

**SUBSTITUTE FOR
HOUSE BILL NO. 4153**

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 501, 521, 551, 1231, 1233, 1311b, 1526, 1535a,
and 1809 (MCL 380.501, 380.521, 380.551, 380.1231, 380.1233,
380.1311b, 380.1526, 380.1535a, and 380.1809), sections 501 and 551
as amended by 2016 PA 192, section 521 as added by 2003 PA 179,
section 1231 as amended by 2020 PA 23, section 1233 as amended by
2023 PA 111, section 1311b as amended by 2012 PA 620, section 1526
as amended by 2023 PA 110, section 1535a as amended by 2016 PA 532,
and section 1809 as amended by 2020 PA 384, and by adding section
1531/.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 501. (1) A public school academy is a public school under

section 2 of article VIII of the state constitution of 1963, is a school district for the purposes of section 11 of article IX of the state constitution of 1963 and for the purposes of section 1225 and section 1351a, and is subject to the leadership and general supervision of the state board over all public education under section 3 of article VIII of the state constitution of 1963. A public school academy is a body corporate and is a governmental agency. The powers granted to a public school academy under this part constitute the performance of essential public purposes and governmental functions of this state.

(2) As used in this part:

(a) "Authorizing body" means any of the following that issues a contract as provided in this part:

(i) The board of a school district.

(ii) An intermediate school board.

(iii) The board of a community college.

(iv) The governing board of a state public university.

(v) Two or more of the public agencies described in subparagraphs (i) to (iv) exercising power, privilege, or authority jointly pursuant to an interlocal agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.

(b) "Certificated teacher" means an individual who holds a ~~valid~~ **either of the following:**

(i) **A** teaching certificate issued by the superintendent of public instruction under section 1531.

(ii) **A local teaching certificate under section 1531/.**

(c) "Community college" means a community college organized under the community college act of 1966, 1966 PA 331, MCL 389.1 to

1 389.195, or a federal tribally controlled community college that is
2 recognized under the tribally controlled colleges and universities
3 assistance act of 1978, 25 USC 1801 to 1864, and is determined by
4 the department to meet the requirements for accreditation by a
5 recognized regional accrediting body.

6 (d) "Contract" means the executive act taken by an authorizing
7 body that evidences the authorization of a public school academy
8 and that establishes, subject to the constitutional powers of the
9 state board and applicable law, the written instrument executed by
10 an authorizing body conferring certain rights, franchises,
11 privileges, and obligations on a public school academy, as provided
12 by this part, and confirming the status of a public school academy
13 as a public school in this state.

14 (e) "Entity" means a partnership, nonprofit or business
15 corporation, labor organization, or any other association,
16 corporation, trust, or other legal entity.

17 (f) "State public university" means a state university
18 described in section 4, 5, or 6 of article VIII of the state
19 constitution of 1963.

20 Sec. 521. (1) An urban high school academy is a public school
21 under section 2 of article VIII of the state constitution of 1963,
22 is a school district for the purposes of section 11 of article IX
23 of the state constitution of 1963 and for the purposes of sections
24 1225 and 1351a, and is subject to the leadership and general
25 supervision of the state board over all public education under
26 section 3 of article VIII of the state constitution of 1963. An
27 urban high school academy is a body corporate and is a governmental
28 agency. The powers granted to an urban high school academy under
29 this part constitute the performance of essential public purposes

1 and governmental functions of this state.

2 (2) As used in this part:

3 (a) "Authorizing body" means the governing board of a state
4 public university that issues a contract as provided in this part.

5 (b) "Certificated teacher" means an individual who holds a
6 ~~valid~~ **either of the following:**

7 (i) **A** teaching certificate issued by the superintendent of
8 public instruction under section 1531.

9 (ii) **A local teaching certificate under section 1531/.**

10 (c) "Contract" means the executive act taken by an authorizing
11 body that evidences the authorization of an urban high school
12 academy and that establishes, subject to the constitutional powers
13 of the state board and applicable law, the written instrument
14 executed by an authorizing body conferring certain rights,
15 franchises, privileges, and obligations on an urban high school
16 academy, as provided by this part, and confirming the status of an
17 urban high school academy as a public school in this state.

18 (d) "Educational management company" means an entity that
19 enters into an agreement with the governing board of a public
20 school to provide comprehensive educational, administrative,
21 management, or instructional services or staff to the public
22 school.

23 (e) "Entity" means a nonprofit corporation that is organized
24 under the nonprofit corporation act, 1982 PA 162, MCL 450.2101 to
25 450.3192, and that has been granted tax-exempt status under section
26 509(a) of the internal revenue code of 1986, **26 USC 509.**

27 (f) "State public university" means a state university
28 described in section 4, 5, or 6 of article VIII of the state
29 constitution of 1963.

Sec. 551. (1) A school of excellence is a public school under section 2 of article VIII of the state constitution of 1963, is a school district for the purposes of section 11 of article IX of the state constitution of 1963 and for the purposes of section 1225 and section 1351a, and is subject to the leadership and general supervision of the state board over all public education under section 3 of article VIII of the state constitution of 1963. A school of excellence is a body corporate and is a governmental agency. The powers granted to a school of excellence under this part constitute the performance of essential public purposes and governmental functions of this state.

(2) As used in this part:

(a) "Authorizing body" means any of the following that issues a contract as provided in this part:

(i) The board of a school district.

(ii) ~~An~~ **The board of an** intermediate school ~~board~~ **district**.

(iii) The board of a community college.

(iv) The governing board of a state public university.

(v) Two or more of the public agencies described in subparagraphs (i) to (iv) exercising power, privilege, or authority jointly pursuant to an interlocal agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.

(b) "Certificated teacher" means an individual who holds a ~~valid~~ **either of the following**:

(i) **A** teaching certificate issued by the superintendent of public instruction under section 1531.

