to a school district
25 or intermediate school district under a collective bargaining
26 agreement, this act, or another statute to discipline or
27 discharge a person who holds state board approval.

1 (c) Exempt a person who holds state board approval from the
2 operation of section 1535a or 1539a, or both, if the person holds
3 a certificate subject to 1 or both of those sections.

4 (d) Limit the ability of a state licensing body to take
5 action against a person's license or registration for the same
6 conviction.

7 (10) The state board may promulgate, as necessary, rules to
8 implement this section pursuant to the administrative procedures
9 act of 1969, ~~Act No. 306 of the Public Acts of 1969, being sec-~~
10 ~~tions 24.201 to 24.328 of the Michigan Compiled Laws~~ 1969 PA
11 306, MCL 24.201 TO 24.328.

12 (11) As used in this section:

13 (a) "Conviction" means a judgment entered by a court upon a
14 plea of guilty, guilty but mentally ill, or nolo contendere or
15 upon a jury verdict or court finding that a defendant is guilty
16 or guilty but mentally ill.

17 (b) "State board approval" means a license, certificate,
18 endorsement, permit, approval, or other evidence of qualifica-
19 tions to hold a particular position in a school district or
20 intermediate school district or in a nonpublic school, other than
21 a teacher's certificate subject to section 1535a or a school
22 administrator's certificate subject to section 1539a, that is
23 issued to a person by the state board under this act or a rule
24 promulgated under this act.

25 (c) "State correctional facility" means a correctional
26 facility under the jurisdiction of the department of
27 corrections.