

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5145**

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 1531, 1531j, 1531k, and 1536 (MCL 380.1531,
380.1531j, 380.1531k, and 380.1536), section 1531 as amended by
2015 PA 159, sections 1531j and 1531k as added by 2015 PA 173, and
section 1536 as amended by 2009 PA 205.

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

1 elementary grade in the public schools of the state.

2 (2) Except as otherwise provided in this act, the
3 superintendent of public instruction shall only issue a teaching
4 certificate to ~~a person~~ **AN INDIVIDUAL** who has passed appropriate
5 examinations as follows:

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

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

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

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

1 (b) For an elementary level teaching certificate, pass the
2 basic skills examination and, if it is available, the elementary
3 certification examination, and pass the appropriate available
4 subject area examination for each subject area, if any, in which he
5 or she applies to be certified. The superintendent of public
6 instruction may accept passage of an equivalent examination
7 approved by the superintendent of public instruction to meet 1 or
8 more of these requirements.

9 (4) Except as otherwise provided in this act, the
10 superintendent of public instruction shall only issue a teaching
11 certificate to ~~a person~~ **AN INDIVIDUAL** who has met the elementary or
12 secondary, as applicable, reading credit requirements established
13 under superintendent of public instruction rule. If ~~a person~~ **AN**
14 **INDIVIDUAL** holds a teaching certificate, then beginning July 1,
15 2009, notwithstanding any rule to the contrary, the superintendent
16 of public instruction shall not advance the ~~person's~~ **INDIVIDUAL'S**
17 certification to professional certification unless the ~~person~~
18 **INDIVIDUAL** has successfully completed at least a 3-credit course of
19 study with appropriate field experiences in the diagnosis and
20 remediation of reading disabilities and differentiated instruction.
21 To meet this requirement, the course of study should include the
22 following elements, as determined by the department to be
23 appropriate for the ~~person's~~ **INDIVIDUAL'S** certification level and
24 endorsements: interest inventories, English language learning
25 screening, visual and auditory discrimination tools, language
26 expression and processing screening, phonemics, phonics,
27 vocabulary, fluency, comprehension, spelling and writing assessment

1 tools, and instructional strategies. ~~A person~~ **AN INDIVIDUAL** may
2 complete the course of study either as part of his or her teacher
3 preparation program or during the first 6 years of his or her
4 employment in classroom teaching.

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

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

25 (a) Has taught successfully for at least 3 years in a position
26 for which the ~~person's~~ **INDIVIDUAL'S** teaching certification from the
27 other state was valid.

1 (b) Has earned, after his or her initial certification in
2 another state, at least 18 semester credit hours in a planned
3 course of study at an institution of higher education approved by
4 the superintendent of public instruction or has earned, at any
5 time, a master's or doctoral degree approved by the superintendent
6 of public instruction.

7 (c) Has met the elementary or secondary, as applicable,
8 reading credit requirement established under superintendent of
9 public instruction rule.

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

16 (8) The superintendent of public instruction shall deny a
17 Michigan teaching certificate to ~~a person~~**AN INDIVIDUAL** described
18 in subsection (6) for fraud, material misrepresentation, or
19 concealment in the ~~person's~~**INDIVIDUAL'S** application for a
20 certificate or for a conviction for which ~~a person's~~**AN**
21 **INDIVIDUAL'S** teaching certificate may be revoked under section
22 1535a.

23 (9) The department, based upon criteria recommended pursuant
24 to subsection (11), shall provide to approved teacher education
25 institutions guidelines and criteria approved by the superintendent
26 of public instruction for use in the development or selection of a
27 basic skills examination and approved guidelines and criteria for

1 use in the development or selection of subject area examinations.

2 (10) For the purposes of this section, the superintendent of
3 public instruction, based upon criteria recommended pursuant to
4 subsection (11), shall develop, select, or develop and select 1 or
5 more basic skills examinations and subject area examinations. In
6 addition, the superintendent of public instruction, based upon
7 criteria recommended pursuant to subsection (11), shall approve an
8 elementary certification examination and a reading subject area
9 examination. If the department develops for use under this
10 subsection an examination that had previously been contracted for
11 using a competitive bid process, then the department shall not
12 expend on the development of that examination an amount that
13 exceeds the amount that the department expended on procurement of
14 the most recent competitively-bid version of that examination.