(ii) **A local teaching certificate under section 1531/.**

(c) "Community college" means a community college organized

1 under the community college act of 1966, 1966 PA 331, MCL 389.1 to
2 389.195, or a federal tribally controlled community college that is
3 recognized under the tribally controlled colleges and universities
4 assistance act of 1978, 25 USC 1801 to 1864, and is determined by
5 the department to meet the requirements for accreditation by a
6 recognized regional accrediting body.

7 (d) "Contract" means the executive act taken by an authorizing
8 body that evidences the authorization of a school of excellence and
9 that establishes, subject to the constitutional powers of the state
10 board and applicable law, the written instrument executed by an
11 authorizing body conferring certain rights, franchises, privileges,
12 and obligations on a school of excellence, as provided by this
13 part, and confirming the status of a school of excellence as a
14 public school in this state.

15 (e) "Cyber school" means a school of excellence established
16 under this part that has been issued a contract to be organized and
17 operated as a cyber school under section 552(2) and that provides
18 full-time instruction to pupils through online learning or
19 otherwise on a computer or other technology, which instruction and
20 learning may be remote from a school facility.

21 (f) "Educational management organization" means an entity that
22 enters into an agreement with the governing board of a public
23 school to provide comprehensive educational, administrative,
24 management, or instructional services or staff to the public
25 school.

26 (g) "Entity" means a partnership, nonprofit or business
27 corporation, labor organization, or any other association,
28 corporation, trust, or other legal entity.

29 (h) "State public university" means a state university

1 described in section 4, 5, or 6 of article VIII of the state
2 constitution of 1963.

3 Sec. 1231. (1) Except as otherwise provided in subsections (5)
4 and (6), the board of a school district shall hire and contract
5 with qualified teachers. Contracts with teachers must be in writing
6 and signed on behalf of the school district by a majority of the
7 board, by the president and secretary of the board, ~~or~~ by the
8 superintendent of schools, or **by** an authorized representative of
9 the board. The contracts must specify the wages agreed upon.

10 (2) The board of a school district shall file a teacher's
11 contract with the secretary of the board and shall furnish a
12 duplicate copy of the contract to the teacher.

13 (3) Except as otherwise provided under this act, a contract
14 with a teacher is not valid unless the individual holds a ~~valid~~
15 teaching certificate **or a local teaching certificate**, or is engaged
16 to teach under section 1233b at the time the contractual period
17 begins or the individual is engaged to teach in a community
18 district under section 1233c. A contract terminates if the
19 certificate expires by limitation and is not renewed immediately or
20 if it is suspended or revoked by proper legal authority.

21 (4) The board of a school district, after a teacher has been
22 employed at least 2 consecutive years by the board, may enter into
23 a continuing contract with a certificated teacher, **a teacher with a**
24 **local teaching certificate**, or a teacher engaged to teach under
25 section 1233b or, for a community district, with an individual
26 engaged to teach in a community district under section 1233c.

27 (5) The board of a school district that is a community
28 district may employ or contract for, or both, qualified teachers
29 and other qualified instructional personnel at a public school that

1 formerly operated as an achievement school as necessary to carry
 2 out the purposes of the community district.

3 (6) If a school district partners with an education management
 4 organization for a dropout recovery program as described under
 5 section 23a of the state school aid act of 1979, MCL 388.1623a, the
 6 teacher of record for that program may be employed by or contracted
 7 through the education management organization.

8 (7) As used in this section:

9 (a) "Achievement school" means a public school formerly within
 10 the education achievement system that was operated, managed,
 11 authorized, established, or overseen by the achievement authority.

12 (b) "Education management organization" means that term as
 13 defined in section 23a of the state school aid act of 1979, MCL
 14 388.1623a.

15 (c) **"Local teaching certificate" means that term as defined in**
 16 **section 1531/.**

17 (d) ~~(c)~~ "Teacher" does not include a substitute teacher.

18 (e) ~~(d)~~ "Teacher of record" means that term as defined in
 19 section 23a of the state school aid act of 1979, MCL 388.1623a.

20 Sec. 1233. (1) Except as otherwise provided by law, and
 21 subject to sections 1233b and 1233c, the board of a school district
 22 or intermediate school district shall not permit a teacher who does
 23 not hold a ~~valid~~-teaching certificate **or a local teaching**
 24 **certificate** to teach in a grade or department of the school.

25 (2) The board of a school district or intermediate school
 26 district shall not allow an individual to serve in a counseling
 27 role in the school district or intermediate school district, as the
 28 role is defined by the superintendent of public instruction, unless
 29 the individual holds a ~~valid~~-school counselor credential. The

1 superintendent of public instruction shall issue a school counselor
2 license only to an individual who meets 1 or more of the following:

3 (a) The individual meets both of the following:

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

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

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

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

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

22 (3) Except for teachers engaged to teach under section 1233b
23 and teachers engaged to teach in a community district under section
24 1233c, the intermediate superintendent shall notify the
25 superintendent of public instruction immediately of the names of
26 noncertificated teachers teaching in violation of subsection (1)
27 and the names of individuals serving in counseling roles in
28 violation of subsection (2), the employing district, and the amount
29 of time the noncertificated teachers or unqualified individuals

1 were employed.

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

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

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

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

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

25 (ii) For substitute teaching in a subject matter or field in
26 which a professional license or certification is required, at least
27 1 of the following:

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

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

6 (iii) Has at least 2 cumulative years of professional experience
7 in that same subject matter or field in the immediately preceding
8 10 years.

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

29 (7) An individual may complete the professional development

1 hours for the purposes of subsection (6) as part of the
 2 professional development provided by a school district,
 3 intermediate school district, public school academy, or nonpublic
 4 school under section 1527 if the content and curriculum of the
 5 professional development provided under section 1527 are approved
 6 by the department under subsection (8).

