

# HOUSE BILL NO. 4153

February 26, 2025, Introduced by Reps. DeBoer, Kuhn, Schuette, DeBoyer, Steele, Thompson, St. Germaine, Schmaltz, Tisdell, Cavitt, Greene and Kelly and referred to Committee on Education and Workforce.

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

1531l.

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

1       Sec. 501. (1) A public school academy is a public school under  
2 section 2 of article VIII of the state constitution of 1963, is a  
3 school district for the purposes of section 11 of article IX of the  
4 state constitution of 1963 and for the purposes of section 1225 and  
5 section 1351a, and is subject to the leadership and general  
6 supervision of the state board over all public education under  
7 section 3 of article VIII of the state constitution of 1963. A  
8 public school academy is a body corporate and is a governmental  
9 agency. The powers granted to a public school academy under this  
10 part constitute the performance of essential public purposes and  
11 governmental functions of this state.

12       (2) As used in this part:

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

15       (i) The board of a school district.

16       (ii) An intermediate school board.

17       (iii) The board of a community college.

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

19       (v) Two or more of the public agencies described in  
20 subparagraphs (i) to (iv) exercising power, privilege, or authority  
21 jointly pursuant to an interlocal agreement under the urban  
22 cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to  
23 124.512.

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

26       (i) A teaching certificate issued by the superintendent of  
27 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 389.195, or a federal tribally controlled community college that is recognized under the tribally controlled colleges and universities assistance act of 1978, 25 USC 1801 to 1864, and is determined by the department to meet the requirements for accreditation by a recognized regional accrediting body.

(d) "Contract" means the executive act taken by an authorizing body that evidences the authorization of a public school academy and that establishes, subject to the constitutional powers of the state board and applicable law, the written instrument executed by an authorizing body conferring certain rights, franchises, privileges, and obligations on a public school academy, as provided by this part, and confirming the status of a public school 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 state university described in section 4, 5, or 6 of article VIII of the state constitution of 1963.

Sec. 521. (1) An urban high 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 sections 1225 and 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. An

urban high school academy is a body corporate and is a governmental agency. The powers granted to an urban high 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 the governing board of a state public university that issues a contract as provided in this part.

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

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

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

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

1 public instruction under section 1531.

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

3 (c) "Community college" means a community college organized  
4 under the community college act of 1966, 1966 PA 331, MCL 389.1 to  
5 389.195, or a federal tribally controlled community college that is  
6 recognized under the tribally controlled colleges and universities  
7 assistance act of 1978, 25 USC 1801 to 1864, and is determined by  
8 the department to meet the requirements for accreditation by a  
9 recognized regional accrediting body.

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

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

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

29 (g) "Entity" means a partnership, nonprofit or business

1 corporation, labor organization, or any other association,  
2 corporation, trust, or other legal entity.

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

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

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

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

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

(5) The board of a school district that is a community district may employ or contract for, or both, qualified teachers and other qualified instructional personnel at a public school that formerly operated as an achievement school as necessary to carry out the purposes of the community district.

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

(7) As used in this section:

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

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

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

**(d) ~~(e)~~** "Teacher" does not include a substitute teacher.

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

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

(2) The board of a school district or intermediate school district shall not allow an individual to serve in a counseling



1 role in the school district or intermediate school district, as the  
2 role is defined by the superintendent of public instruction, unless  
3 the individual holds a ~~valid~~-school counselor credential. The  
4 superintendent of public instruction shall issue a school counselor  
5 license only to an individual who meets 1 or more of the following:

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

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

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

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

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

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

25 (3) Except for teachers engaged to teach under section 1233b  
26 and teachers engaged to teach in a community district under section  
27 1233c, the intermediate superintendent shall notify the  
28 superintendent of public instruction immediately of the names of  
29 noncertificated teachers teaching in violation of subsection (1)

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

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

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

1 under this subsection are a part of and not in addition to  
2 professional development requirements under department rule.

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

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

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

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

1 met:

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

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

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

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

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

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

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

1 ~~or assignment under subsection (10).~~

2 ~~(12) Notwithstanding any other provision of this act, sections~~  
 3 ~~1230(2) and 1230a(2) do not apply to an individual employed under~~  
 4 ~~subsection (10). However, all other requirements under sections~~  
 5 ~~1230 and 1230a apply to the employment of an individual under~~  
 6 ~~subsection (10).~~

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

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

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

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

27 **(12)** ~~(15)~~ The superintendent of public instruction shall deny  
 28 a Michigan school counselor credential to an individual described  
 29 in subsection (2) (b) or ~~(14)~~ **(11)** for fraud, material

misrepresentation, or concealment in the individual's application for a license or for a conviction for which an individual's state board approval may be suspended or revoked under section 1539b.

