



Senate Fiscal Agency  
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## BILL ANALYSIS



Telephone: (517) 373-5383  
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House Bill 5598 (Substitute H-1 as passed by the House)  
House Bill 5602 (Substitute H-2 as passed by the House)  
House Bill 5603 (Substitute H-3 as passed by the House)  
House Bill 5604 (Substitute H-3 as passed by the House)  
House Bill 5605 (Substitute H-1 as passed by the House)  
Sponsor: Representative Daniela Garcia (H.B. 5598)  
Representative Tim Kelly (H.B. 6502 & 6503)  
Representative Pamela Hornberger (H.B. 6504)  
Representative Jim Lilly (H.B. 6505)

House Committee: Education Reform  
Senate Committee: Education

Date Completed: 12-10-18

**CONTENT**

**House Bill 5598 (H-1) would add Section 1538f to the Revised School Code to do the following:**

- Prohibit a Superintendent of Public Instruction from approving a teacher preparation institution unless the institution met certain requirements.
- Prescribe new requirements for a continuing education.

**House Bill 5602 (H-2) would amend the Revised School Code to do the following:**

- Require the Department of Education to develop and implement an Innovative Educator Corps Program.
- Prescribe requirements the Program would have to meet.
- Provide nominating criteria and a selection process for nominating and selecting teachers to the Program.

**House Bill 5603 (H-3) would amend the Revised School Code to do the following:**

- Replace the diagnosis and remediation of reading disabilities and differentiated instruction requirement with a requirement for the teaching of reading with specific criteria.
- Require an elementary certification exam to include an assessment of pedagogical skill, including an assessment of the applicant's ability to effectively deliver instruction.
- Require a reading subject area examination to assess whether an applicant had sufficient knowledge of certain skills related to reading instruction.

**House Bill 5604 (H-3) would add Section 1538d to the Revised School Code to require a teacher preparation institution to offer a student teaching program to its**

**students that included student teaching experiences or clinical experiences in certain settings.**

**House Bill 5605 (H-1) would add Section 1538e to the Revised School Code to require a teacher preparation institution to offer a teacher preparation program to its students that embedded certain activities in its coursework.**

The bill would take effect 90 days after enactment.

### **House Bill 5598 (H-1)**

Generally, a teacher preparation institution must be approved by the State as provided under the Michigan Administrative Code, R 390.1151 to R 390.1153. Under the bill, the Superintendent of Public Instruction could not approve a teacher preparation institution unless it required all staff and faculty engaged in teaching classroom method-based classes teaching in a teacher preparation program to complete at least 30 hours of continuing education per school year that was specific to the subject area or areas in which the faculty member taught and met the requirements for approved professional development activities for teachers in grades K-12, as determined by the Department. The continuing education also would have to include all of the following:

- Observation of academic instruction in a school operated by a school district, intermediate school district (ISD), public school academy (PSA), or nonpublic school that operated any of grades K-12.
- A requirement that a faculty member participate in observation of academic instruction in an urban setting during his or her first two years of continuing education.
- A requirement that a faculty member participate in observation of academic instruction in a rural setting during his or her first two years of continuing education.
- Experiences with social and emotional learning practices.
- Observation of academic instruction with pupils who were English language learners.
- Observation of academic instruction in a school operated by a school district, ISD, PSA, or nonpublic school with a high population of pupils living in poverty.
- Observation of academic instruction with pupils with a disability.
- Experiences with the teacher evaluation tools used by school districts, ISDs, and PSAs.
- The use of data and statistics to inform instruction and to aggregate local and State assessment data.
- Experiences with the development of classroom management skills.

The faculty member would have to do both of the following:

- Demonstrate to the Department his or her completion of the continuing education to the satisfaction of the Department.
- Submit to a criminal history check by the criminal records division of the Department of State Police and provide the results to the Department of Education, in a form and manner it prescribed.

Beginning July 1, 2021, if the Superintendent of Public Instruction approved a teacher preparation institution before the bill's effective date and it did not meet the above requirements at the time the approval was issued, the Superintendent of Public Instruction would have to revoke the approval. If the Superintendent of Public Instruction revoked an approval, the teacher preparation institution could reapply for approval, in a form and manner prescribed by the Superintendent.

