

# HOUSE BILL No. 4378

March 4, 1999, Introduced by Reps. Bob Brown, Jelinek, Woronchak, LaForge, Neumann, Pestka, Lemmons, Sheltroun, Spade, Wojno, Toy, Frank, Law, Rocca, Richner, Schauer, Clark, Bogardus, Gieleghem, Minore, Jamnick, Dennis, Woodward, O'Neil, Mans, Schermesser, Baird, Scott, Lockwood and Thomas and referred to the Committee on Education.

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 shall determine the requirements for and issue all licenses  
3 and certificates for teachers, including preprimary teachers, and  
4 the requirements for an endorsement of teachers as qualified  
5 counselors and an endorsement of teachers for teaching a foreign  
6 language in an elementary grade in the public schools of the  
7 state.  
8       (2) Except as otherwise provided in this act, the state  
9 board shall only issue a teaching certificate to a person who has  
10 passed appropriate examinations as follows:

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

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

10 (3) Except as otherwise provided in this act, the state  
11 board shall issue a Michigan teaching certificate to a person  
12 holding a certificate from another state or a teaching degree  
13 from an out-of-state teacher preparation institution who applies  
14 for a Michigan teaching certificate only if the person passes  
15 appropriate examinations as follows:

16 (a) For a secondary level teaching certificate, pass both  
17 the basic skills examination and the appropriate available  
18 subject area examination for each subject area in which he or she  
19 applies to be certified. The state board may accept passage of  
20 an equivalent examination approved by the state board to meet 1  
21 or both of these requirements.

22 (b) For an elementary level teaching certificate, pass the  
23 basic skills examination and, if it is available, the elementary  
24 certification examination, and pass the appropriate available  
25 subject area examination for each subject area, if any, in which  
26 he or she applies to be certified. The state board may accept

1 passage of an equivalent examination approved by the state board  
2 to meet 1 or more of these requirements.

3       (4) EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, THE STATE  
4 BOARD SHALL ONLY ISSUE A TEACHING CERTIFICATE TO A PERSON WHO HAS  
5 MET THE ELEMENTARY OR SECONDARY, AS APPLICABLE, READING CREDIT  
6 REQUIREMENTS ESTABLISHED UNDER STATE BOARD RULE. NOT LATER THAN  
7 1 YEAR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED  
8 THIS SUBSECTION, THE STATE BOARD SHALL DEVELOP NEW READING STAN-  
9 DARDS, OR REVISE EXISTING READING STANDARDS, TO ADDRESS READING  
10 DISORDERS AND TO ENABLE TEACHERS TO PROVIDE EFFECTIVE INSTRUCTION  
11 AND SUPPORT FOR PUPILS WITH READING DISORDERS.

12       (5) ~~—(4)—~~ Subject to subsection ~~—(6)—~~ (7), if a person hold-  
13 ing a teaching certificate from another state applies to the  
14 state board for a Michigan teaching certificate and meets the  
15 requirements of this subsection, the state board shall issue to  
16 the person a Michigan professional education teaching certificate  
17 and applicable endorsements comparable to those the person holds  
18 in the other state, without requiring the person to pass a basic  
19 skills examination or the applicable subject area examination  
20 otherwise required under subsection (2) or (3). To be eligible  
21 to receive a Michigan professional education teaching certificate  
22 under this subsection, a person shall provide evidence satisfac-  
23 tory to the department that he or she meets all of the following  
24 requirements:

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

1 (b) Has earned, after his or her initial certification in  
2 another state, at least 18 semester credit hours in a planned  
3 course of study at a state board approved institution of higher  
4 education or has earned, at any time, a state board approved  
5 master's or doctoral degree.

6 (c) Has met the elementary or secondary, as applicable,  
7 reading credit requirement established under state board rule.

8 (6) ~~-(5)-~~ A person who receives a teaching certificate and  
9 endorsement or endorsements under subsection ~~-(4)-~~ (5) is eligi-  
10 ble to receive 1 or more additional endorsements comparable to  
11 endorsements the person holds in another state only if the person  
12 passes the appropriate subject area examinations required under  
13 subsection (2) or (3).

14 (7) ~~-(6)-~~ The state board shall deny a Michigan teaching  
15 certificate to a person described in subsection ~~-(4)-~~ (5) for  
16 fraud, material misrepresentation, or concealment in the person's  
17 application for a certificate or for a conviction for which a  
18 person's teaching certificate may be revoked under  
19 section 1535a.

20 (8) ~~-(7)-~~ The department, based upon criteria recommended  
21 pursuant to subsection ~~-(9)-~~ (10), shall provide to state board  
22 approved teacher education institutions state board approved  
23 guidelines and criteria for use in the development or selection  
24 of a basic skills examination and approved guidelines and cri-  
25 teria for use in the development or selection of subject area  
26 examinations.

1       (9) ~~-(8)-~~ For the purposes of this section, the state board,  
2 based upon criteria recommended pursuant to subsection ~~-(9)-~~  
3 (10), shall develop, select, or develop and select 1 or more  
4 basic skills examinations and subject area examinations. In  
5 addition, the state board, based upon criteria recommended pursu-  
6 ant to subsection ~~-(9)-~~ (10), shall approve an elementary certi-  
7 fication examination and a reading subject area examination.

