

SUBSTITUTE FOR  
SENATE BILL NO. 842

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending sections 1246, 1280b, 1527, and 1531 (MCL 380.1246,  
380.1280b, 380.1527, and 380.1531), section 1246 as amended by 2004  
PA 148, section 1280b as added by 2000 PA 230, section 1527 as  
added by 1995 PA 289, and section 1531 as amended by 2007 PA 32,  
and by adding section 1283.

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

1       Sec. 1246. (1) A school district, public school academy, or  
2       intermediate school district shall not continue to employ a person  
3       as a superintendent, principal, assistant principal, or other  
4       person whose primary responsibility is administering instructional

1 programs or as a chief business official unless the person has  
2 completed the continuing education requirements prescribed by rule  
3 under subsection (2).

4 (2) The superintendent of public instruction shall promulgate  
5 rules establishing continuing education requirements as a condition  
6 for continued employment for persons employed in positions  
7 described in subsection (1). The rules shall prescribe a minimum  
8 amount of continuing education that shall be completed within 5  
9 years after initial employment and shall be completed each  
10 subsequent 5-year period to meet the requirements of subsection (1)  
11 for continued employment.

12 (3) THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL REVISE THE  
13 RULES PROMULGATED UNDER SUBSECTION (2) TO DO BOTH OF THE FOLLOWING:

14 (A) TO REQUIRE A PERSON WHO IS INITIALLY EMPLOYED AFTER JULY  
15 1, 2013 IN A POSITION DESCRIBED IN SUBSECTION (1), EXCEPT FOR A  
16 PERSON EMPLOYED AS A CHIEF BUSINESS OFFICIAL, TO HAVE SUCCESSFULLY  
17 COMPLETED APPROPRIATE TRAINING IN THE USE OF DATA TO IDENTIFY,  
18 INTERPRET, AND MAKE DECISIONS ON WHETHER INTERVENTION IS NEEDED ON  
19 AN INDIVIDUAL OR BUILDING-LEVEL BASIS AND THE LEVEL OF INTERVENTION  
20 NEEDED, AND ADDITIONAL TRAINING IN AT LEAST 3 RESEARCH-BASED  
21 READING INTERVENTIONS, INCLUDING THE INTERVENTION PROGRAM DESCRIBED  
22 IN SECTION 42 OF THE STATE SCHOOL AID ACT OF 1979. THE TRAINING  
23 SHALL BE DIRECTED AT THE APPROPRIATE LEVEL OF SUPERVISORY  
24 INVOLVEMENT FOR THE PERSON.

25 (B) TO REQUIRE A PERSON WHO IS ALREADY EMPLOYED IN A POSITION  
26 DESCRIBED IN SUBSECTION (1), EXCEPT FOR A PERSON EMPLOYED AS A  
27 CHIEF BUSINESS OFFICIAL, TO SUCCESSFULLY COMPLETE NOT LATER THAN

1 JULY 1, 2013 APPROPRIATE TRAINING IN THE USE OF DATA TO IDENTIFY,  
2 INTERPRET, AND MAKE DECISIONS ON WHETHER INTERVENTION IS NEEDED ON  
3 AN INDIVIDUAL OR BUILDING-LEVEL BASIS AND THE LEVEL OF INTERVENTION  
4 NEEDED, AND ADDITIONAL TRAINING IN AT LEAST 3 RESEARCH-BASED  
5 READING INTERVENTIONS, INCLUDING THE INTERVENTION PROGRAM DESCRIBED  
6 IN SECTION 42 OF THE STATE SCHOOL AID ACT OF 1979. THE TRAINING  
7 SHALL BE DIRECTED AT THE APPROPRIATE LEVEL OF SUPERVISORY  
8 INVOLVEMENT FOR THE PERSON.

9 Sec. 1280b. (1) Subject to subsection (2), the board of a  
10 school district, or board of directors of a public school academy  
11 that operates any of grades 1 to 5, shall administer each school  
12 year to all pupils in grades 1 to 5 a nationally-recognized norm-  
13 referenced test or another assessment, which may include a locally-  
14 adopted assessment, **IF THE OTHER ASSESSMENT IS** approved by the  
15 superintendent of public instruction at the request of the school  
16 district or public school academy.

17 (2) A school district or public school academy may use the  
18 Michigan literacy progress profile to assess literacy in grades 1  
19 to 3 as part of its compliance with subsection (1).

20 (3) If a school is designated for participation in the  
21 national assessment of education progress program, the school shall  
22 participate as designated.

23 (4) An elementary school that is not in compliance with  
24 subsection (1) or a school that does not comply with subsection (3)  
25 shall not be accredited under section 1280.

