

# HOUSE BILL No. 4716

May 21, 2003, Introduced by Reps. Nofs, Moolenaar, Gaffney, DeRossett, Farhat, Acciavatti, Brandenburg, Garfield, Nitz, Stahl, Shaffer, Steil, Robertson, LaJoy, Sak, Pastor, Taub, Amos, Hune, Stakoe, Kooiman, Ward, Emmons, Pappageorge and Casperson and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending sections 1526 and 1531 (MCL 380.1526 and 380.1531),  
section 1526 as amended by 1995 PA 289 and section 1531 as  
amended by 2000 PA 497.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1526. (1) For the first 3 years of his or her  
2 employment in classroom teaching, a teacher shall be assigned by  
3 the school in which he or she teaches to 1 or more master  
4 teachers, or college professors or retired master teachers, who  
5 shall act as a mentor or mentors to the teacher. During the  
6 3-year period, the teacher shall also receive intensive  
7 professional development induction into teaching, based on a  
8 professional development plan that is consistent with the  
9 requirements of section 3a of article II of ~~Act No. 4 of the~~

~~1 Public Acts of the Extra Session of 1937, being section 38.83a of~~  
~~2 the Michigan Compiled Laws 1937 (Ex Sess) PA 4, MCL 38.83a,~~  
3 including classroom management and instructional delivery.  
4 During the 3-year period, the intensive professional development  
5 induction into teaching shall consist of at least 15 days of  
6 professional development, the experiencing of effective practices  
7 in university-linked professional development schools, and  
8 regional seminars conducted by master teachers and other  
9 mentors.

10       (2) Not later than 1 year after the effective date of the  
11 amendatory act that added this subsection, the committee of  
12 school principals and school board members appointed under  
13 section 1531(5) shall review the mentorship practices taking  
14 place under this section and shall make recommendations to the  
15 superintendent of public instruction on possible legislation to  
16 improve the mentorship practices taking place in this state. The  
17 recommendations may include recommendations for promulgation of  
18 rules to improve mentorship practices in this state.

19       Sec. 1531. (1) Except as provided in this act, the  
20 superintendent of public instruction shall determine the  
21 requirements for and issue all licenses and certificates for  
22 teachers, including preprimary teachers, and the requirements for  
23 an endorsement of teachers as qualified counselors and an  
24 endorsement of teachers for teaching a foreign language in an  
25 elementary grade in the public schools of the state.

26       (2) Except as otherwise provided in this act, the  
27 superintendent of public instruction shall only issue a teaching

1 certificate to a person who has passed appropriate examinations  
2 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  
9 elementary certification examination, and has passed the  
10 appropriate available subject area examination for each subject  
11 area, if any, in which he or she applies to be certified.

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

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

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

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 superintendent of public  
4 instruction may accept passage of an equivalent examination  
5 approved by the superintendent of public instruction to meet 1 or  
6 more of these requirements.

7 (4) Except as otherwise provided in this act, the  
8 superintendent of public instruction shall only issue a teaching  
9 certificate to a person who has met the elementary or secondary,  
10 as applicable, reading credit requirements established under  
11 superintendent of public instruction rule. Not later than ~~1~~  
12 ~~year after the effective date of the amendatory act that added~~  
13 ~~this subsection~~ **January 11, 2002**, the superintendent of public  
14 instruction, in cooperation with appropriate curriculum  
15 specialists and teacher educators, shall revise existing reading  
16 standards to recognize reading disorders and to enable teachers  
17 to make referrals for instruction and support for pupils with  
18 reading disorders.

19 (5) **Not later than 1 year after the effective date of the**  
20 **amendatory act that added this subsection, the committee of**  
21 **school principals and school board members appointed under this**  
22 **subsection shall review the teacher certification rules**  
23 **promulgated under this section and shall recommend revisions to**  
24 **those rules to the superintendent of public instruction. Not**  
25 **later than 1 year after receiving these recommendations, the**  
26 **superintendent of public instruction shall revise the rules**  
27 **promulgated under this section in accordance with these**

1 recommendations. The department shall appoint a committee of  
2 school principals and school board members for the purposes of  
3 this subsection and section 1526(2). This committee shall  
4 consist of 7 principals of schools located in this state and 6  
5 school board members, appointed as follows:

6 (a) Three principals and 2 school board members appointed by  
7 the senate majority leader.

