

Legislative Analysis



PROFESSIONAL DEVELOPMENT BY NONPUBLIC SCHOOLS FOR NONPUBLIC SCHOOL TEACHERS

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House Bill 5669 (reported from committee without amendment)

Sponsor: Rep. Rob VerHeulen

Committee: Education

(Enacted as Public Act 484 of 2014)

First Analysis (9-23-14)

BRIEF SUMMARY: The bill would allow state-approved nonpublic schools to provide teacher professional development for nonpublic school teachers, and require the Department of Education to credit that professional development toward teacher certification.

FISCAL IMPACT: The bill would have no fiscal impact on local units of government, but could create additional, but indeterminate, costs for the state. To the extent that it would require the Michigan Department of Education (MDE) to evaluate professional development provided by nonpublic schools and provide credit toward a teacher's certification, the bill could create additional staffing and administrative costs. The magnitude of the impact would depend on the number of nonpublic schools offering professional development. For background, the Office of Professional Preparation and Certification Services in the MDE has a FY 2014-15 appropriation of \$5.9 million and an authorization for 34.0 FTEs. The office is primarily funded with teacher certification fee revenue and federal revenues. Teacher certification fee levels are established in Section 1538 of the Revised School Code (MCL 380.1538).

THE APPARENT PROBLEM:

Generally, school teachers earn a bachelor's degree and apply for *provisional certification*—a requirement of all Michigan teachers before entering the K-12 workforce. See **Background Information** below. As they teach, they continue to take college coursework beyond the bachelor's degree, as well as to enroll in professional development seminars. Often the professional development seminars are sponsored by their intermediate school districts, sometimes in conjunction with universities or the Michigan Department of Education. The teachers' goal is to renew their provisional certification, and eventually to earn a *professional education certificate*.

If the teachers are employed in public schools, they can earn credit from their professional development seminars toward their re-certification. Historically, if the teachers are private school teachers, they do not earn credit from their professional development seminars, a function of private schools remaining outside the public school system, and thus free of outside interference in their workforce requirements.

Recently, an administrator in the Allendale Christian School has asked that the school's teachers who take professional development courses at the school be allowed to accumulate credits, and then to apply those credits toward their continuing certification.

To that end, legislation has been introduced to allow teachers in nonpublic schools to apply their ongoing professional development seminar credits toward their teaching certification requirements.

THE CONTENT OF THE BILL:

House Bill 5669 would amend the Revised School Code (MCL 380.1527) to:

- Allow a state-approved nonpublic school to provide teacher professional development for nonpublic school teachers.
- Require the Department of Education to credit such professional development toward the issuance or renewal of a teaching certificate or endorsement to the same extent as professional development provided by a public school is credited for its teachers, if the department determines both of the following are met:
 - the professional development contained substantially the same program content as the public school offering; and,
 - the nonpublic school submitted to the same auditing and documentation requirements for professional development as a public school.

BACKGROUND INFORMATION

All Michigan school teachers—both public and private school teachers—are required to be certified by the Michigan Department of Education. The only exception is for homeschool teachers, who are not required to be certified. A Michigan Supreme Court opinion in 1993 held that "the teacher certification requirement [for home schools] is an unconstitutional violation of the Free Exercise Clause of the First Amendment as applied to families whose religious convictions prohibit the use of certified instructors." *People v DeJonge*, 442 Mich 266; 501 NW2d 127 (1993).

ARGUMENTS:

For:

House Bill 5669 would allow teachers in private schools to use professional development hours toward certification. The legislation is a matter of fairness, because it would extend to teachers in private schools the policy that is now in place for public school teachers. Further, the bill would offer private school teachers an incentive to enroll in professional development seminars, enabling them to enhance their knowledge and understanding of teaching, learning, and assessment.

Response:

Now under the law, the board of each public school district, all intermediate school districts, and all public school academies (that is, all charter schools) must provide at least five days of teacher professional development each school year. Private schools are not required to provide professional development for their teachers. Consequently,

finding professional development seminars in which to enroll could pose a serious challenge for private school teachers.

POSITIONS:

The Michigan Association of Non-Public Schools supports the bill. (9-17-14)

The Allendale Christian School supports the bill. (9-17-14)

The Michigan Catholic Conference supports the bill. (9-17-14)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.