7 (8) The department shall approve the professional development
 8 for the purposes of subsection (6). The department shall ~~only~~
 9 approve a professional development program or course for the
 10 purposes of subsection (6) **only** if the department determines that
 11 the content and curriculum for the professional development meet
 12 standards that are developed by the department in consultation with
 13 the department of labor and economic opportunity and groups
 14 representing school counselors, college admissions professionals,
 15 financial aid officers, employers, and others as determined
 16 appropriate by the department. The department shall develop these
 17 standards by July 1, 2018 and shall facilitate the involvement in
 18 the development of the standards of the groups required under this
 19 subsection.

20 (9) The superintendent of public instruction shall promulgate
 21 or modify rules as necessary to implement this section.

22 ~~(10) Subject to subsection (12), beginning on December 27,~~
 23 ~~2021 through June 30, 2022, the board of a school district or~~
 24 ~~intermediate school district may employ an individual without a~~
 25 ~~certificate or permit who does not meet the requirements under~~
 26 ~~subsection (5) as a substitute teacher if both of the following are~~
 27 ~~met:~~

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

29 ~~(i) The individual has a high school diploma or high school~~

~~equivalency certificate as that term is defined in section 4 of the state school aid act of 1979, MCL 388.1604.~~

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

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

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

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

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

~~(12) Notwithstanding any other provision of this act, sections 1230(2) and 1230a(2) do not apply to an individual employed under~~

1 ~~subsection (10). However, all other requirements under sections~~
2 ~~1230 and 1230a apply to the employment of an individual under~~
3 ~~subsection (10).~~

4 **(10)** ~~(13)~~—The superintendent of public instruction may issue a
5 preliminary school counselor license to an individual enrolled in
6 an approved school counselor preparation program if the individual
7 meets both of the following:

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

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

12 **(11)** ~~(14)~~—Subject to subsection ~~(15)~~, **(12)**, if an individual
13 holding a school counselor license from another state, country, or
14 federally recognized Indian tribe applies for a Michigan school
15 counselor license and meets all requirements for the Michigan
16 school counselor license except for passage of the appropriate
17 examinations described in subsection (2) (b), the superintendent of
18 public instruction shall issue a nonrenewable temporary school
19 counselor license, good for 1 year, to the individual. The
20 superintendent of public instruction shall not issue a Michigan
21 school counselor license to the individual after the expiration of
22 the temporary school counselor license unless the individual
23 completes the licensing requirements described in this section.

24 **(12)** ~~(15)~~—The superintendent of public instruction shall deny
25 a Michigan school counselor credential to an individual described
26 in subsection (2) (b) or ~~(14)~~ **(11)** for fraud, material
27 misrepresentation, or concealment in the individual's application
28 for a license or for a conviction for which an individual's state
29 board approval may be suspended or revoked under section 1539b.

1 **(13)** ~~(16)~~—Except as otherwise provided in this section, as
 2 used in this section:

3 (a) "Individual holding a school counselor license from
 4 another state, country, or federally recognized Indian tribe" or
 5 "individual who holds a school counselor license from another
 6 state, country, or federally recognized Indian tribe" means an
 7 individual with a ~~valid~~ school counselor credential or an
 8 individual who is eligible for a school counselor credential in the
 9 state or country or with the federally recognized Indian tribe in
 10 which or with which the individual holds the credential or is
 11 eligible for the credential.

12 **(b) "Local teaching certificate" means that term as defined in**
 13 **section 1531l.**

14 **(c)** ~~(b)~~—"School counselor credential" means, except as used in
 15 subdivision (a), 1 of the following:

16 (i) A school counselor endorsement on a ~~valid~~ Michigan teaching
 17 certificate.

18 (ii) A preliminary school counselor license as described in
 19 this section.

20 (iii) A temporary school counselor license as described in this
 21 section.

22 (iv) A school counselor license.

23 Sec. 1311b. (1) A strict discipline academy is a public school
 24 under section 2 of article VIII of the state constitution of 1963,
 25 is a school district for the purposes of section 11 of article IX
 26 of the state constitution of 1963 and for the purposes of section
 27 1225 and section 1351a, and is subject to the leadership and
 28 general supervision of the state board over all public education
 29 under section 3 of article VIII of the state constitution of 1963.

1 A strict discipline academy is a body corporate and is a
 2 governmental agency. The powers granted to a strict discipline
 3 academy under sections 1311b to ~~1311f~~-**1311m** constitute the
 4 performance of essential public purposes and governmental functions
 5 of this state.

6 (2) As used in sections 1311b to ~~1311f~~-**1311m**:

7 (a) "Authorizing body" means any of the following that issues
 8 a contract as provided in sections 1311b to ~~1311f~~-**1311m**:

9 (i) The board of a school district that operates grades K to
 10 12.

11 (ii) An intermediate school board.

12 (iii) The board of a community college.

13 (iv) The governing board of a state public university.

14 (b) "Certificated teacher" means an individual who holds a
 15 ~~valid~~ teaching certificate issued by the state board under section
 16 1531 **or a local teaching certificate under section 1531f**.

17 (c) "Community college" means a community college organized
 18 under the community college act of 1966, 1966 PA 331, MCL 389.1 to
 19 389.195, or a federal tribally controlled community college that is
 20 recognized under the tribally controlled colleges and universities
 21 assistance act of 1978, 25 USC 1801 to 1852, and is determined by
 22 the department to meet the requirements for accreditation by a
 23 recognized regional accrediting body.

24 (d) "Contract" means the executive act taken by an authorizing
 25 body that evidences the authorization of a strict discipline
 26 academy and that establishes, subject to the constitutional powers
 27 of the state board and applicable law, the written instrument
 28 executed by an authorizing body conferring certain rights,
 29 franchises, privileges, and obligations on a strict discipline

academy, as provided by sections 1311b to ~~1311l~~, **1311m**, and confirming the status of a strict discipline academy as a public school in this state.

