

SENATE BILL No. 358

June 3, 2015, Introduced by Senator HANSEN and referred to the Committee on Appropriations.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 1531 and 1531i (MCL 380.1531 and 380.1531i),
section 1531 as amended by 2007 PA 32 and section 1531i as added by
2009 PA 202.

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

1 certificate to a person who has passed appropriate examinations as
2 follows:

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

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

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

18 (a) For a secondary level teaching certificate, pass both the
19 basic skills examination and the appropriate available subject area
20 examination for each subject area in which he or she ~~applies~~ **IS**
21 **QUALIFIED** to be certified. The superintendent of public instruction
22 may 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 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. If a person holds a
11 teaching certificate, then beginning July 1, 2009, notwithstanding
12 any rule to the contrary, the superintendent of public instruction
13 shall not advance the person's certification to professional
14 certification unless the person has successfully completed at least
15 a 3-credit course of study with appropriate field experiences in
16 the diagnosis and remediation of reading disabilities and
17 differentiated instruction. To meet this requirement, the course of
18 study should include the following elements, as determined by the
19 department to be appropriate for the person's certification level
20 and endorsements: interest inventories, English language learning
21 screening, visual and auditory discrimination tools, language
22 expression and processing screening, phonemics, phonics,
23 vocabulary, fluency, comprehension, spelling and writing assessment
24 tools, and instructional strategies. A person may complete the
25 course of study either as part of his or her teacher preparation
26 program or during the first 6 years of his or her employment in
27 classroom teaching.

1 (5) Not later than January 11, 2002, the superintendent of
2 public instruction, in cooperation with appropriate curriculum
3 specialists and teacher educators, shall revise existing reading
4 standards to recognize reading disorders and to enable teachers to
5 make referrals for instruction and support for pupils with reading
6 disorders.

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

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

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

1 ~~of public instruction.~~ **HAS MET ONGOING PROFESSIONAL LEARNING**
2 **REQUIREMENTS ESTABLISHED BY THE SUPERINTENDENT OF PUBLIC**
3 **INSTRUCTION.**

4 (c) Has met the elementary or secondary, as applicable,
5 reading credit requirement established under superintendent of
6 public instruction rule.

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

13 (8) The superintendent of public instruction shall deny a
14 Michigan teaching certificate to a person described in subsection
15 (6) for fraud, material misrepresentation, or concealment in the
16 person's application for a certificate or for a conviction for
17 which a person's teaching certificate may be revoked under section
18 1535a.

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

25 (10) For the purposes of this section, the superintendent of
26 public instruction, based upon criteria recommended pursuant to
27 subsection (11), shall develop, select, or develop and select 1 or

1 more basic skills examinations and subject area examinations. In
2 addition, the superintendent of public instruction, based upon
3 criteria recommended pursuant to subsection (11), shall approve an
4 elementary certification examination and a reading subject area
5 examination.

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

1 (12) The superintendent of public instruction shall appoint a
2 7-member standing technical advisory council comprised of persons
3 who are experts in measurement and assessment. This council shall
4 advise the superintendent of public instruction and the teacher
5 examination committee on the validity, reliability, and other
6 technical standards of the examinations that will be used or are
7 being used and of the administration and use of those examinations.

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

17 (14) The basic skills examination, the elementary
18 certification examination, and the subject area examinations
19 required by this section may be taken at different times, ~~during an~~
20 ~~approved teacher preparation program,~~ but the basic skills
21 examination must be passed before a person is ~~enrolled for student~~
22 ~~teaching~~ **ADMITTED TO AN APPROVED TEACHER PREPARATION PROGRAM** and
23 the elementary certification examination and the subject area
24 examinations, as applicable, must be passed before a person is
25 ~~recommended for certification.~~ **ENROLLED FOR STUDENT TEACHING.**

26 (15) The department, or if approved by the superintendent of
27 public instruction, a private testing service, may assess fees for

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

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

23 (17) As used in this section:

24 (a) "Basic skills examination" means an examination developed
25 or selected by the superintendent of public instruction or
26 developed pursuant to subsection (11) by an approved teacher
27 education institution for the purpose of demonstrating the

1 applicant's knowledge and understanding of basic language and
2 mathematical skills and other skills necessary for the certificate
3 sought, and for determining whether or not an applicant is eligible
4 for a provisional Michigan teaching certificate.