8       (10) ~~-(9)-~~ The state board shall appoint an 11-member  
9 teacher examination advisory committee comprised of representa-  
10 tives of approved teacher education institutions and Michigan  
11 education organizations and associations. Not more than 1/2 of  
12 the members comprising this committee shall be certified  
13 teachers. This committee shall recommend criteria to be used by  
14 the state board in the development, selection, or development and  
15 selection of 1 or more basic skills examinations, and criteria to  
16 be used by the state board in the development, selection, or  
17 development and selection of subject area examinations. In addi-  
18 tion, the committee shall recommend guidelines for the use and  
19 administration of those examinations. The basic skills examina-  
20 tions referred to in this subsection may be developed by the  
21 state board or selected by the state board from commercially or  
22 university developed examinations. In addition, an approved  
23 teacher education institution, pursuant to guidelines and cri-  
24 teria described in subsection ~~-(7)-~~ (8), may develop an examina-  
25 tion at its own expense for approval by the state board. An  
26 approved teacher education institution that develops its own

1 examination is liable for any litigation that results from the  
2 use of its examination.

3       (11) ~~-(10)-~~ The state board shall appoint a 7-member stand-  
4 ing technical advisory council comprised of persons who are  
5 experts in measurement and assessment. This council shall advise  
6 the state board and the teacher examination committee on the  
7 validity, reliability, and other technical standards of the exam-  
8 inations that will be used or are being used and of the adminis-  
9 tration and use of those examinations.

10       (12) ~~-(11)-~~ Not later than November 30 of each year, the  
11 state board shall submit in writing a report on the development  
12 or selection and use of the basic skills examination, the elemen-  
13 tary certification examination, and the subject area examinations  
14 to the house and senate education committees. The report shall  
15 also contain a financial statement regarding revenue received  
16 from the assessment of fees levied pursuant to subsection ~~-(13)-~~  
17 (14) and the amount of and any purposes for which that revenue  
18 was expended.

19       (13) ~~-(12)-~~ The basic skills examination, the elementary  
20 certification examination, and the subject area examinations  
21 required by this section may be taken at different times during  
22 an approved teacher preparation program, but the basic skills  
23 examination must be passed before a person is enrolled for stu-  
24 dent teaching and the elementary certification examination and  
25 the subject area examinations, as applicable, must be passed  
26 before a person is recommended for certification.

1       (14) ~~-(13)-~~ The department, or if approved by the state  
2 board, a private testing service, may assess fees for taking the  
3 basic skills examination, elementary certification examination,  
4 and the subject area examinations. The fees, which shall be set  
5 by the state board, shall not exceed \$50.00 for a basic skills  
6 examination or \$75.00 for an elementary certification examination  
7 or a subject area examination. However, if a subject area exami-  
8 nation for vocational education includes a performance examina-  
9 tion, an additional fee may be assessed for taking the per-  
10 formance examination, not to exceed the actual cost of adminis-  
11 tering the performance examination. Fees received by the depart-  
12 ment shall be expended solely for administrative expenses that it  
13 incurs in implementing this section.

14       (15) ~~-(14)-~~ If a person holding a teaching certificate from  
15 another state applies for a Michigan teaching certificate and  
16 meets all requirements for the Michigan teaching certificate  
17 except passage of the appropriate examinations under  
18 subsection (3), the state board shall issue a nonrenewable tempo-  
19 rary teaching certificate, good for 1 year, to the person. The  
20 state board shall not issue a Michigan teaching certificate to  
21 the person after expiration of the temporary teaching certificate  
22 unless the person passes appropriate examinations as described in  
23 subsection (3).

24       (16) ~~-(15)-~~ As used in this section:

25       (a) "Basic skills examination" means an examination devel-  
26 oped or selected by the state board or developed pursuant to  
27 subsection ~~-(9)-~~ (10) by an approved teacher education

1 institution for the purpose of demonstrating the applicant's  
2 knowledge and understanding of basic language and mathematical  
3 skills and other skills necessary for the certificate sought, and  
4 for determining whether or not an applicant is eligible for a  
5 provisional Michigan teaching certificate.

6       (b) "Elementary certification examination" means a compre-  
7 hensive examination for elementary certification that has been  
8 developed or selected by the state board for demonstrating the  
9 applicant's knowledge and understanding of the core subjects nor-  
10 mally taught in elementary classrooms and for determining whether  
11 or not an applicant is eligible for an elementary level teaching  
12 certificate.

13       (c) "Subject area examination" means an examination related  
14 to a specific area of certification, which examination has been  
15 developed or selected by the state board for the purpose of  
16 demonstrating the applicant's knowledge and understanding of the  
17 subject matter and determining whether or not an applicant is  
18 eligible for a Michigan teaching certificate.

19       (17) ~~-(16)-~~ The state board shall promulgate rules for the  
20 implementation of this section.

21       (18) ~~-(17)-~~ Notwithstanding any rule promulgated by the  
22 state board to the contrary, the state board shall continue to  
23 issue state elementary or secondary continuing education certifi-  
24 cates pursuant to R 390.1132(1) of the Michigan administrative  
25 code to persons who completed the requirements of that rule by  
26 December 31, 1992 and who apply for that certificate not later  
27 than March 15, 1994. If the state board has issued a state



1 elementary or secondary professional education certificate to a  
2 person described in this section, the state board shall consider  
3 the person to have a state elementary or secondary, as applica-  
4 ble, continuing education certificate.