(e) "Entity" means a partnership, nonprofit or business corporation, labor organization, or any other association, corporation, trust, or other legal entity.

(f) "State public university" means a university described in section 4, 5, or 6 of article VIII of the state constitution of 1963.

Sec. 1526. (1) ~~For~~ **Except as otherwise provided in this section, for** the first 3 years of ~~his or her~~ **a teacher's** employment in classroom teaching, a teacher must be assigned by the school in which ~~he or she~~ **the teacher** teaches to 1 or more master teachers, or college professors or retired master teachers, who shall act as a mentor or mentors to the teacher. During the 3-year period, the teacher must also receive intensive professional development induction into teaching, based on a professional development plan that is consistent with the requirements of section 3a of article II of 1937 (Ex Sess) PA 4, MCL 38.83a, including classroom management and instructional delivery. Subject to subsection (2), during the 3-year period, the intensive professional development induction into teaching must consist of at least 15 days of professional development, the experiencing of effective practices in university-linked professional development schools, and regional seminars conducted by master teachers and other mentors. **This subsection does not apply to an individual who is employed as a teacher using a local teaching certificate under section 1531l.**

(2) Except as otherwise provided in this subsection, ~~for teachers employed in classroom teaching on or after August 1, 2023,~~

except for individuals who have physical limitations that make it impracticable for the individual to complete the course and instruction and obtain the required certification under this subsection, the 15 days of professional development described in subsection (1) must include a course approved by the department in first aid and cardiopulmonary resuscitation that includes a test demonstration on a mannequin and instruction in foreign body airway obstruction management that results in ~~valid~~ certification in these topics issued by the American Red Cross, American Heart Association, or a comparable organization or institution approved by the department. The course, instruction, and certification required under this subsection must be completed within the first year of the 3-year period described in subsection (1). This subsection does not apply to an individual who has successfully completed a course and instruction and holds the ~~valid~~ certification as described in this subsection.

(3) An individual who is employed as a teacher using a local teaching certificate under section 1531/ must, before beginning the individual's employment, complete a course approved by the department in first aid and cardiopulmonary resuscitation that includes a test demonstration on a mannequin and instruction in foreign body airway obstruction management that results in certification in these topics issued by the American Red Cross, American Heart Association, or a comparable organization or institution approved by the department.

(4) ~~(3)~~—An individual who has completed the course and instruction and obtained the certification described in subsection (2) **or (3)** and who performs first aid, cardiopulmonary resuscitation, or foreign body airway obstruction management on

1 another individual in the course of ~~his or her~~ **the individual's**
 2 employment as a teacher is not liable in a civil action for damages
 3 resulting from an act or omission occurring in that performance
 4 except for an act or omission constituting gross negligence or
 5 willful or wanton misconduct.

6 Sec. 1535a. (1) Subject to subsection (2), if a ~~person~~ **an**
 7 **individual** who holds a teaching certificate **or local teaching**
 8 **certificate** that is valid in this state has been convicted of a
 9 crime described in this subsection, within 10 working days after
 10 receiving notice of the conviction the superintendent of public
 11 instruction shall notify the ~~person~~ **individual** in writing that ~~his~~
 12 ~~or her~~ **the individual's** teaching certificate **or local teaching**
 13 **certificate** may be suspended because of the conviction and of ~~his~~
 14 ~~or her~~ **the individual's** right to a hearing before the
 15 superintendent of public instruction. The hearing ~~shall~~ **must** be
 16 conducted as a contested case under the administrative procedures
 17 act of 1969, 1969 PA 306, MCL 24.201 to 24.328. If the ~~person~~
 18 **individual** does not avail ~~himself or herself~~ **themselves** of this right
 19 to a hearing within 15 working days after receipt of this written
 20 notification, the teaching certificate **or local teaching**
 21 **certificate** of that ~~person~~ **individual** **must** be suspended. If a
 22 hearing takes place, the superintendent of public instruction shall
 23 complete the proceedings and make a final decision and order within
 24 120 working days after receiving the request for a hearing. Subject
 25 to subsection (2), the superintendent of public instruction may
 26 suspend the ~~person's~~ **individual's** teaching certificate **or local**
 27 **teaching certificate** based ~~upon~~ **on** the issues and evidence
 28 presented at the hearing. This subsection applies to any of the
 29 following crimes:

1 (a) Any felony.

2 (b) Any of the following misdemeanors:

3 (i) Criminal sexual conduct in the fourth degree or an attempt
4 to commit criminal sexual conduct in the fourth degree.

5 (ii) Child abuse in the third or fourth degree or an attempt to
6 commit child abuse in the third or fourth degree.

7 (iii) A misdemeanor involving cruelty, torture, or indecent
8 exposure involving a child.

9 (iv) A misdemeanor violation of section 7410 of the public
10 health code, 1978 PA 368, MCL 333.7410.

11 (v) A violation of section 115, 141a, 335a, or 359 of the
12 Michigan penal code, 1931 PA 328, MCL 750.115, 750.141a, 750.335a,
13 and 750.359, or a misdemeanor violation of section 81, 81a, or 145d
14 of the Michigan penal code, 1931 PA 328, MCL 750.81, 750.81a, and
15 750.145d.

16 (vi) A misdemeanor violation of section 701 of the Michigan
17 liquor control code of 1998, 1998 PA 58, MCL 436.1701.

18 (vii) Any misdemeanor that is a listed offense.

19 (viii) ~~(e)~~ A violation of a substantially similar law of another
20 state, of a political subdivision of this state or another state,
21 or of the United States.

