



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

BILL



ANALYSIS

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bill 1014 (as reported without amendment)  
Sponsor: Senator Mike Prusi  
Committee: Education

(as enrolled)

Date Completed: 6-14-10

### **RATIONALE**

In Michigan, a teacher generally must be certificated to teach in an elementary or secondary school, as required by State law and the highly qualified teacher provisions of The Federal No Child Left Behind Act. Despite those requirements, apparently schools in some communities offer classes in Native American languages and culture that are taught by individuals who are fluent in the language but who do not have teaching certificates. These classes are part of ongoing efforts to preserve Native American languages and culture, but evidently there is a shortage of individuals who both are qualified to teach those languages and have teaching certificates. It has been suggested that an exception should be made from the teacher certification requirements to accommodate this situation.

### **CONTENT**

**The bill would amend the Revised School Code to permit a noncertificated teacher to teach a Native American tribal language and culture class under certain circumstances.**

Specifically, the bill would permit the Michigan Department of Education (MDE) to enter into a memorandum of understanding (MOU) with a federally recognized Native American tribe, the board of a school district, or the board of directors of a public school academy (PSA) authorizing the Superintendent of Public Instruction to issue a three-year letter of approval or continuing approval to allow the tribe, district, or PSA to use teachers who did not possess a valid Michigan teaching certificate to teach a

Native American tribal language and culture class.

The MOU would have to require a noncertificated teacher to demonstrate mastery of the tribal language either through a credential issued by a federally recognized tribe, or by another means considered suitable by the MDE. The MOU also would have to include requirements for renewal or continuing approval of the noncertificated teacher as established by the tribe, school district, or PSA in collaboration with the MDE.

A Native American tribe, school district, or PSA could apply credits earned by a pupil in a Native American tribal language taught by a noncertificated teacher for any purpose to the same extent as if taught by a certificated teacher, including credit toward completion of the credit requirements concerning a language other than English. (The Code requires a pupil, beginning with those entering 3<sup>rd</sup> grade in 2006, to complete at least two credits in a language other than English or equivalent course work or other learning experiences before receiving a high school diploma.)

Proposed MCL 380.1531f

### **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**

The bill would help support efforts to revitalize traditional Native American

languages, which are an essential element of a tribe's cultural identity. The Revised School Code requires teachers to be certificated in the subject areas that they are teaching, but very few individuals are fluent in Native American languages, and most of the people who are available to teach those languages lack conventional certification. Because the individuals are commonly 60 years of age or older, they have limited years to acquire certification. Other states have waived the teacher certification requirements to allow native speakers to pass their knowledge on to the younger generation, and the bill would permit a similar solution in Michigan.

While many such classes are currently being taught in charter schools and elsewhere, there have been questions about whether the classes could count as a world language for the purpose of the Michigan Merit Standard, which requires pupils to complete at least two credits in a language other than English before graduating from high school, beginning with those entering 3rd grade in 2006. While many pupils take French or Spanish or other languages, teaching a child his or her ancestral tongue can have particular significance in his or her education. Learning a Native American language can strengthen a pupil's connection with his or her culture and heritage, building a sense of place in American history and improving self esteem. Although the majority of those interested in such language classes are of Native American descent, other children also have participated in language courses currently being offered through schools and community centers, according to testimony before the Senate Education Committee. For these reasons, it is important to support efforts to keep Native American languages and culture alive and strong. The bill would ensure that those who are available to teach the classes can continue to do so, and that pupils would receive credit for those classes under the Michigan Merit Standard.

### **Opposing Argument**

It is important to maintain standards to ensure that individuals are qualified to teach. Other states, such as Wisconsin, have certification requirements for teachers of Native American language and culture, but include provisions for waiving those requirements if an individual demonstrates certain competencies in the classroom,

including the ability to communicate fluently in English, fluency in the language being taught, and the ability to teach that language to students. Adopting some form of alternative certification process would be preferable to waiving certification requirements altogether.

**Response:** Alternative requirements could act as a barrier to potential teachers, reducing the number of individuals who might be available to fill that role.

Legislative Analyst: Curtis Walker

### **FISCAL IMPACT**

The Department of Education would face some small administrative costs in establishing the process for approving noncertificated teachers to teach a Native American tribal language and culture class.

To the extent that the use of such noncertificated teachers differed in costs from the use of certificated teachers in similar fields, this legislation could change the costs faced by districts, though likely minimally.

Fiscal Analyst: Kathryn Summers

A0910\S1014a

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.