

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 70

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1531 (MCL 380.1531), as amended by 2006 PA 118.

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
7 elementary grade in the public schools of the state.

8 (2) Except as otherwise provided in this act, the
9 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. If a person holds a
10 teaching certificate, then beginning July 1, ~~2007-2009~~,
11 notwithstanding any rule to the contrary, the superintendent of
12 public instruction shall not ~~renew the person's provisional~~
13 ~~teaching certificate or~~ advance the person's certification to
14 professional certification unless the person, ~~during the first 6~~
15 ~~years of his or her employment in classroom teaching,~~ **HAS**
16 successfully ~~completes~~ **COMPLETED** at least a 3-credit course of
17 study with appropriate field experiences in the diagnosis and
18 remediation of reading disabilities and differentiated instruction.
19 To meet this requirement, the course of study should include the
20 following elements, as determined by the department to be
21 appropriate for the person's certification level and endorsements:
22 interest inventories, English language learning screening, visual
23 and auditory discrimination tools, language expression and
24 processing screening, phonemics, phonics, vocabulary, fluency,
25 comprehension, spelling and writing assessment tools, and
26 instructional strategies. **A PERSON MAY COMPLETE THE COURSE OF STUDY**
27 **EITHER AS PART OF HIS OR HER TEACHER PREPARATION PROGRAM OR DURING**

1 **THE FIRST 6 YEARS OF HIS OR HER EMPLOYMENT IN CLASSROOM TEACHING.**

2 (5) Not later than January 11, 2002, the superintendent of
3 public instruction, in cooperation with appropriate curriculum
4 specialists and teacher educators, shall revise existing reading
5 standards to recognize reading disorders and to enable teachers to
6 make referrals for instruction and support for pupils with reading
7 disorders.

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

21 (a) Has taught successfully for at least 3 years in a position
22 for which the person's teaching certification from the other state
23 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 an institution of higher education approved by
27 the superintendent of public instruction or has earned, at any

1 time, a master's or doctoral degree approved by the superintendent
2 of public instruction.

3 (c) Has met the elementary or secondary, as applicable,
4 reading credit requirement established under superintendent of
5 public instruction rule.

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

12 (8) The superintendent of public instruction shall deny a
13 Michigan teaching certificate to a person described in subsection
14 (6) for fraud, material misrepresentation, or concealment in the
15 person's application for a certificate or for a conviction for
16 which a person's teaching certificate may be revoked under section
17 1535a.

18 (9) The department, based upon criteria recommended pursuant
19 to subsection (11), shall provide to approved teacher education
20 institutions guidelines and criteria approved by the superintendent
21 of public instruction for use in the development or selection of a
22 basic skills examination and approved guidelines and criteria for
23 use in the development or selection of subject area examinations.

24 (10) For the purposes of this section, the superintendent of
25 public instruction, based upon criteria recommended pursuant to
26 subsection (11), shall develop, select, or develop and select 1 or
27 more basic skills examinations and subject area examinations. In

1 addition, the superintendent of public instruction, based upon
2 criteria recommended pursuant to subsection (11), shall approve an
3 elementary certification examination and a reading subject area
4 examination.

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

27 (12) The superintendent of public instruction shall appoint a

1 7-member standing technical advisory council comprised of persons
2 who are experts in measurement and assessment. This council shall
3 advise the superintendent of public instruction and the teacher
4 examination committee on the validity, reliability, and other
5 technical standards of the examinations that will be used or are
6 being used and of the administration and use of those examinations.

7 (13) Not later than November 30 of each year, the
8 superintendent of public instruction shall submit in writing a
9 report on the development or selection and use of the basic skills
10 examination, the elementary certification examination, and the
11 subject area examinations to the house and senate education
12 committees. The report shall also contain a financial statement
13 regarding revenue received from the assessment of fees levied
14 pursuant to subsection (15) and the amount of and any purposes for
15 which that revenue was expended.

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

24 (15) The department, or if approved by the superintendent of
25 public instruction, a private testing service, may assess fees for
26 taking the basic skills examination, elementary certification
27 examination, and the subject area examinations. The fees, which

1 shall be set by the superintendent of public instruction, shall not
2 exceed \$50.00 for a basic skills examination or \$75.00 for an
3 elementary certification examination or a subject area examination.
4 However, if a subject area examination for vocational education
5 includes a performance examination, an additional fee may be
6 assessed for taking the performance examination, not to exceed the
7 actual cost of administering the performance examination. Fees
8 received by the department shall be expended solely for
9 administrative expenses that it incurs in implementing this
10 section.

11 (16) If a person holding a teaching certificate from another
12 state applies for a Michigan teaching certificate and meets all
13 requirements for the Michigan teaching certificate except passage
14 of the appropriate examinations under subsection (3), the
15 superintendent of public instruction shall issue a nonrenewable
16 temporary teaching certificate, good for 1 year, to the person. The
17 superintendent of public instruction shall not issue a Michigan
18 teaching certificate to the person after expiration of the
19 temporary teaching certificate unless the person passes appropriate
20 examinations as described in subsection (3).

21 (17) As used in this section:

22 (a) "Basic skills examination" means an examination developed
23 or selected by the superintendent of public instruction or
24 developed pursuant to subsection (11) by an approved teacher
25 education institution for the purpose of demonstrating the
26 applicant's knowledge and understanding of basic language and
27 mathematical skills and other skills necessary for the certificate

1 sought, and for determining whether or not an applicant is eligible
2 for a provisional Michigan teaching certificate.

3 (b) "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 (c) "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 (18) The superintendent of public instruction shall promulgate
17 rules for the implementation of this section.

18 (19) Notwithstanding any rule to the contrary, the
19 superintendent of public instruction shall continue to issue state
20 elementary or secondary continuing education certificates pursuant
21 to R 390.1132(1) of the Michigan administrative code to persons who
22 completed the requirements of that rule by December 31, 1992 and
23 who apply for that certificate not later than March 15, 1994. If
24 the superintendent of public instruction has issued a state
25 elementary or secondary professional education certificate to a
26 person described in this section, the superintendent of public
27 instruction shall consider the person to have a state elementary or

1 secondary, as applicable, continuing education certificate.