



**House  
Legislative  
Analysis  
Section**

House Office Building, 9 South  
Lansing, Michigan 48909  
Phone: 517/373-6466

**SUBSTITUTE TEACHER  
QUALIFICATIONS & PERMIT**

**House Bill 4428 as introduced  
Sponsor: Rep. Randy Richardville**

**House Bill 4541 as introduced  
Sponsor: Rep. Judson Gilbert**

**House Bill 4579 (Substitute H-1)  
Sponsor: Rep. Larry Julian**

**First Analysis (3-12-02)  
Committee: Education**

***THE APPARENT PROBLEM:***

When classroom teachers cannot meet their students because of illness or because time has been set aside for adult learning in their teaching disciplines (what has come to be known as professional development), school districts hire substitute teachers. According to an article in *Phi Delta Kappan*, an education journal for teachers, the average student spends seven days out of every school year with a substitute teacher. However, a recent study undertaken by the Substitute Teaching Institute of Utah, says the time is longer: that when the average student completes 12 years of public school, he or she has had a substitute teacher for the equivalent of one school year. Further, the director of the institute estimates that about 274,000 subs are in America's classrooms daily, which would account for 10 percent of the teaching force on any given day.

Generally, substitutes are paid by the day (about \$75 a day in Michigan, but ranging from \$42 to \$175 a day throughout the nation), and they are required to have completed some college-level course work. (In contrast, a teacher might earn \$350 a day, and an attorney \$800 a day.) The amount and kind of college course work varies depending on the state where the substitute works. Further, the kind of contract or work agreement a substitute signs--temporary part-time or permanent part-time--varies depending on the school district and the state. However, school districts usually develop a list of qualified substitute teachers, and then notify a substitute early in the morning on the school day during which he or she will teach.

The qualifications of substitute teachers differ from state to state. Some states such as Rhode Island

require their substitute teachers to be fully certified in the learning discipline that is taught in the classroom where they will be temporarily assigned. Or, states such as Ohio require a substitute teacher to have a college degree in any subject area. Other states such as Michigan and Florida require at least some college credit. In yet further contrast, Utah and Georgia require only a high school diploma.

In 1995 when the Michigan legislature adopted the Revised School Code, a section was added to specify that the board of a school district or intermediate school district could employ a person without a teaching certificate as a substitute teacher if the person had at least 90 semester hours of college credit from a college or university.

Before the change, the state issued permits for regular substitute teachers and also permits for emergency substitute teachers. Districts with an inadequate supply of substitutes could apply to the state to lessen the requirements for those teachers. Normally a substitute teacher who did not hold a valid teaching certificate would have to have completed 120 semester hours at an accredited institution, including six hours of professional educational credit. However, if the state declared a district to have an emergency situation, substitute teachers could work if they had a bachelor's degree with no educational credits, or if they were in a teacher education program and had completed 90 semester hours toward certification. During the 1994-95 school year, the state issued 13,610 permits for regular subs, and 1,613 permits for emergency subs, a total of 15,223 substitute permits. According to the Department of Education, the number of substitute permits issued

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during the 1995-96 school year decreased, to 14,356 during the final year the 120-semester hour standard was in effect. In contrast and according to committee testimony, there were 37,931 substitute permits granted by the Department of Education during the 2000-2001 school year, more than a 250 percent increase.

Finding an adequate number of qualified substitute teachers is difficult in some school districts, and the reports of the substitute "shortage" appear in the press nationwide. Generally two reasons are given: substandard pay without benefits; and unruly students who harass their temporary teachers. (See *BACKGROUND INFORMATION* below.)

In order to make easier the recruitment of substitute teachers, some have argued that the qualifications could be eased. They suggest that the pool of eligible candidates will be larger if the education requirement were dropped to 60 hours, and if those 60 hours of higher education that would be required could be earned at a community college, rather than be restricted to 60 hours of course work at a college or university. Further, they say a three-year permit for \$50 should be available for substitute teachers, rather than the current annual \$25 permit. To these ends, legislation has been introduced.

### ***THE CONTENT OF THE BILLS:***

These bills would allow for a three-year substitute teaching permit; reduce the number of semester hours required for a substitute teaching permit from 90 hours to 60 hours (generally from three years of higher education to two years); and, specify that the hours could be earned in coursework completed at a community college.

