

HOUSE BILL NO. 5135

October 12, 2023, Introduced by Reps. Schmaltz, Morgan, McFall, Brabec, Wilson, Meerman, Roth, Rheingans, Neyer, Borton, Kuhn, DeBoer, Schuette, Markkanen, Wozniak, Aragona, Beson, DeBoyer, Prestin, Cavitt, Martin, Hoadley, VanderWall and Jaime Greene 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 2023 PA 110,
and by adding section 1253.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 1253. (1) Beginning with the 2025-2026 school year, the**
2 **board of a school district or intermediate school district or board**
3 **of directors of a public school academy shall ensure that each**
4 **school operated by the board or board of directors has at least 1**

1 teacher trained in the Orton-Gillingham methodology who is tasked
2 with assisting pupils with dyslexia.

3 (2) As used in this section, "Orton-Gillingham methodology"
4 means a teaching approach for students with reading difficulties
5 that does all of the following:

6 (a) Incorporates phonemic awareness, phonics, vocabulary,
7 fluency, and comprehension into daily lessons.

8 (b) Teaches reading using a proven, multisensory approach.

9 (c) Breaks reading and spelling down into smaller skills
10 involving letters and sounds, and then builds on those skills over
11 time.

12 (d) Uses multisensory teaching strategies to teach reading by
13 using sight, hearing, touch, and movement to help students connect
14 and learn the concepts that are being taught.

15 Sec. 1531. (1) Except as otherwise provided in this act, the
16 superintendent of public instruction shall determine the
17 requirements for and issue all licenses, certificates, and
18 endorsements for teachers, including preprimary teachers and
19 teachers as counselors, in the public schools of this state.

20 (2) Except as otherwise provided in this act, the
21 superintendent of public instruction shall only issue a teaching
22 certificate or additional endorsement to an individual who has
23 passed appropriate available examinations. The superintendent of
24 public instruction may accept passage of an equivalent examination
25 approved by the superintendent of public instruction to meet this
26 requirement for an individual holding a teaching certificate from
27 another state, country, or federally recognized Indian tribe.

28 (3) Except as otherwise provided in this act, the
29 superintendent of public instruction shall only issue a teaching

1 certificate to an individual who has met the elementary or
2 secondary, as applicable, reading credit requirements established
3 under superintendent of public instruction rule **and, beginning**
4 **January 1, 2025, received training on how to identify pupils with**
5 **dyslexia.** If an individual holds a teaching certificate,
6 notwithstanding any rule to the contrary, the superintendent of
7 public instruction shall not advance the individual's certification
8 to professional certification unless the individual has
9 successfully completed at least a 3-credit course of study with
10 appropriate field experiences in the diagnosis and remediation of
11 reading disabilities and differentiated instruction. To meet this
12 requirement, the course of study should include the following
13 elements, as determined by the department to be appropriate for the
14 individual's certification level and endorsements: interest
15 inventories, English language learning screening, visual and
16 auditory discrimination tools, language expression and processing
17 screening, phonemics, phonics, vocabulary, fluency, comprehension,
18 spelling and writing assessment tools, and instructional
19 strategies. An individual may complete the course of study as part
20 of ~~his or her~~ **the individual's** teacher preparation program.

21 (4) Any revisions to existing reading standards must include
22 the recognition of reading disorders and enable teachers to make
23 referrals for instruction and support for pupils with reading
24 disorders.

25 (5) Subject to subsection (8), if an individual holding a
26 teaching certificate from another state, country, or federally
27 recognized Indian tribe applies to the superintendent of public
28 instruction for a Michigan teaching certificate and meets the
29 requirements of this subsection, the superintendent of public

1 instruction shall issue to the individual a Michigan teaching
2 certificate and endorsements comparable to those the individual
3 holds in the other state or country or with the federally
4 recognized Indian tribe without requiring the individual to pass
5 the appropriate examinations otherwise required under subsection
6 (2) or to complete the reading credit requirement established under
7 superintendent of public instruction rule as described in
8 subsection (3). To be eligible to receive a Michigan teaching
9 certificate under this subsection, an individual ~~shall~~**must** provide
10 evidence satisfactory to the department that ~~he or she~~**the**
11 **individual** has taught successfully for at least 3 years in a
12 position for which the individual's teaching certification from the
13 other state, country, or federally recognized Indian tribe was
14 valid.

15 (6) Subject to subsection (8), an individual holding a
16 teaching certificate from another state, country, or federally
17 recognized Indian tribe is eligible for a Michigan professional
18 education certificate if the individual meets both of the
19 following:

20 (a) The individual has taught successfully for at least 3
21 years in a position for which the individual's teaching
22 certification from the other state, country, or federally
23 recognized Indian tribe was valid.

24 (b) The individual meets the elementary or secondary, as
25 applicable, reading credit requirement established under
26 superintendent of public instruction rule as described in
27 subsection (3).

