

SENATE BILL NO. 805

February 27, 2020, Introduced by Senators IRWIN, MCBROOM, BULLOCK, WOJNO, CHANG, BAYER and POLEHANKI and referred to the Committee on Education and Career Readiness.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1532 (MCL 380.1532), as amended by 2006 PA 619,
and by adding section 1531/.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1531/. (1) Notwithstanding any other provision of this act
2 or a rule to the contrary, the nonrenewal of a school counseling
3 endorsement on a teaching certificate or the declaration of a

1 school counseling endorsement on a teaching certificate as in
2 inactive status as described under subsection (2) is not grounds
3 for the nonrenewal, nullification, suspension, or voidance of that
4 teaching certificate.

5 (2) Notwithstanding any other provision of this act or a rule
6 to the contrary, upon the request of a teacher, the superintendent
7 of public instruction shall declare that the teacher's school
8 counseling endorsement on his or her teaching certificate is in
9 inactive status. Notwithstanding any other provision of this act or
10 a rule to the contrary, upon the request of a teacher, the
11 superintendent of public instruction shall remove the teacher's
12 school counseling endorsement from inactive status and place it in
13 active status if the teacher's school counseling endorsement is in
14 inactive status under this subsection and if the underlying
15 teaching certificate that the endorsement is on is not expired
16 pursuant to any other provision of this act or a rule. However, a
17 school counseling endorsement removed from inactive status and
18 placed in active status under this subsection only remains active
19 if the teacher who requested the removal of the inactive status
20 under this subsection provides proof, in a form and manner
21 prescribed by the department, to the department showing that the
22 teacher has completed professional development as described under
23 section 1233(6) within 5 years from the date that the teacher's
24 endorsement was removed from inactive status under this subsection.
25 Notwithstanding any other provision of this act or a rule to the
26 contrary, a school counseling endorsement that is in inactive
27 status under this subsection does not expire.

28 Sec. 1532. (1) Before a teaching certificate is valid in this
29 state, the holder ~~shall~~**must** record the certificate in the office

1 of the intermediate superintendent or of the superintendent of
 2 schools of the school district in which the holder expects to
 3 teach.

4 (2) Before a teaching certificate is valid in this state, the
 5 holder ~~shall~~**must** make and subscribe the following oath or
 6 affirmation:

7 "I do solemnly swear (or affirm) that I will support the
 8 ~~constitution~~**Constitution** of the United States of America and the
 9 constitution of the state of Michigan and that I will faithfully
 10 discharge the duties of the office of teacher according to the best
 11 of my ability".

12 (3) The oath set forth in subsection (2) ~~shall~~**must** be signed
 13 by the holder of the teaching certificate, notarized, and attached
 14 to or superimposed on the teaching certificate.

15 (4) Except as provided in this act, a teacher's teaching
 16 certificate ~~shall~~**must** not be nullified except by the ~~state board~~
 17 **superintendent of public instruction** and for a cause that would
 18 have initially justified the withholding of the certificate.

19 (5) Upon the request of a teacher, the ~~state board~~
 20 **superintendent of public instruction** immediately shall nullify that
 21 teacher's teaching certificate. Upon the request of a teacher, the
 22 ~~state board may~~**superintendent of public instruction shall** nullify
 23 1 or more endorsements on the teaching certificate ~~, or a grade~~
 24 level certification included in the teaching certificate. ~~, if the~~
 25 ~~grade level certification or endorsement has not been used for 12~~
 26 ~~or more years.~~

27 ~~(6) The state board shall not reinstate, reissue, or renew a~~
 28 ~~teaching certificate, endorsement on a teaching certificate, or a~~
 29 ~~grade level certification that has been nullified pursuant to~~

1 ~~subsection (5).~~Nullification of an endorsement on a teaching
2 certificate is not considered to be a nullification of the
3 underlying teaching certificate or of any other endorsement on that
4 teaching certificate.

5 Enacting section 1. This amendatory act does not take effect
6 unless Senate Bill No.____ or House Bill No.____ (request no.
7 03621'19) of the 100th Legislature is enacted into law.