## **House Bill 5602 (H-2)**

The Department would have to develop and implement an Innovative Educator Corps Program that met all of the following:

- Allowed an innovative educator to provide professional development to other educators.
- Required the Department to collaborate with innovative educators regarding new pilot programs.
- Created an innovative educator roundtable to discuss education issues that included innovative educators, policy makers, legislators, and business leaders.
- Provided business cards or other identification for innovative educators that identify the innovative educator as a member of an elite corps of educators in the State.
- Provided innovative educators a yearly stipend in an amount between \$5,000 and \$10,000.
- Selected innovative educators using the selection process described below.
- Examined the use of innovative educators to support low-performing schools, including schools that were subject to a partnership agreement.

The Department would have to conduct an annual process for selecting innovative educators for the Innovative Educator Corps. The governing body of each school district and PSA could nominate one educator for every 2,000 pupils enrolled in the district or PSA to the ISD in which the district or PSA was located for appointment to the Innovative Educator Corps. A school district or PSA would have to nominate an educator who met all of the following:

- Was rated as effective or highly effective by a performance evaluation system for each of the immediately preceding three school years.
- Demonstrated efficacy, as measured by pupil achievement or interest.
- Was recommended by, at least, his or her students, peers, administrators, and community members, as determined by the district or PSA.
- Was a model for educators across this State and demonstrated spirit, determination, and passion for the teaching profession.
- Successfully implemented an innovative instructional model, including a flipped classroom, project-based learning, intensive intervention for low-performing students, or competency-based learning.

Each ISD would have to nominate an educator or educators from among the nominations received from school districts and PSAs, if any, to the Department for appointment to the Innovative Educator Corps. The ISD would have to nominate one educator for every 5,000 pupils enrolled in the public schools located in the ISD. An ISD with fewer than 10,000 pupils enrolled would have to nominate two educators. The nominations would have to be based on at least all of the following:

- The educator's ability to positively influence other educators in the ISD in which he or she taught.
- The educator's positive impact on the community.
- The educator's proven experience and success in a skill or instructional model that was in demand in the ISD in which he or she taught.
- An ISD could nominate an educator or educators employed by the ISD to the Department for appointment to the Innovative Educator Corps.

The Department would have to review the nominations and select up to 100 educators from the submitted nominations for appointment to the Innovative Educator Corps for an initial term of three years. The Department would have to select innovative educator based on at least all of the following factors:

- The level of achievement for pupils of the nominated educator, particularly among pupils representing disadvantaged populations.
- Geographic diversity of innovative educators.
- Diversity of subject areas in which innovative educators taught.
- Diversity of grade levels in which innovative educators taught.
- The ability of an educator to bring prestige, esteem, and professionalism to the Innovative Educator Corps.
- An educator's diversity of experience and success in unique skills and innovative instructional models, as determined by the Department.

The Department would have to ensure, as practicable, that at least one educator from each of the following groups was selected for appointment to the Innovative Educator Corps:

- Educators with experience and success in competency-based education.
- Educators with experience and success in project-based learning.
- Educators with experience and success in balanced calendar systems.
- Educators with experience and success in the turnaround of a low-performing school.

After the initial three-year term, an educator could serve additional three-year terms in the Innovative Educator Corps if he or she were nominated again at the end of each three-year term by the school district or PSA that employed the educator.

The Department would have to consult with a workgroup, including the Governor or his or her designee, current members of the Innovative Educator Corps, and other interested parties as determined by the Superintendent of Public Instruction to assist with the selection of innovative educators.

The Department would have to ensure, to the extent practicable, that each individual engaging in student teaching as part of a teacher preparation program as assigned to work with a member of the Innovative Educator Corps.

An educator selected as an innovative educator would have to assist in the identification of other educators who were capable of mentoring student teachers. The Department would have to promulgate rules that did all of the following:

- Allowed professional development provided by an innovative educator to count toward the innovative educator's annual professional development requirement.
- Established a schedule for the implementation of this section.
- Established a process to grant money directly to innovative educators.

### **House Bill 5603 (H-3)**

The Code requires the Superintendent of Public Instruction to issue a teaching certificate only to an individual who has met the elementary or secondary, as applicable, reading credit requirements established under Superintendent of Public Instruction rule. If an individual holds a teaching certificate, the Superintendent of Public Instruction cannot advance the individual's certification to professional certification unless the individual has successfully completed at least a 3-credit course of study with appropriate field experiences in the diagnosis and remediation of reading disabilities and differentiated instruction. The bill would delete this requirement.

