

House Bill 5476 as introduced
First Analysis (2-10-98)

Sponsor: Rep. Deborah Cherry
Committee: Education

THE APPARENT PROBLEM:

Legislation has been introduced to address several technical problems that have been identified in the area of teacher certification.

1) Currently, if a teacher requests the state board of education to nullify his or her teaching certificate or an endorsement or a grade level certification included in the certificate that has not been used for 10 years, the nullification takes effect "immediately." In the case of endorsements and grade level certifications, this can be disruptive for schools. Consider the case of a teacher who is assigned to teach special education. The teacher is certified to teach in the area but has not for 10 or more years. The teacher decides after the school year has begun that he or she does not want to continue in the assignment. He or she could then request the state board to nullify the endorsement and the board could nullify it immediately. The school district would have to remove the teacher from the assignment during the school year and move him or her to another assignment commensurate with the person's remaining credentials. Critics say this would lead to a domino effect in the district that would disrupt classrooms. One recommendation is to provide a time line for nullifications so that a nullification approved on or after March 1 of a calendar year would take effect on July 1 of that calendar year and nullifications approved after that date would take effect July 1 of the year of the next calendar year. This would mean a teacher could not voluntarily drop a credential in mid-year.

2) Teacher candidates typically must pass a basic skills examination and subject area examinations to obtain a state teaching certificate. The law permits a fee of up to \$50 to be charged for the basic skills exam and a fee of up to \$75 for an elementary certification exam or a subject area exam. An additional fee is permitted if a subject area examination for vocational education includes a performance examination. There is a move toward requiring performance examinations outside of vocational education, notably for teachers of languages. According to the Department of Education, a performance exam has been developed and piloted for Spanish. (The test involves listening and speaking, as well as writing in the language.) An amendment is

needed so that the extra fee can apply to Spanish performance exams and others as they are developed. The test cannot be administered without the fee, the department says.

3) Teachers cannot get an advanced (professional education) certificate until they have had three years of successful teaching under their initial (provisional) certificate. Teachers who hold a certificate in another state cannot obtain the initial certificate without passing the required state examinations (referred to in the paragraph above). But an out-of-state teacher can get a one-year non-renewable temporary certificate, pass the required examinations during that year, and qualify for an initial certificate. In such a case, however, the year taught under a temporary certificate does not count as one of the three years of teaching required before an advanced certificate can be issued. An amendment to the law has been proposed to allow this.

THE CONTENT OF THE BILL:

House Bill 5476 would amend the Revised School Code in the following ways.

-- The code says that the State Board of Education must immediately nullify a teacher's teaching certificate upon the request of the teacher and may at a teacher's request nullify one or more endorsements on the certificate or a grade level certification included in the certificate that has not been used for at least ten years. The bill would strike the word "immediately" and specify that a nullification approved on or before March 1 of a calendar year would take effect on July 1 of the same calendar year and a nullification approved after March 1 would take effect on July 1 of the next calendar year. The bill also would change the "may" to a "shall" in the case of state board nullification of endorsements and grade levels.

-- The code authorizes fees to be charged to teachers or teacher candidates for the basic skills examination, elementary certification examination, and the subject area examinations. It also permits an additional fee to

be charged if a subject area examination for vocational education includes a performance examination. The bill

would allow the additional fee for performance tests in other subject areas. (The fee cannot exceed the actual cost of administering the performance examination.)

-- The code says that a person holding a teaching certificate from another state who meets all requirements for the Michigan certificate except passage of the appropriate tests must be issued a non-renewable temporary teaching certificate good for one year. A teaching certificate cannot be awarded to the person after the temporary certificate expires unless the person has passed the examinations. The bill would specify that if the person did pass the examinations, the state board would have to credit the year of teaching under the temporary certificate as one year of successful experience counting toward further teacher certification.

MCL 380.1531 and 380.1532

FISCAL IMPLICATIONS:

The bill would have no fiscal impact on the state, according to the Department of Education and House Fiscal Agency. The HFA says the bill could result in a slight increase in local costs if districts must pay a higher teacher salary to a person who benefits from being granted the additional year of experience under the bill. (Department of Education draft analysis dated 2-2-98 and HFA fiscal note dated 1-15-98)

ARGUMENTS:

For:

The bill would make a number of changes to improve the administration of the teacher certification system, address problems cited by several teachers, and allow the development and use of performance examinations for language teachers.

Against:

Permitting an additional testing fee for prospective teachers with a major or minor in Spanish could cause them hardship. According to information from the Department of Education, currently prospective teachers must pay \$49 for the basic skills examination, \$74 fee for the first subject area examination and \$133 for subject area examinations. Teacher candidates typically take two subject area examinations and sometimes three. According to the Department of Education, under this bill there will be an additional fee of \$72 for the performance examination.

POSITIONS:

The Department of Education supports the bill. (2-4-98)

The Michigan Education Association supports the bill. (2-4-98)

Analyst: C. Couch
