

DEPARTMENT OF EDUCATION  
SUPERINTENDENT OF PUBLIC INSTRUCTION  
CERTIFICATION AND LICENSURE OF SCHOOL COUNSELORS

Proposed Draft September 29, 2016

Filed with the Secretary of State on

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the superintendent of public instruction by section 1233 and section 1531 of 1976 PA 451, MCL 380.1233 and MCL 380.1531)

R 390.1301, R 390.1302, R 390.1303, R 390.1303a, R 390.1304, R 390.1305, R 390.1306, R 390.1307, and R 390.1308 of the Michigan Administrative Code are amended and R 390.1309, R 390.1310, R 390.1311, R 390.1312, and R 390.1313 are added to the Code as follows:

R 390.1301 Definitions.

Rule 1. As used in these rules:

- (a) "Approved school ~~counseling~~ **counselor preparation** program" means a state board approved program in a college or university that has regional accreditation and that prepares school counselors in accordance with these rules.
- (b) ~~"Continuing education unit" means credit received for successfully completing a state board approved professional development program.~~
- (c) ~~"Counselor" means an individual who has successfully completed an approved counselor education program and performs a counseling role.~~
- (d) ~~"Counselor educator" means an individual who is employed as a faculty member to teach in an approved school counseling program.~~
- (e) "Department" means the Michigan department of education.
- (c)(f) ~~"Elementary level" means grades kindergarten to 8.~~
- (d) **"Listed offense" means as defined in section 1535a of 1976 PA 451, MCL 380.1535a.**
- (e) **"Nonpublic school" means a private, denominational, or parochial school.**
- (f) **"Regionally accredited" means accredited by 1 of the regional accrediting agencies recognized and published by the council for higher education accreditation or its successor agency.**
- (g) ~~"School counselor endorsement" means at least 1 of the following:~~
- (i) ~~Completion of a preparation program with a specialization area in school counseling.~~

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~~(ii) An endorsement shall be issued to the validity of the grade level of an existing teaching certificate.~~ **"Satisfactory college semester credit hours" means an average grade of C or better or the equivalent.**

**(h) "School counselor" means an individual who has successfully completed an approved school counselor preparation program and performs a counseling role.**

**(i) "School counselor credential" means 1 of the following:**

**(i) School counselor endorsement on a valid Michigan teaching certificate.**

**(ii) Preliminary employment authorization to work as a school counselor.**

**(iii) Temporary school counselor authorization.**

**(iv) School counselor license.**

**(j) "School counselor educator" means an individual who is employed as a faculty member to teach in an approved school counselor preparation program.**

**(k) "School counselor endorsement" means an endorsement that is issued under R 390.1303 or R 390.1303a and that is valid for the grade level of the holder's existing teaching certificate.**

**(l) "School district" means as defined in R 390.1101.**

**(m) "Secondary level" means grades 6 to 12.**

~~(n)(i) "Sponsoring institution" means a higher education institution approved for teacher or counselor education preparation by the state board and which is willing to make recommendations as to applicants for applicants under the several certificates pursuant to R 390.1101 to R 390.1216.~~ **(n)(i) "Sponsoring institution" means a higher education an institution of higher education that is approved for teacher or counselor education preparation by the state board and that makes recommendations as to applicants for applicants under the several certificates pursuant to R 390.1101 to R 390.1216.**

~~(o)(j) "State board" means the Michigan state board of education.~~ **(o)(j) "State board" means the Michigan state board of education.**

**(p) "State continuing education clock hours" means hours of professional development issued through a process established and approved by the superintendent of public instruction.**

~~(q)(k) "Valid Michigan teaching certificate" means a provisional, professional, continuing, permanent, or life Michigan teaching certificate that is issued by the state board enabling the holder to teach at the elementary or secondary school level during the school year in which a person wishes to serve as a counselor- as defined in R 390.1101 that is valid for the school year for which the holder seeks a school counselor endorsement.~~ **(q)(k) "Valid Michigan teaching certificate" means a provisional, professional, continuing, permanent, or life Michigan teaching certificate that is issued by the state board enabling the holder to teach at the elementary or secondary school level during the school year in which a person wishes to serve as a counselor- as defined in R 390.1101 that is valid for the school year for which the holder seeks a school counselor endorsement.**

R 390.1302 School counselor; ~~credential~~; **credentials and** role.