26 **SEC. 1283. THE DEPARTMENT SHALL DO ALL OF THE FOLLOWING:**

27 **(A) DEVELOP AND MAKE AVAILABLE A MODEL SUMMER ENGLISH LANGUAGE**

ARTS PROGRAM THAT MAY BE ADOPTED BY SCHOOL DISTRICTS AND PUBLIC SCHOOL ACADEMIES FOR PUPILS WHO WILL BE ATTENDING GRADES 1 TO 4 IN THE NEXT SCHOOL YEAR AND HAVE DEMONSTRATED THE NEED FOR ADDITIONAL LITERACY SKILLS TRAINING, AS EVIDENCED BY ASSESSMENT REQUIRED UNDER STATE LAW. THE MODEL ENGLISH LANGUAGE ARTS PROGRAM SHALL BE ALIGNED WITH GRADE LEVEL CONTENT EXPECTATIONS IN ENGLISH LANGUAGE ARTS ESTABLISHED BY THE DEPARTMENT AND SHALL MEET THE REQUIREMENTS FOR FEDERAL FUNDING UNDER THE TITLE I PROGRAM ADMINISTERED BY THE UNITED STATES DEPARTMENT OF EDUCATION OFFICE OF ELEMENTARY AND SECONDARY EDUCATION.

(B) DEVELOP OR ADOPT AND MAKE AVAILABLE A MODEL EARLY INTERVENTION PROGRAM THAT CAN BE USED BY SCHOOL DISTRICTS, INTERMEDIATE SCHOOL DISTRICTS, AND PUBLIC SCHOOL ACADEMIES TO IMPROVE READING SKILLS DURING THE ACADEMIC YEAR. THE MODEL PROGRAM SHALL BE DESIGNED TO MEET REQUIREMENTS FOR AN INTERVENTION PROGRAM UNDER SECTION 42 OF THE STATE SCHOOL AID OF 1979.

(C) DEVELOP AND MAKE AVAILABLE A STATEWIDE RESOURCE GUIDE OF PUBLIC AND PRIVATE SUPPLEMENTAL SERVICE PROVIDERS, AS REQUIRED UNDER THE NO CHILD LEFT BEHIND ACT OF 2001, PUBLIC LAW 107-110, TO ASSIST PARENTS IN IMPROVING THEIR CHILD'S LITERACY SKILLS.

Sec. 1527. (1) The board of each school district ~~—OR~~ intermediate school district ~~—or~~ **BOARD OF DIRECTORS OF A** public school academy shall provide at least ~~1 day of teacher professional development in the 1997-1998 school year, at least 2 days of teacher professional development in the 1998-1999 school year, at least 3 days of teacher professional development in the 1999-2000 school year, at least 4 days of teacher professional development in~~

1 ~~the 2000-2001 school year, and at least 5 days of teacher~~  
2 ~~professional development in the 2001-2002 school year and each~~  
3 ~~school year. after the 2001-2002 school year. Professional~~  
4 development days provided under this section shall not be counted  
5 toward the professional development required under section 1526.

6       **(2) AS PART OF PROVIDING THE 5 DAYS OF TEACHER PROFESSIONAL**  
7 **DEVELOPMENT PER SCHOOL YEAR REQUIRED UNDER SUBSECTION (1), NOT**  
8 **LATER THAN JULY 1, 2011, THE BOARD OF A SCHOOL DISTRICT OR**  
9 **INTERMEDIATE SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC**  
10 **SCHOOL ACADEMY SHALL PROVIDE AT LEAST A TOTAL OF 5 DAYS OF TEACHER**  
11 **PROFESSIONAL DEVELOPMENT DEDICATED TO INSTRUCTING TEACHERS IN THE**  
12 **DIAGNOSIS AND REMEDIATION OF READING DISABILITIES AND**  
13 **DIFFERENTIATED INSTRUCTION. THE INSTRUCTION SHALL BE CONSISTENT**  
14 **WITH THE COURSE OF STUDY DESCRIBED IN SECTION 1531(5). A SCHOOL**  
15 **DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY IS**  
16 **NOT REQUIRED TO PROVIDE THIS TYPE OF PROFESSIONAL DEVELOPMENT TO A**  
17 **TEACHER WHO HAS ALREADY COMPLETED THIS SAME TYPE OF INSTRUCTION AS**  
18 **PART OF A COLLEGE LEVEL COURSE OF STUDY.**

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 as  
2 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 another  
15 state or a teaching degree from an out-of-state teacher preparation  
16 institution who applies for a Michigan teaching certificate only if  
17 the person passes appropriate examinations as follows:

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

24 (b) For an elementary level teaching certificate, pass the  
25 basic skills examination and, if it is available, the elementary  
26 certification examination, and pass the appropriate available  
27 subject area examination for each subject area, if any, in which he

1 or she applies to be certified. The superintendent of public  
2 instruction may accept passage of an equivalent examination  
3 approved by the superintendent of public instruction to meet 1 or  
4 more 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 to a person who has met the elementary or secondary, as  
8 applicable, reading credit requirements established under  
9 superintendent of public instruction rule.