22 (2) If ~~a person~~ **an individual** who holds a teaching certificate
23 **or local teaching certificate** that is valid in this state has been
24 convicted of a crime described in this subsection, the
25 superintendent of public instruction shall find that the public
26 health, safety, or welfare requires emergency action and shall
27 order summary suspension of the ~~person's~~ **individual's** teaching
28 certificate **or local teaching certificate** under section 92 of the
29 administrative procedures act of 1969, 1969 PA 306, MCL 24.292, and

1 shall subsequently provide an opportunity for a hearing as provided
2 under that section. This subsection does not limit the
3 superintendent of public instruction's ability to order summary
4 suspension of a person's teaching certificate **or local teaching**
5 **certificate** for a reason other than described in this subsection.
6 This subsection applies to conviction of any of the following
7 crimes:

8 (a) Criminal sexual conduct in any degree, assault with intent
9 to commit criminal sexual conduct, or an attempt to commit criminal
10 sexual conduct in any degree.

11 (b) Felonious assault on a child, child abuse in the first
12 degree, or an attempt to commit child abuse in the first degree.

13 (c) Cruelty, torture, or indecent exposure involving a child.

14 (d) A violation of section 7401(2)(a)(i), 7403(2)(a)(i), 7410,
15 or 7416 of the public health code, 1978 PA 368, MCL 333.7401,
16 333.7403, 333.7410, and 333.7416.

17 (e) A violation of section 83, 89, 91, 145a, 145b, 145c, 316,
18 317, 350, 448, 455, or 529 of the Michigan penal code, 1931 PA 328,
19 MCL 750.83, 750.89, 750.91, 750.145a, 750.145b, 750.145c, 750.316,
20 750.317, 750.350, 750.448, 750.455, and 750.529, or a felony
21 violation of section 145d of the Michigan penal code, 1931 PA 328,
22 MCL 750.145d.

23 (f) A violation of section 158 of the Michigan penal code,
24 1931 PA 328, MCL 750.158, if a victim is an individual less than 18
25 years of age.

26 (g) Except for a juvenile disposition or adjudication, a
27 violation of section 338, 338a, or 338b of the Michigan penal code,
28 1931 PA 328, MCL 750.338, 750.338a, and 750.338b, if a victim is an
29 individual less than 18 years of age.

(h) A violation of section 349 of the Michigan penal code, 1931 PA 328, MCL 750.349, if a victim is an individual less than 18 years of age.

(i) An offense committed by a person who was, at the time of the offense, a sexually delinquent person as defined in section 10a of the Michigan penal code, 1931 PA 328, MCL 750.10a.

(j) Any other crime that is a listed offense.

(k) An attempt or conspiracy to commit an offense listed in subdivision (a), (e), (f), (g), (h), (i), or (j).

(l) A violation of a substantially similar law of another state, of a political subdivision of this state or another state, or of the United States.

(m) Any other crime listed in subsection (1), if the superintendent of public instruction determines the public health, safety, or welfare requires emergency action based on the circumstances underlying the conviction.

(3) All of the following apply to any proceedings affecting a ~~person's~~**an individual's** teaching certificate **or local teaching certificate** under this section:

(a) The superintendent of public instruction shall appoint a designee to perform the investigatory and prosecutorial functions involved in the proceedings. However, the superintendent of public instruction must approve any settlement, conditional agreement, or other decision not to proceed with charges.

(b) Any final action that affects the status of a ~~person's~~**an individual's** teaching certificate ~~shall~~**or local teaching certificate must** be taken by the superintendent of public instruction.

(c) The superintendent of public instruction after a hearing

1 shall not take action against ~~a person's~~ **an individual's** teaching
 2 certificate **or local teaching certificate** under subsection (1) or
 3 (2) unless the superintendent of public instruction finds that the
 4 conviction is reasonably and adversely related to the ~~person's~~
 5 **individual's** present fitness to serve in an elementary or secondary
 6 school in this state or that the conviction demonstrates that the
 7 ~~person-individual~~ is unfit to teach in an elementary or secondary
 8 school in this state. Further, the superintendent of public
 9 instruction may take action against ~~a person's~~ **an individual's**
 10 teaching certificate **or local teaching certificate** under subsection
 11 (1) or (2) based on a conviction that occurred before April 1, 2004
 12 if the superintendent of public instruction finds that the
 13 conviction is reasonably and adversely related to the ~~person's~~
 14 **individual's** present fitness to serve in an elementary or secondary
 15 school in this state or that the conviction demonstrates that the
 16 ~~person-individual~~ is unfit to teach in an elementary or secondary
 17 school in this state. For the purposes of this section, conviction
 18 of a listed offense is reasonably and adversely related to the
 19 ~~person's-individual's~~ fitness to serve in an elementary or
 20 secondary school in this state and demonstrates that the ~~person~~
 21 **individual** is unfit to teach in an elementary or secondary school
 22 in this state.

23 (4) If ~~a person~~ **an individual** who has entered a plea of guilt
 24 or no contest to or who is the subject of a finding of guilt by a
 25 judge or jury of a crime listed in subsection (2) has been
 26 suspended from active performance of duty by a public school,
 27 school district, intermediate school district, or nonpublic school
 28 during the pendency of proceedings under this section, the public
 29 school, school district, intermediate school district, or nonpublic

1 school employing the ~~person~~**individual** shall discontinue the
 2 ~~person's-individual's~~ compensation until the superintendent of
 3 public instruction has made a final determination of whether ~~or not~~
 4 to suspend or revoke the ~~person's-individual's~~ teaching certificate
 5 **or local teaching certificate**. If the superintendent of public
 6 instruction does not suspend or revoke the ~~person's-individual's~~
 7 teaching certificate **or local teaching certificate**, the public
 8 school, school district, intermediate school district, or nonpublic
 9 school shall make the ~~person-individual~~ whole for lost
 10 compensation, without interest.

