

SENATE BILL NO. 354

May 24, 2023, Introduced by Senators GEISS, POLEHANKI, MCBROOM, SANTANA and BAYER and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1531 (MCL 380.1531), as amended by 2018 PA 235.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1531. (1) Except as provided in this act, the
2 superintendent of public instruction shall determine the
3 requirements for and issue all licenses and certificates for
4 teachers, including preprimary teachers, and the requirements for
5 an endorsement of teachers as qualified counselors and an
6 endorsement of teachers for teaching a foreign language in an

1 elementary grade in the public schools of the state.

2 (2) Except as otherwise provided in this act, the
3 superintendent of public instruction shall ~~only~~ issue a teaching
4 certificate **only** to an individual who has passed appropriate
5 examinations as follows:

6 (a) For a secondary level teaching certificate, has passed the
7 appropriate available subject area examination for each subject
8 area in which he or she applies to be certified.

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

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

21 (a) For a secondary level teaching certificate, pass the
22 appropriate available subject area examination for each subject
23 area in which he or she applies to be certified. The superintendent
24 of public instruction may accept passage of an equivalent
25 examination approved by the superintendent of public instruction to
26 meet this requirement.

27 (b) For an elementary level teaching certificate, pass, if it
28 is available, the elementary certification examination, and pass
29 the appropriate available subject area examination for each subject

1 area, if any, in which he or she applies to be certified. The
2 superintendent of public instruction may accept passage of an
3 equivalent examination approved by the superintendent of public
4 instruction to meet 1 or both of these requirements.

5 (4) Except as otherwise provided in this act, the
6 superintendent of public instruction shall ~~only~~ issue a teaching
7 certificate **only** to an individual who has met the elementary or
8 secondary, as applicable, reading credit requirements established
9 under superintendent of public instruction rule. If an individual
10 holds a teaching certificate, ~~then beginning July 1, 2009,~~
11 notwithstanding any rule to the contrary, the superintendent of
12 public instruction shall not advance the individual's certification
13 to professional certification unless the individual has
14 successfully completed at least a 3-credit course of study with
15 appropriate field experiences in the diagnosis and remediation of
16 reading disabilities and differentiated instruction. To meet this
17 requirement, the course of study should include the following
18 elements, as determined by the department to be appropriate for the
19 individual's certification level and endorsements: interest
20 inventories, English language learning screening, visual and
21 auditory discrimination tools, language expression and processing
22 screening, phonemics, phonics, vocabulary, fluency, comprehension,
23 spelling and writing assessment tools, and instructional
24 strategies. An individual may complete the course of study either
25 as part of his or her teacher preparation program or during the
26 first 6 years of his or her employment in classroom teaching.

27 (5) Not later than January 11, 2002, the superintendent of
28 public instruction, in cooperation with appropriate curriculum
29 specialists and teacher educators, shall revise existing reading

1 standards to recognize reading disorders and to enable teachers to
2 make referrals for instruction and support for pupils with reading
3 disorders.

4 (6) Subject to subsection (8), if an individual holding a
5 teaching certificate from another state applies to the
6 superintendent of public instruction for a Michigan teaching
7 certificate and meets the requirements of this subsection, the
8 superintendent of public instruction shall issue to the individual
9 a Michigan professional education teaching certificate and
10 applicable endorsements comparable to those the individual holds in
11 the other state, without requiring the individual to pass the
12 applicable subject area examination otherwise required under
13 subsection (2) or (3). To be eligible to receive a Michigan
14 professional education teaching certificate under this subsection,
15 an individual shall provide evidence satisfactory to the department
16 that he or she meets all of the following requirements:

17 (a) Has taught successfully for at least 3 years in a position
18 for which the individual's teaching certification from the other
19 state was valid.

20 (b) Has earned, after his or her initial certification in
21 another state, at least 18 semester credit hours in a planned
22 course of study at an institution of higher education approved by
23 the superintendent of public instruction or has earned, at any
24 time, a master's or doctoral degree approved by the superintendent
25 of public instruction.