15 (11) The superintendent of public instruction shall appoint an
16 11-member teacher examination advisory committee comprised of
17 representatives of approved teacher education institutions and
18 Michigan education organizations and associations. Not more than
19 1/2 of the members comprising this committee shall be certified
20 teachers. This committee shall recommend criteria to be used by the
21 superintendent of public instruction in the development, selection,
22 or development and selection of 1 or more basic skills
23 examinations, and criteria to be used by the superintendent of
24 public instruction in the development, selection, or development
25 and selection of subject area examinations. In addition, the
26 committee shall recommend guidelines for the use and administration
27 of those examinations. The basic skills examinations referred to in

1 this subsection may be developed by the superintendent of public
2 instruction or selected by the superintendent of public instruction
3 from commercially or university developed examinations. In
4 addition, an approved teacher education institution, pursuant to
5 guidelines and criteria described in subsection (9), may develop an
6 examination at its own expense for approval by the superintendent
7 of public instruction. An approved teacher education institution
8 that develops its own examination is liable for any litigation that
9 results from the use of its examination.

10 (12) The superintendent of public instruction shall appoint a
11 7-member standing technical advisory council comprised of ~~persons~~
12 **INDIVIDUALS** who are experts in measurement and assessment. This
13 council shall advise the superintendent of public instruction and
14 the teacher examination committee on the validity, reliability, and
15 other technical standards of the examinations that will be used or
16 are being used and of the administration and use of those
17 examinations.

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

27 (14) The basic skills examination, the elementary

1 certification examination, and the subject area examinations
2 required by this section may be taken at different times during an
3 approved teacher preparation program, but the basic skills
4 examination must be passed before ~~a person~~ **AN INDIVIDUAL** is
5 enrolled for student teaching and the elementary certification
6 examination and the subject area examinations, as applicable, must
7 be passed before ~~a person~~ **AN INDIVIDUAL** is recommended for
8 certification.

9 (15) The department, or if approved by the superintendent of
10 public instruction, a private testing service, may assess fees for
11 taking the basic skills examination, elementary certification
12 examination, and the subject area examinations. The fees, which
13 shall be set by the superintendent of public instruction, shall not
14 exceed the actual cost of the examination and of administering the
15 examination. Fees received by the department shall be expended
16 solely for administrative expenses that it incurs in implementing
17 this section. If the superintendent of public instruction increases
18 a fee charged for an examination under this subsection, at least 1
19 year before implementing the fee increase, the department shall
20 notify each approved teacher education institution of the amount of
21 the fee increase. An approved teacher education institution shall
22 notify each of its affected students of the timing and amount of
23 such a fee increase.

24 (16) If ~~a person~~ **AN INDIVIDUAL** holding a teaching certificate
25 from another state applies for a Michigan teaching certificate and
26 meets all requirements for the Michigan teaching certificate except
27 passage of the appropriate examinations under subsection (3), the

1 superintendent of public instruction shall issue a nonrenewable
2 temporary teaching certificate, good for 1 year, to the ~~person~~.
3 **INDIVIDUAL**. The superintendent of public instruction shall not
4 issue a Michigan teaching certificate to the ~~person~~ **INDIVIDUAL**
5 after expiration of the temporary teaching certificate unless the
6 ~~person~~ **INDIVIDUAL** passes appropriate examinations as described in
7 subsection (3).

8 (17) As used in this section:

9 (a) "Basic skills examination" means an examination developed
10 or selected by the superintendent of public instruction or
11 developed pursuant to subsection (11) by an approved teacher
12 education institution for the purpose of demonstrating the
13 applicant's knowledge and understanding of basic language and
14 mathematical skills and other skills necessary for the certificate
15 sought, and for determining whether or not an applicant is eligible
16 for a provisional Michigan teaching certificate.

17 (b) "Elementary certification examination" means a
18 comprehensive examination for elementary certification that has
19 been developed or selected by the superintendent of public
20 instruction for demonstrating the applicant's knowledge and
21 understanding of the core subjects normally taught in elementary
22 classrooms and for determining whether or not an applicant is
23 eligible for an elementary level teaching certificate.

24 (c) "Subject area examination" means an examination related to
25 a specific area of certification, which examination has been
26 developed or selected by the superintendent of public instruction
27 for the purpose of demonstrating the applicant's knowledge and

1 understanding of the subject matter and determining whether or not
2 an applicant is eligible for a Michigan teaching certificate.

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

5 (19) Notwithstanding any rule to the contrary, the
6 superintendent of public instruction shall continue to issue state
7 elementary or secondary continuing education certificates pursuant
8 to R 390.1132(1) of the Michigan ~~administrative code~~ **ADMINISTRATIVE**
9 **CODE** to ~~persons~~ **INDIVIDUALS** who completed the requirements of that
10 rule by December 31, 1992 and who apply for that certificate not
11 later than March 15, 1994. If the superintendent of public
12 instruction has issued a state elementary or secondary professional
13 education certificate to a ~~person~~ **AN INDIVIDUAL** described in this
14 section, the superintendent of public instruction shall consider
15 the ~~person~~ **INDIVIDUAL** to have a state elementary or secondary, as
16 applicable, continuing education certificate.

