

# HOUSE BILL No. 4458

March 13, 2001, Introduced by Reps. McConico, Williams, Lipsey, Reeves, Waters, Rich Brown, Anderson, Murphy, Minore, Clark, Plakas, Hale, Rison, Phillips, Kolb, Bogardus, Zelenko, Thomas, Stallworth, Gielegghem, Rivet, Hansen, Meyer, Kowall, Switalski and Lemmons and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
(MCL 380.1 to 380.1852) by adding section 1537.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 1537. (1) THE TASK FORCE ON PARAPROFESSIONAL CERTIFI-  
2 CATION IS CREATED AS A TEMPORARY COMMISSION DESCRIBED IN  
3 SECTION 4 OF ARTICLE V OF THE STATE CONSTITUTION OF 1963. THE  
4 TASK FORCE SHALL STUDY THE ISSUES SPECIFIED IN THIS SUBSECTION  
5 CONCERNING THE CERTIFICATION OF PARAPROFESSIONALS WHO WORK WITH  
6 PUPILS IN THE PUBLIC SCHOOLS AND MAKE RECOMMENDATIONS TO THE LEG-  
7 ISLATURE NOT LATER THAN 1 YEAR AFTER THE EFFECTIVE DATE OF THIS  
8 SECTION. THE TASK FORCE SHALL STUDY AND MAKE RECOMMENDATIONS ON  
9 ALL OF THE FOLLOWING ISSUES:

10        (A) ENTRY-LEVEL STANDARDS FOR TRAINING AND EXPERIENCE FOR  
11 THOSE ENTERING THE PROFESSION.

1 (B) EDUCATION AND EXPERIENCE REQUIREMENTS FOR CAREER  
2 ADVANCEMENT.

3 (C) APPROPRIATE ROLES AND RESPONSIBILITIES.

4 (D) MECHANISMS TO ENHANCE JOB MOBILITY WITHIN AND BETWEEN  
5 SCHOOL DISTRICTS.

6 (2) THE TASK FORCE ON PARAPROFESSIONAL CERTIFICATION SHALL  
7 CONSIST OF 1 MEMBER APPOINTED BY THE GOVERNOR, WHO SHALL SERVE AS  
8 CHAIRPERSON, AND THE FOLLOWING 16 MEMBERS APPOINTED BY THE SUPER-  
9 INTENDENT OF PUBLIC INSTRUCTION:

10 (A) TWO MEMBERS REPRESENTING TEACHERS, 1 APPOINTED FROM  
11 AMONG NOMINATIONS SUBMITTED BY THE MICHIGAN EDUCATION ASSOCIATION  
12 AND 1 APPOINTED FROM AMONG NOMINATIONS SUBMITTED BY THE MICHIGAN  
13 FEDERATION OF TEACHERS AND SCHOOL RELATED PERSONNEL.

14 (B) EIGHT PARAPROFESSIONALS APPOINTED FROM AMONG NOMINATIONS  
15 JOINTLY SUBMITTED BY THE MICHIGAN EDUCATION ASSOCIATION AND THE  
16 MICHIGAN FEDERATION OF TEACHERS AND SCHOOL RELATED PERSONNEL.

17 (C) ONE MEMBER REPRESENTING SCHOOL BOARDS, APPOINTED FROM  
18 AMONG NOMINATIONS SUBMITTED BY THE MICHIGAN ASSOCIATION OF SCHOOL  
19 BOARDS.

20 (D) ONE MEMBER REPRESENTING PUBLIC SCHOOL ADMINISTRATORS,  
21 APPOINTED FROM AMONG NOMINATIONS SUBMITTED BY THE MICHIGAN ASSO-  
22 CIATION OF SCHOOL ADMINISTRATORS.

23 (E) ONE MEMBER REPRESENTING PARENTS, APPOINTED FROM AMONG  
24 NOMINATIONS SUBMITTED BY THE MICHIGAN PARENT TEACHER  
25 ORGANIZATION.

1 (F) TWO MEMBERS REPRESENTING THE DEPARTMENT, WITH 1  
2 REPRESENTING THE PROFESSIONAL DEVELOPMENT UNIT AND 1 REPRESENTING  
3 THE SPECIAL EDUCATION UNIT.

