

**SENATE 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, IN COOPERA-  
15 TION WITH APPROPRIATE CURRICULUM SPECIALISTS AND TEACHER EDUCA-  
16 TORS, SHALL REVISE EXISTING READING STANDARDS TO RECOGNIZE READ-  
17 ING DISORDERS AND TO ENABLE TEACHERS TO MAKE REFERRALS FOR  
18 INSTRUCTION AND SUPPORT FOR PUPILS WITH READING 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  
12 higher education APPROVED BY THE SUPERINTENDENT OF PUBLIC  
13 INSTRUCTION or has earned, at any time, a ~~state board approved~~  
14 master's or doctoral degree APPROVED BY THE SUPERINTENDENT OF  
15 PUBLIC INSTRUCTION.

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

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

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

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1 misrepresentation, or concealment in the person's application for  
2 a certificate or for a conviction for which a person's teaching  
3 certificate may be revoked under section 1535a.

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

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

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

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

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

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

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

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

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

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1 the department shall be expended solely for administrative  
2 expenses that it incurs in implementing this section.

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

14       (16) ~~-(15)-~~ As used in this section:

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

24       (b) "Elementary certification examination" means a compre-  
25 hensive examination for elementary certification that has been  
26 developed or selected by the ~~state board~~ SUPERINTENDENT OF  
27 PUBLIC INSTRUCTION for demonstrating the applicant's knowledge



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1 and understanding of the core subjects normally taught in  
2 elementary classrooms and for determining whether or not an  
3 applicant is eligible for an elementary level teaching  
4 certificate.

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

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

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