

ENDORSEMENT NULLIFICATION

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House Bill 4856 (H-1) as referred to second committee

Sponsor: Rep. Aaron Miller

1st Committee: Education

2nd Committee: Ways and Means

Complete to 1-31-20

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

SUMMARY:

House Bill 4856 would amend the Revised School Code to allow a teacher to have an endorsement or grade level certification on his or her teaching certificate nullified if it had not been used for 7 years (instead of the current period of 12 years). The bill would also shift the responsibility for nullifying the certifications or endorsements, upon request by the teacher, from the State Board of Education to the superintendent of public instruction.

[Members of the Board are elected on a partisan basis for eight-year terms. The Board appoints the superintendent for a term of its choosing; the superintendent runs the Michigan Department of Education and serves as a nonvoting member of the Board.^{1]}

MCL 380.1532

BACKGROUND:

Teachers are required to hold the endorsement for the subjects they are assigned to teach, with endorsements ranging from English and science to world language and several special education specializations.²

Because certain disciplines experience greater shortages than others,³ there is a concern that teachers with endorsements of greatest need would be pigeonholed into those disciplines without regard for the teachers' preferences. Additionally, after a certain amount of time has passed, the teacher may feel less comfortable teaching a given subject. The bill is understood as an attempt to allow teachers to nullify certain endorsements after a shorter period of time.

BRIEF DISCUSSION:

A 2006 act increased the period of time allowed for nullification from 10 to 12 years, given the scarcity of teachers in certain disciplines. According to an analysis of that bill, the then-recently enacted Michigan Merit curriculum required specific courses and increased the

¹ https://www.michigan.gov/mde/0,4615,7-140-5373_6526---,00.html

² MDE list of endorsements and courses that can be taught by holders of each endorsement:

https://www.michigan.gov/documents/mde/courses_taught_by_endorsement_523203_7.pdf

³ The FY 2019-20 list of critical shortage disciplines is available at:

https://www.michigan.gov/documents/mde/2019-20_Critical_Shortage_Retirees_List_653834_7.pdf

demand for teachers in high-level courses, math, and science.⁴ In response to that demand, the bill reduced the ability of teachers to relinquish endorsements and increased the flexibility of administrators to make teaching assignments.

However, supporters of HB 4856 feel that 12 years is simply too long. A teacher cannot be expected to begin teaching a subject again after not teaching it for 12 years, they argue. Therefore, the teacher should be able to appeal to the state superintendent of public instruction for a nullification of an endorsement or certification.

FISCAL IMPACT:

The bill would have no fiscal impact on the state but has an unknown impact for districts, public school academies (PSAs), or intermediate school districts (ISDs). The change to endorsement nullifications could impact teacher hiring and classroom placement practices for districts, PSAs, and ISDs.

POSITIONS:

The Michigan Education Association indicated support for the bill. (10-29-19)

The Michigan Association of Superintendents and Administrators indicated opposition to the bill. (12-10-19)

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■ 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.

⁴ Senate Fiscal Agency analysis of SB 1327/2006 PA 619. <http://www.legislature.mi.gov/documents/2005-2006/billanalysis/Senate/pdf/2005-SFA-1327-E.pdf>