



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 657 (as enacted)
Sponsor: Senator Lana Theis
Senate Committee: Education and Career Readiness
House Committee: Education
Ways and Means

PUBLIC ACT 316 of 2020

Date Completed: 3-2-21

CONTENT

The bill amends the Revised School Code to do the following:

- **Eliminate a provision prohibiting the interim teaching certificate (ITC) process from allowing an ITC for special education, beginning three years after the bill's effective date.**
- **Require the ITC process to conform with applicable requirements within the Federal Every Student Succeeds Act.**
- **Specify the training and knowledge required for granting an ITC for an individual who holds a Michigan teaching certificate and for an individual who does not hold a teaching certificate.**
- **Prohibit granting an ITC for teaching special education, beginning three years after the bill's effective date.**
- **Allow an individual granted an ITC for teaching special education before three years after the bill's effective date to continue teaching special education under that ITC after that date.**
- **Require the Center for Educational Performance and Information (CEPI), in consultation with the Department of Education (MDE), to partner with one or more research universities in the State to conduct a study on educator shortages in Michigan.**
- **Require the MDE to make any necessary data available to CEPI and any partnered universities for the purpose of a study specified by the bill.**
- **Require CEPI and partners to submit an initial report to the Governor and certain Legislative committee chairs by January 1, 2022.**
- **Require CEPI and its partners to submit a comprehensive report on educator shortages by January 1, 2023, and January 1 each year thereafter.**
- **Require CEPI and partners, by January 1, 2022, and by January 1 of each year thereafter, to report on the number of ITCs that are issued under the bill for teaching special education, among other requirements.**
- **Removes a reference to "elementary certification examination".**

The bill will take effect on July 21, 2021.

Interim Teaching Certificates for Special Education

Generally, the Code requires the Superintendent of Public Instruction (SPI) to issue a teaching certificate only to individuals who have passed the applicable examinations or who otherwise meet the Code's requirements. However, the Code requires the Superintendent to establish

a process for an individual to earn an ITC that qualifies that individual to teach in public schools and to earn a Michigan teaching certificate. The process must meet all applicable requirements for an alternative teaching certificate process under the Federal No Child Left Behind Act.

The Code does not allow for an ITC for special education. The bill removes this language. In addition, the bill specifies that the alternative teaching certification process must meet the requirements under the Federal No Child Left Behind Act or the Every Student Succeeds Act, as applicable.

Beginning three years after the bill's effective date, the process for an ITC may not allow for the granting of an ITC for teaching special education. This provision does not prohibit an individual who is granted an ITC before that date, subject to other law or rules that otherwise would apply to that individual, from continuing to teach special education under that ITC after that date.

The process established as described above must provide that the SPI will grant an interim teaching certificate to an individual who meet certain requirements. Under the bill, notwithstanding any other provisions of law or rule to the contrary, if the individual seeking an ITC does not hold a Michigan teaching certificate, for an ITC for teaching special education, the individual must complete a training program for teaching special education students that is determined by the SPI to constitute the equivalent of at least 32 college credit hours, or equivalent clock hours, equal to seven hours of instruction per credit hour and that includes training in the requisite knowledge, understanding, skills, and dispositions for effective practice, concerning all the following:

- Using research-based models, theories, and philosophies for teaching students with an array of disabilities within different placements.
- Assessing students within disabilities for identification and teaching.
- Implementing accommodations and modifications for classroom assessments, school district, intermediate school district (ISD), or public school academy (PSA), and statewide assessments.
- Using assistive technology devices to increase, maintain, or improve the capabilities of students with impairments.
- Communicating, consulting, and collaborating with parents and legal guardians, paraprofessionals, general educators, administrators, and human services professionals,
- Developing, implementing, and evaluating individualized education programs.
- Planning, organizing, scheduling, and conducting individualized education program team meetings, including parental and student participation in those meetings.
- Preparing students with disabilities for transitions, including the transition from preschool to elementary school and transition from postsecondary environments to employment.
- Maintaining, releasing, and transferring student records according to school district, ISD, or PSA rules and policies and State and Federal laws, rules, and policies.
- Articulating the historical and legal bases regarding special education, such as the concept of free appropriate public education, general least restricting environment requirements, and family education and privacy rights.

