

HOUSE BILL No. 4084

January 25, 2017, Introduced by Reps. Tedder, Leutheuser, Marino, Glenn and Barrett and referred to the Committee on Education Reform.

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

1 certificate to ~~a person~~ **AN INDIVIDUAL** who has passed appropriate
2 examinations as follows:

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

7 (b) For an elementary level teaching certificate, has passed
8 the ~~basic skills~~ **PROFESSIONAL READINESS** examination and, if it is
9 available, the elementary certification examination, and has passed
10 the 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~~ **AN INDIVIDUAL** holding a
15 certificate from another state or a teaching degree from an out-of-
16 state teacher preparation institution who applies for a Michigan
17 teaching certificate only if the ~~person~~ **INDIVIDUAL** passes
18 appropriate examinations as follows:

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

26 (b) For an elementary level teaching certificate, pass the
27 ~~basic skills~~ **PROFESSIONAL READINESS** examination and, if it is

1 available, the elementary certification examination, and pass the
2 appropriate available subject area examination for each subject
3 area, if any, in which he or she applies to be certified. The
4 superintendent of public instruction may accept passage of an
5 equivalent examination approved by the superintendent of public
6 instruction to meet 1 or more of these requirements.

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

1 ~~6 years of his or her employment in classroom teaching.~~

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

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

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

26 (b) Has earned, after his or her initial certification in
27 another state, at least 18 semester credit hours in a planned

1 course of study at an institution of higher education approved by
2 the superintendent of public instruction or has earned, at any
3 time, a master's or doctoral degree approved by the superintendent
4 of public instruction.

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

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

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

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

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

15 (11) The superintendent of public instruction shall appoint an
16 11-member teacher examination advisory committee ~~comprised~~ **COMPOSED**
17 of 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~~ **PROFESSIONAL**
23 **READINESS** examinations, and criteria to be used by the
24 superintendent of public instruction in the development, selection,
25 or development and selection of subject area examinations. In
26 addition, the committee shall recommend guidelines for the use and
27 administration of those examinations. The ~~basic skills~~ **PROFESSIONAL**

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

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

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

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

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

25 (16) If a ~~person~~ **AN INDIVIDUAL** holding a teaching certificate
26 from another state applies for a Michigan teaching certificate and
27 meets all requirements for the Michigan teaching certificate except

1 passage of the appropriate examinations under subsection (3), the
2 superintendent of public instruction shall issue a nonrenewable
3 temporary teaching certificate, good for 1 year, to the ~~person~~.

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

9 (17) As used in this section:

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

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

25 (c) "Subject area examination" means an examination related to
26 a specific area of certification, which examination has been
27 developed or selected by the superintendent of public instruction

1 for the purpose of demonstrating the applicant's knowledge and
2 understanding of the subject matter and determining whether or not
3 an applicant is eligible for a Michigan teaching certificate.

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

6 (19) Notwithstanding any rule to the contrary, the
7 superintendent of public instruction shall continue to issue state
8 elementary or secondary continuing education certificates pursuant
9 to ~~UNDER~~ R 390.1132(1) of the Michigan administrative code

10 **ADMINISTRATIVE CODE** to ~~persons~~ **INDIVIDUALS** who completed the
11 requirements of that rule by December 31, 1992 and who apply for
12 that certificate not later than March 15, 1994. If the
13 superintendent of public instruction has issued a state elementary
14 or secondary professional education certificate to a ~~person~~ **AN**
15 **INDIVIDUAL** described in this section, the superintendent of public
16 instruction shall consider the ~~person~~ **INDIVIDUAL** to have a state
17 elementary or secondary, as applicable, continuing education
18 certificate.

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