The bill instead would require the Superintendent of Public Instruction, beginning July 1, 2019, to issue an elementary level provisional teaching certificate only to an individual who had earned at least 12 early elementary credits and at least nine later elementary credits in the teaching of reading that included instruction in at least all of the following:

- The importance of using complex text and higher-level questioning throughout the school day.
- How to develop a pupil's academic vocabulary across content areas.
- Research on literacy development in young children, including typical paths and individual differences in and across specific areas of literacy development.
- How to pronounce the 42 to 44 phonemes in English.
- Phonics and word reading, including what they are; why they are important; how they develop; how to assess them; and how to teach them, including synthetic and analytic approaches.
- Phonological and phonemic awareness skills including the six core skills of identifying, matching, blending, segmenting, deleting, and substituting; why those skills are important; how those skills develop; how to assess those skills; and how to teach those skills.
- How to recognize and leverage the relationship between reading and writing, including the relationship between encoding and decoding.
- How to teach handwriting skills using research-aligned practices.
- How to recognize signs of literacy-related disabilities in pupils and when it is appropriate to seek the support of a specialist.
- How to assess English language levels.
- How to incorporate strategies for English language learners.
- How to assess reading development through the use of diagnostic assessments.
- How to select reading materials appropriate for fostering each pupil's reading development, including providing complex texts.
- How to administer, analyze, and make instructional decisions based on data.
- How to determine and recognize the reading and writing preferences of each pupil.
- How to teach phonics and word reading in a manner aligned with research.
- Writing skills; why those skills are important; how those skills develop; how to assess those skills; and how to teach those skills, including using explicit and systematic instruction and teaching and, if not learned in preschool, the writing of one's name as an important early skill in literacy development.

Except as otherwise provided, the Superintendent would have to issue a secondary level provisional teaching certificate only to an individual who had met the reading credit requirements established under Superintendent of Public Instruction rule.

Beginning July 1, 2009, the Superintendent of Public Instruction could not advance an individual's certification to a professional certification unless that individual had successfully completed a three-credit course of study, with appropriate field experiences, in the diagnosis and remediation of reading disabilities and differentiated instruction, either as part of his or her teacher preparation program or during the first five years of his or her employment in classroom teaching. The course of study would have to include the following elements as determined by the Department to be appropriate for the individual's certification level and endorsements:

- Interest inventories.
- English language learning screening.
- Visual and auditory discrimination tools.
- Language expression and processing screening.
- Phonemics, phonics, vocabulary, fluency, comprehension, spelling, and writing assessment tools.
- Instructional strategies.

The Code requires the Superintendent of Public Instruction to approve an elementary certification examination and a reading subject area examination. The bill would require the elementary certification examination to include an assessment of pedagogical skills, including an assessment of the applicant's ability to effectively deliver instruction and the reading

subject area examination to assess whether the applicant had sufficient knowledge of the skills listed in the bill.

Under the Code, "elementary certification examination" means a comprehensive examination for elementary certification that has been developed or selected by the Superintendent of Public Instruction for demonstrating the applicant's knowledge and understanding of the core subjects normally taught in elementary classrooms, and for determining whether or not an applicant is eligible for an elementary level teaching certificate.

Under the bill, "elementary certification examination" would mean a comprehensive examination for elementary certification that has been developed or selected by the Superintendent of Public Instruction for demonstrating the applicant's knowledge and understanding of the core subjects normally taught in elementary classrooms, *for demonstrating the applicant's knowledge of pedagogical skills, including assessing the applicant's ability to effectively deliver instruction*, and for determining whether or not an applicant is eligible for an elementary level teaching certificate.

### **House Bill 5604 (H-3)**

Under the bill, the Superintendent of Public Instruction could not approve a teacher preparation institution unless the teacher preparation institution offered a student teaching program to its students that included at least all of the following:

- Student teaching experiences or clinical experiences, or both, in a rural setting.
- Student teaching experiences or clinical experiences, or both, in an urban setting.
- Student teaching experiences or clinical experiences, or both, that included instruction on social, emotional, and restorative learning practices.
- Student teaching experiences or clinical experiences, or both, with pupils who were English language learners.
- Student teaching experiences or clinical experiences, or both, in schools with a high population of pupils living in poverty.
- Student teaching experiences or clinical experiences, or both, with pupils with a disability.
- A prohibition against a student teacher engaging in student teaching in a school that the student teacher attended; a teacher preparation institution could lift the prohibition if it would impose an unreasonable burden on the student teacher.
- An introduction to the evaluation tool used by the school district, ISD, or PSA in which the student teacher completed his or her student teaching experience.
- The use of data and statistics to inform instruction and to aggregate local and State assessment data.
- Development of classroom management skills.