The training program also must include instruction on any additional criteria that the Department determines is appropriate in the teaching of special education students.

Notwithstanding any other provision of law or rule to the contrary, if the individual holds a Michigan teaching certificate, for an ITC for teaching special education, the individual must have completed an accelerated training program for teaching special education students that meets criteria established by the Department and that is approved by the SPI. The individual

is not required to meet the requirements described above and is not required to complete an intensive training program in teaching.

Teacher Shortage Analysis & Report

Under the bill, the Center for Educational Performance and Information, in consultation with the Department, must partner with one or more research universities in Michigan to conduct a research study and analysis on educator shortages in Michigan. The Department must make any needed data available to CEPI and the partnering universities to facilitate the study. By January 1, 2022, CEPI, with its partners, must submit an initial report to the Governor and the chairs of the Senate and House standing committees responsible for education legislation that summarizes available State data, provides a baseline from which future data analysis can begin, and include recommendations to policy makers concerning data-gathering activities necessary to complete the report. By January 1, 2023, and January 1 each year thereafter, CEPI and its partners must submit a comprehensive report on educator shortages to the Governor and the chairs of the Senate and House standing committees responsible for education legislations.

The report must include all the following:

- The number of educator vacancies in Michigan, disaggregated by geographic region and by any broad subject areas and education settings required for those vacancies.
- The educator retention rates in Michigan, disaggregated by geographic region, broad subject areas and educational settings, number of years in the profession, and educator demographics.
- The number of graduates from approved, in-State teacher preparation programs, disaggregated by the broad subject areas and educational settings of those graduates, if any.
- An analysis of the regions in Michigan that present the highest need for educators based on educator shortages in those regions, disaggregated by the broad subject areas and educational settings of the positions in which there are shortages.

By January 1, 2022, and by January 1 each year thereafter, the Department must submit a report to the Governor and the chairs of the Senate and House standing committees responsible for education legislation regarding the number of ITCs issued under the bill for teaching special education and the retention rate for teachers who began serving as teacher in Michigan through an ITC issued under the bill.

"Elementary certification examination" means that term as defined in Section 1531: a comprehensive examination for elementary certification that has been developed or selected by the superintendent of Public Instruction for demonstrating the applicant's knowledge and understanding of the core subjects normally taught in elementary classrooms and for determining whether or not an applicant is eligible for an elementary level teaching certificate. The bill removes reference to this term.

MCL 380.1531i

Legislative Analyst: Dana Adams

FISCAL IMPACT

The bill will have a fiscal impact on the State and for local ISDs, school districts, PSAs, and universities that conduct public research.

The Department will experience increased costs to establish the criteria for accelerated training programs for teaching special education students. These costs will include research,

development, coordination, and implementation costs and may be significant. After the criteria are established, the Department also will experience costs to submit annual reports on the number of interim teaching certificates issued and the retention rate for those teachers. Finally, the Department will experience additional costs to approve training programs for teachers of special education students.

The Center for Educational Performance and Information will experience additional costs from working with the Department and partnering with one or more research university to conduct a research study on the educator shortage in Michigan, which will be due by September 15, 2021, and annually afterwards. Additionally, CEPI will have to collect and report new data that is currently not required, which will increase administrative costs. Total costs for CEPI are estimated to be under \$100,000.

Intermediate school districts, school districts, and PSAs will experience additional costs to submit new reports to CEPI, which will vary depend on locals current reporting operations.

The bill will have a minimal fiscal impact on any public research university that CEPI selects to research the teacher shortage in Michigan. These costs likely will be minimal and within the university's current funding levels and research capacity.

Fiscal Analyst: Cory Savino

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.