

SUBSTITUTE FOR
HOUSE BILL NO. 4378

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1531 (MCL 380.1531), as amended by 1995 PA
289.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1531. (1) Except as provided in this act, the ~~state~~
2 ~~board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION shall determine the
3 requirements for and issue all licenses and certificates for
4 teachers, including preprimary teachers, and the requirements for
5 an endorsement of teachers as qualified counselors and an
6 endorsement of teachers for teaching a foreign language in an
7 elementary grade in the public schools of the state.

8 (2) Except as otherwise provided in this act, the ~~state~~
9 ~~board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION shall only issue a

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1 teaching certificate to a person who has passed appropriate
2 examinations as follows:

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

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

12 (3) Except as otherwise provided in this act, the ~~state~~
13 ~~board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION shall issue a
14 Michigan teaching certificate to a person holding a certificate
15 from another state or a teaching degree from an out-of-state
16 teacher preparation institution who applies for a Michigan teach-
17 ing certificate only if the person passes appropriate examina-
18 tions as follows:

19 (a) For a secondary level teaching certificate, pass both
20 the basic skills examination and the appropriate available
21 subject area examination for each subject area in which he or she
22 applies to be certified. The ~~state board~~ SUPERINTENDENT OF
23 PUBLIC INSTRUCTION may accept passage of an equivalent examina-
24 tion approved by the ~~state board~~ SUPERINTENDENT OF PUBLIC
25 INSTRUCTION to meet 1 or both of these requirements.

26 (b) For an elementary level teaching certificate, pass the
27 basic skills examination and, if it is available, the elementary

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1 certification examination, and pass the appropriate available
2 subject area examination for each subject area, if any, in which
3 he or she applies to be certified. The ~~state board~~
4 SUPERINTENDENT OF PUBLIC INSTRUCTION may accept passage of an
5 equivalent examination approved by the ~~state board~~
6 SUPERINTENDENT OF PUBLIC INSTRUCTION to meet 1 or more of these
7 requirements.

8 (4) EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, THE SUPERIN-
9 TENDENT OF PUBLIC INSTRUCTION SHALL ONLY ISSUE A TEACHING CERTIF-
10 ICATE TO A PERSON WHO HAS MET THE ELEMENTARY OR SECONDARY, AS
11 APPLICABLE, READING CREDIT REQUIREMENTS ESTABLISHED UNDER SUPER-
12 INTENDENT OF PUBLIC INSTRUCTION RULE. NOT LATER THAN 1 YEAR
13 AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS
14 SUBSECTION, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL
15 DEVELOP NEW READING STANDARDS, OR REVISE EXISTING READING STAN-
16 DARDS, TO ADDRESS READING DISORDERS AND TO ENABLE TEACHERS TO
17 PROVIDE EFFECTIVE INSTRUCTION AND SUPPORT FOR PUPILS WITH READING
18 DISORDERS.

19 (5) ~~-(4)-~~ Subject to subsection ~~-(6)-~~ (7), if a person hold-
20 ing a teaching certificate from another state applies to the
21 ~~state board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION for a Michigan
22 teaching certificate and meets the requirements of this subsec-
23 tion, the ~~state board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION
24 shall issue to the person a Michigan professional education
25 teaching certificate and applicable endorsements comparable to
26 those the person holds in the other state, without requiring the
27 person to pass a basic skills examination or the applicable

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1 subject area examination otherwise required under subsection (2)
2 or (3). To be eligible to receive a Michigan professional educa-
3 tion teaching certificate under this subsection, a person shall
4 provide evidence satisfactory to the department that he or she
5 meets all of the following requirements:

6 (a) Has taught successfully for at least 3 years in a posi-
7 tion for which the person's teaching certification from the other
8 state was valid.

9 (b) Has earned, after his or her initial certification in
10 another state, at least 18 semester credit hours in a planned
11 course of study at [~~a state board approved~~ AN] institution of higher
12 education [APPROVED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION] or
has earned, at any time, a ~~state board approved~~
13 master's or doctoral degree APPROVED BY THE SUPERINTENDENT OF
14 PUBLIC INSTRUCTION.

15 (c) Has met the elementary or secondary, as applicable,
16 reading credit requirement established under ~~state board~~
17 SUPERINTENDENT OF PUBLIC INSTRUCTION rule.

