

**SUBSTITUTE FOR
HOUSE BILL NO. 4716**

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 1526 and 1531 (MCL 380.1526 and 380.1531),
section 1526 as amended by 1995 PA 289 and section 1531 as
amended by 2000 PA 497.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1526. (1) For the first 3 years of his or her
2 employment in classroom teaching, a teacher shall be assigned by
3 the school in which he or she teaches to 1 or more master
4 teachers, or college professors or retired master teachers, who
5 shall act as a mentor or mentors to the teacher. During the
6 3-year period, the teacher shall also receive intensive
7 professional development induction into teaching, based on a
8 professional development plan that is consistent with the
9 requirements of section 3a of article II of ~~Act No. 4 of the~~

1 ~~Public Acts of the Extra Session of 1937, being section 38.83a of~~
2 ~~the Michigan Compiled Laws 1937 (Ex Sess) PA 4, MCL 38.83a,~~
3 including classroom management and instructional delivery.
4 During the 3-year period, the intensive professional development
5 induction into teaching shall consist of at least 15 days of
6 professional development, the experiencing of effective practices
7 in university-linked professional development schools, and
8 regional seminars conducted by master teachers and other
9 mentors.

10 **(2) Not later than 1 year after the effective date of the**
11 **amendatory act that added this subsection, the advisory committee**
12 **established under section 1531(5) shall review the mentorship**
13 **practices taking place under this section and shall make**
14 **recommendations to the superintendent of public instruction on**
15 **possible legislation to improve the mentorship practices taking**
16 **place in this state. The recommendations may include**
17 **recommendations for promulgation of rules to improve mentorship**
18 **practices in this state.**

19 Sec. 1531. (1) Except as provided in this act, the
20 superintendent of public instruction shall determine the
21 requirements for and issue all licenses and certificates for
22 teachers, including preprimary teachers, and the requirements for
23 an endorsement of teachers as qualified counselors and an
24 endorsement of teachers for teaching a foreign language in an
25 elementary grade in the public schools of the state.

26 (2) Except as otherwise provided in this act, the
27 superintendent of public instruction shall only issue a teaching

1 certificate to a person who has passed appropriate examinations
2 as follows:

3 (a) For a secondary level teaching certificate, has passed
4 both the basic skills examination and the appropriate available
5 subject area examination for each subject area in which he or she
6 applies to be certified.

7 (b) For an elementary level teaching certificate, has passed
8 the basic skills examination and, if it is available, the
9 elementary certification examination, and has passed the
10 appropriate available subject area examination for each subject
11 area, if any, in which he or she applies to be certified.

12 (3) Except as otherwise provided in this act, the
13 superintendent of public instruction shall issue a Michigan
14 teaching certificate to a person holding a certificate from
15 another state or a teaching degree from an out-of-state teacher
16 preparation institution who applies for a Michigan teaching
17 certificate only if the person passes appropriate examinations as
18 follows:

19 (a) For a secondary level teaching certificate, pass both the
20 basic skills examination and the appropriate available subject
21 area examination for each subject area in which he or she applies
22 to be certified. The superintendent of public instruction may
23 accept passage of an equivalent examination approved by the
24 superintendent of public instruction to meet 1 or both of these
25 requirements.

26 (b) For an elementary level teaching certificate, pass the
27 basic skills examination and, if it is available, the elementary

1 certification examination, and pass the appropriate available
2 subject area examination for each subject area, if any, in which
3 he or she applies to be certified. The superintendent of public
4 instruction may accept passage of an equivalent examination
5 approved by the superintendent of public instruction to meet 1 or
6 more of these requirements.

7 (4) Except as otherwise provided in this act, the
8 superintendent of public instruction shall only issue a teaching
9 certificate to a person who has met the elementary or secondary,
10 as applicable, reading credit requirements established under
11 superintendent of public instruction rule. Not later than ~~1~~
12 ~~year after the effective date of the amendatory act that added~~
13 ~~this subsection~~ **January 11, 2002**, the superintendent of public
14 instruction, in cooperation with appropriate curriculum
15 specialists and teacher educators, shall revise existing reading
16 standards to recognize reading disorders and to enable teachers
17 to make referrals for instruction and support for pupils with
18 reading disorders.