26 (c) Has met the elementary or secondary, as applicable,
27 reading credit requirement established under superintendent of
28 public instruction rule.

29 (7) An individual who receives a teaching certificate and

1 endorsement or endorsements under subsection (6) is eligible to
2 receive 1 or more additional endorsements comparable to
3 endorsements the individual holds in another state only if the
4 individual passes the appropriate subject area examinations
5 required under subsection (2) or (3).

6 (8) The superintendent of public instruction shall deny a
7 Michigan teaching certificate to an individual described in
8 subsection (6) for fraud, material misrepresentation, or
9 concealment in the individual's application for a certificate or
10 for a conviction for which an individual's teaching certificate may
11 be revoked under section 1535a.

12 (9) The department, based upon criteria recommended under
13 subsection (11), shall provide to approved teacher education
14 institutions approved guidelines and criteria for use in the
15 development or selection of subject area examinations. **This**
16 **subsection does not apply after June 30, 2024.**

17 (10) For the purposes of this section, the superintendent of
18 public instruction, based upon criteria recommended under
19 subsection (11), shall develop, select, or develop and select 1 or
20 more subject area examinations. In addition, the superintendent of
21 public instruction, based upon criteria recommended under
22 subsection (11), shall approve an elementary certification
23 examination and a reading subject area examination. If the
24 department develops for use under this subsection an examination
25 that had previously been contracted for using a competitive bid
26 process, then the department shall not expend on the development of
27 that examination an amount that exceeds the amount that the
28 department expended on procurement of the most recent
29 competitively-bid version of that examination. **This subsection does**

1 **not apply after June 30, 2024.**

2 (11) The superintendent of public instruction shall appoint an
3 11-member teacher examination advisory committee composed of
4 representatives of approved teacher education institutions and
5 Michigan education organizations and associations. Not more than
6 1/2 of the members comprising this committee shall be certified
7 teachers. This committee shall recommend criteria to be used by the
8 superintendent of public instruction in the development, selection,
9 or development and selection of subject area examinations. In
10 addition, the committee shall recommend guidelines for the use and
11 administration of those examinations. **This subsection does not**
12 **apply after June 30, 2024.**

13 (12) The superintendent of public instruction shall appoint a
14 7-member standing technical advisory council composed of
15 individuals 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, and
18 other technical standards of the examinations that will be used or
19 are being used and of the administration and use of those
20 examinations. **This subsection does not apply after June 30, 2024.**

21 (13) 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 elementary
24 certification examination and the subject area examinations to the
25 house and senate education committees. The report ~~shall~~**must** also
26 contain a financial statement regarding revenue received from the
27 assessment of fees levied under subsection (15) and the amount of
28 and any purposes for which that revenue was expended.

29 (14) The elementary certification examination and the subject

1 area examinations required by this section may be taken at
2 different times during an approved teacher preparation program, but
3 the elementary certification examination and the subject area
4 examinations, as applicable, must be passed before an individual is
5 recommended for certification.

6 (15) The department, or if approved by the superintendent of
7 public instruction, a private testing service, may assess fees for
8 taking the elementary certification examination and the subject
9 area examinations. The fees, which ~~shall~~**must** be set by the
10 superintendent of public instruction, ~~shall~~**must** not exceed the
11 actual cost of the examination and of administering the
12 examination. Fees received by the department ~~shall~~**must** be expended
13 solely for administrative expenses that it incurs in implementing
14 this section. If the superintendent of public instruction increases
15 a fee charged for an examination under this subsection, at least 1
16 year before implementing the fee increase, the department shall
17 notify each approved teacher education institution of the amount of
18 the fee increase. An approved teacher education institution shall
19 notify each of its affected students of the timing and amount of
20 such a fee increase.