18 (6) ~~-(5)-~~ A person who receives a teaching certificate and
19 endorsement or endorsements under subsection ~~-(4)-~~ (5) is eligi-
20 ble to receive 1 or more additional endorsements comparable to
21 endorsements the person holds in another state only if the person
22 passes the appropriate subject area examinations required under
23 subsection (2) or (3).

24 (7) ~~-(6)-~~ The ~~state board~~ SUPERINTENDENT OF PUBLIC
25 INSTRUCTION shall deny a Michigan teaching certificate to a
26 person described in subsection ~~-(4)-~~ (5) for fraud, material
27 misrepresentation, or concealment in the person's application for

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1 a certificate or for a conviction for which a person's teaching
2 certificate may be revoked under section 1535a.

3 (8) ~~-(7)-~~ The department, based upon criteria recommended
4 pursuant to subsection ~~-(9)-~~ (10), shall provide to ~~state board~~
5 approved teacher education institutions ~~state board approved~~
6 guidelines and criteria APPROVED BY THE SUPERINTENDENT OF PUBLIC
7 INSTRUCTION for use in the development or selection of a basic
8 skills examination and approved guidelines and criteria for use
9 in the development or selection of subject area examinations.

10 (9) ~~-(8)-~~ For the purposes of this section, the ~~state~~
11 ~~board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION, based upon criteria
12 recommended pursuant to subsection ~~-(9)-~~ (10), shall develop,
13 select, or develop and select 1 or more basic skills examinations
14 and subject area examinations. In addition, the ~~state board~~
15 SUPERINTENDENT OF PUBLIC INSTRUCTION, based upon criteria recom-
16 mended pursuant to subsection ~~-(9)-~~ (10), shall approve an ele-
17 mentary certification examination and a reading subject area
18 examination.

19 (10) ~~-(9)-~~ The ~~state board~~ SUPERINTENDENT OF PUBLIC
20 INSTRUCTION shall appoint an 11-member teacher examination
21 advisory committee comprised of representatives of approved
22 teacher education institutions and Michigan education organiza-
23 tions and associations. Not more than 1/2 of the members com-
24 prising this committee shall be certified teachers. This commit-
25 tee shall recommend criteria to be used by the ~~state board~~
26 SUPERINTENDENT OF PUBLIC INSTRUCTION in the development,
27 selection, or development and selection of 1 or more basic skills

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1 examinations, and criteria to be used by the ~~state board~~
2 SUPERINTENDENT OF PUBLIC INSTRUCTION in the development, selec-
3 tion, or development and selection of subject area examinations.
4 In addition, the committee shall recommend guidelines for the use
5 and administration of those examinations. The basic skills exam-
6 inations referred to in this subsection may be developed by the
7 ~~state board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION or selected by
8 the ~~state board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION from com-
9 mercially or university developed examinations. In addition, an
10 approved teacher education institution, pursuant to guidelines
11 and criteria described in subsection ~~(7)~~ (8), may develop an
12 examination at its own expense for approval by the ~~state board~~
13 SUPERINTENDENT OF PUBLIC INSTRUCTION. An approved teacher educa-
14 tion institution that develops its own examination is liable for
15 any litigation that results from the use of its examination.

16 (11) ~~(10)~~ The ~~state board~~ SUPERINTENDENT OF PUBLIC
17 INSTRUCTION shall appoint a 7-member standing technical advisory
18 council comprised of persons who are experts in measurement and
19 assessment. This council shall advise the ~~state board~~
20 SUPERINTENDENT OF PUBLIC INSTRUCTION and the teacher examination
21 committee on the validity, reliability, and other technical stan-
22 dards of the examinations that will be used or are being used and
23 of the administration and use of those examinations.

24 (12) ~~(11)~~ Not later than November 30 of each year, the
25 ~~state board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION shall submit
26 in writing a report on the development or selection and use of
27 the basic skills examination, the elementary certification

1 examination, and the subject area examinations to the house and
2 senate education committees. The report shall also contain a
3 financial statement regarding revenue received from the assess-
4 ment of fees levied pursuant to subsection ~~-(13)-~~ (14) and the
5 amount of and any purposes for which that revenue was expended.