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

(a) "Individual holding a school counselor license from another state, country, or federally recognized Indian tribe" or "individual who holds a school counselor license from another state, country, or federally recognized Indian tribe" means an individual with a ~~valid~~ school counselor credential or an individual who is eligible for a school counselor credential in the state or country or with the federally recognized Indian tribe in which or with which the individual holds the credential or is eligible for the credential.

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

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

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

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

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

(iv) A school counselor license.

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

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

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

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

(ii) An intermediate school board.

(iii) The board of a community college.

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

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

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

(d) "Contract" means the executive act taken by an authorizing body that evidences the authorization of a strict discipline academy and that establishes, subject to the constitutional powers



1 of the state board and applicable law, the written instrument  
 2 executed by an authorizing body conferring certain rights,  
 3 franchises, privileges, and obligations on a strict discipline  
 4 academy, as provided by sections 1311b to ~~1311l~~, **1311m**, and  
 5 confirming the status of a strict discipline academy as a public  
 6 school in this state.

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

10 (f) "State public university" means a university described in  
 11 section 4, 5, or 6 of article VIII of the state constitution of  
 12 1963.

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

**1 teacher using a local teaching certificate under section 1531/.**

**2** (2) Except as otherwise provided in this subsection, ~~for~~  
**3** ~~teachers employed in classroom teaching on or after August 1, 2023,~~  
**4** except for individuals who have physical limitations that make it  
**5** impracticable for the individual to complete the course and  
**6** instruction and obtain the required certification under this  
**7** subsection, the 15 days of professional development described in  
**8** subsection (1) must include a course approved by the department in  
**9** first aid and cardiopulmonary resuscitation that includes a test  
**10** demonstration on a mannequin and instruction in foreign body airway  
**11** obstruction management that results in ~~valid~~ certification in these  
**12** topics issued by the American Red Cross, American Heart  
**13** Association, or a comparable organization or institution approved  
**14** by the department. The course, instruction, and certification  
**15** required under this subsection must be completed within the first  
**16** year of the 3-year period described in subsection (1). This  
**17** subsection does not apply to an individual who has successfully  
**18** completed a course and instruction and holds the ~~valid~~  
**19** certification as described in this subsection.

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

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

Sec. 1535a. (1) Subject to subsection (2), if ~~a person~~ **an individual** who holds a teaching certificate **or local teaching certificate** that is valid in this state has been convicted of a crime described in this subsection, within 10 working days after receiving notice of the conviction the superintendent of public instruction shall notify the ~~person~~ **individual** in writing that ~~his or her~~ **the individual's** teaching certificate **or local teaching certificate** may be suspended because of the conviction and of ~~his or her~~ **the individual's** right to a hearing before the superintendent of public instruction. The hearing ~~shall~~ **must** be conducted as a contested case under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. If the ~~person~~ **individual** does not avail ~~himself or herself~~ **themselves** of this right to a hearing within 15 working days after receipt of this written notification, the teaching certificate **or local teaching certificate** of that ~~person~~ **individual** **must** be suspended. If a hearing takes place, the superintendent of public instruction shall complete the proceedings and make a final decision and order within 120 working days after receiving the request for a hearing. Subject to subsection (2), the superintendent of public instruction may suspend the ~~person's~~ **individual's** teaching certificate **or local**

**teaching certificate** based ~~upon~~**on** the issues and evidence presented at the hearing. This subsection applies to any of the following crimes:

(a) Any felony.

(b) Any of the following misdemeanors:

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

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

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

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

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

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

(vii) Any misdemeanor that is a listed offense.

**(viii)** ~~(e)~~ 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.

(2) If ~~a person~~**an individual** who holds a teaching certificate **or local teaching certificate** that is valid in this state has been convicted of a crime described in this subsection, the superintendent of public instruction shall find that the public health, safety, or welfare requires emergency action and shall

1 order summary suspension of the ~~person's~~**individual's** teaching  
2 certificate **or local teaching certificate** under section 92 of the  
3 administrative procedures act of 1969, 1969 PA 306, MCL 24.292, and  
4 shall subsequently provide an opportunity for a hearing as provided  
5 under that section. This subsection does not limit the  
6 superintendent of public instruction's ability to order summary  
7 suspension of a person's teaching certificate **or local teaching**  
8 **certificate** for a reason other than described in this subsection.  
9 This subsection applies to conviction of any of the following  
10 crimes:

11 (a) Criminal sexual conduct in any degree, assault with intent  
12 to commit criminal sexual conduct, or an attempt to commit criminal  
13 sexual conduct in any degree.