Rule 2. (1) ~~A person~~ **An individual** who is employed in the role of a school counselor by a local or intermediate school district or nonpublic school ~~shall~~ **must** meet all requirements in these rules with regard to **for** obtaining a school counselor endorsement, a preliminary employment authorization to work as a school counselor, a temporary school counselor authorization, or a school counselor license **credential**.

(2) The sponsoring institution shall ~~make recommendation~~ **recommend or approve an individual concerning for a school** counselor endorsement, preliminary employment authorization to work as a school counselor, or school counselor license at the appropriate level or levels, elementary and secondary, for which the ~~person~~ **individual** qualifies.

(3) "Role of a school counselor" means the following roles in which school counselors serve and which require a **Michigan** school counseling credential:

(a) Provide individual and group counseling services to assist ~~pupils~~ **students**.

- (b) Collaborate with staff in planning educational interventions, curriculum, behavioral management plans, and teaching strategies.
- (c) Consult and collaborate with ~~pupils~~ **students**, families, school personnel, and appropriate professionals and agency personnel regarding behavioral and educational concerns.
- (d) Provide guidance to ~~pupils~~ **students** utilizing technology, career development theory, educational information, and occupational information.
- (e) Assess ~~pupils~~ **students** by using assessment, statistics and research methodology, follow-up evaluations, and measurement methods.
- (f) Assess school counseling programs using assessment, statistics and research methodology, follow-up evaluations, and measurement methods.
- (g) Design, implement, and evaluate ~~a~~ guidance and counseling ~~program~~ **programs** focusing on the career, academic, personal, social, emotional, and developmental needs of all ~~pupils~~ **students** using, but not limited to, the following functions:
  - (i) Advising.
  - (ii) Placement.
  - (iii) Planning.
  - (iv) Assessment.
  - (v) Counseling.
  - (vi) Coordinating.
  - (vii) Instructing.
  - (viii) Referring.
  - (ix) Programming.

R 390.1303 School ~~counselors~~ **counselor** endorsement; ~~in-state~~ applicant **trained in Michigan approved school counselor preparation program.**

Rule 3. An ~~in-state~~ applicant for a school counselor endorsement **who was trained in a Michigan approved school counselor preparation program must** ~~shall~~ meet all of the following requirements:

- (a) Hold a valid Michigan teaching certificate.
- (b) ~~Completion of coursework pursuant to section 1233(2)(b) of 1976 PA 451, MCL 380.1233(2)(b).~~ **Complete an approved school counselor preparation program that includes both of the following:**
  - (i) **Not less than 30 semester credit hours in school counseling, including an internship, at the undergraduate or graduate level.**
  - (ii) **Not less than a 600-clock-hour internship with students under the supervision of a credentialed school counselor or a school counselor educator in an approved school counselor preparation program. At least 300 of the 600 clock hours must be in a school setting.**
- (c) ~~Successful completion of~~ **Successfully complete** the department's school counselor examination.
- (d) ~~Recommendation~~ **Be recommended or approved** by an approved school counselor education ~~preparation~~ program to provide services as a school counselor. Both of the following apply **to the recommendation or approval:**
  - (i) The recommendation **or approval** ~~for the issuance of a school counselor endorsement~~ shall be made in a manner designated by the department.

(ii) The recommendation **or approval** shall be made when an applicant has completed the **other** requirements ~~pursuant to set forth in~~ this rule.

~~(e) Completion of not less than 30 graduate level semester hours in school counseling which includes an internship.~~

~~(f) Completion of not less than a 600 clock hour internship with school aged pupils under the supervision of a credentialed school counselor or a school counselor educator in an approved school counseling program. At least 300 of the 600 clock hours shall be in a school setting.~~

R 390.1303a School counselor endorsement; ~~out-of-state~~ applicant **trained in out-of-state school counselor preparation program.**

Rule 3a. (1) An ~~out-of-state~~ applicant for a school counselor endorsement **who was trained in an out-of-state school counselor preparation program approved by the appropriate out-of-state agency** shall meet all of the following requirements:

(a) Hold a valid out-of-state teaching certificate with a school counselor endorsement.

