

HOUSE BILL No. 4535

March 22, 2005, Introduced by Reps. Nofs, Stakoe, Meyer, Van Regenmorter, Gosselin, David Law, Garfield, Vander Veen, Stahl, Mortimer, Palmer, Baxter, Nitz, Pearce, Farhat and Shaffer 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 employment
2 in classroom teaching, a teacher shall be assigned by the school in
3 which he or she teaches to 1 or more master teachers, or college
4 professors or retired master teachers, who shall act as a mentor or
5 mentors to the teacher. During the 3-year period, the teacher shall
6 also receive intensive professional development induction into
7 teaching, based on a professional development plan that is

1 consistent with the requirements of section 3a of article II of
2 ~~Act No. 4 of the Public Acts of the Extra Session of 1937, being~~
3 ~~section 38.83a of the Michigan Compiled Laws 1937 (EX SESS) PA 4,~~
4 **MCL 38.83A**, including classroom management and instructional
5 delivery. During the 3-year period, the intensive professional
6 development induction into teaching shall consist of at least 15
7 days of professional development, the experiencing of effective
8 practices in university-linked professional development schools,
9 and regional seminars conducted by master teachers and other
10 mentors.

11 **(2) NOT LATER THAN 1 YEAR AFTER THE EFFECTIVE DATE OF THE**
12 **AMENDATORY ACT THAT ADDED THIS SUBSECTION, THE ADVISORY COMMITTEE**
13 **ESTABLISHED UNDER SECTION 1531(5) SHALL REVIEW THE MENTORSHIP**
14 **PRACTICES TAKING PLACE UNDER THIS SECTION AND SHALL MAKE**
15 **RECOMMENDATIONS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION ON**
16 **POSSIBLE LEGISLATION TO IMPROVE THE MENTORSHIP PRACTICES TAKING**
17 **PLACE IN THIS STATE. THE RECOMMENDATIONS MAY INCLUDE**
18 **RECOMMENDATIONS FOR PROMULGATION OF RULES TO IMPROVE MENTORSHIP**
19 **PRACTICES IN THIS STATE.**

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

27 (2) Except as otherwise provided in this act, the

1 superintendent of public instruction shall only issue a teaching
2 certificate to a person who has passed appropriate examinations as
3 follows:

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

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

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

19 (a) For a secondary level teaching certificate, pass both the
20 basic skills examination and the appropriate available subject area
21 examination for each subject area in which he or she applies to be
22 certified. The superintendent of public instruction may accept
23 passage of an equivalent examination approved by the superintendent
24 of public instruction to meet 1 or both of these 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 he
2 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, as
9 applicable, reading credit requirements established under
10 superintendent of public instruction rule. Not later than ~~1 year~~
11 ~~after the effective date of the amendatory act that added this~~
12 ~~subsection~~ **JANUARY 11, 2002**, the superintendent of public
13 instruction, in cooperation with appropriate curriculum specialists
14 and teacher educators, shall revise existing reading standards to
15 recognize reading disorders and to enable teachers to make
16 referrals for instruction and support for pupils with reading
17 disorders.

18 (5) **NOT LATER THAN 1 YEAR AFTER THE EFFECTIVE DATE OF THE**
19 **AMENDATORY ACT THAT ADDED THIS SUBSECTION, THE ADVISORY COMMITTEE**
20 **APPOINTED UNDER THIS SUBSECTION SHALL REVIEW THE TEACHER**
21 **CERTIFICATION RULES PROMULGATED UNDER THIS SECTION AND SHALL**
22 **RECOMMEND REVISIONS TO THOSE RULES TO THE SUPERINTENDENT OF PUBLIC**
23 **INSTRUCTION. NOT LATER THAN 1 YEAR AFTER RECEIVING THESE**
24 **RECOMMENDATIONS, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL**
25 **REVISE THE RULES PROMULGATED UNDER THIS SECTION IN ACCORDANCE WITH**
26 **THESE RECOMMENDATIONS. THE DEPARTMENT SHALL ESTABLISH AN ADVISORY**
27 **COMMITTEE OF SCHOOL PRINCIPALS, TEACHERS, SUPERINTENDENTS, SCHOOL**