6 (13) ~~-(12)-~~ The basic skills examination, the elementary
7 certification examination, and the subject area examinations
8 required by this section may be taken at different times during
9 an approved teacher preparation program, but the basic skills
10 examination must be passed before a person is enrolled for stu-
11 dent teaching and the elementary certification examination and
12 the subject area examinations, as applicable, must be passed
13 before a person is recommended for certification.

14 (14) ~~-(13)-~~ The department, or if approved by the ~~state~~
15 ~~board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION, a private testing
16 service, may assess fees for taking the basic skills examination,
17 elementary certification examination, and the subject area
18 examinations. The fees, which shall be set by the ~~state board~~
19 SUPERINTENDENT OF PUBLIC INSTRUCTION, shall not exceed \$50.00 for
20 a basic skills examination or \$75.00 for an elementary certifica-
21 tion examination or a subject area examination. However, if a
22 subject area examination for vocational education includes a per-
23 formance examination, an additional fee may be assessed for
24 taking the performance examination, not to exceed the actual cost
25 of administering the performance examination. Fees received by
26 the department shall be expended solely for administrative
27 expenses that it incurs in implementing this section.

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1 (15) ~~-(14)-~~ If a person holding a teaching certificate from
2 another state applies for a Michigan teaching certificate and
3 meets all requirements for the Michigan teaching certificate
4 except passage of the appropriate examinations under
5 subsection (3), the ~~state board~~ SUPERINTENDENT OF PUBLIC
6 INSTRUCTION shall issue a nonrenewable temporary teaching certif-
7 icate, good for 1 year, to the person. The ~~state board~~
8 SUPERINTENDENT OF PUBLIC INSTRUCTION shall not issue a Michigan
9 teaching certificate to the person after expiration of the tempo-
10 rary teaching certificate unless the person passes appropriate
11 examinations as described in subsection (3).

12 (16) ~~-(15)-~~ As used in this section:

13 (a) "Basic skills examination" means an examination devel-
14 oped or selected by the ~~state board~~ SUPERINTENDENT OF PUBLIC
15 INSTRUCTION or developed pursuant to subsection ~~-(9)-~~ (10) by an
16 approved teacher education institution for the purpose of demon-
17 strating the applicant's knowledge and understanding of basic
18 language and mathematical skills and other skills necessary for
19 the certificate sought, and for determining whether or not an
20 applicant is eligible for a provisional Michigan teaching
21 certificate.

22 (b) "Elementary certification examination" means a compre-
23 hensive examination for elementary certification that has been
24 developed or selected by the ~~state board~~ SUPERINTENDENT OF
25 PUBLIC INSTRUCTION for demonstrating the applicant's knowledge
26 and understanding of the core subjects normally taught in
27 elementary classrooms and for determining whether or not an

1 applicant is eligible for an elementary level teaching
2 certificate.

3 (c) "Subject area examination" means an examination related
4 to a specific area of certification, which examination has been
5 developed or selected by the ~~state board~~ SUPERINTENDENT OF
6 PUBLIC INSTRUCTION for the purpose of demonstrating the
7 applicant's knowledge and understanding of the subject matter and
8 determining whether or not an applicant is eligible for a
9 Michigan teaching certificate.

10 (17) ~~(16)~~ The ~~state board~~ SUPERINTENDENT OF PUBLIC
11 INSTRUCTION shall promulgate rules for the implementation of this
12 section.

13 (18) ~~(17)~~ Notwithstanding any rule ~~promulgated by the~~
14 ~~state board~~ to the contrary, the ~~state board~~ SUPERINTENDENT OF
15 PUBLIC INSTRUCTION shall continue to issue state elementary or
16 secondary continuing education certificates pursuant to
17 R 390.1132(1) of the Michigan administrative code to persons who
18 completed the requirements of that rule by December 31, 1992 and
19 who apply for that certificate not later than March 15, 1994. If
20 the ~~state board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION has issued
21 a state elementary or secondary professional education certifi-
22 cate to a person described in this section, the ~~state board~~
23 SUPERINTENDENT OF PUBLIC INSTRUCTION shall consider the person to
24 have a state elementary or secondary, as applicable, continuing
25 education certificate.