8 (b) Three principals and 2 school board members appointed by  
9 the speaker of the house of representatives.

10 (c) One principal and 2 school board members appointed by the  
11 governor.

12 (6) ~~—(5)—~~ Subject to subsection ~~—(7)—~~ (8), if a person  
13 holding a teaching certificate from another state applies to the  
14 superintendent of public instruction for a Michigan teaching  
15 certificate and meets the requirements of this subsection, the  
16 superintendent of public instruction shall issue to the person a  
17 Michigan professional education teaching certificate and  
18 applicable endorsements comparable to those the person holds in  
19 the other state, without requiring the person to pass a basic  
20 skills examination or the applicable subject area examination  
21 otherwise required under subsection (2) or (3). To be eligible  
22 to receive a Michigan professional education teaching certificate  
23 under this subsection, a person shall provide evidence  
24 satisfactory to the department that he or she meets all of the  
25 following requirements:

26 (a) Has taught successfully for at least 3 years in a  
27 position for which the person's teaching certification from the

1 other state was valid.

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

8 (c) Has met the elementary or secondary, as applicable,  
9 reading credit requirement established under superintendent of  
10 public instruction rule.

11 ~~(7)~~ ~~—(6)—~~ A person who receives a teaching certificate and  
12 endorsement or endorsements under subsection ~~—(5)—~~ ~~(6)~~ is  
13 eligible to receive 1 or more additional endorsements comparable  
14 to endorsements the person holds in another state only if the  
15 person passes the appropriate subject area examinations required  
16 under subsection (2) or (3).

17 ~~(8)~~ ~~—(7)—~~ The superintendent of public instruction shall deny  
18 a Michigan teaching certificate to a person described in  
19 subsection ~~—(5)—~~ ~~(6)~~ for fraud, material misrepresentation, or  
20 concealment in the person's application for a certificate or for  
21 a conviction for which a person's teaching certificate may be  
22 revoked under section 1535a.

23 ~~(9)~~ ~~—(8)—~~ The department, based upon criteria recommended  
24 pursuant to subsection ~~—(10)—~~ ~~(11)~~, shall provide to approved  
25 teacher education institutions guidelines and criteria approved  
26 by the superintendent of public instruction for use in the  
27 development or selection of a basic skills examination and

1 approved guidelines and criteria for use in the development or  
2 selection of subject area examinations.

3       (10) ~~—(9)—~~ For the purposes of this section, the  
4 superintendent of public instruction, based upon criteria  
5 recommended pursuant to subsection ~~—(10)—~~ (11), shall develop,  
6 select, or develop and select 1 or more basic skills examinations  
7 and subject area examinations. In addition, the superintendent  
8 of public instruction, based upon criteria recommended pursuant  
9 to subsection ~~—(10)—~~ (11), shall approve an elementary  
10 certification examination and a reading subject area  
11 examination.

12       (11) ~~—(10)—~~ The superintendent of public instruction shall  
13 appoint an 11-member teacher examination advisory committee  
14 comprised of representatives of approved teacher education  
15 institutions and Michigan education organizations and  
16 associations. Not more than 1/2 of the members comprising this  
17 committee shall be certified teachers. This committee shall  
18 recommend criteria to be used by the superintendent of public  
19 instruction in the development, selection, or development and  
20 selection of 1 or more basic skills examinations, and criteria to  
21 be used by the superintendent of public instruction in the  
22 development, selection, or development and selection of subject  
23 area examinations. In addition, the committee shall recommend  
24 guidelines for the use and administration of those examinations.  
25 The basic skills examinations referred to in this subsection may  
26 be developed by the superintendent of public instruction or  
27 selected by the superintendent of public instruction from

1 commercially or university developed examinations. In addition,  
2 an approved teacher education institution, pursuant to guidelines  
3 and criteria described in subsection ~~-(8)-~~ (9), may develop an  
4 examination at its own expense for approval by the superintendent  
5 of public instruction. An approved teacher education institution  
6 that develops its own examination is liable for any litigation  
7 that results from the use of its examination.