28 (7) Subject to subsection (8), if an individual holding a
29 teaching certificate from another state, country, or federally

1 recognized Indian tribe applies to the superintendent of public
2 instruction for an additional endorsement on a valid Michigan
3 teaching certificate and meets the requirements of this subsection,
4 the superintendent of public instruction shall issue the individual
5 an endorsement comparable to that which the individual holds in the
6 other state or country or with the federally recognized Indian
7 tribe without requiring that the individual pass the appropriate
8 available examinations otherwise required under subsection (2). To
9 be eligible to receive an additional endorsement under this
10 subsection, an individual ~~shall~~**must** provide evidence satisfactory
11 to the department that ~~he or she~~**the individual** has taught
12 successfully for at least 3 years in a position for which the
13 individual's teaching endorsement from the other state, country, or
14 federally recognized Indian tribe is valid.

15 (8) The superintendent of public instruction shall deny a
16 Michigan teaching certificate or endorsement to an individual
17 described in subsection (5), (6), or (7) for fraud, material
18 misrepresentation, or concealment in the individual's application
19 for a certificate or for a conviction for which an individual's
20 teaching certificate may be suspended or revoked under section
21 1535a.

22 (9) For the purposes of this section, the superintendent of
23 public instruction, based upon criteria recommended by a committee
24 of teachers, representatives of approved teacher education
25 institutions, Michigan education organizations and associations,
26 and experts in measurement and assessment, shall develop, select,
27 or develop and select 1 or more subject area examinations. In
28 addition, the superintendent of public instruction, based upon
29 criteria recommended by the committee described in this subsection,

1 shall approve a reading subtest to be taken and passed by
2 individuals seeking pre-K to grade 3 or grade 3 to grade 6-level
3 endorsement. If the department develops for use under this
4 subsection an examination that had previously been contracted for
5 using a competitive bid process, ~~then~~ the department shall not
6 expend on the development of that examination an amount that
7 exceeds the amount that the department expended on procurement of
8 the most recent competitively-bid version of that examination. The
9 competitive bid process must address validity, reliability, and
10 other technical standards of the examinations and of the
11 appropriate administration and use of those examinations.

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

20 (11) The examinations required by this section may be taken at
21 different times during an approved teacher preparation program, but
22 the examinations, as applicable, must be passed before an
23 individual is recommended for certification.

24 (12) The department, or if approved by the superintendent of
25 public instruction, a private testing service, may assess fees for
26 taking the appropriate available examinations described in
27 subsection (2). The fees ~~which~~ must be set by the superintendent
28 of public instruction ~~and~~ must not exceed the actual cost of the
29 examination and of administering the examination. Fees received by

1 the department must be expended solely for administrative expenses
2 that it incurs in implementing this section. If the superintendent
3 of public instruction increases a fee charged for an examination
4 under this subsection, at least 1 year before implementing the fee
5 increase, the department shall notify each approved teacher
6 education institution of the amount of the fee increase. An
7 approved teacher education institution shall notify each of its
8 affected students of the timing and amount of such a fee increase.

9 (13) If an individual holding a teaching certificate from
10 another state, country, or federally recognized Indian tribe
11 applies for a Michigan teaching certificate and meets all
12 requirements for the Michigan teaching certificate except passage
13 of the appropriate available examinations under subsection (2) or
14 the reading credit requirement under subsection (3), the
15 superintendent of public instruction shall issue a nonrenewable
16 temporary teaching certificate, good for 1 year, to the individual.
17 The superintendent of public instruction shall not issue a Michigan
18 teaching certificate to the individual after expiration of the
19 temporary teaching certificate unless the individual has met the
20 requirements of this section.

21 (14) As used in this section:

22 (a) "Additional endorsement" means an endorsement added to a
23 Michigan teaching certificate after initial issuance of the
24 certificate.

25 (b) "An individual holding a teaching certificate from another
26 state, country, or federally recognized Indian tribe" means an
27 individual with a valid teaching certificate or an individual who
28 is eligible for a teaching certificate in the state or country or
29 with the federally recognized Indian tribe in which or with which

1 the individual is certificated or eligible for certification.

2 (c) "Subject area examination" means an examination related to
3 an endorsement area for the purpose of demonstrating the
4 applicant's knowledge and understanding of the subject matter and
5 determining whether ~~or not~~ an applicant is eligible for a Michigan
6 teaching certificate or endorsement.

7 (15) The superintendent of public instruction shall promulgate
8 rules for the implementation of this section.

9 (16) Not later than January 1, 2019, the superintendent of
10 public instruction, in consultation with the department of labor
11 and economic opportunity and groups or individuals representing
12 employers, economic development agencies, trade unions, secondary
13 school principals, middle and elementary school principals,
14 teachers, school district and intermediate school district
15 superintendents, and others as determined appropriate by the
16 department, shall promulgate rules to allow an individual to use
17 time spent engaging with local employers or technical centers
18 toward the renewal of a teaching certificate in the same manner as
19 state continuing education or professional development.