



**House
Legislative
Analysis
Section**

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**CERTIFICATION OF CERTAIN STATE EMPLOYEES
RECEIVED**

House Bill 5570 as enrolled
Second Analysis (7-10-90)

OCT 08 1990

Sponsor: Rep. Marvin L. Knight Mich. State Law Library
House Committee: Education
Senate Committee: Education & Mental Health

THE APPARENT PROBLEM:

The School Code currently requires the State Board of Education to develop a "school administrator's certificate" and issue this certificate to all qualified public and intermediate school district superintendents, principals, assistant principals, chief business officials, and others who administer instructional programs. This requirement was implemented under Public Act 163 of 1986 to ensure that persons who administer instructional programs in public schools meet specific minimum professional standards, and because Michigan (before Public Act 163) was the only state without a requirement for administrator certification. While most administrators and other similar educational personnel are employed by individual school districts, there are certain state employees who administer instructional programs in special state-run schools (for instance, schools for prisoners or recipients of mental health services) with responsibilities similar to public school administrators. Some people feel the act's requirements for administrator certification should also apply to these persons.

THE CONTENT OF THE BILL:

The bill would amend the School Code to specify that the administrator's certificate required of certain public school personnel would have to be issued no later than July 1, 1990 to all persons who were employed by the Departments of Education, Mental Health, Social Services, and Corrections in positions which the state board determined were equivalent to the administrators of public and intermediate schools who now are required to have such a certificate. These specific state employees (as determined by the state board) would have to possess both a valid school administrator's certificate and a teaching certificate beginning July 1, 1990.

The bill would specify that the state board could provide a waiver for persons unable to meet the requirements for a school administrator's certificate due to unusual circumstances, but would not be required to do so as the act currently states. Further, state employees working in affected positions on July 1, 1990 would be "grandparented" under the bill; that is, they would be issued an initial school administrator's certificate even if they did not meet the certification requirements. A school administrator's certificate issued in this way, however, would be valid only while the person was employed by the department that issued the certificate in the position requiring certification. Further, if a person who held such a certificate wished to transfer to a different position within a department requiring certification or to a position that required administrator's certification in another department, a school district, or an intermediate school district, that person would have to meet the state board's certification requirements for school administrators and teachers.

MCL 380.1531a, 380.1536, and 380.1536a

FISCAL IMPLICATIONS:

According to the Department of Education, the bill would not affect state or local expenditures. (7-10-90)

ARGUMENTS:

For:

The bill would require certification for certain state employees who work in positions similar to persons who administer instructional programs at public schools who, under Public Act 163 of 1986, are required to be state certified. These state employees work within the education, corrections, social services, and mental health departments as administrators of special state-run schools (for instance, prison schools), and should have to meet certification requirements just as regular school administrative personnel now are required to. The bill would provide a "grandparent" clause for those who initially couldn't meet certification requirements, but would specifically prohibit persons who received initial certification in this way from transferring their certified status either to another state department position or from state employment into the public school system unless they had met regular state board certification requirements.

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