

# SENATE BILL No. 676

September 16, 2003, Introduced by Senators JELINEK, KUIPERS, ALLEN, CROPSEY and McMANUS 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 2000 PA  
497.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1531. (1) Except as provided in this act, the  
2 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  
9 superintendent of public instruction shall only issue a teaching  
10 certificate to a person who has passed appropriate examinations

1 as follows:

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

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

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

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

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

1 subject area examination for each subject area, if any, in which  
2 he or she applies to be certified. The superintendent of public  
3 instruction may accept passage of an equivalent examination  
4 approved by the superintendent of public instruction to meet 1 or  
5 more of these requirements.

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

18 (5) Subject to subsection (7), if a person holding a  
19 teaching certificate from another state applies to the  
20 superintendent of public instruction for a Michigan teaching  
21 certificate and meets the requirements of this subsection, the  
22 superintendent of public instruction shall issue to the person a  
23 Michigan professional education teaching certificate and  
24 applicable endorsements comparable to those the person holds in  
25 the other state, without requiring the person to pass a basic  
26 skills examination or the applicable subject area examination  
27 otherwise required under subsection (2) or (3). To be eligible

1 to receive a Michigan professional education teaching certificate  
2 under this subsection, a person shall provide evidence  
3 satisfactory to the department that he or she meets all of the  
4 following requirements:

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

8 (b) Has earned, after his or her initial certification in  
9 another state, at least 18 semester credit hours in a planned  
10 course of study at an institution of higher education approved by  
11 the superintendent of public instruction or has earned, at any  
12 time, a master's or doctoral degree approved by the  
13 superintendent of public instruction.

14 (c) Has met the elementary or secondary, as applicable,  
15 reading credit requirement established under superintendent of  
16 public instruction rule.

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

23 (7) The superintendent of public instruction shall deny a  
24 Michigan teaching certificate to a person described in  
25 subsection (5) for fraud, material misrepresentation, or  
26 concealment in the person's application for a certificate or for  
27 a conviction for which a person's teaching certificate may be

1 revoked under section 1535a.

2 (8) The department, based upon criteria recommended pursuant  
3 to subsection (10), shall provide to approved teacher education  
4 institutions guidelines and criteria approved by the  
5 superintendent of public instruction for use in the development  
6 or selection of a basic skills examination and approved  
7 guidelines and criteria for use in the development or selection  
8 of subject area examinations.

9 (9) For the purposes of this section, the superintendent of  
10 public instruction, based upon criteria recommended pursuant to  
11 subsection (10), shall develop, select, or develop and select 1  
12 or more basic skills examinations and subject area examinations.  
13 In addition, the superintendent of public instruction, based upon  
14 criteria recommended pursuant to subsection (10), shall approve  
15 an elementary certification examination and a reading subject  
16 area examination.

17 (10) The superintendent of public instruction shall appoint  
18 an 11-member teacher examination advisory committee comprised of  
19 representatives of approved teacher education institutions and  
20 Michigan education organizations and associations. Not more than  
21 1/2 of the members comprising this committee shall be certified  
22 teachers. This committee shall recommend criteria to be used by  
23 the superintendent of public instruction in the development,  
24 selection, or development and selection of 1 or more basic skills  
25 examinations, and criteria to be used by the superintendent of  
26 public instruction in the development, selection, or development  
27 and selection of subject area examinations. In addition, the

1 committee shall recommend guidelines for the use and  
2 administration of those examinations. The basic skills  
3 examinations referred to in this subsection may be developed by  
4 the superintendent of public instruction or selected by the  
5 superintendent of public instruction from commercially or  
6 university developed examinations. In addition, an approved  
7 teacher education institution, pursuant to guidelines and  
8 criteria described in subsection (8), may develop an examination  
9 at its own expense for approval by the superintendent of public  
10 instruction. An approved teacher education institution that  
11 develops its own examination is liable for any litigation that  
12 results from the use of its examination.

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

21 (12) Not later than November 30 of each year, the  
22 superintendent of public instruction shall submit in writing a  
23 report on the development or selection and use of the basic  
24 skills examination, the elementary certification examination, and  
25 the subject area examinations to the house and senate education  
26 committees. The report shall also contain a financial statement  
27 regarding revenue received from the assessment of fees levied

1 pursuant to subsection (14) and the amount of and any purposes  
2 for which that revenue was expended.

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

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

25       (15) If a person holding a teaching certificate from another  
26 state applies for a Michigan teaching certificate and meets all  
27 requirements for the Michigan teaching certificate except passage

1 of the appropriate examinations under subsection (3), the  
2 superintendent of public instruction shall issue a nonrenewable  
3 temporary teaching certificate, good for 1 year, to the person.  
4 The superintendent of public instruction shall not issue a  
5 Michigan teaching certificate to the person after expiration of  
6 the temporary teaching certificate unless the person passes  
7 appropriate examinations as described in subsection (3).

8       **(16) Beginning with teaching certificates issued after July**  
9 **1, 2005, an elementary level teaching certificate shall be for**  
10 **teaching in grades K to 5 and a secondary level teaching**  
11 **certificate shall be for teaching in grades 6 to 12. The**  
12 **superintendent of public instruction shall revise the rules**  
13 **promulgated under this section as necessary to conform to this**  
14 **subsection.**

15       **(17) —(16)—** As used in this section:

16       (a) "Basic skills examination" means an examination developed  
17 or selected by the superintendent of public instruction or  
18 developed pursuant to subsection (10) by an approved teacher  
19 education institution for the purpose of demonstrating the  
20 applicant's knowledge and understanding of basic language and  
21 mathematical skills and other skills necessary for the  
22 certificate sought, and for determining whether or not an  
23 applicant is eligible for a provisional Michigan teaching  
24 certificate.

25       (b) "Elementary certification examination" means a  
26 comprehensive examination for elementary certification that has  
27 been developed or selected by the superintendent of public

1 instruction for demonstrating the applicant's knowledge and  
2 understanding of the core subjects normally taught in elementary  
3 classrooms and for determining whether or not an applicant is  
4 eligible for an elementary level teaching 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 superintendent of public instruction  
8 for the purpose of demonstrating the applicant's knowledge and  
9 understanding of the subject matter and determining whether or  
10 not an applicant is eligible for a Michigan teaching  
11 certificate.

12 (18) ~~—(17)—~~ The superintendent of public instruction shall  
13 promulgate rules for the implementation of this section.

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