10 (5) **IN ADDITION TO THE READING CREDIT REQUIREMENTS OF**  
11 **SUBSECTION (4), EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, ALL OF**  
12 **THE FOLLOWING APPLY:**

13 (A) If a person holds a **PROVISIONAL** teaching certificate, then  
14 beginning July 1, 2009, notwithstanding any rule to the contrary,  
15 the superintendent of public instruction shall not advance the  
16 person's certification to professional certification unless the  
17 person has successfully completed at least a 3-credit course of  
18 study with appropriate field experiences in the diagnosis and  
19 remediation of reading disabilities and differentiated instruction.

20 ~~To meet this requirement, the~~ **THE COURSE OF STUDY SHALL MEET THE**  
21 **REQUIREMENTS OF SUBDIVISION (B). A PERSON MAY COMPLETE THE COURSE**  
22 **OF STUDY EITHER AS PART OF HIS OR HER TEACHER PREPARATION PROGRAM**  
23 **OR DURING THE FIRST 6 YEARS OF HIS OR HER EMPLOYMENT IN CLASSROOM**  
24 **TEACHING.**

25 (B) **THE** course of study **REQUIRED UNDER SUBDIVISION (A)** should  
26 include the following elements, as determined by the department to  
27 be appropriate for the person's certification level and

1 endorsements: interest inventories, English language learning  
2 screening, visual and auditory discrimination tools, language  
3 expression and processing screening, phonemics, phonics,  
4 vocabulary, fluency, comprehension, spelling and writing assessment  
5 tools, and instructional strategies. ~~A person may complete the~~  
6 ~~course of study either as part of his or her teacher preparation~~  
7 ~~program or during the first 6 years of his or her employment in~~  
8 ~~classroom teaching.~~

9 (6) ~~(5)~~—Not later than January 11, 2002, the superintendent of  
10 public instruction, in cooperation with appropriate curriculum  
11 specialists and teacher educators, shall revise existing reading  
12 standards to recognize reading disorders and to enable teachers to  
13 make referrals for instruction and support for pupils with reading  
14 disorders.

15 (7) ~~(6)~~—Subject to subsection ~~(8)~~—(9), if a person holding a  
16 teaching certificate from another state applies to the  
17 superintendent of public instruction for a Michigan teaching  
18 certificate and meets the requirements of this subsection, the  
19 superintendent of public instruction shall issue to the person a  
20 Michigan professional education teaching certificate and applicable  
21 endorsements comparable to those the person holds in the other  
22 state, without requiring the person to pass a basic skills  
23 examination or the applicable subject area examination otherwise  
24 required under subsection (2) or (3). To be eligible to receive a  
25 Michigan professional education teaching certificate under this  
26 subsection, a person shall provide evidence satisfactory to the  
27 department that he or she meets all of the following requirements:



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

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

10 (c) Has met the elementary or secondary, as applicable,  
11 reading credit requirement established under superintendent of  
12 public instruction rule.

13 (8) ~~(7)~~—A person who receives a teaching certificate and  
14 endorsement or endorsements under subsection ~~(6)~~—(7) is eligible to  
15 receive 1 or more additional endorsements comparable to  
16 endorsements the person holds in another state only if the person  
17 passes the appropriate subject area examinations required under  
18 subsection (2) or (3).

19 (9) ~~(8)~~—The superintendent of public instruction shall deny a  
20 Michigan teaching certificate to a person described in subsection  
21 ~~(6)~~—(7) for fraud, material misrepresentation, or concealment in  
22 the person's application for a certificate or for a conviction for  
23 which a person's teaching certificate may be revoked under section  
24 1535a.

25 (10) ~~(9)~~—The department, based upon criteria recommended  
26 pursuant to subsection ~~(11)~~—(12), shall provide to approved teacher  
27 education institutions guidelines and criteria approved by the

1 superintendent of public instruction for use in the development or  
2 selection of a basic skills examination and approved guidelines and  
3 criteria for use in the development or selection of subject area  
4 examinations.