11 (5) Except as otherwise provided in this subsection, after the
 12 completion of a ~~person's-an individual's~~ sentence, the ~~person~~
 13 **individual** may request a hearing on reinstatement of ~~his or her the~~
 14 **individual's** teaching certificate **or local teaching certificate**.
 15 Based ~~upon~~**on** the issues and evidence presented at the hearing, the
 16 superintendent of public instruction may reinstate, continue the
 17 suspension of, or permanently revoke the ~~person's-individual's~~
 18 teaching certificate **or local teaching certificate**. The
 19 superintendent of public instruction shall not reinstate a ~~person's~~
 20 **an individual's** teaching certificate **or local teaching certificate**
 21 unless the superintendent of public instruction finds that the
 22 ~~person-individual~~ is currently fit to serve in an elementary or
 23 secondary school in this state and that reinstatement of the
 24 ~~person's-individual's~~ teaching certificate **or local teaching**
 25 **certificate** will not adversely affect the health, safety, and
 26 welfare of pupils. If a ~~person's-an individual's~~ conviction was for
 27 a listed offense, the ~~person-individual~~ is not entitled to request
 28 a hearing on reinstatement under this subsection, and the
 29 superintendent of public instruction shall not reinstate the

1 ~~person's~~**individual's** teaching certificate **or local teaching**
 2 **certificate** under this subsection.

3 (6) All of the following apply to ~~a person~~**an individual**
 4 described in this section whose conviction is reversed ~~upon~~**on**
 5 final appeal:

6 (a) The ~~person's~~**individual's** teaching certificate ~~shall~~**or**
 7 **local teaching certificate must** be reinstated ~~upon his or her~~**on**
 8 **the individual's** notification to the superintendent of public
 9 instruction of the reversal.

10 (b) If the suspension of the ~~person's~~**individual's** teaching
 11 certificate **or local teaching certificate** under this section was
 12 the sole cause of ~~his or her~~**the individual's** discharge from
 13 employment, the ~~person shall~~**individual must** be reinstated, ~~upon~~
 14 ~~his or her~~**on the individual's** notification to the appropriate
 15 local or intermediate school board of the reversal, with full
 16 rights and benefits, to the position ~~he or she~~**the individual** would
 17 have had if ~~he or she~~**the individual** had been continuously
 18 employed.

19 (c) If the ~~person's~~**individual's** compensation was discontinued
 20 under subsection (4), the public school, school district,
 21 intermediate school district, or nonpublic school shall make the
 22 ~~person~~**individual** whole for lost compensation.

23 (7) If the prosecuting attorney in charge of a case receives a
 24 form as provided under section 1230d, the prosecuting attorney
 25 shall notify the superintendent of public instruction, and any
 26 public school, school district, intermediate school district, or
 27 nonpublic school in which the ~~person~~**individual** is employed by
 28 forwarding a copy of the form to each of them not later than 7 days
 29 after receiving the form. If the court receives a form as provided

1 under section 1230d, the court shall notify the superintendent of
2 public instruction and any public school, school district,
3 intermediate school district, or nonpublic school in which the
4 ~~person~~**individual** is employed by forwarding to each of them a copy
5 of the form and information regarding the sentence imposed on the
6 ~~person~~**individual** not later than 7 days after the date of
7 sentencing, even if the court is maintaining the file as a
8 nonpublic record.

9 (8) Not later than 7 days after receiving notification from
10 the prosecuting attorney or the court under subsection (7) or
11 learning through an authoritative source that a ~~person~~**an**
12 **individual** who holds a teaching certificate **or local teaching**
13 **certificate** has been convicted of a crime listed in subsection (1),
14 the superintendent of public instruction shall request the court to
15 provide a certified copy of the judgment of conviction and sentence
16 or other document regarding the disposition of the case to the
17 superintendent of public instruction and shall pay any fees
18 required by the court. The court shall provide this certified copy
19 within 7 days after receiving the request and fees under this
20 section or after entry of the judgment or other document, whichever
21 is later, even if the court is maintaining the judgment or other
22 document as a nonpublic record.

23 (9) If the superintendent of a school district or intermediate
24 school district, the chief administrative officer of a nonpublic
25 school, the president of the board of a school district or
26 intermediate school district, or the president of the governing
27 board of a nonpublic school is notified or learns through an
28 authoritative source that a ~~person~~**an individual** who holds a
29 teaching certificate **or local teaching certificate** and who is

1 employed by the school district, intermediate school district, or
2 nonpublic school has been convicted of a crime described in
3 subsection (1) or (2), the superintendent, chief administrative
4 officer, or board president shall notify the superintendent of
5 public instruction of that conviction within 15 days after learning
6 of the conviction.

7 (10) For the purposes of this section, a certified copy of the
8 judgment of conviction and sentence is conclusive evidence of
9 conviction of a crime described in this section. For the purposes
10 of this section, conviction of a crime described in this section is
11 considered to be reasonably and adversely related to the ability of
12 the person to serve in an elementary or secondary school and is
13 sufficient grounds for suspension or revocation of the ~~person's~~
14 **individual's** teaching certificate **or local teaching certificate**.

15 (11) For any hearing under subsection (1), if the
16 superintendent of public instruction does not make a final decision
17 and order within 120 working days after receiving the request for
18 the hearing, as required under subsection (1), the superintendent
19 of public instruction shall submit a report detailing the reasons
20 for the delay to the standing committees and appropriations
21 subcommittees of the senate and house of representatives that have
22 jurisdiction over education and education appropriations. The
23 failure of the superintendent of public instruction to make a final
24 decision and order within this 120 working day time limit, or the
25 failure of any other official or agency to meet a time limit
26 prescribed in this section, does not affect the validity of an
27 action taken under this section affecting ~~a person's an~~
28 **individual's** teaching certificate **or local teaching certificate**.

29 (12) The superintendent of public instruction shall submit to

1 the legislature an annual report of all final actions ~~he or she~~ **the**
 2 **superintendent of public instruction** has taken under this section
 3 affecting ~~a person's~~ **an individual's** teaching certificate **or local**
 4 **teaching certificate** during the preceding year. The report shall
 5 **must** contain at least all of the following with respect to each
 6 person whose teaching certificate **or local teaching certificate** has
 7 been affected:

8 (a) The ~~person's~~ **individual's** name, as it appears on the
 9 teaching certificate **or local teaching certificate**.

