

Legislative Analysis



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House Bill 5139 as introduced
Sponsor: Rep. Ben Frederick

Analysis available at
<http://www.legislature.mi.gov>

House Bill 5140 as introduced
Sponsor: Rep. Sue Allor

House Bill 5142 as introduced
Sponsor: Rep. Robert L. Kosowski

House Bill 5141 as introduced
Sponsor: Rep. Bronna Kahle

House Bill 5145 (proposed substitute H-2)
Sponsor: Rep. Julie Alexander

Committee: Workforce and Talent Development
Complete to 10-24-17

REVISED SUMMARY:

House Bills 5139-5141 and 5145 would amend the Revised School Code to do all of the following:

- Require the Michigan Department of Education (MDE) to develop or adopt a career development model program of instruction.
- Allow trade schools and skilled trade employers expanded recruitment access.
- Allow noncertificated, nonendorsed individuals to teach career and technical education (CTE) programs, as long as they meet other specified requirements.
- Require promulgation of rules allowing time spent engaging with local employers or technical centers to count toward continuing education or professional development.

House Bill 5142 would make complementary amendments to the State School Aid Act for noncertificated, nonendorsed CTE teachers.

House Bill 5139 (proposed MCL 380.1166a)

The bill would require the MDE to develop or adopt, and make available to schools, a *model program of instruction in career development* no later than July 1, 2018. The program must do all of the following:

- Define learning targets and themes for each grade level.
- Include instruction for students in kindergarten to 12th grade.
- Incorporate career development education within core instruction.
- Include strategies for engaging parents and community business and industry interests.

Beginning in the 2018-2019 school year, the board of a school district or board of directors of a public school academy would be required to ensure that the district's curriculum incorporates instruction in career development for kindergarten to 12th grade.

House Bill 5140 (MCL 380.1136; proposed 380.1139a)

House Bill 5140 would require high schools to provide their students' pupil directory information, obtained from the Michigan Data Hub Network, to a representative of a proprietary school, community college, or skilled trade employer at least annually, as long as the student's parent or guardian has given signed written permission to do so. The parent or guardian may revoke that permission by written notice at any time.

The bill would require the board of the school district or intermediate school district (ISD), or the public school academy's (PSA, or charter school) board of directors, to ensure that students, parents, and guardians are notified of these provisions. Also, the high school would be required to provide any public notice required under Title 20, section 1232 of the U.S. Code, which governs family educational and privacy rights.

Under the bill, the high school may require the representative of a proprietary school, community college, or skilled trade employer to pay a fee of not more than the costs incurred by the school for copying and mailing or otherwise providing the information. Those parties may only use the pupil directory information to provide students with information concerning educational and career opportunities available at the proprietary school, community college, or skilled trade employer's business; they may not release information to a person not involved in recruiting students or employees for the proprietary school, community college, or skilled trade employer.

The bill would introduce the following definitions:

Proprietary school (as defined in the Proprietary Schools Act): a school that uses a certain plan or method to teach a trade, occupation, or vocation for a consideration, reward, or promise of any kind. Proprietary school includes, but is not limited to, a private business, trade, or home study school. It does not include any of the following: (1) a school or college possessing authority to grant degrees; (2) a school licensed by law through another board or department of this state; (3) a school maintained or a program conducted, without profit, by a person for that person's employees; or (4) a school or program within a school that exclusively provides yoga instruction, yoga teacher training, or both.

Pupil directory information: a student's name and address and, if it is a listed or published telephone number, the student's telephone number.

[Note: the bill borrows much of its language from similar provisions in MCL 380.1139, which allows access to high school pupil directory information to the Armed Forces and the service academies of the Armed Forces. That section likewise provides parents the opportunity to opt out, as well as the same definition for pupil directory information.]

