



HOUSE BILL No. 5739

April 16, 1996, Introduced by Rep. Bryant and referred to the Committee on Education.

A bill to amend section 1531 of Act No. 451 of the Public Acts of 1976, entitled as amended
"The revised school code,"
as amended by Act No. 289 of the Public Acts of 1995, being section 380.1531 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 1531 of Act No. 451 of the Public Acts
2 of 1976, as amended by Act No. 289 of the Public Acts of 1995,
3 being section 380.1531 of the Michigan Compiled Laws, is amended
4 to read as follows:

5 Sec. 1531. (1) Except as provided in this act, the state
6 board shall determine the requirements for and issue all licenses
7 and certificates for teachers, including preprimary teachers, and
8 the requirements for an endorsement of teachers as qualified
9 counselors and an endorsement of teachers for teaching a foreign

1 language in an elementary grade in the public schools of the
2 state.

3 (2) Except as otherwise provided in this act, the state
4 board shall only issue a teaching certificate to a person who has
5 passed appropriate examinations as follows:

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

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

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

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

1 (b) For an elementary level teaching certificate, pass the
2 basic skills examination and, if it is available, the elementary
3 certification examination, and pass the appropriate available
4 subject area examination for each subject area, if any, in which
5 he or she applies to be certified. The state board may accept
6 passage of an equivalent examination approved by the state board
7 to meet 1 or more of these requirements.

8 (4) Subject to subsection (6), if a person holding a teach-
9 ing certificate from another state applies to the state board for
10 a Michigan teaching certificate and meets the requirements of
11 this subsection, the state board shall issue to the person a
12 Michigan professional education teaching certificate and applica-
13 ble endorsements comparable to those the person holds in the
14 other state, without requiring the person to pass a basic skills
15 examination or the applicable subject area examination otherwise
16 required under subsection (2) or (3). To be eligible to receive
17 a Michigan professional education teaching certificate under this
18 subsection, a person shall provide evidence satisfactory to the
19 department that he or she meets all of the following
20 requirements:

21 (a) Has taught successfully for at least 3 years in a posi-
22 tion for which the person's teaching certification from the other
23 state was valid.

24 (b) Has earned, after his or her initial certification in
25 another state, at least 18 semester credit hours in a planned
26 course of study at a state board approved institution of higher

1 education or has earned, at any time, a state board approved
2 master's or doctoral degree.

3 (c) Has met the elementary or secondary, as applicable,
4 reading credit requirement established under state board rule.

5 (5) A person who receives a teaching certificate and
6 endorsement or endorsements under subsection (4) is eligible to
7 receive 1 or more additional endorsements comparable to endorse-
8 ments the person holds in another state only if the person passes
9 the appropriate subject area examinations required under
10 subsection (2) or (3).

11 (6) The state board shall deny a Michigan teaching certifi-
12 cate to a person described in subsection (4) for fraud, material
13 misrepresentation, or concealment in the person's application for
14 a certificate or for a conviction for which a person's teaching
15 certificate may be revoked under section 1535a.

16 (7) The department, based upon criteria recommended pursuant
17 to subsection (9), shall provide to state board approved teacher
18 education institutions state board approved guidelines and cri-
19 teria for use in the development or selection of a basic skills
20 examination and approved guidelines and criteria for use in the
21 development or selection of subject area examinations.

22 (8) For the purposes of this section, the state board, based
23 upon criteria recommended pursuant to subsection (9), shall
24 develop, select, or develop and select 1 or more basic skills
25 examinations and subject area examinations. In addition, the
26 state board, based upon criteria recommended pursuant to

1 subsection (9), shall approve an elementary certification
2 examination and a reading subject area examination.

3 (9) The state board shall appoint an 11-member teacher exam-
4 ination advisory committee comprised of representatives of
5 approved teacher education institutions and Michigan education
6 organizations and associations. Not more than 1/2 of the members
7 comprising this committee shall be certified teachers. This com-
8 mittee shall recommend criteria to be used by the state board in
9 the development, selection, or development and selection of 1 or
10 more basic skills examinations, and criteria to be used by the
11 state board in the development, selection, or development and
12 selection of subject area examinations. In addition, the commit-
13 tee shall recommend guidelines for the use and administration of
14 those examinations. The basic skills examinations referred to in
15 this subsection may be developed by the state board or selected
16 by the state board from commercially or university developed
17 examinations. In addition, an approved teacher education insti-
18 tution, pursuant to guidelines and criteria described in subsec-
19 tion (7), may develop an examination at its own expense for
20 approval by the state board. An approved teacher education
21 institution that develops its own examination is liable for any
22 litigation that results from the use of its examination.