1 BOARD MEMBERS, AND REPRESENTATIVES OF APPROVED TEACHER EDUCATION
2 INSTITUTIONS FOR THE PURPOSES OF THIS SUBSECTION AND SECTION
3 1526(2). THIS COMMITTEE SHALL CONSIST OF A REPRESENTATIVE OF THE
4 DEPARTMENT AND 2 PRINCIPALS OF SCHOOLS LOCATED IN THIS STATE, 5
5 CERTIFICATED TEACHERS, 3 LOCAL SCHOOL SUPERINTENDENTS, 2 SCHOOL
6 BOARD MEMBERS, AND 1 REPRESENTATIVE OF APPROVED TEACHER EDUCATION
7 INSTITUTIONS, APPOINTED AS FOLLOWS:

8 (A) ONE PRINCIPAL, 2 TEACHERS, 1 SUPERINTENDENT, AND 1 SCHOOL
9 BOARD MEMBER APPOINTED BY THE SENATE MAJORITY LEADER.

10 (B) ONE PRINCIPAL, 1 TEACHER, 2 SUPERINTENDENTS, AND 1 SCHOOL
11 BOARD MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE OF
12 REPRESENTATIVES.

13 (C) TWO TEACHERS APPOINTED BY THE GOVERNOR.

14 (D) ONE REPRESENTATIVE OF APPROVED TEACHER EDUCATION
15 INSTITUTIONS APPOINTED BY THE GOVERNOR.

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

1 department that he or she meets all of the following requirements:

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

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

11 (c) Has met the elementary or secondary, as applicable,
12 reading credit requirement established under superintendent of
13 public instruction rule.

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

20 (8) ~~-(7)-~~ The superintendent of public instruction shall deny
21 a Michigan teaching certificate to a person described in subsection
22 ~~-(5)-~~ (6) for fraud, material misrepresentation, or concealment in
23 the person's application for a certificate or for a conviction for
24 which a person's teaching certificate may be revoked under section
25 1535a.

26 (9) ~~-(8)-~~ The department, based upon criteria recommended
27 pursuant to subsection ~~-(10)-~~ (11), shall provide to approved

1 teacher education institutions guidelines and criteria approved by
2 the superintendent of public instruction for use in the development
3 or selection of a basic skills examination and approved guidelines
4 and criteria for use in the development or selection of subject
5 area examinations.

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

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

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

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

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

27 (14) ~~-(13)-~~ The basic skills examination, the elementary

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

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

22 **(16)** ~~-(15)-~~ If a person holding a teaching certificate from
23 another state applies for a Michigan teaching certificate and meets
24 all requirements for the Michigan teaching certificate except
25 passage of the appropriate examinations under subsection (3), the
26 superintendent of public instruction shall issue a nonrenewable
27 temporary teaching certificate, good for 1 year, to the person. The

1 superintendent of public instruction shall not issue a Michigan
2 teaching certificate to the person after expiration of the
3 temporary teaching certificate unless the person passes appropriate
4 examinations as described in subsection (3).

5 (17) ~~-(16)-~~ As used in this section:

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

27 (18) ~~-(17)-~~ The superintendent of public instruction shall

1 promulgate rules for the implementation of this section.

2 **(19)** ~~-(18)-~~ Notwithstanding any rule to the contrary, the
3 superintendent of public instruction shall continue to issue state
4 elementary or secondary continuing education certificates pursuant
5 to R 390.1132(1) of the Michigan administrative code to persons who
6 completed the requirements of that rule by December 31, 1992 and
7 who apply for that certificate not later than March 15, 1994. If
8 the superintendent of public instruction has issued a state
9 elementary or secondary professional education certificate to a
10 person described in this section, the superintendent of public
11 instruction shall consider the person to have a state elementary or
12 secondary, as applicable, continuing education certificate.