8       (12) ~~-(11)-~~ The superintendent of public instruction shall  
9 appoint a 7-member standing technical advisory council comprised  
10 of persons who are experts in measurement and assessment. This  
11 council shall advise the superintendent of public instruction and  
12 the teacher examination committee on the validity, reliability,  
13 and other technical standards of the examinations that will be  
14 used or are being used and of the administration and use of those  
15 examinations.

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

25       (14) ~~-(13)-~~ The basic skills examination, the elementary  
26 certification examination, and the subject area examinations  
27 required by this section may be taken at different times during

1 an approved teacher preparation program, but the basic skills  
2 examination must be passed before a person is enrolled for  
3 student teaching and the elementary certification examination and  
4 the subject area examinations, as applicable, must be passed  
5 before a person is recommended for certification.

6       **(15)** ~~—(14)—~~ The department, or if approved by the  
7 superintendent of public instruction, a private testing service,  
8 may assess fees for taking the basic skills examination,  
9 elementary certification examination, and the subject area  
10 examinations. The fees, which shall be set by the superintendent  
11 of public instruction, shall not exceed \$50.00 for a basic skills  
12 examination or \$75.00 for an elementary certification examination  
13 or a subject area examination. However, if a subject area  
14 examination for vocational education includes a performance  
15 examination, an additional fee may be assessed for taking the  
16 performance examination, not to exceed the actual cost of  
17 administering the performance examination. Fees received by the  
18 department shall be expended solely for administrative expenses  
19 that it incurs in implementing this section.

20       **(16)** ~~—(15)—~~ If a person holding a teaching certificate from  
21 another state applies for a Michigan teaching certificate and  
22 meets all requirements for the Michigan teaching certificate  
23 except passage of the appropriate examinations under  
24 subsection (3), the superintendent of public instruction shall  
25 issue a nonrenewable temporary teaching certificate, good for 1  
26 year, to the person. The superintendent of public instruction  
27 shall not issue a Michigan teaching certificate to the person

1 after expiration of the temporary teaching certificate unless the  
2 person passes appropriate examinations as described in  
3 subsection (3).

4       **(17)** ~~—(16)—~~ As used in this section:

5       (a) "Basic skills examination" means an examination developed  
6 or selected by the superintendent of public instruction or  
7 developed pursuant to subsection ~~—(10)—~~ **(11)** by an approved  
8 teacher education institution for the purpose of demonstrating  
9 the applicant's knowledge and understanding of basic language and  
10 mathematical skills and other skills necessary for the  
11 certificate sought, and for determining whether or not an  
12 applicant is eligible for a provisional Michigan teaching  
13 certificate.

14       (b) "Elementary certification examination" means a  
15 comprehensive examination for elementary certification that has  
16 been developed or selected by the superintendent of public  
17 instruction for demonstrating the applicant's knowledge and  
18 understanding of the core subjects normally taught in elementary  
19 classrooms and for determining whether or not an applicant is  
20 eligible for an elementary level teaching certificate.

21       (c) "Subject area examination" means an examination related  
22 to a specific area of certification, which examination has been  
23 developed or selected by the superintendent of public instruction  
24 for the purpose of demonstrating the applicant's knowledge and  
25 understanding of the subject matter and determining whether or  
26 not an applicant is eligible for a Michigan teaching  
27 certificate.

1       **(18)** ~~—(17)—~~ The superintendent of public instruction shall  
2 promulgate rules for the implementation of this section.

3       **(19)** ~~—(18)—~~ Notwithstanding any rule to the contrary, the  
4 superintendent of public instruction shall continue to issue  
5 state elementary or secondary continuing education certificates  
6 pursuant to R 390.1132(1) of the Michigan administrative code to  
7 persons who completed the requirements of that rule by  
8 December 31, 1992 and who apply for that certificate not later  
9 than March 15, 1994. If the superintendent of public instruction  
10 has issued a state elementary or secondary professional education  
11 certificate to a person described in this section, the  
12 superintendent of public instruction shall consider the person to  
13 have a state elementary or secondary, as applicable, continuing  
14 education certificate.