The teacher preparation institution also would have to enter into a partnership agreement with each school district, ISD, or PSA in which the teacher preparation institution placed student teachers that included at least both of the following:

- Methods of communication between the teacher preparation institution and the school district, ISD, or PSA.
- Expectations for student teachers, cooperating teachers, school districts, ISDs, PSAs, and student teaching supervisors at the teacher preparation institution, including standards for site visits and feedback.

Beginning July 1, 2021, if the Superintendent approved a teacher preparation institution before the effective date and it did not meet the bill's requirements at the time the approval was issued, the Superintendent of Public Instruction would have to revoke the approval. If the Superintendent revoked an approval, the teacher preparation institution could reapply for approval, in a form and manner prescribed by the Superintendent.

The bill states that it is the intent of the legislature that a teacher preparation institution not charge a student who is engaged in student teaching a rate of tuition that exceeds the applicable undergraduate tuition rate unless the teacher preparation institution provides transferable graduate level credits to the student that can be applied toward a graduate level degree related to the field of education.

### **House Bill 5605 (H-1)**

The Superintendent of Public Instruction could not approve a teacher preparation institution unless it offered a teacher preparation program to its students that embedded all of the following in coursework:

- The use of data and statistics to inform instruction and to aggregate local and State assessment data.
- Development of classroom management skills.
- Teaching pupils from rural and urban areas.
- Instruction on social and emotional learning practices.
- Teaching pupils who were English language learners.
- Teaching pupils with a disability.
- Teaching pupils from a high-poverty area.

Beginning July 1, 2021, if the Superintendent of Public Instruction approved a teacher preparation institution before the effective date and it did not meet the requirements at the time the approval was issued, the Superintendent of Public Instruction would have to revoke the approval. If the Superintendent revoked an approval, the teacher preparation institution could reapply for approval, in a form and manner he or she prescribed.

Proposed MCL 380.1538f (H.B. 5598)  
380.1526 et al. (H.B. 5602)  
380.1531 (H.B. 5603)

Legislative Analyst: Nathan Leaman

Proposed MCL 380.1538d (H.B. 5604)  
Proposed MCL 380.1538e (H.B. 5605)

### **FISCAL IMPACT**

#### **House Bill 5598 (H-1)**

The bill would have an indeterminate impact on the State and teacher preparation programs at higher education institutions. The Department of Education could see additional administrative costs to promulgate rules and track the faculty members engaged in teaching classroom method-based classes. The extent of these costs is current unknown.

Teacher preparation programs would be likely to see additional administrative costs to ensure that faculty members teaching classroom method-based classes met the proposed requirements. The total costs would depend on the number of available faculty and the number of students taking the courses.

#### **House Bill 5602 (H-2)**

The bill would have an indeterminate impact on the Department of Education and local units of government. The Department would have to create the innovative educator corps, provide an annual stipend of at least \$5,000, and select 100 educators nominated by the intermediate school districts. The stipends would cost between \$500,000 and \$1.0 million annually. The Marshall Plan designates \$4.0 million for this program, which would be sufficient to fund the

program for at least the initial three years. After the initial three years, extension of the program would require additional appropriations.

Local units of government could see additional costs, as local school districts and charter school academies nominate teachers to the corps. With the availability of annual evaluations, these costs could be minimal, and local schools would have the option to nominate a teacher. Intermediate School Districts would have an indeterminate increase in cost to process, select, and nominate teachers based on the number of pupils within the district.

### **House Bill 5603 (H-3)**

The bill could increase administration costs to the Department of Education. The Department would have additional administrative costs to revise and administer the process for issuing provisional teaching certificates and professional certifications. The exact cost is currently unknown, but would likely be minimal.

### **House Bill 5604 (H-3)**

The bill would have an indeterminate impact on the State and teacher preparation programs at higher education institutions. The Department of Education could have additional administrative costs to promulgate rules and ensure that preparation programs met the additional requirement. The extent of these costs are current unknown.

Teacher preparation programs would experience additional administrative costs to meet the additional experience requirements. This would require setting up cooperation agreements with local schools and monitoring the experience to ensure they meet expectations. The exact costs are currently unknown, but would likely affect all teach preparation programs.

### **House Bill 5605 (H-1)**

The bill would have an indeterminate impact to the State and teacher preparation programs at higher education institutions. There would be additional administration costs for Department of Education to promulgate rules and to ensure that preparation programs met the additional requirement. The extent of these costs are current unknown.

Teacher preparation program could see additional administration costs to meet the new requirements. Since various preparation programs provide the required coursework, it is unknown how many programs would have to make course work changes and what the extent of those changes would be.

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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.