

SUBSTITUTE FOR
HOUSE BILL NO. 4084

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1531 (MCL 380.1531), as amended by 2015 PA 159.

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
10 certificate to ~~a person~~ **AN INDIVIDUAL** who has passed appropriate

House Bill No. 4084 as amended March 13, 2018

examinations as follows:

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

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

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

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

(b) For an elementary level teaching certificate, pass, ~~the basic skills examination and,~~ if it is available, the elementary 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~~ **AN INDIVIDUAL** who has met the elementary or
9 secondary, as applicable, reading credit requirements established
10 under superintendent of public instruction rule. ~~If a person holds~~
11 ~~a teaching certificate, then beginning July 1, 2009,~~
12 ~~notwithstanding any rule to the contrary, the superintendent of~~
13 ~~public instruction shall not advance the person's certification to~~
14 ~~professional certification unless the person has successfully~~
15 ~~completed at least a 3-credit course of study with appropriate~~
16 ~~field experiences in the diagnosis and remediation of reading~~
17 ~~disabilities and differentiated instruction. To meet this~~
18 ~~requirement, the course of study should include the following~~
19 ~~elements, as determined by the department to be appropriate for the~~
20 ~~person's certification level and endorsements: interest~~
21 ~~inventories, English language learning screening, visual and~~
22 ~~auditory discrimination tools, language expression and processing~~
23 ~~screening, phonemics, phonics, vocabulary, fluency, comprehension,~~
24 ~~spelling and writing assessment tools, and instructional~~
25 ~~strategies. A person may complete the course of study either as~~
26 ~~part of his or her teacher preparation program or during the first~~
27 ~~6 years of his or her employment in 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~~ **AN INDIVIDUAL**
8 holding a teaching certificate from another state applies to the
9 superintendent of public instruction for a Michigan teaching
10 certificate and meets the requirements of this subsection, the
11 superintendent of public instruction shall issue to the ~~person~~
12 **INDIVIDUAL** a Michigan professional education teaching certificate
13 and applicable endorsements comparable to those the ~~person~~
14 **INDIVIDUAL** holds in the other state, without requiring the ~~person~~
15 **INDIVIDUAL** to pass ~~a basic skills examination or the~~ applicable
16 subject area examination otherwise required under subsection (2) or
17 (3). To be eligible to receive a Michigan professional education
18 teaching certificate under this subsection, ~~a person~~ **AN INDIVIDUAL**
19 shall provide evidence satisfactory to the department that he or
20 she meets all of the following requirements:

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

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

1 time, a master's or doctoral degree approved by the superintendent
2 of public instruction.

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

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

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

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

26 (10) For the purposes of this section, the superintendent of
27 public instruction, based upon criteria recommended ~~pursuant to~~

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

12 (11) The superintendent of public instruction shall appoint an
13 11-member teacher examination advisory committee ~~comprised~~ **COMPOSED**
14 of representatives of approved teacher education institutions and
15 Michigan education organizations and associations. Not more than
16 1/2 of the members comprising this committee shall be certified
17 teachers. This committee shall recommend ~~criteria to be used by the~~
18 ~~superintendent of public instruction in the development, selection,~~
19 ~~or development and selection of 1 or more basic skills~~
20 ~~examinations, and~~ criteria to be used by the superintendent of
21 public instruction in the development, selection, or development
22 and selection of subject area examinations. In addition, the
23 committee shall recommend guidelines for the use and administration
24 of those examinations. ~~The basic skills examinations referred to in~~
25 ~~this subsection may be developed by the superintendent of public~~
26 ~~instruction or selected by the superintendent of public instruction~~
27 ~~from commercially or university developed examinations. In~~

1 addition, an approved teacher education institution, ~~pursuant to~~
2 **UNDER** guidelines and criteria described in subsection (9), may
3 develop an examination at its own expense for approval by the
4 superintendent of public instruction. An approved teacher education
5 institution that develops its own examination is liable for any
6 litigation that results from the use of its examination.

7 (12) The superintendent of public instruction shall appoint a
8 7-member standing technical advisory council ~~comprised~~ **COMPOSED** of
9 ~~persons~~ **INDIVIDUALS** who are experts in measurement and assessment.
10 This council shall advise the superintendent of public instruction
11 and the teacher examination committee on the validity, reliability,
12 and other technical standards of the examinations that will be used
13 or are being used and of the administration and use of those
14 examinations.

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

24 (14) The ~~basic skills examination,~~ the elementary
25 certification examination ~~,~~ and the subject area examinations
26 required by this section may be taken at different times during an
27 approved teacher preparation program, but ~~the basic skills~~

~~examination must be passed before a person is enrolled for student teaching and the elementary certification examination and the subject area examinations, as applicable, must be passed before a person~~ **AN INDIVIDUAL** is recommended for certification.

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

(16) If ~~a person~~ **AN INDIVIDUAL** holding a teaching certificate from another state applies for a Michigan teaching certificate and meets all requirements for the Michigan teaching certificate except passage of the appropriate examinations under subsection (3), the superintendent of public instruction shall issue a nonrenewable temporary teaching certificate, good for 1 year, to the ~~person~~ **INDIVIDUAL**. The superintendent of public instruction shall not issue a Michigan teaching certificate to the ~~person~~ **INDIVIDUAL**

1 after expiration of the temporary teaching certificate unless the
2 ~~person~~ **INDIVIDUAL** passes appropriate examinations as described in
3 subsection (3).

4 (17) As used in this section:

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

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

20 **(B)** ~~(c)~~ "Subject area examination" means an examination
21 related to a specific area of certification, which examination has
22 been developed or selected by the superintendent of public
23 instruction for the purpose of demonstrating the applicant's
24 knowledge and understanding of the subject matter and determining
25 whether or not an applicant is eligible for a Michigan teaching
26 certificate.

27 (18) The superintendent of public instruction shall promulgate

1 rules for the implementation of this section.

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

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