

SENATE BILL NO. 877

February 11, 1998, Introduced by Senator EMMONS and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1233 and 1703 (MCL 380.1233 and 380.1703), as amended by 1995 PA 289, and by adding section 1237.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1233. (1) Except as provided in this section, ~~and~~
2 section 1233b, AND SECTION 1237, the board of a school district
3 or intermediate school district shall not permit a teacher who
4 does not hold a valid teaching certificate to teach in a grade or
5 department of the school, or a teacher without an endorsement by
6 the state board to serve in a counseling role as the role is
7 defined by the state board.

8 (2) The intermediate superintendent shall notify immediately
9 the state board of the names of noncertificated teachers teaching
10 in violation of subsection (1) and the names of nonendorsed

1 teachers serving in counseling roles in violation of subsection
2 (1), the employing district, and the amount of time the noncer-
3 tificated and nonendorsed teachers were employed.

4 ~~(3) The board of a school district or intermediate school~~
5 ~~district may renew through June 30, 1995 an annual vocational~~
6 ~~authorization of a noncertificated vocational teacher who is~~
7 ~~employed by the district or intermediate school district on June~~
8 ~~1, 1987, even if a certificated teacher is available for hire, if~~
9 ~~both of the following conditions are met:~~

10 ~~(a) The noncertificated teacher is annually and continually~~
11 ~~enrolled and completing credit in an approved vocational teacher~~
12 ~~preparation program leading to vocational certification.~~

13 ~~(b) The noncertificated teacher has a planned vocational~~
14 ~~teacher preparation program leading to vocational certification~~
15 ~~on file with the employing school district or intermediate school~~
16 ~~district, his or her teacher preparation institution, and the~~
17 ~~department.~~

18 (3) ~~(4)~~ A vocational teacher preparation institution shall
19 utilize the employment experience of an annually authorized
20 teacher for the purpose of waiving student teaching as a require-
21 ment for vocational certification if the annually authorized
22 teacher is supervised by the teacher preparation institution.

23 (4) ~~(5)~~ All vocational education teachers certified after
24 June 1, 1995 shall pass a competency test.

25 (5) ~~(6)~~ The board of a school district or intermediate
26 school district may employ a person without a teaching

1 certificate as a substitute teacher if the person has at least 90
2 semester hours of college credit from a college or university.

3 SEC. 1237. NOTWITHSTANDING ANY RULE PROMULGATED BY THE
4 STATE BOARD TO THE CONTRARY, A PERSON IS NOT REQUIRED TO HOLD A
5 TEACHING CERTIFICATE TO SERVE AS A SPEECH TEACHER, SPEECH PATHOL-
6 OGIST, OR SPEECH THERAPIST IN A PUBLIC OR NONPUBLIC SCHOOL.

7 Sec. 1703. (1) ~~Special~~ SUBJECT TO SECTION 1237, SPECIAL
8 education personnel shall meet the qualifications and require-
9 ments of rules promulgated by the state board.

10 (2) Curriculum, eligibility of specific persons for special
11 education programs and services and for each particular program
12 or service, review procedures regarding the placement of persons
13 in the programs or services, size of classes, size of programs,
14 quantity and quality of equipment, supplies and housing, adequacy
15 of methods of instruction, and length and content of school day
16 shall be in accordance with rules promulgated by the state board
17 relative to special education programs and services.

18 (3) Not later than September 30, 1996, the state board shall
19 conduct a review of all rules promulgated by the state board or
20 department pertaining to special education. The review shall
21 consider at least all of the following:

22 (a) The need to eliminate unnecessary separation and dupli-
23 cation between regular education and special education facili-
24 ties, staff, programs, services, and pupils.

25 (b) Potential benefits from coordination between all rele-
26 vant federal, state, regional, and local organization services,
27 including public and private organization services, for pupils

1 with special needs, and encouragement of the provision of
2 comprehensive necessary services delivered by the most appropri-
3 ate organization or person in the most cost-effective and pro-
4 grammatically effective manner.

5 (c) The advisability of simplification of rules or regula-
6 tions and processes relating to identification of need and provi-
7 sion of services to special needs pupils, avoidance of barriers
8 and cost and other penalties or discouragements to effective pro-
9 gramming, and avoidance of requirements as to staff or program
10 criteria that are not research based; allowing and encouraging
11 reasonably flexible, workable, and, if appropriate, cooperatively
12 operated comprehensive services, including reasonable endorsement
13 or other qualification categories for personnel, to be delivered
14 to pupils with related or similar special needs, as may be con-
15 sistent with research.

16 (d) A goal of providing educational and training services in
17 a manner that maximizes for the benefit of the pupil the combina-
18 tion of the provisions of this act and federal law relating to
19 inclusion, while avoiding, to the degree reasonably possible,
20 requiring by rule an overall increase in a program or service
21 beyond that required before December 23, 1978.