

SENATE BILL No. 327

March 17, 2005, Introduced by Senators CASSIS, KUIPERS, BIRKHOLZ, HARDIMAN, McMANUS, ALLEN, GOSCHKA and BISHOP 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 as

1 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 another
14 state or a teaching degree from an out-of-state teacher preparation
15 institution who applies for a Michigan teaching certificate only if
16 the person passes appropriate examinations as follows:

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

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

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

4 (4) Except as otherwise provided in this act, the
5 superintendent of public instruction shall only issue a teaching
6 certificate to a person who has met the elementary or secondary, as
7 applicable, reading credit requirements established under
8 superintendent of public instruction rule. **HOWEVER, BEGINNING JULY**
9 **1, 2006, NOTWITHSTANDING ANY RULE TO THE CONTRARY, THE**
10 **SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL ONLY ISSUE A TEACHING**
11 **CERTIFICATE TO A PERSON WHO HAS COMPLETED ALL OF THE FOLLOWING:**

12 (A) FOR AN ELEMENTARY LEVEL TEACHING CERTIFICATE, AT LEAST 9
13 CREDITS IN THE TEACHING OF READING AND, FOR A SECONDARY LEVEL
14 TEACHING CERTIFICATE, AT LEAST 6 CREDITS IN THE TEACHING OF
15 READING.

16 (B) FIELD WORK AT A SCHOOL IN WHICH THE PERCENTAGE OF PUPILS
17 WITH A LEARNING DISABILITY EXCEEDS THE STATEWIDE PERCENTAGE OF
18 PUPILS WITH A LEARNING DISABILITY AND THAT HAS AN EARLY
19 INTERVENTION PROGRAM DESIGNED TO REDUCE THE NUMBER OF PUPILS WITH A
20 LEARNING DISABILITY.

21 (C) TRAINING IN 1-ON-1 EARLY INTERVENTION DESIGNED TO REDUCE
22 THE NEED FOR SPECIAL EDUCATION PLACEMENT, IN A PROGRAM SIMILAR TO
23 THE PROGRAMS DESCRIBED IN SECTION 34 OF THE STATE SCHOOL AID ACT OF
24 1979, MCL 388.1734.

25 (5) ~~Not later than 1 year after the effective date of the~~
26 ~~amendatory act that added this subsection~~ **JANUARY 11, 2002**, the
27 superintendent of public instruction, in cooperation with

1 appropriate curriculum specialists and teacher educators, shall
2 revise existing reading standards to recognize reading disorders
3 and to enable teachers to make referrals for instruction and
4 support for pupils with reading disorders.

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

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

21 (b) Has earned, after his or her initial certification in
22 another state, at least 18 semester credit hours in a planned
23 course of study at an institution of higher education approved by
24 the superintendent of public instruction or has earned, at any
25 time, a master's or doctoral degree approved by the superintendent
26 of public instruction.

27 (c) Has met the elementary or secondary, as applicable,

1 reading credit requirement established under superintendent of
2 public instruction rule.

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

9 (8) ~~—(7)—~~ The superintendent of public instruction shall deny
10 a Michigan teaching certificate to a person described in subsection
11 ~~(5)~~ (6) for fraud, material misrepresentation, or concealment in
12 the person's application for a certificate or for a conviction for
13 which a person's teaching certificate may be revoked under section
14 1535a.

15 (9) ~~—(8)—~~ The department, based upon criteria recommended
16 pursuant to subsection ~~(10)~~ (11), shall provide to approved teacher
17 education institutions guidelines and criteria approved by the
18 superintendent of public instruction for use in the development or
19 selection of a basic skills examination and approved guidelines and
20 criteria for use in the development or selection of subject area
21 examinations.

22 (10) ~~—(9)—~~ For the purposes of this section, the
23 superintendent of public instruction, based upon criteria
24 recommended pursuant to subsection ~~(10)~~ (11), shall develop,
25 select, or develop and select 1 or more basic skills examinations
26 and subject area examinations. In addition, the superintendent of
27 public instruction, based upon criteria recommended pursuant to

1 subsection ~~(10)~~ (11), shall approve an elementary certification
2 examination and a reading subject area examination.