House Bill 4428 would amend the Revised School Code (MCL 380.1233) to change the minimum qualifications for substitute teachers. Under current law the board of a school district or intermediate school district may employ a person without a teaching certificate as a substitute teacher if the person has at least 90 semester hours of college credit from a college or university. House Bill 4428 would amend the provision to specify that "college" would include an accredited community college located in this state.

House Bill 4541 would amend the Revised School Code (MCL 380.1233) to change the minimum qualifications for substitute teachers. Under current law the board of a school district or intermediate school district may employ a person without a

teaching certificate as a substitute teacher if the person has at least 90 semester hours of college credit from a college or university. The bill would amend the provision to specify that a person could be employed as a substitute teacher if he or she had at least 60 hours of college credit from a college or university.

House Bill 4579 would amend the Revised School Code (MCL 380.1538) to specify that notwithstanding any rule to the contrary, a substitute teacher permit would be valid for three years. Currently a substitute teacher permit is valid for one year, as specified in R390.1141 of the Michigan Administrative Code (also known as Rule 41). In addition and under the bill, a permit could be purchased for only one year for a \$25 fee, or for three years for a \$50 fee. Currently under the law, only an annual permit for \$25 can be purchased by a substitute teacher.

[Rule 390.1141, which went into effect July 8, 1989, states that (1) On application, the state board will issue a special permit for a person who has the statutory qualifications and has completed, or had accepted by transfer, the prescribed amount of satisfactory college credit in an approved teacher education program. The permit will be a full-year permit or substitute permit. (2) A full-year or substitute permit or renewal of either permit is issued to the recommending superintendent or personnel officer, who applies for the permit or renewal and who affirms under oath that the requirements for the requested permit or renewal have been met, including that a certificated teacher is not available for employment. The recommending superintendent or personnel officer receiving the permit or renewal holds the permit or renewal for the person.]

### ***BACKGROUND INFORMATION:***

Substitute teacher shortage. Nationwide school districts struggle to find qualified substitute teachers. As a result, some states have reduced educational requirements. Most researchers who track the substitute "shortage" phenomenon observe that until recently schools have been able to hire better talent than they were paying for, but that since people (mostly women) who used to become teachers now have other career opportunities, substitute teaching has lost its appeal. That is to say, today's shortage of substitute teachers is not caused by a lack of qualified people. It is caused by qualified people who are unwilling to work at sub-market wages, or as one report suggests, substitute teaching entails a subhuman day at substandard pay. Indeed, according

to remarks made before a school finance committee in the Iowa legislature in October 1999, a substitute teacher makes from \$55 to \$95 per day. That per diem amounts to an annual salary of \$9,900 to \$17,100, while the poverty level for a family of four is \$15,965. Few find the pay and working conditions appealing.

Substitute teacher training and recruitment. Some community colleges and private education consultants have created new training programs to help school districts recruit qualified substitute teachers. At least one of the new programs is video-based and distributed electronically through distance learning networks. The program, used by Michigan school districts, consists of four video lessons with advice from veteran substitute teachers, full-time classroom teachers, and school administrators. After using this training program for two years, the St. Clair Intermediate School District has added 175 people to its substitute teacher lists, freeing teachers to attend their five state-mandated days of staff development.

### ***FISCAL IMPLICATIONS:***

The House Fiscal Agency notes that House Bills 4428 and 4541 would have no fiscal impact. (3-7-02)

The Department of Education notes that the annual \$25 substitute permits generated over \$500,000 in restricted fee funds during the 2000-2001 fiscal year, which amounts to about 20 percent of the total appropriation for the Office of Professional Preparation Services. (3-6-02)

### ***ARGUMENTS:***

#### ***For:***

The state's substitute teacher qualification requirements can be relaxed without causing harm to school children. Ideal candidates for substitute teaching are positive and energetic workers. It is not important that a substitute teacher who is a temporary employee display either deep subject matter knowledge or teaching skill. Substitute teachers are effective when they display excellent verbal communications skills; stimulate intellectual growth; motivate students' academic interests; and, exhibit warmth, caring, and a dedication to human growth and development. These skills and personal qualities can be found in many adults, and certainly in many adults who have successfully completed course work and associate degrees in community colleges. Allowing people who have 60 hours of community

college course work to substitute teach will ease the substitute teacher shortage in some regions of Michigan.