19 (5) **Not later than 1 year after the effective date of the**
20 **amendatory act that added this subsection, the advisory committee**
21 **appointed under this subsection shall review the teacher**
22 **certification rules promulgated under this section and shall**
23 **recommend revisions to those rules to the superintendent of**
24 **public instruction. Not later than 1 year after receiving these**
25 **recommendations, the superintendent of public instruction shall**
26 **revise the rules promulgated under this section in accordance**
27 **with these recommendations. The department shall establish an**

1 advisory committee of school principals, teachers,
2 superintendents, school board members, and representatives of
3 approved teacher education institutions for the purposes of this
4 subsection and section 1526(2). This committee shall consist of
5 a representative of the department and 2 principals of schools
6 located in this state, 5 certificated teachers, 3 local school
7 superintendents, 2 school board members, and 1 representative of
8 approved teacher education institutions, appointed as follows:

9 (a) One principal, 2 teachers, 1 superintendent, and 1 school
10 board member appointed by the senate majority leader.

11 (b) One principal, 1 teacher, 2 superintendents, and 1 school
12 board member appointed by the speaker of the house of
13 representatives.

14 (c) Two teachers appointed by the governor.

15 (d) One representative of approved teacher education
16 institutions appointed by the governor.

17 (6) ~~-(5)-~~ Subject to subsection ~~-(7)-~~ (8), if a person
18 holding a teaching certificate from another state applies to the
19 superintendent of public instruction for a Michigan teaching
20 certificate and meets the requirements of this subsection, the
21 superintendent of public instruction shall issue to the person a
22 Michigan professional education teaching certificate and
23 applicable endorsements comparable to those the person holds in
24 the other state, without requiring the person to pass a basic
25 skills examination or the applicable subject area examination
26 otherwise required under subsection (2) or (3). To be eligible
27 to receive a Michigan professional education teaching certificate

1 under this subsection, a person shall provide evidence
2 satisfactory to the department that he or she meets all of the
3 following requirements:

4 (a) Has taught successfully for at least 3 years in a
5 position for which the person's teaching certification from the
6 other state was valid.

7 (b) Has earned, after his or her initial certification in
8 another state, at least 18 semester credit hours in a planned
9 course of study at an institution of higher education approved by
10 the superintendent of public instruction or has earned, at any
11 time, a master's or doctoral degree approved by the
12 superintendent of public instruction.

13 (c) Has met the elementary or secondary, as applicable,
14 reading credit requirement established under superintendent of
15 public instruction rule.

16 (7) ~~(6)~~ A person who receives a teaching certificate and
17 endorsement or endorsements under subsection ~~(5)~~ (6) is
18 eligible to receive 1 or more additional endorsements comparable
19 to endorsements the person holds in another state only if the
20 person passes the appropriate subject area examinations required
21 under subsection (2) or (3).

22 (8) ~~(7)~~ The superintendent of public instruction shall deny
23 a Michigan teaching certificate to a person described in
24 subsection ~~(5)~~ (6) for fraud, material misrepresentation, or
25 concealment in the person's application for a certificate or for
26 a conviction for which a person's teaching certificate may be
27 revoked under section 1535a.

1 **(9)** ~~—(8)—~~ The department, based upon criteria recommended
2 pursuant to subsection ~~—(10)—~~ **(11)**, shall provide to approved
3 teacher education institutions guidelines and criteria approved
4 by the superintendent of public instruction for use in the
5 development or selection of a basic skills examination and
6 approved guidelines and criteria for use in the development or
7 selection of subject area examinations.

8 **(10)** ~~—(9)—~~ For the purposes of this section, the
9 superintendent of public instruction, based upon criteria
10 recommended pursuant to subsection ~~—(10)—~~ **(11)**, shall develop,
11 select, or develop and select 1 or more basic skills examinations
12 and subject area examinations. In addition, the superintendent
13 of public instruction, based upon criteria recommended pursuant
14 to subsection ~~—(10)—~~ **(11)**, shall approve an elementary
15 certification examination and a reading subject area
16 examination.

17 **(11)** ~~—(10)—~~ The superintendent of public instruction shall
18 appoint an 11-member teacher examination advisory committee
19 comprised of representatives of approved teacher education
20 institutions and Michigan education organizations and
21 associations. Not more than 1/2 of the members comprising this
22 committee shall be certified teachers. This committee shall
23 recommend criteria to be used by the superintendent of public
24 instruction in the development, selection, or development and
25 selection of 1 or more basic skills examinations, and criteria to
26 be used by the superintendent of public instruction in the
27 development, selection, or development and selection of subject

1 area examinations. In addition, the committee shall recommend
2 guidelines for the use and administration of those examinations.
3 The basic skills examinations referred to in this subsection may
4 be developed by the superintendent of public instruction or
5 selected by the superintendent of public instruction from
6 commercially or university developed examinations. In addition,
7 an approved teacher education institution, pursuant to guidelines
8 and criteria described in subsection ~~(8)~~ (9), may develop an
9 examination at its own expense for approval by the superintendent
10 of public instruction. An approved teacher education institution
11 that develops its own examination is liable for any litigation
12 that results from the use of its examination.