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

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

17 (d) A violation of section 7401(2)(a)(i), 7403(2)(a)(i), 7410,  
18 or 7416 of the public health code, 1978 PA 368, MCL 333.7401,  
19 333.7403, 333.7410, and 333.7416.

20 (e) A violation of section 83, 89, 91, 145a, 145b, 145c, 316,  
21 317, 350, 448, 455, or 529 of the Michigan penal code, 1931 PA 328,  
22 MCL 750.83, 750.89, 750.91, 750.145a, 750.145b, 750.145c, 750.316,  
23 750.317, 750.350, 750.448, 750.455, and 750.529, or a felony  
24 violation of section 145d of the Michigan penal code, 1931 PA 328,  
25 MCL 750.145d.

26 (f) A violation of section 158 of the Michigan penal code,  
27 1931 PA 328, MCL 750.158, if a victim is an individual less than 18  
28 years of age.

29 (g) Except for a juvenile disposition or adjudication, a

1 violation of section 338, 338a, or 338b of the Michigan penal code,  
 2 1931 PA 328, MCL 750.338, 750.338a, and 750.338b, if a victim is an  
 3 individual less than 18 years of age.

4 (h) A violation of section 349 of the Michigan penal code,  
 5 1931 PA 328, MCL 750.349, if a victim is an individual less than 18  
 6 years of age.

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

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

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

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

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

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

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

28 (b) Any final action that affects the status of ~~a person's~~**an**  
 29 **individual's** teaching certificate ~~shall~~**or local teaching**

1 **certificate must** be taken by the superintendent of public  
2 instruction.

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

26 (4) If ~~a person~~ **an individual** who has entered a plea of guilt  
27 or no contest to or who is the subject of a finding of guilt by a  
28 judge or jury of a crime listed in subsection (2) has been  
29 suspended from active performance of duty by a public school,

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

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



1 a listed offense, the ~~person~~**individual** is not entitled to request  
 2 a hearing on reinstatement under this subsection, and the  
 3 superintendent of public instruction shall not reinstate the  
 4 ~~person's~~**individual's** teaching certificate **or local teaching**  
 5 **certificate** under this subsection.

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

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

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

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

26 (7) If the prosecuting attorney in charge of a case receives a  
 27 form as provided under section 1230d, the prosecuting attorney  
 28 shall notify the superintendent of public instruction, and any  
 29 public school, school district, intermediate school district, or

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

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

26 (9) If the superintendent of a school district or intermediate  
27 school district, the chief administrative officer of a nonpublic  
28 school, the president of the board of a school district or  
29 intermediate school district, or the president of the governing

1 board of a nonpublic school is notified or learns through an  
2 authoritative source that ~~a person~~**an individual** who holds a  
3 teaching certificate **or local teaching certificate** and who is  
4 employed by the school district, intermediate school district, or  
5 nonpublic school has been convicted of a crime described in  
6 subsection (1) or (2), the superintendent, chief administrative  
7 officer, or board president shall notify the superintendent of  
8 public instruction of that conviction within 15 days after learning  
9 of the conviction.

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

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

1 action taken under this section affecting ~~a person's~~ **an**  
 2 **individual's** teaching certificate **or local teaching certificate**.

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

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

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

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

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

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

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

28 (b) Limit the rights and powers granted to a school district  
 29 or intermediate school district under a collective bargaining

1 agreement, this act, or another statute to discipline or discharge  
2 ~~a person~~**an individual** who holds a teaching certificate **or local**  
3 **teaching certificate.**

4 (14) The superintendent of public instruction may promulgate,  
5 as necessary, rules to implement this section pursuant to the  
6 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to  
7 24.328.

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

~~school academy, or nonpublic school of a conviction. If a comparison discloses that a person on the department's list of 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.

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

3       Sec. 1531/. (1) The board of a school district or intermediate  
4 school district or board of directors of a public school academy  
5 may issue a local teaching certificate to an individual under this  
6 section. If the board of a school district or intermediate school  
7 district or board of directors of a public school academy elects to  
8 issue local teaching certificates under this section, the board of  
9 the school district or intermediate school district or board of  
10 directors of a public school academy must establish requirements  
11 that an individual must meet to be issued a local teaching  
12 certificate.

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

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

28       (a) Holds a bachelor's, master's, doctorate, or professional  
29 degree in the subject area that the individual will teach from a

1 regionally accredited college or university.

2 (b) Any requirements established by the board of the school  
3 district or intermediate school district or board of directors of  
4 the public school academy.

