

HOUSE BILL No. 4537

March 22, 2005, Introduced by Reps. Robertson, Caswell, Meyer, Gosselin and Gleason and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1531 (MCL 380.1531), as amended by 2000 PA 497,
and by adding section 1161.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1161. (1) NOT LATER THAN THE BEGINNING OF THE 2006-2007
2 SCHOOL YEAR, THE BOARD OF A SCHOOL DISTRICT OR BOARD OF DIRECTORS
3 OF A PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT THE READING
4 INSTRUCTION PROVIDED AT EACH GRADE LEVEL IN EACH SCHOOL IT OPERATES
5 MEETS ALL OF THE FOLLOWING:

6 (A) TEACHES FROM SOUND TO PRINT FOR PUPILS TO ACCESS THE
7 ENGLISH ALPHABET.

8 (B) TEACHES PHONEMES ONLY.

1 (C) TEACHES FROM SIMPLE TO COMPLEX, WITH THE MOST COMMON
2 SPELLING OF A SOUND FIRST.

3 (D) TEACHES BLENDING AND SEGMENTING OF WORDS USING A
4 MULTISENSORY APPROACH.

5 (E) TEACHES THE PUPIL THE PROPER PROCESS OF HOW TO FORM EACH
6 LETTER AND HAS THE PUPIL SAY THE SOUND AS HE OR SHE WRITES EACH
7 LETTER.

8 (F) TEACHES THAT LETTER STRINGS OF UP TO 4 LETTERS CAN
9 REPRESENT A SOUND.

10 (G) TEACHES THAT ALL SOUNDS CAN BE SPELLED IN A VARIETY OF
11 WAYS.

12 (H) TEACHES THAT THE SAME SPELLING CAN REPRESENT DIFFERENT
13 SOUNDS.

14 (I) PROVIDES EXPLICIT INSTRUCTION FOR READING FLUENCY
15 INCLUDING TIMED REREADING OF A PASSAGE UNTIL A DESIGNATED GOAL, IN
16 WORDS PER MINUTE, IS ATTAINED.

17 (J) TEACHES HOW THE ENGLISH ALPHABET IS USED BOTH IN READING
18 AND SPELLING AND TEACHES THESE 2 AREAS SIMULTANEOUSLY FOR OPTIMUM
19 GAINS.

20 (K) ASSESSES PUPILS' PROGRESS BY ANALYZING THEIR SPELLING
21 ERROR PATTERNS IN AUTHENTIC WRITING PIECES, INCLUDING SENTENCES,
22 STORIES, AND UNEDITED CLASSROOM WRITING PROJECTS, IN ORDER TO
23 UNDERSTAND THE PUPIL'S INDEPENDENT LEVEL OF ACCURATE WORD READING.

24 (L) ON A YEARLY BASIS, ADMINISTERS STANDARDIZED PRETESTING AND
25 POSTTESTING TO MEASURE PUPIL PROGRESS AND IDENTIFY AREAS OF
26 WEAKNESS NEEDING FURTHER INSTRUCTION.

27 (2) NOT LATER THAN DECEMBER 31, 2005, THE DEPARTMENT SHALL

1 SELECT OR DEVELOP AND MAKE AVAILABLE TO SCHOOL DISTRICTS AND PUBLIC
2 SCHOOL ACADEMIES A MODEL READING CURRICULUM THAT MEETS THE
3 REQUIREMENTS OF SUBSECTION (1).

4 (3) THE BOARD OF A SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A
5 PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT EACH TEACHER ASSIGNED TO
6 TEACH READING AT ANY LEVEL IN A SCHOOL IT OPERATES IS TRAINED IN
7 THE TECHNIQUES DESCRIBED IN SUBSECTION (1) BEFORE IMPLEMENTATION OF
8 THE INSTRUCTION DESCRIBED IN SUBSECTION (1).

9 Sec. 1531. (1) Except as provided in this act, the
10 superintendent of public instruction shall determine the
11 requirements for and issue all licenses and certificates for
12 teachers, including preprimary teachers, and the requirements for
13 an endorsement of teachers as qualified counselors and an
14 endorsement of teachers for teaching a foreign language in an
15 elementary grade in the public schools of the state.

16 (2) Except as otherwise provided in this act, the
17 superintendent of public instruction shall only issue a teaching
18 certificate to a person who has passed appropriate examinations as
19 follows:

20 (a) For a secondary level teaching certificate, has passed
21 both the basic skills examination and the appropriate available
22 subject area examination for each subject area in which he or she
23 applies to be certified.

24 (b) For an elementary level teaching certificate, has passed
25 the basic skills examination and, if it is available, the
26 elementary certification examination, and has passed the
27 appropriate available subject area examination for each subject

1 area, if any, in which he or she applies to be certified.

2 (3) Except as otherwise provided in this act, the
3 superintendent of public instruction shall issue a Michigan
4 teaching certificate to a person holding a certificate from another
5 state or a teaching degree from an out-of-state teacher preparation
6 institution who applies for a Michigan teaching certificate only if
7 the person passes appropriate examinations as follows:

8 (a) For a secondary level teaching certificate, pass both the
9 basic skills examination and the appropriate available subject area
10 examination for each subject area in which he or she applies to be
11 certified. The superintendent of public instruction may accept
12 passage of an equivalent examination approved by the superintendent
13 of public instruction to meet 1 or both of these requirements.