House Bill 5141 (MCL 380.553a et al)

The bill would amend the section of the Code that permits the employment of noncertificated, nonendorsed teachers in certain specialties. Currently, those individuals may teach courses in high school computer science, a foreign language, mathematics, biology, chemistry, engineering, physics, robotics, or other subjects the state board identifies. The bill would add teaching in a career and technical education (CTE) program to that list.

It would also amend the minimum requirements for noncertificated, nonendorsed teachers teaching in a CTE program. Now, a noncertificated, nonendorsed teacher must meet all of the following requirements: (1) possess a qualifying bachelor's degree, (2) have a major or graduate degree in the area of specialization in which he or she will teach, (3) have passed a basic skills examination and subject area examination, if the teacher desires to teach for more than a year, and (4) have at least two years of subject-specific experience in the preceding five years, except for those teaching a foreign language.

The bill would provide alternate requirements for those teaching in a CTE program. In that case, the teacher must be engaged in a subject matter or field in which the teacher has achieved expertise, as determined by the board of a school district or ISD or board of directors of a PSA, and must satisfy both of the following:

- Have a high school diploma or high school equivalency certificate; and
- Either of the following:
 - Hold a professional license or certification in that same subject matter or field.
 - Have previously held a license or certification in that same subject matter or field if the license or certification expired no more than two years before the start of employment and was in good standing immediately before it expired.

The current requirements and the proposed alternate requirements are in addition to any other requirements established by the board of the school district or ISD or board of directors of a PSA.

House Bill 5142 (MCL 388.1606 and 388.1763)

House Bill 5142 would amend the State School Aid Act to incorporate the proposed allowance of noncertificated, nonendorsed CTE teachers. Specifically, the Act currently requires MDE to deduct from a district's or ISD's state aid allocation the amount paid to educators not legally certificated or licensed. It also requires those schools to notify MDE of the names and amounts paid to those individuals. The bill would exclude noncertificated, nonendorsed CTE teachers allowed under the proposed changes to section 1233b from those provisions.

House Bill 5145 (MCL 380.1531 et al.)

The bill would amend the Code to require the superintendent of public instruction to promulgate rules allowing an individual to use time spent engaging with local employers or technical centers toward the renewal of a *teaching certificate, professional teaching certificate, advanced professional education certificate, or school administrator's certificate* in the same manner as state continuing education or professional development. These rules would be promulgated by July 1, 2018, and in consultation with the Department of Talent and Economic Development (TED) and groups representing employers, economic development agencies, trade unions, and others as determined appropriate by MDE.

House Bills 5139, 5141, 5142, and 5145 would take effect 90 days after enactment. House Bills 5141 and 5142 are tie-barred together, meaning that neither could take effect unless both are enacted.

FISCAL IMPACT:

Overall, the bills would create administrative costs for the state and would have an indeterminate cost impact for local units of government including school districts, ISDs, and PSAs.

HB 5139

The department would incur increased administrative costs related to the development or adoption of a model program of instruction in career development. The magnitude of the cost would depend on whether the department chose to develop its own career development program of instruction, which would require more time and staff devoted to its creation, or adopt a program, which would create only marginal administrative costs to choose a program.

School districts, ISDs, and PSAs would incur administrative and curricular cost increases to adjust and incorporate the career development program into their curriculum for grades kindergarten to 12.

HB 5140

The bill would allow districts to recoup the cost of providing access to their pupil directory information, so the impact should be minimal, if any.

HBs 5141 and 5142

The bills could reduce costs to districts and PSAs by increasing the supply of teachers through the expansion of the definition of noncertified, nonendorsed teachers that are qualified to teach in career and technical education programs. However, there is no data available regarding the salaries that might be required to incentivize someone to move into teaching career and technical education.

HB 5145

The bill could increase administrative costs for MDE related to the promulgation of rules to allow an individual to use time spent engaging with local employers or technical centers toward the renewal of a teaching, professional teaching, advanced professional teaching, or school administrator's certificate in the same manner as state continuing education or professional development.

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