4 (G) ONE MEMBER REPRESENTING INSTITUTIONS OF HIGHER  
5 EDUCATION.

6 (3) THE MEMBERS APPOINTED TO THE TASK FORCE ON PARAPROFES-  
7 SIONAL CERTIFICATION SHALL BE APPOINTED NOT LATER THAN 30 DAYS  
8 AFTER THE EFFECTIVE DATE OF THIS SECTION.

9 (4) MEMBERS OF THE TASK FORCE ON PARAPROFESSIONAL CERTIFICA-  
10 TION SHALL SERVE UNTIL THE TASK FORCE FINDINGS ARE REPORTED AS  
11 REQUIRED UNDER SUBSECTION (1).

12 (5) IF A VACANCY OCCURS ON THE TASK FORCE ON PARAPROFES-  
13 SIONAL CERTIFICATION, THE SUPERINTENDENT OF PUBLIC INSTRUCTION  
14 SHALL APPOINT A REPLACEMENT IN THE SAME MANNER AS THE ORIGINAL  
15 APPOINTMENT.

16 (6) THE FIRST MEETING OF THE TASK FORCE ON PARAPROFESSIONAL  
17 CERTIFICATION SHALL BE CALLED BY THE SUPERINTENDENT OF PUBLIC  
18 INSTRUCTION.

19 (7) A MAJORITY OF THE MEMBERS OF THE TASK FORCE ON PARAPRO-  
20 FESSIONAL CERTIFICATION CONSTITUTE A QUORUM FOR THE TRANSACTION  
21 OF BUSINESS AT A MEETING OF THE TASK FORCE. A MAJORITY OF THE  
22 MEMBERS PRESENT AND SERVING ARE REQUIRED FOR OFFICIAL ACTION OF  
23 THE TASK FORCE.

24 (8) THE BUSINESS THAT THE TASK FORCE ON PARAPROFESSIONAL  
25 CERTIFICATION MAY PERFORM SHALL BE CONDUCTED AT A PUBLIC MEETING  
26 HELD IN COMPLIANCE WITH THE OPEN MEETINGS ACT, 1976 PA 267,  
27 MCL 15.261 TO 15.275.

1       (9) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF,  
2 OR RETAINED BY THE TASK FORCE ON PARAPROFESSIONAL CERTIFICATION  
3 IN THE PERFORMANCE OF AN OFFICIAL FUNCTION IS SUBJECT TO THE  
4 FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.

5       (10) MEMBERS OF THE TASK FORCE ON PARAPROFESSIONAL CERTIFI-  
6 CATION SHALL SERVE WITHOUT COMPENSATION. HOWEVER, MEMBERS OF THE  
7 TASK FORCE MAY BE REIMBURSED IN ACCORDANCE WITH DEPARTMENT OF  
8 MANAGEMENT AND BUDGET TRAVEL REIMBURSEMENT GUIDELINES FOR MILEAGE  
9 EXPENSES INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES AS  
10 MEMBERS OF THE TASK FORCE.

11       (11) THE DEPARTMENT SHALL PROVIDE STAFFING AND OTHER  
12 RESOURCES FOR THE TASK FORCE ON PARAPROFESSIONAL CERTIFICATION AS  
13 REASONABLY REQUESTED BY THE TASK FORCE.

14       (12) AS USED IN THIS SECTION, "PARAPROFESSIONAL" MEANS A  
15 SCHOOL EMPLOYEE, OTHER THAN A TEACHER, WHO SERVES IN A POSITION  
16 THAT IS EITHER INSTRUCTIONAL IN NATURE OR INVOLVES DELIVERY OF  
17 OTHER DIRECT SERVICES TO PUPILS OR THEIR PARENTS AND FOR WHICH A  
18 TEACHER OR OTHER PROFESSIONAL HAS THE ULTIMATE RESPONSIBILITY FOR  
19 THE DESIGN, IMPLEMENTATION, AND EVALUATION OF INDIVIDUAL EDUCA-  
20 TION PROGRAMS OR RELATED SERVICES AND FOR PUPIL PERFORMANCE.