14 (b) For an elementary level teaching certificate, pass the
15 basic skills examination and, if it is available, the elementary
16 certification examination, and pass the appropriate available
17 subject area examination for each subject area, if any, in which he
18 or she applies to be certified. The superintendent of public
19 instruction may accept passage of an equivalent examination
20 approved by the superintendent of public instruction to meet 1 or
21 more of these requirements.

22 (4) Except as otherwise provided in this act, the
23 superintendent of public instruction shall only issue a teaching
24 certificate to a person who has met the elementary or secondary, as
25 applicable, reading credit requirements established under
26 superintendent of public instruction rule **AND WHO DEMONSTRATES THAT**
27 **HE OR SHE HAS RECEIVED TRAINING IN THE READING INSTRUCTION**

1 **TECHNIQUES DESCRIBED IN SECTION 1161 AS PART OF HIS OR HER TEACHER**
2 **PREPARATION PROGRAM.** Not later than ~~1 year after the effective date~~
3 ~~of the amendatory act that added this subsection~~ **JANUARY 11, 2002,**
4 the superintendent of public instruction, in cooperation with
5 appropriate curriculum specialists and teacher educators, shall
6 revise existing reading standards to recognize reading disorders
7 and to enable teachers to make referrals for instruction and
8 support for pupils with reading disorders.

9 (5) Subject to subsection (7), if a person holding a teaching
10 certificate from another state applies to the superintendent of
11 public instruction for a Michigan teaching certificate and meets
12 the requirements of this subsection, the superintendent of public
13 instruction shall issue to the person a Michigan professional
14 education teaching certificate and applicable endorsements
15 comparable to those the person holds in the other state, without
16 requiring the person to pass a basic skills examination or the
17 applicable subject area examination otherwise required under
18 subsection (2) or (3). To be eligible to receive a Michigan
19 professional education teaching certificate under this subsection,
20 a person shall provide evidence satisfactory to the department that
21 he or she meets all of the following requirements:

22 (a) Has taught successfully for at least 3 years in a position
23 for which the person's teaching certification from the other state
24 was valid.

25 (b) Has earned, after his or her initial certification in
26 another state, at least 18 semester credit hours in a planned
27 course of study at an institution of higher education approved by

1 the superintendent of public instruction or has earned, at any
2 time, a master's or doctoral degree approved by the superintendent
3 of public instruction.

4 (c) Has met the elementary or secondary, as applicable,
5 reading credit requirement established under superintendent of
6 public instruction rule **AND HAS RECEIVED TRAINING APPROVED BY THE**
7 **DEPARTMENT IN THE READING INSTRUCTION TECHNIQUES DESCRIBED IN**
8 **SECTION 1161.**

9 (6) A person who receives a teaching certificate and
10 endorsement or endorsements under subsection (5) is eligible to
11 receive 1 or more additional endorsements comparable to
12 endorsements the person holds in another state only if the person
13 passes the appropriate subject area examinations required under
14 subsection (2) or (3).

15 (7) The superintendent of public instruction shall deny a
16 Michigan teaching certificate to a person described in subsection
17 (5) for fraud, material misrepresentation, or concealment in the
18 person's application for a certificate or for a conviction for
19 which a person's teaching certificate may be revoked under section
20 1535a.

21 (8) The department, based upon criteria recommended pursuant
22 to subsection (10), shall provide to approved teacher education
23 institutions guidelines and criteria approved by the superintendent
24 of public instruction for use in the development or selection of a
25 basic skills examination and approved guidelines and criteria for
26 use in the development or selection of subject area examinations.

27 (9) For the purposes of this section, the superintendent of

1 public instruction, based upon criteria recommended pursuant to
2 subsection (10), shall develop, select, or develop and select 1 or
3 more basic skills examinations and subject area examinations. In
4 addition, the superintendent of public instruction, based upon
5 criteria recommended pursuant to subsection (10), shall approve an
6 elementary certification examination and a reading subject area
7 examination.

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

1 that develops its own examination is liable for any litigation that
2 results from the use of its examination.

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

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

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

27 (14) The department, or if approved by the superintendent of

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

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

24 (16) As used in this section:

25 (a) "Basic skills examination" means an examination developed
26 or selected by the superintendent of public instruction or
27 developed pursuant to subsection (10) by an approved teacher

1 education institution for the purpose of demonstrating the
2 applicant's knowledge and understanding of basic language and
3 mathematical skills and other skills necessary for the certificate
4 sought, and for determining whether or not an applicant is eligible
5 for a provisional Michigan teaching certificate.

6 (b) "Elementary certification examination" means a
7 comprehensive examination for elementary certification that has
8 been developed or selected by the superintendent of public
9 instruction for demonstrating the applicant's knowledge and
10 understanding of the core subjects normally taught in elementary
11 classrooms and for determining whether or not an applicant is
12 eligible for an elementary level teaching certificate.

13 (c) "Subject area examination" means an examination related to
14 a specific area of certification, which examination has been
15 developed or selected by the superintendent of public instruction
16 for the purpose of demonstrating the applicant's knowledge and
17 understanding of the subject matter and determining whether or not
18 an applicant is eligible for a Michigan teaching certificate.

19 (17) The superintendent of public instruction shall promulgate
20 rules for the implementation of this section.

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

1 elementary or secondary professional education certificate to a
2 person described in this section, the superintendent of public
3 instruction shall consider the person to have a state elementary or
4 secondary, as applicable, continuing education certificate.