10 (b) The school district, intermediate school district, public
 11 school academy, or nonpublic school in which the ~~person~~ **individual**
 12 was employed at the time of the conviction, if any.

13 (c) The offense for which the ~~person~~ **individual** was convicted
 14 and the date of the offense and date of the conviction.

15 (d) Whether the action taken by the superintendent of public
 16 instruction was a summary suspension, suspension due to failure to
 17 request a hearing, suspension, revocation, or reinstatement of the
 18 teaching certificate **or local teaching certificate**.

19 (13) This section does not do any of the following:

20 (a) Prohibit ~~a person~~ **an individual** who holds a teaching
 21 certificate **or local teaching certificate** from seeking monetary
 22 compensation from a school board or intermediate school board if
 23 that right is available under a collective bargaining agreement or
 24 another statute.

25 (b) Limit the rights and powers granted to a school district
 26 or intermediate school district under a collective bargaining
 27 agreement, this act, or another statute to discipline or discharge
 28 ~~a person~~ **an individual** who holds a teaching certificate **or local**
 29 **teaching certificate**.

1 (14) The superintendent of public instruction may promulgate,
2 as necessary, rules to implement this section pursuant to the
3 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
4 24.328.

5 ~~(15) The department of technology, management, and budget~~
6 ~~shall work with the department and the department of state police~~
7 ~~to develop and implement an automated program that does a~~
8 ~~comparison of the department's list of individuals holding a~~
9 ~~teaching certificate or state board approval, and of any other list~~
10 ~~maintained by the department of individuals employed or regularly~~
11 ~~and continuously working under contract in a school, with the~~
12 ~~conviction information received by the department of state police.~~
13 ~~This comparison shall only include individuals who are actually~~
14 ~~school employees at the time of the comparison or who are regularly~~
15 ~~and continuously working under contract at the time of the~~
16 ~~comparison. Unless otherwise prohibited by law, this comparison~~
17 ~~shall include convictions contained in a nonpublic record. The~~
18 ~~department and the department of state police shall perform this~~
19 ~~comparison during January and June of each year until July 1, 2008.~~
20 ~~The department of state police shall take all reasonable and~~
21 ~~necessary measures using the available technology to ensure the~~
22 ~~accuracy of this comparison before transmitting the information~~
23 ~~under this subsection to the department. The department shall take~~
24 ~~all reasonable and necessary measures using the available~~
25 ~~technology to ensure the accuracy of this comparison before~~
26 ~~notifying a school district, intermediate school district, public~~
27 ~~school academy, or nonpublic school of a conviction. If a~~
28 ~~comparison discloses that a person on the department's list of~~
29 ~~individuals holding a teaching certificate or state board approval~~

~~has been convicted of a crime, or if the department is otherwise notified by the department of state police that such a person has been convicted of a crime, the department shall notify the superintendent or chief administrator and the board or governing body of the school district, intermediate school district, public school academy, or nonpublic school in which the person is employed of that conviction.~~

(15) ~~(16)~~ As used in this section:

(a) "Conviction" means a judgment entered by a court upon a plea of guilty, guilty but mentally ill, or nolo contendere or upon a jury verdict or court finding that a defendant is guilty or guilty but mentally ill.

(b) "Felony" means that term as defined in section 1 of chapter I of the code of criminal procedure, 1927 PA 175, MCL 761.1.

(c) "Listed offense" means that term as defined in section 2 of the sex offenders registration act, 1994 PA 295, MCL 28.722.

(d) "Local teaching certificate" means that term as defined in section 1531/.

(e) ~~(d)~~ "Prosecuting attorney" means the prosecuting attorney for a county, an assistant prosecuting attorney for a county, the attorney general, the deputy attorney general, an assistant attorney general, a special prosecuting attorney, or, in connection with the prosecution of an ordinance violation, an attorney for the political subdivision that enacted the ordinance upon which the violation is based.

(f) ~~(e)~~ "Regularly and continuously work under contract" means that term as defined in section 1230d.

Sec. 1531/. (1) The board of a school district or intermediate

1 school district or board of directors of a public school academy
2 may issue a local teaching certificate to an individual under this
3 section. If the board of a school district or intermediate school
4 district or board of directors of a public school academy elects to
5 issue local teaching certificates under this section, the board of
6 the school district or intermediate school district or board of
7 directors of a public school academy must establish requirements
8 that an individual must meet to be issued a local teaching
9 certificate.

10 (2) Subject to federal law, the superintendent of public
11 instruction shall establish a process for the board of a school
12 district or intermediate school district or board of directors of a
13 public school academy to grant an individual a local teaching
14 certificate. The process must not allow for the granting of a local
15 teaching certificate under this section for teaching special
16 education.

17 (3) The process established under subsection (2) must provide
18 that if a board of a school district or intermediate school
19 district or a board of directors of a public school academy elects
20 to issue a local teaching certificate, the board of the school
21 district or intermediate school district or board of directors of
22 the public school academy will, subject to section 1809, grant a
23 local teaching certificate to an individual who meets at least all
24 of the following:

25 (a) Holds a bachelor's, master's, doctorate, or professional
26 degree in the subject area that the individual will teach from a
27 regionally accredited college or university.

28 (b) Received a grade point average of at least 3.0 on a 4.0
29 scale or the equivalent on another scale, as determined by the

1 board of the school district or board of directors of the public
2 school academy, upon earning the degree required under subdivision
3 (a). If the individual has earned more than 1 degree required under
4 subdivision (a), the highest grade point average earned by the
5 individual may be used in determining the grade point average under
6 this subdivision.

7 (c) Any requirements established by the board of the school
8 district or intermediate school district or board of directors of
9 the public school academy.