23 (10) The state board shall appoint a 7-member standing tech-
24 nical advisory council comprised of persons who are experts in
25 measurement and assessment. This council shall advise the state
26 board and the teacher examination committee on the validity,
27 reliability, and other technical standards of the examinations

1 that will be used or are being used and of the administration and
2 use of those examinations.

3 (11) Not later than November 30 of each year, the state
4 board shall submit in writing a report on the development or
5 selection and use of the basic skills examination, the elementary
6 certification examination, and the subject area examinations to
7 the house and senate education committees. The report shall also
8 contain a financial statement regarding revenue received from the
9 assessment of fees levied pursuant to subsection (13) and the
10 amount of and any purposes for which that revenue was expended.

11 (12) The basic skills examination, the elementary certifica-
12 tion examination, and the subject area examinations required by
13 this section may be taken at different times during an approved
14 teacher preparation program, but the basic skills examination
15 must be passed before a person is enrolled for student teaching
16 and the elementary certification examination and the subject area
17 examinations, as applicable, must be passed before a person is
18 recommended for certification.

19 (13) The department, or if approved by the state board, a
20 private testing service, may assess fees for taking the basic
21 skills examination, elementary certification examination, and the
22 subject area examinations. The fees, which shall be set by the
23 state board, shall not exceed \$50.00 for a basic skills examina-
24 tion or \$75.00 for an elementary certification examination or a
25 subject area examination. However, if a subject area examination
26 for vocational education includes a performance examination, an
27 additional fee may be assessed for taking the performance

1 examination, not to exceed the actual cost of administering the
2 performance examination. Fees received by the department shall
3 be expended solely for administrative expenses that it incurs in
4 implementing this section.

5 (14) If a person holding a teaching certificate from another
6 state, OTHER THAN A PERSON WHO MEETS THE REQUIREMENTS OF SUBSEC-
7 TION (4), applies for a Michigan teaching certificate and meets
8 all requirements for the Michigan teaching certificate except
9 passage of the appropriate examinations under subsection (3), the
10 state board shall issue a nonrenewable temporary teaching certifi-
11 cate, good for 1 year, to the person. The state board shall not
12 issue a Michigan teaching certificate to the person after expira-
13 tion of the temporary teaching certificate unless the person
14 passes appropriate examinations as described in subsection (3).

15 (15) As used in this section:

16 (a) "Basic skills examination" means an examination devel-
17 oped or selected by the state board or developed pursuant to sub-
18 section (9) by an approved teacher education institution for the
19 purpose of demonstrating the applicant's knowledge and under-
20 standing of basic language and mathematical skills and other
21 skills necessary for the certificate sought, and for determining
22 whether or not an applicant is eligible for a provisional
23 Michigan teaching certificate.

24 (b) "Elementary certification examination" means a compre-
25 hensive examination for elementary certification that has been
26 developed or selected by the state board for demonstrating the
27 applicant's knowledge and understanding of the core subjects

1 normally taught in elementary classrooms and for determining
2 whether or not an applicant is eligible for an elementary level
3 teaching certificate.

4 (c) "Subject area examination" means an examination related
5 to a specific area of certification, which examination has been
6 developed or selected by the state board for the purpose of
7 demonstrating the applicant's knowledge and understanding of the
8 subject matter and determining whether or not an applicant is
9 eligible for a Michigan teaching certificate.

10 (16) The state board shall promulgate rules for the imple-
11 mentation of this section.

12 (17) Notwithstanding any rule promulgated by the state board
13 to the contrary, the state board shall continue to issue state
14 elementary or secondary continuing education certificates pursu-
15 ant to R 390.1132(1) of the Michigan administrative code to per-
16 sons who completed the requirements of that rule by December 31,
17 1992 and who apply for that certificate not later than March 15,
18 1994. If the state board has issued a state elementary or sec-
19 ondary professional education certificate to a person described
20 in this section, the state board shall consider the person to
21 have a state elementary or secondary, as applicable, continuing
22 education certificate.