3 (11) ~~—(10)—~~ The superintendent of public instruction shall
4 appoint an 11-member teacher examination advisory committee
5 comprised of representatives of approved teacher education
6 institutions and Michigan education organizations and associations.
7 Not more than 1/2 of the members comprising this committee shall be
8 certified teachers. This committee shall recommend criteria to be
9 used by the superintendent of public instruction in the
10 development, selection, or development and selection of 1 or more
11 basic skills examinations, and criteria to be used by the
12 superintendent of public instruction in the development, selection,
13 or development and selection of subject area examinations. In
14 addition, the committee shall recommend guidelines for the use and
15 administration of those examinations. The basic skills examinations
16 referred to in this subsection may be developed by the
17 superintendent of public instruction or selected by the
18 superintendent of public instruction from commercially or
19 university developed examinations. In addition, an approved teacher
20 education institution, pursuant to guidelines and criteria
21 described in subsection ~~(8)~~ (9), may develop an examination at its
22 own expense for approval by the superintendent of public
23 instruction. An approved teacher education institution that
24 develops its own examination is liable for any litigation that
25 results from the use of its examination.

26 (12) ~~—(11)—~~ The superintendent of public instruction shall
27 appoint a 7-member standing technical advisory council comprised of

1 persons who are experts in measurement and assessment. This council
2 shall advise the superintendent of public instruction and the
3 teacher examination committee on the validity, reliability, and
4 other technical standards of the examinations that will be used or
5 are being used and of the administration and use of those
6 examinations.

7 (13) ~~—(12)—~~ Not later than November 30 of each year, the
8 superintendent of public instruction shall submit in writing a
9 report on the development or selection and use of the basic skills
10 examination, the elementary certification examination, and the
11 subject area examinations to the house and senate education
12 committees. The report shall also contain a financial statement
13 regarding revenue received from the assessment of fees levied
14 pursuant to subsection ~~(14)~~ (15) and the amount of and any purposes
15 for which that revenue was expended.

16 (14) ~~—(13)—~~ The basic skills examination, the elementary
17 certification examination, and the subject area examinations
18 required by this section may be taken at different times during an
19 approved teacher preparation program, but the basic skills
20 examination must be passed before a person is enrolled for student
21 teaching and the elementary certification examination and the
22 subject area examinations, as applicable, must be passed before a
23 person is recommended for certification.

24 (15) ~~—(14)—~~ The department, or if approved by the
25 superintendent of public instruction, a private testing service,
26 may assess fees for taking the basic skills examination, elementary
27 certification examination, and the subject area examinations. The

1 fees, which shall be set by the superintendent of public
2 instruction, shall not exceed \$50.00 for a basic skills examination
3 or \$75.00 for an elementary certification examination or a subject
4 area examination. However, if a subject area examination for
5 vocational education includes a performance examination, an
6 additional fee may be assessed for taking the performance
7 examination, not to exceed the actual cost of administering the
8 performance examination. Fees received by the department shall be
9 expended solely for administrative expenses that it incurs in
10 implementing this section.

11 (16) ~~—(15)—~~ If a person holding a teaching certificate from
12 another state applies for a Michigan teaching certificate and meets
13 all requirements for the Michigan teaching certificate except
14 passage of the appropriate examinations under subsection (3), the
15 superintendent of public instruction shall issue a nonrenewable
16 temporary teaching certificate, good for 1 year, to the person. The
17 superintendent of public instruction shall not issue a Michigan
18 teaching certificate to the person after expiration of the
19 temporary teaching certificate unless the person passes appropriate
20 examinations as described in subsection (3).

21 (17) ~~—(16)—~~ As used in this section:

22 (a) "Basic skills examination" means an examination developed
23 or selected by the superintendent of public instruction or
24 developed pursuant to subsection ~~(10)~~ (11) by an approved teacher
25 education institution for the purpose of demonstrating the
26 applicant's knowledge and understanding of basic language and
27 mathematical skills and other skills necessary for the certificate

1 sought, and for determining whether or not an applicant is eligible
2 for a provisional Michigan teaching certificate.

3 (b) "Elementary certification examination" means a
4 comprehensive examination for elementary certification that has
5 been developed or selected by the superintendent of public
6 instruction for demonstrating the applicant's knowledge and
7 understanding of the core subjects normally taught in elementary
8 classrooms and for determining whether or not an applicant is
9 eligible for an elementary level teaching certificate.

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

16 (18) ~~—(17)—~~ The superintendent of public instruction shall
17 promulgate rules for the implementation of this section.

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

1 secondary, as applicable, continuing education certificate.