

**SUBSTITUTE FOR  
HOUSE BILL NO. 4549**

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending section 1233 (MCL 380.1233), as amended by 2021 PA 149.

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

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

6           (2) The board of a school district or intermediate school  
7 district shall not allow an individual to serve in a counseling  
8 role in the school district or intermediate school district, as the  
9 role is defined by the superintendent of public instruction, unless



1 the individual meets 1 or more of the following:

2 (a) The individual holds a valid teaching certificate with a  
3 school counseling endorsement.

4 (b) The individual meets all of the following:

5 (i) Holds a master's degree awarded after completion of an  
6 approved school counselor education program that includes at least  
7 all of the following skills and content areas or their equivalent:

8 (A) Guidance services--philosophy, principles, and practices.

9 (B) Individual and group analysis--nature and range of human  
10 characteristics and appraisal methods.

11 (C) Guidance information--vocational development theory ~~and~~  
12 educational and occupational information.

13 (D) Counseling theory and practice--individual and group  
14 procedures, administration and coordination relationships,  
15 professional relationships, and ethics.

16 (E) Supervised experiences--laboratory, practicum, or  
17 internship.

18 (F) Evaluation--statistics and research methodology, follow-up  
19 evaluation, and measurement methods.

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

22 (iii) Has been recommended by an approved school counselor  
23 education program to provide services as a school counselor.

24 (c) The individual meets both of the following:

25 (i) Has at least 5 years of successful experience serving in a  
26 school counseling role in another state within the immediately  
27 preceding 7-year period.

28 (ii) Has successfully completed the department's guidance  
29 counselor examination.



1 (3) Except for teachers engaged to teach under section 1233b  
2 and teachers engaged to teach in a community district under section  
3 1233c, the intermediate superintendent shall notify the  
4 superintendent of public instruction immediately of the names of  
5 noncertificated teachers teaching in violation of subsection (1)  
6 and the names of individuals serving in counseling roles in  
7 violation of subsection (2), the employing district, and the amount  
8 of time the noncertificated teachers or unqualified individuals  
9 were employed.

10 (4) A vocational teacher preparation institution shall utilize  
11 the employment experience of an annually authorized teacher for the  
12 purpose of waiving student teaching as a requirement for vocational  
13 certification if the annually authorized teacher is supervised by  
14 the teacher preparation institution.

15 (5) Subject to ~~subsection~~**subsections** (10) **and (11)**, the board  
16 of a school district or intermediate school district may employ an  
17 individual without a teaching certificate as a substitute teacher  
18 if either of the following requirements is met, if applicable:

19 (a) The individual has at least 60 semester hours of college  
20 credit or an associate degree from a college, university, or  
21 community college. The 60 semester hours do not need to be from the  
22 same college, university, or community college.

23 (b) For substitute teaching a course in an industrial  
24 technology education program or a career and technical education  
25 program, the individual is engaged to substitute teach in a subject  
26 matter or field in which the individual has achieved expertise, as  
27 determined by the board of a school district or intermediate school  
28 district and satisfies all of the following, if applicable:

29 (i) Has a high school diploma or a high school equivalency



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

3 (ii) For substitute teaching in a subject matter or field in  
4 which a professional license or certification is required, at least  
5 1 of the following:

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

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

13 (iii) Has at least 2 cumulative years of professional experience  
14 in that same subject matter or field in the immediately preceding  
15 10 years.

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



1 to obtain employment or advance within an occupation. The hours of  
 2 professional development required under this subsection covering  
 3 career counseling must include at least 5 hours covering military  
 4 career options. The hours of professional development required  
 5 under this subsection are a part of and not in addition to  
 6 professional development requirements under department rule.

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

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

27 (9) The superintendent of public instruction shall promulgate  
 28 or modify rules as necessary to implement subsections (6) to (8).

29 (10) Subject to subsection ~~(12),~~ **(13)**, beginning on ~~the~~



1 ~~effective date of the amendatory act that added this subsection~~  
 2 **December 27, 2021**, through June 30, 2022, **and beginning on July 1,**  
 3 **2022, through the effective date of the amendatory act that added**  
 4 **subsection (11)**, the board of a school district or intermediate  
 5 school district may employ an individual without a certificate or  
 6 permit who does not meet the requirements under subsection (5) as a  
 7 substitute teacher if both of the following are met:

8 (a) Both of the following apply to the individual:

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

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

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

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

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



1 teacher who is employed at or works at the school district or  
2 intermediate school district.

3 (11) Subject to subsection (13), beginning 1 day after the  
4 effective date of the amendatory act that added this subsection,  
5 through June 30, 2025, the board of a school district or  
6 intermediate school district may employ an individual with an  
7 appropriate teaching certificate or permit, as determined by the  
8 superintendent of public instruction, who does not meet the  
9 requirements under subsection (5) as a substitute teacher for any  
10 of grades K to 12 if all of the following are met:

11 (a) All of the following apply to the individual:

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

15 (ii) Either of the following is met:

16 (A) The individual is at least 21 years of age.

17 (B) The individual is enrolled in and supervised through  
18 participation in a department-approved educator preparation  
19 program.

20 (iii) If the individual does not meet education requirements  
21 under other state laws and federal laws for teaching special  
22 education, including, but not limited to, possession of a  
23 bachelor's degree sufficient for teaching special education under  
24 those laws, the individual is not placed in a special education  
25 program or responsible for the delivery of special education  
26 programs and services.

27 (b) If the individual is an employee of or worker at the  
28 school district or intermediate school district, the board ensures  
29 that both of the following are met, as applicable:



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

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

17 (c) The board ensures that the individual who is serving as a  
 18 substitute teacher under this subsection does not serve in the same  
 19 substitute teaching assignment for longer than 10 consecutive  
 20 school days.

21 (12) ~~(11)~~ An individual who declines employment or assignment  
 22 as a substitute teacher under subsection (10) **or (11)** must not be  
 23 terminated from ~~his or her~~ **the individual's** existing employment or  
 24 assignment and must not be subject to retaliation solely for  
 25 declining the employment or assignment under subsection (10) **or**  
 26 **(11)**.

27 (13) ~~(12)~~ Notwithstanding any other provision of this act,  
 28 sections 1230(2) and 1230a(2) do not apply to an individual  
 29 employed under subsection (10) **or (11)**. However, all other





1 requirements under sections 1230 and 1230a apply to the employment  
2 of an individual under subsection (10) **or (11)**.