17 (20) **NOT LATER THAN JANUARY 1, 2019, THE SUPERINTENDENT OF**
18 **PUBLIC INSTRUCTION, IN CONSULTATION WITH THE DEPARTMENT OF TALENT**
19 **AND ECONOMIC DEVELOPMENT AND GROUPS OR INDIVIDUALS REPRESENTING**
20 **EMPLOYERS, ECONOMIC DEVELOPMENT AGENCIES, TRADE UNIONS, SECONDARY**
21 **SCHOOL PRINCIPALS, MIDDLE AND ELEMENTARY SCHOOL PRINCIPALS,**
22 **TEACHERS, SCHOOL DISTRICT AND INTERMEDIATE SCHOOL DISTRICT**
23 **SUPERINTENDENTS, AND OTHERS AS DETERMINED APPROPRIATE BY THE**
24 **DEPARTMENT, SHALL PROMULGATE RULES TO ALLOW AN INDIVIDUAL TO USE**
25 **TIME SPENT ENGAGING WITH LOCAL EMPLOYERS OR TECHNICAL CENTERS**
26 **TOWARD THE RENEWAL OF A TEACHING CERTIFICATE IN THE SAME MANNER AS**
27 **STATE CONTINUING EDUCATION OR PROFESSIONAL DEVELOPMENT.**

1 Sec. 1531j. **(1)** Notwithstanding any other provision of this
2 act or a rule to the contrary, beginning July 1, 2018, the
3 superintendent of public instruction shall not issue an initial
4 professional teaching certificate to an individual unless the
5 individual presents evidence satisfactory to the superintendent of
6 public instruction demonstrating that he or she meets all of the
7 following:

8 (a) The individual has successfully completed at least 3 full
9 years of classroom teaching.

10 (b) The individual meets either of the following:

11 (i) Was rated as either effective or highly effective on his
12 or her annual year-end performance evaluation under section 1249
13 for the 3 consecutive school years immediately preceding his or her
14 application for the professional teaching certificate.

15 (ii) Was rated as either effective or highly effective on his
16 or her annual year-end performance evaluation under section 1249
17 for at least 3 nonconsecutive school years before his or her
18 application for the professional teaching certificate and submits a
19 recommendation from the chief school administrator of the school at
20 which he or she is currently employed that he or she be issued a
21 professional teaching certificate.

22 **(2) NOT LATER THAN JANUARY 1, 2019, THE SUPERINTENDENT OF**
23 **PUBLIC INSTRUCTION, IN CONSULTATION WITH THE DEPARTMENT OF TALENT**
24 **AND ECONOMIC DEVELOPMENT AND GROUPS OR INDIVIDUALS REPRESENTING**
25 **EMPLOYERS, ECONOMIC DEVELOPMENT AGENCIES, TRADE UNIONS, SECONDARY**
26 **SCHOOL PRINCIPALS, MIDDLE AND ELEMENTARY SCHOOL PRINCIPALS,**
27 **TEACHERS, SCHOOL DISTRICT AND INTERMEDIATE SCHOOL DISTRICT**

1 SUPERINTENDENTS, AND OTHERS AS DETERMINED APPROPRIATE BY THE
2 DEPARTMENT, SHALL PROMULGATE RULES TO ALLOW AN INDIVIDUAL TO USE
3 TIME SPENT ENGAGING WITH LOCAL EMPLOYERS OR TECHNICAL CENTERS
4 TOWARD THE RENEWAL OF A PROFESSIONAL TEACHING CERTIFICATE IN THE
5 SAME MANNER AS STATE CONTINUING EDUCATION OR PROFESSIONAL
6 DEVELOPMENT.

7 Sec. 1531k. (1) Beginning ~~on the effective date of this~~
8 ~~section,~~ **NOVEMBER 5, 2015**, the superintendent of public instruction
9 shall not issue an initial advanced professional education
10 certificate to an individual, or renew an individual's advanced
11 professional education certificate, unless the individual presents
12 evidence satisfactory to the superintendent of public instruction
13 demonstrating that he or she meets all of the following:

14 (a) Has been rated as highly effective on his or her annual
15 year-end evaluation under section 1249 for 3 out of the 5 most
16 recent school years.

17 (b) Has not been rated ineffective on his or her annual year-
18 end evaluation under section 1249 within the 5 most recent school
19 years.

20 (c) Meets additional criteria established by the department.

