

SUBSTITUTE TEACHING PROVISIONS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4342 (H-3) as reported from committee

Sponsor: Rep. Brad Paquette

1st Committee: Education

2nd Committee: Ways and Means

Complete to 12-5-20

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

SUMMARY:

Generally, the Revised School Code requires all schools to ensure that their teachers hold a valid teaching certificate (with exceptions for certain subject areas and for schools and teachers in the Detroit Public Schools Community District). However, the board of a school district or intermediate school district (ISD) may employ a person who does not have a teaching certificate to serve as a substitute teacher as long as that person has at least 60 semester hours of college credit or an associate degree from a college, university, or community college,¹ or has qualifying expertise in an industrial technology education program or a career and technical education program.²

In addition to those exceptions, for the 2020-2021 school year only, the bill would allow the board of a school district or intermediate school district (ISD) to employ a substitute teacher as long as he or she has a high school diploma or high school equivalency certificate and is employed by or works for the district or ISD.

MCL 380.1233

FISCAL IMPACT:

The bill would have no impact on the state and would have an indeterminate impact on local school districts, ISDs, and public school academies (PSAs) depending on how they respond to the increased flexibility for hiring substitutes and how they employ qualified individuals in both their regular positions and as substitute teachers.

BRIEF DISCUSSION:

According to committee testimony, the bill would provide temporary but immediate relief to schools. In addition to juggling remote and hybrid schooling, intensive cleaning and personal protective equipment regimens, and adjusting to other evolving challenges, administrators have had unique staffing concerns in the current school year. Proponents argued that allowing existing employees to serve as substitute teachers for the 2020-2021 school year only would allow classrooms to remain open.

¹ House Fiscal Agency analysis of 2018 PA 236/House Bill 4069: <http://www.legislature.mi.gov/documents/2017-2018/billanalysis/House/pdf/2017-HLA-4069-2C7147E4.pdf>

² House Fiscal Agency analysis of 2018 PA 418/House Bill 4421: <http://www.legislature.mi.gov/documents/2017-2018/billanalysis/House/pdf/2017-HLA-4421-8B8E0D66.pdf>

According to the committee testimony, the Michigan Department of Education (MDE) understands that COVID-19-related illnesses have exacerbated the existing teacher shortage and supports the use of substitute teachers to fill the gaps. While current statute requires that substitute teachers have 60 semester credit hours of college credit, MDE supports a suspension of that requirement during the 2020-2021 school year so that existing district or ISD staff can serve as substitute teachers. However, MDE indicated that a substitute teaching permit—especially a background check to determine if there were child safety concerns—should be required even of district and ISD staff serving as substitute teachers during the pandemic.

POSITIONS:

A representative of the Michigan Association of Superintendents and Administrators testified in support of the bill. (12-1-20)

The following entities indicated support for the bill:

AFT-Michigan (12-1-20)

Michigan Association of School Boards (12-2-20)

West Michigan Talent Triangle (12-2-20)

ESA Legislative Group (12-1-20)

Grand Rapids Public Schools (12-1-20)

Michigan Association of Intermediate School Administrators (12-2-20)

Northern Michigan Schools Legislative Association (12-2-20)

A representative of the Michigan Department of Education testified in opposition to the bill. (12-2-20)

Legislative Analyst: Jenny McInerney
Fiscal Analysts: Samuel Christensen
Jacqueline Mullen

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.