5 (11) ~~(10)~~—For the purposes of this section, the superintendent  
6 of public instruction, based upon criteria recommended pursuant to  
7 subsection ~~(11)~~—(12), shall develop, select, or develop and select  
8 1 or more basic skills examinations and subject area examinations.  
9 In addition, the superintendent of public instruction, based upon  
10 criteria recommended pursuant to subsection ~~(11)~~—(12), shall  
11 approve an elementary certification examination and a reading  
12 subject area examination.

13 (12) ~~(11)~~—The superintendent of public instruction shall  
14 appoint an 11-member teacher examination advisory committee  
15 comprised of representatives of approved teacher education  
16 institutions and Michigan education organizations and associations.  
17 Not more than 1/2 of the members comprising this committee shall be  
18 certified teachers. This committee shall recommend criteria to be  
19 used by the superintendent of public instruction in the  
20 development, selection, or development and selection of 1 or more  
21 basic skills examinations, and criteria to be used by the  
22 superintendent of public instruction in the development, selection,  
23 or development and selection of subject area examinations. In  
24 addition, the committee shall recommend guidelines for the use and  
25 administration of those examinations. The basic skills examinations  
26 referred to in this subsection may be developed by the  
27 superintendent of public instruction or selected by the

1 superintendent of public instruction from commercially or  
2 university developed examinations. In addition, an approved teacher  
3 education institution, pursuant to guidelines and criteria  
4 described in subsection ~~(9)~~-(10), may develop an examination at its  
5 own expense for approval by the superintendent of public  
6 instruction. An approved teacher education institution that  
7 develops its own examination is liable for any litigation that  
8 results from the use of its examination.

9       (13) ~~(12)~~—The superintendent of public instruction shall  
10 appoint a 7-member standing technical advisory council comprised of  
11 persons who are experts in measurement and assessment. This council  
12 shall advise the superintendent of public instruction and the  
13 teacher examination committee on the validity, reliability, and  
14 other technical standards of the examinations that will be used or  
15 are being used and of the administration and use of those  
16 examinations.

17       (14) ~~(13)~~—Not later than November 30 of each year, the  
18 superintendent of public instruction shall submit in writing a  
19 report on the development or selection and use of the basic skills  
20 examination, the elementary certification examination, and the  
21 subject area examinations to the house and senate education  
22 committees. The report shall also contain a financial statement  
23 regarding revenue received from the assessment of fees levied  
24 pursuant to subsection ~~(15)~~-(16) and the amount of and any purposes  
25 for which that revenue was expended.

26       (15) ~~(14)~~—The basic skills examination, the elementary  
27 certification examination, and the subject area examinations

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

7       (16) ~~(15)~~—The department, or if approved by the superintendent  
8 of public instruction, a private testing service, may assess fees  
9 for taking the basic skills examination, elementary certification  
10 examination, and the subject area examinations. The fees, which  
11 shall be set by the superintendent of public instruction, shall not  
12 exceed \$50.00 for a basic skills examination or \$75.00 for an  
13 elementary certification examination or a subject area examination.  
14 However, if a subject area examination for vocational education  
15 includes a performance examination, an additional fee may be  
16 assessed for taking the performance examination, not to exceed the  
17 actual cost of administering the performance examination. Fees  
18 received by the department shall be expended solely for  
19 administrative expenses that it incurs in implementing this  
20 section.

21       (17) ~~(16)~~—If a person 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 person. The  
27 superintendent of public instruction shall not issue a Michigan

1 teaching certificate to the person after expiration of the  
2 temporary teaching certificate unless the person passes appropriate  
3 examinations as described in subsection (3).

4 (18) ~~(17)~~—As used in this section:

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

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

20 (c) "Subject area examination" means an examination related to  
21 a specific area of certification, which examination has been  
22 developed or selected by the superintendent of public instruction  
23 for the purpose of demonstrating the applicant's knowledge and  
24 understanding of the subject matter and determining whether or not  
25 an applicant is eligible for a Michigan teaching certificate.

26 (19) ~~(18)~~—The superintendent of public instruction shall  
27 promulgate rules for the implementation of this section.

1       (20) ~~(19)~~ Notwithstanding any rule to the contrary, the  
2 superintendent of public instruction shall continue to issue state  
3 elementary or secondary continuing education certificates pursuant  
4 to R 390.1132(1) of the Michigan administrative code to persons who  
5 completed the requirements of that rule by December 31, 1992 and  
6 who apply for that certificate not later than March 15, 1994. If  
7 the superintendent of public instruction has issued a state  
8 elementary or secondary professional education certificate to a  
9 person described in this section, the superintendent of public  
10 instruction shall consider the person to have a state elementary or  
11 secondary, as applicable, continuing education certificate.

12       Enacting section 1. This amendatory act does not take effect  
13 unless Senate Bill No. 1275 of the 94th Legislature is enacted into  
14 law.