21 (2) **NOT LATER THAN JANUARY 1, 2019, THE SUPERINTENDENT OF**
22 **PUBLIC INSTRUCTION, IN CONSULTATION WITH THE DEPARTMENT OF TALENT**
23 **AND ECONOMIC DEVELOPMENT AND GROUPS OR INDIVIDUALS REPRESENTING**
24 **EMPLOYERS, ECONOMIC DEVELOPMENT AGENCIES, TRADE UNIONS, SECONDARY**
25 **SCHOOL PRINCIPALS, MIDDLE AND ELEMENTARY SCHOOL PRINCIPALS,**
26 **TEACHERS, SCHOOL DISTRICT AND INTERMEDIATE SCHOOL DISTRICT**
27 **SUPERINTENDENTS, AND OTHERS AS DETERMINED APPROPRIATE BY THE**

1 DEPARTMENT, SHALL PROMULGATE RULES TO ALLOW AN INDIVIDUAL TO USE
2 TIME SPENT ENGAGING WITH LOCAL EMPLOYERS OR TECHNICAL CENTERS
3 TOWARD THE RENEWAL OF AN ADVANCED PROFESSIONAL EDUCATION
4 CERTIFICATE IN THE SAME MANNER AS STATE CONTINUING EDUCATION OR
5 PROFESSIONAL DEVELOPMENT.

6 Sec. 1536. (1) The state board shall develop a school
7 administrator's certificate that shall be issued to all school
8 district and intermediate school district superintendents, school
9 principals, assistant principals, and other administrators whose
10 primary responsibility is administering instructional programs and
11 who meet the requirements established under subsection (3). An
12 individual described in section 1246(1)(a) is not required by this
13 section to have a school administrator's certificate under this
14 section or an endorsement under subsection (2) to be employed as a
15 school administrator by a school district, public school academy,
16 intermediate school district, or nonpublic school.

17 (2) The state board also shall develop appropriate certificate
18 endorsements for school administrators, by elementary, secondary,
19 and central office level.

20 (3) The state board shall develop standards, and the
21 superintendent of public instruction shall develop procedures, to
22 implement this section. The standards and procedures shall address
23 at least all of the following:

24 (a) The educational and professional experience requirements
25 for a certificate or endorsement under this section.

26 (b) Continuing education requirements for periodic
27 recertification. These requirements shall be consistent with the

1 continuing education requirements under section 1246.

2 (c) Procedures for application for and issuance of
3 certificates and endorsements under this section.

4 (d) Standards and procedures for suspension and revocation of
5 a certificate. These standards and procedures shall be based on the
6 standards and procedures for taking action against ~~a person's~~ **AN**
7 **INDIVIDUAL'S** teaching certificate under section 1535a.

8 (4) The department shall consult and work with appropriate
9 professional organizations, primarily organizations representing
10 superintendents and building-level administrators, in developing
11 the standards required under this section.

12 (5) For the purposes of adding 1 or more enhancement or
13 specialty endorsements for a school administrator's certificate,
14 the department may recognize performance-based professional
15 learning programs offered by established state professional
16 organizations that represent school administrators described in
17 subsection (1). These programs must be approved by the department
18 based on alignment with state board-approved school administrator
19 program preparation standards.

20 (6) A school administrator's certificate issued under this
21 section is valid for 5 years and shall be renewed upon completion
22 of renewal units as determined by the superintendent of public
23 instruction.

24 (7) The department shall recognize alternative pathways to
25 earning the basic school administrator's certificate based on
26 experience or alternative preparation, or both, if the alternative
27 certification program is submitted by an established state

1 professional organization and meets criteria set forth by state
2 board approved school administrator program preparation standards.

3 **(8) NOT LATER THAN JANUARY 1, 2019, THE SUPERINTENDENT OF**
4 **PUBLIC INSTRUCTION, IN CONSULTATION WITH THE DEPARTMENT OF TALENT**
5 **AND ECONOMIC DEVELOPMENT AND GROUPS OR INDIVIDUALS REPRESENTING**
6 **EMPLOYERS, ECONOMIC DEVELOPMENT AGENCIES, TRADE UNIONS, SECONDARY**
7 **SCHOOL PRINCIPALS, MIDDLE AND ELEMENTARY SCHOOL PRINCIPALS,**
8 **TEACHERS, SCHOOL DISTRICT AND INTERMEDIATE SCHOOL DISTRICT**
9 **SUPERINTENDENTS, AND OTHERS AS DETERMINED APPROPRIATE BY THE**
10 **DEPARTMENT, SHALL PROMULGATE RULES TO ALLOW AN INDIVIDUAL TO USE**
11 **TIME SPENT ENGAGING WITH LOCAL EMPLOYERS OR TECHNICAL CENTERS**
12 **TOWARD THE RENEWAL OF A SCHOOL ADMINISTRATOR'S CERTIFICATE IN THE**
13 **SAME MANNER AS STATE CONTINUING EDUCATION OR PROFESSIONAL**
14 **DEVELOPMENT.**

15 **(9) ~~(8)~~**—As used in this section, "established state
16 professional organization" means an association that has served
17 members on a statewide basis for at least 10 years.

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