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**BILL ANALYSIS**

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Senate Bill 1327 (as enrolled)
Sponsor: Senator Wayne Kuipers
Senate Committee: Education
House Committee: Education

Date Completed: 12-20-06

RATIONALE

The statewide high school graduation requirements under the Michigan Merit Standard, enacted in April 2006, require all high school students in the State to earn a specific number of credits in certain subject areas, including English, math, science, and social sciences, before graduating. Some school districts evidently are facing shortages of teachers qualified to teach the increased numbers of high-level courses required under the Michigan Merit Standard. Math and science teachers, in particular, were in demand before the legislation was enacted, and the statewide graduation requirements have added to the need for those teachers. Given this high demand for teachers in certain subject areas and the expected increased strain on the teaching workforce as the graduation requirements are implemented over the next few years, some school administrators are concerned about provisions in the Revised School Code that allow teachers voluntarily to nullify a certificate or endorsement to teach a specific grade level or subject matter, making them ineligible to teach certain courses. Some have suggested that the Code should place additional restrictions on a teacher's ability to give up a certificate or endorsement.

CONTENT

The bill would amend the Revised School Code to allow the State Board of Education to nullify a teacher's grade level certification or endorsement upon request only if the certification or endorsement had not been used for 12 or more years.

Currently, the State Board, at a teacher's request, may nullify one or more

endorsements or a grade level certification included on the teacher's teaching certificate if the grade level certification has not been used for 10 years or more.

MCL 380.1532

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

To be considered highly qualified under the Federal No Child Left Behind Act, a teacher must have a teaching certificate or a certificate endorsement to teach the grade level or subject area he or she is assigned to teach. As districts struggle to place highly qualified teachers in each classroom and prepare to meet increased demand for some courses under the new high school graduation requirements, school administrators need the flexibility to place teachers according to their qualifications. A teacher who asks to have an endorsement nullified may cause considerable difficulty for administrators, who must rearrange course assignments to account for the lost endorsement. In testimony before the Senate Education Committee, a school district superintendent stated that when two teachers in his district nullified their special education endorsements, the district had to lay off two other teachers with lower seniority and hire additional teachers with different qualifications so he could make appropriate reassignments. In addition, the incident had financial implications for the district, including the cost of finding and

hiring the new teachers and paying unemployment for the laid-off individuals. If such actions became widespread, school administrators could face serious difficulties in arranging teaching schedules and offering the courses that students will need under the new Michigan Merit Standard.

Administrators hire teachers based on their teaching qualifications, and in many cases, a district may rely on a teacher's ability to teach more than one subject. A history teacher, for example, may be required to teach physical education as well, or a teacher may be assigned both math and science courses. A teacher's request to remove an endorsement could hamper his or her ability to perform the job that he or she was hired to do. Most other professions do not permit an individual to reduce his or her qualifications voluntarily while still retaining the job. If school administrators hired a teacher based on his or her teaching certification and endorsements and depend on the individual to teach specific courses, the teacher should not be easily permitted to relinquish those certificates or endorsements. The bill would ensure that if a certificate or endorsement were being used or had been used during the past 12 years, the teacher could not have it nullified voluntarily. This would preserve the flexibility that school administrators must have to make teaching assignments in a way that best serves the needs of the students.

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Kirk Sanderson

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.