

# SENATE BILL NO. 1142

November 26, 2024, Introduced by Senator POLEHANKI and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending section 1233 (MCL 380.1233), as amended by 2023 PA 111.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1233. (1) Except as otherwise provided by law, and  
2       subject to sections 1233b and 1233c, the board of a school district  
3       or intermediate school district shall not permit a teacher who does  
4       not hold a valid teaching certificate to teach in a grade or  
5       department of the school.

6       (2) The board of a school district or intermediate school

district shall not allow an individual to serve in a counseling role in the school district or intermediate school district, as the role is defined by the superintendent of public instruction, unless the individual holds a valid school counselor credential. The superintendent of public instruction shall issue a school counselor license only to an individual who meets 1 or more of the following:

(a) The individual meets both of the following:

(i) Holds a master's degree awarded after completion of a school counselor education program that is approved by the superintendent of public instruction based on standards developed by the department in consultation with practicing school counselors, representatives from school counselor preparation programs, and state associations representing school counselors.

(ii) Has successfully completed the department's school counselor examination.

(b) Subject to subsection ~~(15)~~, **(12)**, the individual is an individual who holds a school counselor license from another state, country, or federally recognized Indian tribe, holds a master's degree awarded after completion of a school counselor education program, and meets either of the following:

(i) Has at least 3 years of successful experience serving in a school counseling role in another state or country or with a federally recognized Indian tribe.

(ii) Has successfully completed the department's school counselor examination.

(3) Except for teachers engaged to teach under section 1233b and teachers engaged to teach in a community district under section 1233c, the intermediate superintendent shall notify the superintendent of public instruction immediately of the names of

1 noncertificated teachers teaching in violation of subsection (1)  
2 and the names of individuals serving in counseling roles in  
3 violation of subsection (2), the employing district, and the amount  
4 of time the noncertificated teachers or unqualified individuals  
5 were employed.

6 (4) A vocational teacher preparation institution shall utilize  
7 the employment experience of an annually authorized teacher for the  
8 purpose of waiving student teaching as a requirement for vocational  
9 certification if the annually authorized teacher is supervised by  
10 the teacher preparation institution.

11 (5) ~~Subject to subsection (10), the~~ **The** board of a school  
12 district or intermediate school district may employ an individual  
13 without a teaching certificate as a substitute teacher if either of  
14 the following requirements is met, if applicable:

15 (a) The individual has at least 60 semester hours of college  
16 credit or an associate degree from a college, university, or  
17 community college. The 60 semester hours do not need to be from the  
18 same college, university, or community college.

19 (b) For substitute teaching a course in an industrial  
20 technology education program or a career and technical education  
21 program, the individual is engaged to substitute teach in a subject  
22 matter or field in which the individual has achieved expertise, as  
23 determined by the board of a school district or intermediate school  
24 district and satisfies all of the following, if applicable:

25 (i) Has a high school diploma or a high school equivalency  
26 certificate as that term is defined in section 4 of the state  
27 school aid act of 1979, MCL 388.1604.

28 (ii) For substitute teaching in a subject matter or field in  
29 which a professional license or certification is required, at least

1 1 of the following:

2 (A) Holds a professional license or certification in that same  
3 subject matter or field.

4 (B) Previously held a professional license or certification in  
5 that same subject matter or field that expired not more than 2  
6 years before the noncertificated substitute teacher's initial  
7 employment under this section and was in good standing immediately  
8 before the license or certification expired.

9 (iii) Has at least 2 cumulative years of professional experience  
10 in that same subject matter or field in the immediately preceding  
11 10 years.

12 (6) The department shall not renew an individual's school  
13 counselor credential unless the department determines that, within  
14 the time period since the individual's school counselor credential  
15 was issued or last renewed, whichever is most recent, the  
16 individual has completed at least ~~25 hours of professional~~  
17 ~~development approved by the department under subsection (8)~~  
18 ~~covering counseling about the college preparation and selection~~  
19 ~~process and at least 25 hours of professional development approved~~  
20 ~~by the department under subsection (8) covering career counseling.~~  
21 ~~For the purposes of this subsection, career counseling includes,~~  
22 ~~but is not limited to, exploration of military career options and~~  
23 ~~the skilled trades as well as other careers and pathways that lead~~  
24 ~~to industry credentials awarded in recognition of an individual's~~  
25 ~~attainment of measurable technical or occupational skills necessary~~  
26 ~~to obtain employment or advance within an occupation. The hours of~~  
27 ~~professional development required under this subsection covering~~  
28 ~~career counseling must include at least 5 hours covering military~~  
29 ~~career options.~~ **10 hours of professional development approved by**

1    **the department under subsection (8) covering postsecondary**  
2    **preparation. The 10 hours of professional development may include a**  
3    **combination of professional development in the areas of college**  
4    **preparation and readiness, career counseling and development, and**  
5    **exploration of military options.** The hours of professional  
6    development required under this subsection are a part of and not in  
7    addition to professional development requirements under department  
8    rule.

9           (7) An individual may complete the professional development  
10   hours for the purposes of subsection (6) as part of the  
11   professional development provided by a school district,  
12   intermediate school district, public school academy, or nonpublic  
13   school under section 1527 if the content and curriculum of the  
14   professional development provided under section 1527 are approved  
15   by the department under subsection (8).