5 (4) As used in this section, "local teaching certificate"  
6 means a teaching certificate issued by a school district,  
7 intermediate school district, or public school academy that  
8 authorizes an individual to teach a specific subject area only in a  
9 school that is operated by the school district, intermediate school  
10 district, or public school academy that issued the teaching  
11 certificate.

12 Sec. 1809. (1) In addition to any other penalty provided by  
13 law, ~~a person~~**an individual** who uses or attempts to use a teaching  
14 certificate **or a local teaching certificate** that ~~he or she~~**the**  
15 **individual** knows is surrendered, suspended, revoked, nullified,  
16 fraudulently obtained, altered, or forged, or who uses or attempts  
17 to use as ~~his or her~~**the individual's** own a ~~valid~~-teaching  
18 certificate **or local teaching certificate** that ~~he or she~~**the**  
19 **individual** knows is issued to another ~~person~~**individual**, to obtain  
20 employment in a position requiring a ~~valid~~-teaching certificate **or**  
21 **local teaching certificate** or who remains employed in a position  
22 requiring a ~~valid~~-teaching certificate **or local teaching**  
23 **certificate** knowing that ~~he or she~~**the individual** does not hold a  
24 ~~valid~~-teaching certificate **or local teaching certificate** is guilty  
25 of a misdemeanor, punishable as follows:

26 (a) For the first offense, by imprisonment for not more than  
27 93 days or a fine of not more than \$500.00, or both.

28 (b) For a second or subsequent offense, by imprisonment for  
29 not more than 6 months or a fine of not less than \$500.00 or more



1 than \$1,000.00, or both.

2 (2) In addition to any other penalty provided by law, ~~a person~~  
 3 **an individual** who uses or attempts to use a school administrator's  
 4 certificate that ~~he or she~~ **the individual** knows is surrendered,  
 5 suspended, revoked, nullified, fraudulently obtained, altered, or  
 6 forged, or who uses or attempts to use as ~~his or her~~ **the**  
 7 **individual's** own a ~~valid~~ school administrator's certificate that ~~he~~  
 8 ~~or she~~ **the individual** knows is issued to another ~~person,~~  
 9 **individual**, to obtain employment as a school administrator or who  
 10 remains employed in a position requiring a ~~valid~~ school  
 11 administrator's certificate knowing that ~~he or she~~ **the individual**  
 12 does not hold a ~~valid~~ school administrator's 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 (3) In addition to any other penalty provided by law, a person  
 20 who uses or attempts to use a state board approval that ~~he or she~~  
 21 **the individual** knows is surrendered, suspended, revoked, nullified,  
 22 fraudulently obtained, altered, or forged, or who uses or attempts  
 23 to use as ~~his or her~~ **the individual's** own a ~~valid~~ state board  
 24 approval that ~~he or she~~ **the individual** knows is issued to another  
 25 ~~person,~~ **individual**, to obtain employment in a position requiring a  
 26 ~~valid~~ state board approval or who remains employed in a position  
 27 requiring a ~~valid~~ state board approval knowing that ~~he or she~~ **the**  
 28 **individual** does not hold a ~~valid~~ state board approval is guilty of  
 29 a misdemeanor, punishable as follows:

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

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

6 (4) In addition to any other penalty provided by law, ~~a person~~  
7 **an individual** who uses or attempts to use a college or university  
8 transcript or a certificate or other credential that ~~he or she~~ **the**  
9 **individual** knows is fraudulently obtained, altered, or forged, or  
10 who uses or attempts to use as ~~his or her~~ **the individual's** own a  
11 college or university transcript or a certificate or other  
12 credential that ~~he or she~~ **the individual** knows is that of another  
13 ~~person, individual,~~ to obtain a teaching certificate, **local**  
14 **teaching certificate,** school administrator's certificate, or state  
15 board approval in this state is guilty of a misdemeanor, punishable  
16 as follows:

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

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

22 (5) The state board may refuse to issue or renew a teaching  
23 certificate, school administrator's certificate, or state board  
24 approval, or refuse to issue an endorsement for a teaching  
25 certificate or school administrator's certificate, to ~~a person~~ **an**  
26 **individual** convicted of a violation of this section.

27 (6) **The board of a school district or intermediate school**  
28 **district or board of directors of a public school academy may**  
29 **refuse to issue or renew a local teaching certificate to an**

1 individual convicted of a violation of this section.

2 (7) ~~(6)~~ As used in this section: ~~7~~ "state

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

5 (b) "State board approval" means that term as defined in  
6 section 1539b.