

SENATE BILL No. 375

June 11, 1991, Introduced by Senators FAXON and DE GROW
and referred to the Committee on Education.

A bill to amend sections 1233 and 1531 of Act No. 451 of the
Public Acts of 1976, entitled as amended

"The school code of 1976,"

section 1233 as amended by Act No. 25 of the Public Acts of 1990
and section 1531 as amended by Act No. 267 of the Public Acts of
1986, being sections 380.1233 and 380.1531 of the Michigan
Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 1233 and 1531 of Act No. 451 of the
2 Public Acts of 1976, section 1233 as amended by Act No. 25 of the
3 Public Acts of 1990 and section 1531 as amended by Act No. 267 of
4 the Public Acts of 1986, being sections 380.1233 and 380.1531 of
5 the Michigan Compiled Laws, are amended to read as follows:

6 Sec. 1233. (1) Except as provided in subsection (3) and
7 section 1233b, the board of a school district or intermediate

1 school district shall not permit a teacher who does not hold a
2 valid teaching certificate to teach in a grade or department of
3 the school, A TEACHER WITHOUT AN ELEMENTARY FOREIGN LANGUAGE
4 ENDORSEMENT BY THE STATE BOARD TO TEACH A FOREIGN LANGUAGE IN AN
5 ELEMENTARY GRADE, or a teacher without ~~an~~ A COUNSELING endorse-
6 ment by the state board to serve in a counseling role as the role
7 is defined by the state board.

8 (2) The intermediate superintendent shall notify immediately
9 the state board of the names of noncertificated teachers and the
10 names of nonendorsed teachers TEACHING A FOREIGN LANGUAGE IN AN
11 ELEMENTARY GRADE OR serving in counseling roles, the employing
12 district, and the amount of time the noncertificated and nonen-
13 dorsed teachers were employed.

14 (3) The board of a school district or intermediate school
15 district may renew through June 30, 1995 an annual vocational
16 authorization of a noncertificated vocational teacher who is
17 employed by the district or intermediate school district on June
18 1, 1987, even if a certificated teacher is available for hire, if
19 both of the following conditions are met:

20 (a) The noncertificated teacher is annually and continually
21 enrolled and completing credit in an approved vocational teacher
22 preparation program leading to vocational certification.

23 (b) The noncertificated teacher has a planned vocational
24 teacher preparation program leading to vocational certification
25 on file with the employing school district or intermediate school
26 district, his or her teacher preparation institution, and the
27 department of education.

1 (4) A vocational teacher preparation institution shall
2 utilize the employment experience of an annually authorized
3 teacher for the purpose of waiving student teaching as a require-
4 ment for vocational certification if the annually authorized
5 teacher is supervised by the teacher preparation institution.

6 (5) All vocational education teachers certified after
7 June 1, 1995 shall pass a competency test.

8 Sec. 1531. (1) Except as provided in this section, the
9 state board shall determine the requirements for and issue all
10 licenses and certificates for teachers, including preprimary
11 teachers, and the requirements for an endorsement of teachers as
12 qualified counselors AND AN ENDORSEMENT OF TEACHERS FOR TEACHING
13 A FOREIGN LANGUAGE IN AN ELEMENTARY GRADE in the public schools
14 of the state.

15 (2) Beginning September 1, 1991, the state board shall only
16 issue a teaching certificate to a person who has passed both a
17 basic skills examination and each appropriate subject area exami-
18 nation for each subject area in which he or she is to be
19 certified. Beginning September 1, 1991, persons holding teaching
20 degrees from out-of-state teacher preparation institutions and
21 who apply for a Michigan teacher's certificate shall be required
22 to pass both a Michigan state board approved basic skills exami-
23 nation and each appropriate Michigan state board approved subject
24 area examination.

25 (3) Not later than June 1, 1988, the department, based upon
26 criteria recommended pursuant to subsection (5), shall provide to
27 state board approved teacher education institutions state board

1 approved guidelines and criteria for use in the development or
2 selection of a basic skills examination, and not later than
3 June 1, 1989, approved guidelines and criteria for use in the
4 development or selection of subject area examinations.

5 (4) Not later than January 1, 1989, the state board, based
6 upon criteria recommended pursuant to subsection (5), shall
7 develop, select, or develop and select 1 or more basic skills
8 examinations, and not later than January 1, 1990, subject area
9 examinations that may be used by an approved teacher education
10 institution.