21 (16) If an individual holding a teaching certificate from
22 another state applies for a Michigan teaching certificate and meets
23 all requirements for the Michigan teaching certificate except
24 passage of the appropriate examinations under subsection (3), the
25 superintendent of public instruction shall issue a nonrenewable
26 temporary teaching certificate, good for 1 year, to the individual.
27 The superintendent of public instruction shall not issue a Michigan
28 teaching certificate to the individual after expiration of the
29 temporary teaching certificate unless the individual passes

1 appropriate examinations as described in subsection (3).

2 ~~(17) As used in this section:~~

3 ~~(a) "Elementary certification examination" means a~~
 4 ~~comprehensive examination for elementary certification that has~~
 5 ~~been developed or selected by the superintendent of public~~
 6 ~~instruction for demonstrating the applicant's knowledge and~~
 7 ~~understanding of the core subjects normally taught in elementary~~
 8 ~~classrooms and for determining whether or not an applicant is~~
 9 ~~eligible for an elementary level teaching certificate.~~

10 ~~(b) "Subject area examination" means an examination related to~~
 11 ~~a specific area of certification, which examination has been~~
 12 ~~developed or selected by the superintendent of public instruction~~
 13 ~~for the purpose of demonstrating the applicant's knowledge and~~
 14 ~~understanding of the subject matter and determining whether or not~~
 15 ~~an applicant is eligible for a Michigan teaching certificate.~~

16 ~~(17) (18)~~ The superintendent of public instruction shall
 17 promulgate rules for the implementation of this section.

18 ~~(18) (19)~~ Notwithstanding any rule to the contrary, **if** the
 19 superintendent of public instruction ~~shall continue to issue~~ **has**
 20 **issued a** state elementary or secondary continuing education
 21 ~~certificates~~ **certificate** under **former** R 390.1132(1) of the Michigan
 22 Administrative Code to ~~individuals~~ **an individual** who completed the
 23 requirements of that rule by December 31, 1992 and who ~~apply~~
 24 **applied** for that certificate not later than March 15, 1994, ~~. If~~
 25 ~~the superintendent of public instruction has issued a state~~
 26 ~~elementary or secondary professional education certificate to an~~
 27 ~~individual described in this section,~~ the superintendent of public
 28 instruction shall consider the individual to have a state
 29 elementary or secondary, as applicable, continuing education

1 certificate.

2 **(19)** ~~(20)~~ Not later than January 1, 2019, the superintendent
3 of public instruction, in consultation with the department of
4 ~~talent and economic development~~ **labor and economic opportunity** and
5 groups or individuals representing employers, economic development
6 agencies, trade unions, secondary school principals, middle and
7 elementary school principals, teachers, school district and
8 intermediate school district superintendents, and others as
9 determined appropriate by the department, shall promulgate rules to
10 allow an individual to use time spent engaging with local employers
11 or technical centers toward the renewal of a teaching certificate
12 in the same manner as state continuing education or professional
13 development.

14 **(20)** Not later than June 1, 2023, the state board shall
15 approve a teacher licensing examination for purposes of this
16 section. The examination approved under this subsection must
17 already be in existence when approved and must be administered
18 nationally.

19 **(21)** As used in this section:

20 **(a)** "Elementary certification examination" means either of the
21 following, as applicable:

22 **(i)** Before July 1, 2024, a comprehensive examination for
23 elementary certification that has been developed or selected by the
24 superintendent of public instruction for demonstrating the
25 applicant's knowledge and understanding of the core subjects
26 normally taught in elementary classrooms and for determining
27 whether an applicant is eligible for an elementary level teaching
28 certificate.

29 **(ii)** After June 30, 2024, the examination approved by the state

1 board under subsection (20) .

2 (b) "Subject area examination" means either of the following,
3 as applicable:

4 (i) Before July 1, 2024, an examination related to a specific
5 area of certification, which examination has been developed or
6 selected by the superintendent of public instruction for the
7 purpose of demonstrating the applicant's knowledge and
8 understanding of the subject matter and determining whether an
9 applicant is eligible for a Michigan teaching certificate.

10 (ii) After June 30, 2024, the examination approved by the state
11 board under subsection (20) .