#### ***For:***

These bills set new parameters for qualifying substitute teachers, in order to increase the number of people who would be eligible to take substitute teacher jobs in local school districts. Currently there is a severe shortage of substitute teachers in some regions of the state. For example, according to committee testimony, there are shortages throughout Monroe County and in parts of St. Clair County. School officials in those counties argue that the pool of eligible candidates for sub positions needs to be expanded, and that school officials can and should be trusted to find well-qualified substitute teachers within the larger pool, despite the fact that those in the pool will have less education than is currently required. They also point out that a school district is not compelled to adopt the new parameters that would allow 60 semester hours of coursework, but can instead continue to require their substitute teachers to have 90 semester hours of coursework.

#### ***For:***

The current law specifies that substitute teachers should have 90 hours of course work at a college or university. According to reports, some school districts have interpreted 'college' to mean a community college, instead of a four-year college of higher learning. Those school districts have hired substitute teachers who have community college associate degrees, if they also have a third year of community college coursework. This legislation clarifies the law. In addition, the legislation likely will enable school districts to increase the number of people on their sub lists, since the school officials would be able to continue their practice of hiring community college-educated substitutes, and also would be able to recruit substitutes who have completed one-third less coursework at the community college level.

#### ***Against:***

The shortage of substitute teachers is caused by low pay for substitutes. Currently a substitute teacher earns about \$75 a day (although rates of pay depend on location), and has no benefits. In contrast, a teacher earns between \$150 and \$300 a day, if his or her salary is between \$30,000 and \$60,000 a year. Retired teachers cannot be expected to return to substitute teach in schools when substitute pay is so woefully inadequate--merely a half or a quarter of what they earned as regular teachers. When other

professionals return to their professions after retirement, or are asked to take on temporary assignments, they often receive higher pay to compensate for the ways in which the temporary assignment is more difficult. If the same were true for teachers, there would be no "shortage" of substitute teachers.

***Against:***

A growing number of reports point out that school resources--and most important of all, highly qualified teachers--are key to student learning. Those who teach and those who substitute teach should undertake their temporary assignments only in classes where they will teach their major or minor fields of study. State policy should require that all teachers in classrooms be fully trained and have ample knowledge so that a student's day in school can be productive. Under-qualified teachers in classrooms, even on a temporary basis, are a matter of concern as there is a relationship between teacher quality and student achievement, now confirmed in a substantial and growing body of research. Indeed, recent survey research indicates that as many as 274,000 substitute teachers are deployed in classrooms throughout the nation each and every day, or about 10 percent of the teaching workforce, according to the Substitute Teaching Institute at Utah State University. The director of that institute reports that after 12 years of education in public school, a student has spent a full year with a substitute teacher, on average. Efforts in education policy are always toward the goal of raising standards in order to increase student achievement. Student achievement cannot increase if the standards for teachers decline.

***Against:***

According to committee testimony, there are two kinds of substitute teachers deployed in schools by school officials--short-term and long-term. Short-term substitutes fill in for regular teachers when the teachers' absences are sudden and unavoidable, but will be of short duration, generally a day, but sometimes as little as an hour, or for a half-day. In contrast, long-term substitutes are teachers of the subject matter discipline who will be part of the school faculty for more than an hour, half-day, or one entire school day. Generally they join the faculty temporarily to take the teaching assignment of a teacher who is ill, or who is taking maternity or family leave, or who is working with education consultants during sustained professional development exercises. Although both kinds of substitutes are hired by the day, the nature of their work is very different--one is there to fill in

temporarily in a brief and often unplanned absence, the other there to provide instruction in mathematics or chemistry or Spanish over days, weeks, or months. Arguably, the education and training required of the two kinds of substitutes are different, both in their duration and in their content. State policy should set parameters to ensure that long-term substitutes have more education and training than short-term substitutes, and these bills should be amended to address that distinction.

***POSITIONS:***

The Department of Education supports House Bill 4428, and supports the committee substitute for House Bill 4579. (3-8-02)

The Yale Public Schools support House Bill 4541. (3-11-02)

The Michigan Association of School Boards supports House Bill 4428. (3-7-02)

The Michigan Association of Secondary School Principals supports House Bill 4428. (3-7-02)

The Monroe County Superintendents' Association supports House Bill 4428 and also a change in policy to allow school districts to use, as substitute teachers, individuals with 60 semester credit hours at a four-year college, university, or community college. (3-6-02)

Oakland Schools support the bills. (3-8-02)

The Michigan Education Association supports House Bills 4428 and 4579, and opposes House Bill 4541. (3-7-02)

The Michigan Federation of Teachers and School Related Personnel opposes House Bill 4541, has concerns about House Bill 4428, and supports House Bill 4579. (3-7-02)

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.