11 (5) ~~Within 30 days after the effective date of the amenda-~~
12 ~~tory act that adds this subsection~~ NOT LATER THAN JANUARY 18,
13 1987, the state board shall appoint an 11-member teacher examina-
14 tion advisory committee comprised of representatives of approved
15 teacher education institutions and Michigan education organi-
16 zations and associations. Not more than 1/2 of the members com-
17 prising this committee shall be certified teachers. Not later
18 than January 1, 1988, this committee shall recommend criteria to
19 be used by the state board in the development, selection, or
20 development and selection of 1 or more basic skills examinations,
21 and not later than January 1, 1989, criteria to be used by the
22 state board in the development, selection, or development and
23 selection of subject area examinations. In addition, by those
24 dates, the committee shall recommend guidelines for the use and
25 administration of those examinations. The basic skills examina-
26 tions referred to in this subsection may be developed by the
27 state board or selected by the state board from commercially or

1 university developed examinations. In addition, an approved
2 teacher education institution, pursuant to guidelines and cri-
3 teria described in subsection (3), may develop an examination at
4 its own expense for approval by the state board. An approved
5 teacher education institution that develops its own examination
6 ~~shall be~~ IS liable for any litigation that results from the use
7 of its examination.

8 (6) ~~Within 30 days after the effective date of the amenda-~~
9 ~~tory act that adds this subsection~~ NOT LATER THAN JANUARY 18,
10 1987, the state board shall appoint a 7-member standing technical
11 advisory council comprised of persons who are experts in measure-
12 ment and assessment. This council shall advise the state board
13 and the teacher examination committee on the validity, reliabili-
14 ty, and other technical standards of the examinations that will
15 be used or are being used and of the administration and use of
16 those examinations.

17 (7) Not later than September 1, 1992 and each year thereaf-
18 ter, the state board shall submit in writing a report on the
19 development or selection and use of the basic skills examination
20 and the subject area examinations to the house and senate educa-
21 tion committees. The report shall also contain a financial
22 statement regarding revenue received from the assessment of fees
23 levied pursuant to subsection (9) and the amount of and any pur-
24 poses for which that revenue was expended.

25 (8) The basic skills examination and the subject area exami-
26 nations required by this section may be taken at different times

1 during an approved teacher preparation program, but must be
2 passed before a person is enrolled for student teaching.

3 (9) The department, or if approved by the state board, a
4 private testing service, may assess a fee for taking the basic
5 skills and the subject area examinations. The fees, which shall
6 be set by the state board, shall not exceed \$50.00 for a basic
7 skills examination ~~nor~~ OR \$75.00 for a subject area
8 examination. Fees received by the department shall be expended
9 solely for administrative expenses that it incurs in implementing
10 subsections (2) to (12).

11 (10) As used in this section:

12 (a) "Basic skills examination" means an examination devel-
13 oped or selected by the state board or developed pursuant to sub-
14 section (5) by an approved teacher education institution for the
15 purpose of demonstrating the applicant's knowledge and under-
16 standing of basic language and mathematical skills and other
17 skills necessary for the certificate sought, and for determining
18 whether or not a teacher education graduate is eligible for a
19 provisional or probationary Michigan teaching certificate. Not
20 later than June 30, 1987, the department shall advise the state
21 board and the legislature whether or not the department recom-
22 mends that the basic skills examination include an examination of
23 a person's knowledge and understanding of 1 or more of the
24 following: brain function, learning styles, and learning
25 processes.

26 (b) "Subject area examination" means an examination related
27 to a specific area of certification, which examination has been

1 developed or selected by the state board for the purpose of
2 demonstrating the applicant's knowledge and understanding of the
3 subject matter and determining whether or not a teacher education
4 graduate is eligible for a provisional or probationary Michigan
5 teaching certificate.

6 (11) The state board shall certify as qualified the supervi-
7 sors required in section 1506. The state board shall certify
8 teachers as qualified to teach the class described in section
9 1507(1), based upon the recommendation of a teacher training
10 institution, upon an evaluation of the teacher's educational
11 qualifications and experience, and upon any additional require-
12 ments the state board considers necessary.

13 (12) The state board shall promulgate rules for the imple-
14 mentation of this section.