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

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

18 (18) The superintendent of public instruction shall promulgate
19 rules for the implementation of this section.

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

1 ~~person described in this section, the superintendent of public~~
2 ~~instruction shall consider the person to have a state elementary or~~
3 ~~secondary, as applicable, continuing education certificate.~~

4 Sec. 1531i. (1) The superintendent of public instruction shall
5 establish a ~~a~~ **AN ALTERNATIVE TEACHING CERTIFICATE** process for a
6 person to earn an interim teaching certificate under this section
7 that qualifies the person to teach in the public schools and to
8 earn a Michigan teaching certificate using the process under this
9 section. The process shall meet all applicable requirements for an
10 alternative teaching certification process under the no child left
11 behind act of 2001, Public Law 107-110. The process shall not allow
12 for an interim teaching certificate for special education.

13 (2) The process established under subsection (1) shall provide
14 that the superintendent of public instruction will grant an interim
15 teaching certificate to a person who meets all of the following:

16 (a) Is a participant in an alternative teaching program that
17 is approved by the superintendent of public instruction. To be
18 approved, a program provider shall demonstrate to the satisfaction
19 of the superintendent of public instruction that it meets all of
20 the following:

21 (i) Provides for its participants an intensive training
22 program in teaching that is determined by the superintendent of
23 public instruction to constitute the equivalent of at least 12
24 college credit hours and that includes training in at least all of
25 the following subject areas:

26 (A) Child development or child psychology.

27 (B) Family and community relationships.

1 (C) Diverse learners.

2 (D) Instructional strategies.

3 (E) A form of field-based experience in a classroom setting.

4 (ii) Has a proven record of producing successful teachers in 1
5 or more other states or is modeled after a program that has a
6 proven record of producing successful teachers in 1 or more other
7 states.

8 (iii) Accepts for participation only persons who meet the
9 requirements of subdivision (b).

10 (b) Holds a bachelor's, master's, doctorate, or professional
11 degree from a regionally accredited college or university with a
12 grade point average of at least 3.0 on a 4.0 scale or the
13 equivalent on another scale, as determined by the superintendent of
14 public instruction.

15 (c) Passes both the basic skills examination and the
16 appropriate available subject area examination for each subject
17 area in which he or she applies to be certified.

18 (3) A person earning a provisional certificate under this
19 section will be subject to provisions of administrative rules
20 governing teachers, as established by the superintendent of public
21 instruction.

22 (4) A person who possesses an interim teaching certificate
23 under this section may be employed to teach in a public school in
24 the same manner as a person holding a Michigan teaching certificate
25 issued under section 1531 if all of the following requirements are
26 met:

27 (a) While the person is teaching under an interim teaching

1 certificate, the school district or public school academy in which
2 the person is teaching provides intensive observation and coaching
3 in a manner and to the extent prescribed by the superintendent of
4 public instruction.

5 (b) The person is making satisfactory progress toward meeting
6 the requirements for being awarded a Michigan teaching certificate
7 under section 1531, as established by the superintendent of public
8 instruction under subsection (5).

9 (5) The superintendent of public instruction shall develop
10 standards for granting a person a Michigan teaching certificate
11 issued under section 1531 after the person has ~~demonstrated~~
12 ~~satisfactory teaching performance for 3 years under an interim~~
13 ~~teaching certificate~~ **SUCCESSFULLY COMPLETED THE ALTERNATIVE**
14 **TEACHING PROGRAM** and has met the requirements established by the
15 superintendent of public instruction for a Michigan teaching
16 certificate.

17 (6) The superintendent of public instruction shall promulgate
18 rules that he or she considers necessary to implement this section.

19 (7) As used in this section, "basic skills examination",
20 "elementary certification examination", and "subject area
21 examination" mean those terms as defined in section 1531.

22 Enacting section 1. This amendatory act takes effect 90 days
23 after the date it is enacted into law.