13 (12) ~~(11)~~ The superintendent of public instruction shall
14 appoint a 7-member standing technical advisory council comprised
15 of persons who are experts in measurement and assessment. This
16 council shall advise the superintendent of public instruction and
17 the teacher examination committee on the validity, reliability,
18 and other technical standards of the examinations that will be
19 used or are being used and of the administration and use of those
20 examinations.

21 (13) ~~(12)~~ Not later than November 30 of each year, the
22 superintendent of public instruction shall submit in writing a
23 report on the development or selection and use of the basic
24 skills examination, the elementary certification examination, and
25 the subject area examinations to the house and senate education
26 committees. The report shall also contain a financial statement
27 regarding revenue received from the assessment of fees levied

1 pursuant to subsection ~~(14)~~ **(15)** and the amount of and any
2 purposes for which that revenue was expended.

3 **(14)** ~~(13)~~ The basic skills examination, the elementary
4 certification examination, and the subject area examinations
5 required by this section may be taken at different times during
6 an approved teacher preparation program, but the basic skills
7 examination must be passed before a person is enrolled for
8 student teaching and the elementary certification examination and
9 the subject area examinations, as applicable, must be passed
10 before a person is recommended for certification.

11 **(15)** ~~(14)~~ The department, or if approved by the
12 superintendent of public instruction, a private testing service,
13 may assess fees for taking the basic skills examination,
14 elementary certification examination, and the subject area
15 examinations. The fees, which shall be set by the superintendent
16 of public instruction, shall not exceed \$50.00 for a basic skills
17 examination or \$75.00 for an elementary certification examination
18 or a subject area examination. However, if a subject area
19 examination for vocational education includes a performance
20 examination, an additional fee may be assessed for taking the
21 performance examination, not to exceed the actual cost of
22 administering the performance examination. Fees received by the
23 department shall be expended solely for administrative expenses
24 that it incurs in implementing this section.

25 **(16)** ~~(15)~~ If a person holding a teaching certificate from
26 another state applies for a Michigan teaching certificate and
27 meets all requirements for the Michigan teaching certificate

1 except passage of the appropriate examinations under
2 subsection (3), the superintendent of public instruction shall
3 issue a nonrenewable temporary teaching certificate, good for 1
4 year, to the person. The superintendent of public instruction
5 shall not issue a Michigan teaching certificate to the person
6 after expiration of the temporary teaching certificate unless the
7 person passes appropriate examinations as described in
8 subsection (3).

9 (17) ~~(16)~~ As used in this section:

10 (a) "Basic skills examination" means an examination developed
11 or selected by the superintendent of public instruction or
12 developed pursuant to subsection ~~(10)~~ (11) by an approved
13 teacher education institution for the purpose of demonstrating
14 the applicant's knowledge and understanding of basic language and
15 mathematical skills and other skills necessary for the
16 certificate sought, and for determining whether or not an
17 applicant is eligible for a provisional Michigan teaching
18 certificate.

19 (b) "Elementary certification examination" means a
20 comprehensive examination for elementary certification that has
21 been developed or selected by the superintendent of public
22 instruction for demonstrating the applicant's knowledge and
23 understanding of the core subjects normally taught in elementary
24 classrooms and for determining whether or not an applicant is
25 eligible for an elementary level teaching certificate.

26 (c) "Subject area examination" means an examination related
27 to a specific area of certification, which examination has been

1 developed or selected by the superintendent of public instruction
2 for the purpose of demonstrating the applicant's knowledge and
3 understanding of the subject matter and determining whether or
4 not an applicant is eligible for a Michigan teaching
5 certificate.

6 (18) ~~-(17)-~~ The superintendent of public instruction shall
7 promulgate rules for the implementation of this section.

8 (19) ~~-(18)-~~ Notwithstanding any rule to the contrary, the
9 superintendent of public instruction shall continue to issue
10 state elementary or secondary continuing education certificates
11 pursuant to R 390.1132(1) of the Michigan administrative code to
12 persons who completed the requirements of that rule by
13 December 31, 1992 and who apply for that certificate not later
14 than March 15, 1994. If the superintendent of public instruction
15 has issued a state elementary or secondary professional education
16 certificate to a person described in this section, the
17 superintendent of public instruction shall consider the person to
18 have a state elementary or secondary, as applicable, continuing
19 education certificate.