10 (4) A local teaching certificate issued under this section is
11 valid for not more than 5 years from the initial date of issuance.
12 To continue serving as a teacher in a public school after the
13 expiration of a local teaching certificate under this subsection,
14 an individual must obtain a teaching certificate issued by the
15 superintendent of public instruction under section 1531 or an
16 interim teaching certificate under section 1531i. This subsection
17 does not apply to an individual who is serving as a teacher for an
18 industrial technology career program or a career and technical
19 education program.

20 (5) A local teaching certificate may not be issued under this
21 section after July 1, 2035.

22 (6) As used in this section, "local teaching certificate"
23 means a teaching certificate issued by a school district,
24 intermediate school district, or public school academy that
25 authorizes an individual to teach a specific subject area only in a
26 school that is operated by the school district, intermediate school
27 district, or public school academy that issued the teaching
28 certificate.

29 Sec. 1809. (1) In addition to any other penalty provided by

1 law, ~~a person~~**an individual** who uses or attempts to use a teaching
 2 certificate **or a local teaching certificate** that ~~he or she~~**the**
 3 **individual** knows is surrendered, suspended, revoked, nullified,
 4 fraudulently obtained, altered, or forged, or who uses or attempts
 5 to use as ~~his or her~~**the individual's** own a ~~valid~~-teaching
 6 certificate **or local teaching certificate** that ~~he or she~~**the**
 7 **individual** knows is issued to another ~~person,~~**individual**, to obtain
 8 employment in a position requiring a ~~valid~~-teaching certificate **or**
 9 **local teaching certificate** or who remains employed in a position
 10 requiring a ~~valid~~-teaching certificate **or local teaching**
 11 **certificate** knowing that ~~he or she~~**the individual** does not hold a
 12 ~~valid~~-teaching certificate **or local teaching certificate** is guilty
 13 of a misdemeanor, punishable as follows:

14 (a) For the first offense, by imprisonment for not more than
 15 93 days or a fine of not more than \$500.00, or both.

16 (b) For a second or subsequent offense, by imprisonment for
 17 not more than 6 months or a fine of not less than \$500.00 or more
 18 than \$1,000.00, or both.

19 (2) In addition to any other penalty provided by law, ~~a person~~
 20 **an individual** who uses or attempts to use a school administrator's
 21 certificate that ~~he or she~~**the individual** knows is surrendered,
 22 suspended, revoked, nullified, fraudulently obtained, altered, or
 23 forged, or who uses or attempts to use as ~~his or her~~**the**
 24 **individual's** own a ~~valid~~-school administrator's certificate that ~~he~~
 25 ~~or she~~**the individual** knows is issued to another ~~person,~~
 26 **individual**, to obtain employment as a school administrator or who
 27 remains employed in a position requiring a ~~valid~~-school
 28 administrator's certificate knowing that ~~he or she~~**the individual**
 29 does not hold a ~~valid~~-school administrator's certificate is guilty

1 of a misdemeanor, punishable as follows:

2 (a) For the first offense, by imprisonment for not more than
3 93 days or a fine of not more than \$500.00, or both.

4 (b) For a second or subsequent offense, by imprisonment for
5 not more than 6 months or a fine of not less than \$500.00 or more
6 than \$1,000.00, or both.

7 (3) In addition to any other penalty provided by law, a person
8 who uses or attempts to use a state board approval that ~~he or she~~
9 **the individual** knows is surrendered, suspended, revoked, nullified,
10 fraudulently obtained, altered, or forged, or who uses or attempts
11 to use as ~~his or her~~ **the individual's** own a ~~valid~~ state board
12 approval that ~~he or she~~ **the individual** knows is issued to another
13 ~~person, individual,~~ to obtain employment in a position requiring a
14 ~~valid~~ state board approval or who remains employed in a position
15 requiring a ~~valid~~ state board approval knowing that ~~he or she~~ **the**
16 **individual** does not hold a ~~valid~~ state board approval is guilty of
17 a misdemeanor, punishable as follows:

18 (a) For the first offense, by imprisonment for not more than
19 93 days or a fine of not more than \$500.00, or both.

20 (b) For a second or subsequent offense, by imprisonment for
21 not more than 6 months or a fine of not less than \$500.00 or more
22 than \$1,000.00, or both.

23 (4) In addition to any other penalty provided by law, ~~a person~~
24 **an individual** who uses or attempts to use a college or university
25 transcript or a certificate or other credential that ~~he or she~~ **the**
26 **individual** knows is fraudulently obtained, altered, or forged, or
27 who uses or attempts to use as ~~his or her~~ **the individual's** own a
28 college or university transcript or a certificate or other
29 credential that ~~he or she~~ **the individual** knows is that of another

1 ~~person, individual~~, to obtain a teaching certificate, **local**
 2 **teaching certificate**, school administrator's certificate, or state
 3 board approval in this state is guilty of a misdemeanor, punishable
 4 as follows:

5 (a) For the first offense, by imprisonment for not more than
 6 93 days or a fine of not more than \$500.00, or both.

7 (b) For a second or subsequent offense, by imprisonment for
 8 not more than 6 months or a fine of not less than \$500.00 or more
 9 than \$1,000.00, or both.

10 (5) The state board may refuse to issue or renew a teaching
 11 certificate, school administrator's certificate, or state board
 12 approval, or refuse to issue an endorsement for a teaching
 13 certificate or school administrator's certificate, to ~~a person~~**an**
 14 **individual** convicted of a violation of this section.

15 (6) **The board of a school district or intermediate school**
 16 **district or board of directors of a public school academy may**
 17 **refuse to issue or renew a local teaching certificate to an**
 18 **individual convicted of a violation of this section.**

19 (7) ~~(6)~~As used in this section: ~~,"state~~

20 (a) **"Local teaching certificate" means that term as defined in**
 21 **section 1531/.**

22 (b) **"State board approval" means that term as defined in**
 23 **section 1539b.**