16          (8) The department shall approve the professional development  
17   for the purposes of subsection (6). The department shall only  
18   approve a professional development program or course for the  
19   purposes of subsection (6) if the department determines that the  
20   content and curriculum for the professional development meet  
21   standards that are developed by the department in consultation with  
22   the department of labor and economic opportunity and groups  
23   representing school counselors, college admissions professionals,  
24   financial aid officers, employers, and others as determined  
25   appropriate by the department. The department shall develop these  
26   standards by July 1, 2018 and shall facilitate the involvement in  
27   the development of the standards of the groups required under this  
28   subsection.

29          (9) The superintendent of public instruction shall promulgate

1 or modify rules as necessary to implement this section.

2 ~~(10) Subject to subsection (12), beginning on December 27,~~  
3 ~~2021 through June 30, 2022, the board of a school district or~~  
4 ~~intermediate school district may employ an individual without a~~  
5 ~~certificate or permit who does not meet the requirements under~~  
6 ~~subsection (5) as a substitute teacher if both of the following are~~  
7 ~~met:~~

8 ~~(a) Both of the following apply to the individual:~~

9 ~~(i) The individual has a high school diploma or high school~~  
10 ~~equivalency certificate as that term is defined in section 4 of the~~  
11 ~~state school aid act of 1979, MCL 388.1604.~~

12 ~~(ii) The individual is employed by or works at the school~~  
13 ~~district or intermediate school district.~~

14 ~~(b) The board ensures that both of the following are met, as~~  
15 ~~applicable:~~

16 ~~(i) If the individual's existing salary as an employee of or~~  
17 ~~worker at the school district or intermediate school district is~~  
18 ~~higher than the salary of a substitute teacher who is employed at~~  
19 ~~or works at the school district or intermediate school district,~~  
20 ~~the individual's salary for the individual's employment or work as~~  
21 ~~a substitute teacher under this subsection must not be lower than~~  
22 ~~the individual's existing salary.~~

23 ~~(ii) If the individual's existing salary as an employee of or~~  
24 ~~worker at the school district or intermediate school district is~~  
25 ~~lower than the salary of a substitute teacher who is employed at or~~  
26 ~~works at the school district or intermediate school district, the~~  
27 ~~individual's salary for the individual's employment or work as a~~  
28 ~~substitute teacher under this subsection must be in an amount that~~  
29 ~~is equal to or greater than the salary of a substitute teacher who~~

1 ~~is employed at or works at the school district or intermediate~~  
2 ~~school district.~~

3 ~~(11) An individual who declines employment or assignment as a~~  
4 ~~substitute teacher under subsection (10) must not be terminated~~  
5 ~~from the individual's existing employment or assignment and must~~  
6 ~~not be subject to retaliation solely for declining the employment~~  
7 ~~or assignment under subsection (10).~~

8 ~~(12) Notwithstanding any other provision of this act, sections~~  
9 ~~1230(2) and 1230a(2) do not apply to an individual employed under~~  
10 ~~subsection (10). However, all other requirements under sections~~  
11 ~~1230 and 1230a apply to the employment of an individual under~~  
12 ~~subsection (10).~~

13 **(10)** ~~(13)~~ The superintendent of public instruction may issue a  
14 preliminary school counselor license to an individual enrolled in  
15 an approved school counselor preparation program if the individual  
16 meets both of the following:

17 (a) The individual has completed at least 30 semester hours in  
18 an approved school counselor preparation program.

19 (b) The individual has successfully completed the department's  
20 school counselor examination.

21 **(11)** ~~(14)~~ Subject to subsection ~~(15)~~, **(12)**, if an individual  
22 holding a school counselor license from another state, country, or  
23 federally recognized Indian tribe applies for a Michigan school  
24 counselor license and meets all requirements for the Michigan  
25 school counselor license except for passage of the appropriate  
26 examinations described in subsection (2)(b), the superintendent of  
27 public instruction shall issue a nonrenewable temporary school  
28 counselor license, good for 1 year, to the individual. The  
29 superintendent of public instruction shall not issue a Michigan

1 school counselor license to the individual after the expiration of  
2 the temporary school counselor license unless the individual  
3 completes the licensing requirements described in this section.

4 **(12)** ~~(15)~~—The superintendent of public instruction shall deny  
5 a Michigan school counselor credential to an individual described  
6 in subsection (2)(b) or ~~(14)~~ **(11)** for fraud, material  
7 misrepresentation, or concealment in the individual's application  
8 for a license or for a conviction for which an individual's state  
9 board approval may be suspended or revoked under section 1539b.

10 **(13)** ~~(16)~~—Except as otherwise provided in this section, as  
11 used in this section:

12 (a) "Individual holding a school counselor license from  
13 another state, country, or federally recognized Indian tribe" or  
14 "individual who holds a school counselor license from another  
15 state, country, or federally recognized Indian tribe" means an  
16 individual with a valid school counselor credential or an  
17 individual who is eligible for a school counselor credential in the  
18 state or country or with the federally recognized Indian tribe in  
19 which or with which the individual holds the credential or is  
20 eligible for the credential.

21 (b) "School counselor credential" means, except as used in  
22 subdivision (a), 1 of the following:

23 (i) A school counselor endorsement on a valid Michigan teaching  
24 certificate.

25 (ii) A preliminary school counselor license as described in  
26 this section.

27 (iii) A temporary school counselor license as described in this  
28 section.

29 (iv) A school counselor license.