

HOUSE BILL NO. 4294

February 23, 2021, Introduced by Reps. Paquette, Steven Johnson, Calley and Brann and referred to the Committee on Workforce, Trades, and Talent.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1233 (MCL 380.1233), as amended by 2018 PA 418.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1233. (1) Except as otherwise provided by law, and
2 subject to sections 1233b and 1233c, the board of a school district
3 or intermediate school district shall not permit a teacher who does
4 not hold a valid teaching certificate to teach in a grade or
5 department of the school.

1 (2) The board of a school district or intermediate school
2 district shall not allow an individual to serve in a counseling
3 role in the school district or intermediate school district, as the
4 role is defined by the superintendent of public instruction, unless
5 the individual meets 1 or more of the following:

6 (a) The individual holds a valid teaching certificate with a
7 school counseling endorsement.

8 (b) The individual meets all of the following:

9 (i) Holds a master's degree awarded after completion of an
10 approved school counselor education program that includes at least
11 all of the following skills and content areas or their equivalent:

12 (A) Guidance services--philosophy, principles, and practices.

13 (B) Individual and group analysis--nature and range of human
14 characteristics and appraisal methods.

15 (C) Guidance information--vocational development theory,
16 educational and occupational information.

17 (D) Counseling theory and practice--individual and group
18 procedures, administration and coordination relationships,
19 professional relationships, and ethics.

20 (E) Supervised experiences--laboratory, practicum, or
21 internship.

22 (F) Evaluation--statistics and research methodology, follow-up
23 evaluation, and measurement methods.

24 (ii) Has successfully completed the department's guidance
25 counselor examination.

26 (iii) Has been recommended by an approved school counselor
27 education program to provide services as a school counselor.

28 (c) The individual meets both of the following:

29 (i) Has at least 5 years of successful experience serving in a

1 school counseling role in another state within the immediately
2 preceding 7-year period.

3 (ii) Has successfully completed the department's guidance
4 counselor examination.

5 (3) Except for teachers engaged to teach under section 1233b
6 and teachers engaged to teach in a community district under section
7 1233c, the intermediate superintendent shall notify the
8 superintendent of public instruction immediately of the names of
9 noncertificated teachers teaching in violation of subsection (1)
10 and the names of individuals serving in counseling roles in
11 violation of subsection (2), the employing district, and the amount
12 of time the noncertificated teachers or unqualified individuals
13 were employed.

14 (4) A vocational teacher preparation institution shall utilize
15 the employment experience of an annually authorized teacher for the
16 purpose of waiving student teaching as a requirement for vocational
17 certification if the annually authorized teacher is supervised by
18 the teacher preparation institution.

19 (5) ~~The~~ **Subject to subsection (10), the** board of a school
20 district or intermediate school district may employ an individual
21 without a teaching certificate as a substitute teacher if either of
22 the following requirements ~~are~~ **is** met, if applicable:

23 (a) The individual has at least 60 semester hours of college
24 credit or an associate degree from a college, university, or
25 community college. The 60 semester hours do not need to be from the
26 same college, university, or community college.

27 (b) For substitute teaching a course in an industrial
28 technology education program or a career and technical education
29 program, the individual is engaged to substitute teach in a subject

1 matter or field in which the individual has achieved expertise, as
2 determined by the board of a school district or intermediate school
3 district and satisfies all of the following, if applicable:

4 (i) Has a high school diploma or a high school equivalency
5 certificate as **that term is** defined in section 4 of the state
6 school aid act of 1979, MCL 388.1604.

7 (ii) For substitute teaching in a subject matter or field in
8 which a professional license or certification is required, at least
9 1 of the following:

10 (A) Holds a professional license or certification in that same
11 subject matter or field.

12 (B) Previously held a professional license or certification in
13 that same subject matter or field that expired not more than 2
14 years before the noncertificated substitute teacher's initial
15 employment under this section and was in good standing immediately
16 before the license or certification expired.

17 (iii) Has at least 2 cumulative years of professional experience
18 in that same subject matter or field in the immediately preceding
19 10 years.

20 (6) ~~Beginning February 6, 2020, the~~ **The** department shall not
21 renew an individual's school counselor credential unless the
22 department determines that, within the time period since the
23 individual's school counselor credential was issued or last
24 renewed, whichever is most recent, the individual has completed at
25 least 25 hours of professional development approved by the
26 department under subsection (8) covering counseling about the
27 college preparation and selection process and at least 25 hours of
28 professional development approved by the department under
29 subsection (8) covering career counseling. For the purposes of this

1 subsection, career counseling includes, but is not limited to,
2 exploration of military career options and the skilled trades as
3 well as other careers and pathways that lead to industry
4 credentials awarded in recognition of an individual's attainment of
5 measurable technical or occupational skills necessary to obtain
6 employment or advance within an occupation. The hours of
7 professional development required under this subsection covering
8 career counseling must include at least 5 hours covering military
9 career options. The hours of professional development required
10 under this subsection are a part of and not in addition to
11 professional development requirements under department rule.

12 (7) An individual may complete the professional development
13 hours for the purposes of subsection (6) as part of the
14 professional development provided by a school district,
15 intermediate school district, public school academy, or nonpublic
16 school under section 1527 if the content and curriculum of the
17 professional development provided under section 1527 are approved
18 by the department under subsection (8).

19 (8) The department shall approve the professional development
20 for the purposes of subsection (6). The department shall only
21 approve a professional development program or course for the
22 purposes of subsection (6) if the department determines that the
23 content and curriculum for the professional development meet
24 standards that are developed by the department in consultation with
25 the department of ~~talent and economic development~~ **labor and**
26 **economic opportunity** and groups representing school counselors,
27 college admissions professionals, financial aid officers,
28 employers, and others as determined appropriate by the department.
29 The department shall develop these standards by July 1, 2018 and

1 shall facilitate the involvement in the development of the
2 standards of the groups required under this subsection.

3 (9) The superintendent of public instruction shall promulgate
4 or modify rules as necessary to implement subsections (6) to (8).

5 (10) Beginning on the effective date of the amendatory act
6 that added this subsection through June 30, 2026, the board of a
7 school district or intermediate school district may employ an
8 individual without a certificate or permit who does not meet the
9 requirements under subsection (5) as a substitute teacher if both
10 of the following are met:

11 (a) Both of the following apply to the individual:

12 (i) The individual has a high school diploma or high school
13 equivalency certificate as that term is defined in section 4 of the
14 state school aid act of 1979, MCL 388.1604.

15 (ii) The individual is employed by or works at the school
16 district or intermediate school district.

17 (b) The board ensures that both of the following are met, as
18 applicable:

19 (i) If the individual's existing salary as an employee of or
20 worker at the school district or intermediate school district is
21 higher than the salary of a substitute teacher who is employed at
22 or works at the school district or intermediate school district,
23 the individual's salary for his or her employment or work as a
24 substitute teacher under this subsection must not be lower than his
25 or her existing salary.

26 (ii) If the individual's existing salary as an employee of or
27 worker at the school district or intermediate school district is
28 lower than the salary of a substitute teacher who is employed at or
29 works at the school district or intermediate school district, the

1 individual's salary for his or her employment or work as a
2 substitute teacher under this subsection must be in an amount that
3 is equal to or greater than the salary of a substitute teacher who
4 is employed at or works at the school district or intermediate
5 school district.

6 (11) An individual who declines employment or assignment as a
7 substitute teacher under subsection (10) must not be terminated
8 from his or her existing employment or assignment and must not be
9 subject to retaliation solely for declining the employment or
10 assignment under subsection (10).

11 Enacting section 1. This amendatory act does not take effect
12 unless Senate Bill No. ____ or House Bill No. 4293 (request no.
13 01821'21) of the 101st Legislature is enacted into law.