~~(b) Successful completion of coursework pursuant to section 1233(2)(b) of 1976 PA 451, MCL 380.1233(2)(b).~~ **Complete a school counselor preparation program approved by the appropriate out-of-state agency that includes both of the following:**

**(i) Not less than 30 semester credit hours in school counseling, including an internship, at the undergraduate or graduate level.**

**(ii) Not less than a 600-clock-hour internship with students under the supervision of a credentialed school counselor or a school counselor educator in a school counselor preparation program that is approved by the appropriate out-of-state agency. At least 300 of the 600 clock hours must be in a school setting.**

~~(c) Completion of~~ **Successfully complete** the department's school counselor examination. **This subdivision does not apply to an individual who satisfies the requirements set forth in** ~~An out-of-state applicant that meets the conditions pursuant to section 1531(6) of 1976 PA 451, MCL 380.1531(6); may waive the school counselor examination requirement.~~

~~(d) Completion of not less than 30 graduate level semester hours in school counseling which includes an internship.~~

~~(e) Completion of not less than a 600 clock hour internship with school aged pupils under the supervision of a credentialed school counselor or a school counselor educator in an approved school counseling program. At least 300 of the 600 clock hours shall be in a school setting.~~

(2) An ~~out-of-state~~ applicant **for a school counselor endorsement under this rule** shall apply directly to the department ~~of education.~~

R 390.1304 Preliminary employment authorization to work as a school counselor.

Rule 4. (1) An applicant for a school counselor endorsement or school counselor license **who is being trained in a Michigan approved school counselor preparation program** may be recommended for ~~the~~ a preliminary employment authorization to work as a school counselor upon completion of ~~requirements pursuant to R 390.1303.~~

~~(2) A person shall complete both of the following:~~

~~(a) Outstanding coursework required for the completion of a school counselor program.~~

~~(b)~~ A minimum of 30 semester **credit** hours in school counseling **in an approved school counselor preparation program.**

**(b) Successful completion of the department's school counselor examination.**

~~(2)(3)~~ A preliminary employment authorization to work as a school counselor ~~shall be~~ is valid for 3 years ~~from the date of issuance~~ and is nonrenewable.

~~(3)(4)~~ A sponsoring institution shall ~~make recommendation~~ **recommend or approve an applicant** for a preliminary employment authorization in a manner designated by the department. The recommendation **or approval** shall identify appropriate grade level or levels, **including** elementary, secondary, or ~~kindergarten~~ **prekindergarten** to grade 12, for which the applicant qualifies.

R 390.1305 School counselor license; ~~in-state applicants~~ **applicant trained in Michigan approved school counselor preparation program.**

Rule 5. (1) An ~~in-state~~ applicant for a school counselor license **who was trained in a Michigan approved school counselor preparation program** shall meet all of the following requirements:

(a) Completion of ~~coursework pursuant to~~ **the requirements set forth in** section 1233(2)(b)(i) of 1976 PA 451, MCL 380.1233(2)(b)(i).

(b) Successful completion of the department's school counselor examination.

(c) Recommendation **or approval** by an approved school counselor ~~education~~ **preparation** program to provide services as a school counselor. The recommendation **or approval** for the issuance of a school counselor license shall be made in a manner designated by the department.

(d) Completion of not less than 30 graduate level semester **credit** hours in school counseling, **including** which ~~shall include~~ an internship. **Correspondence credit shall not be used to satisfy this requirement. Online and distance learning credit may be used to satisfy this requirement if it is earned at a sponsoring institution with an approved school counselor preparation program.**

(e) Completion of not less than a ~~600-clock-hour~~ **600-clock-hour** internship with ~~school-aged pupils~~ **students** under the supervision of a ~~person who is a school counselor educator in an approved school counseling counselor preparation program.~~ At least 300 of the 600 clock hours ~~shall~~ **must** be in a school setting.

(2) A school counselor license ~~shall be valid for up to~~ **expires** 5 years **from June 30 of the calendar year the certificate is issued.**

(3) ~~The renewal of a school counselor license requires the completion of 6 semester hours of credit in an approved program or the 18 approved state board continuing education units, or a combination of both. Credit shall be toward an individual's professional development as a school counselor. The following apply:~~

~~(a) Renewal credit shall be completed after the date of issuance of a school counselor license and within the 5-calendar year period before applying for renewal. A school counselor license shall be renewed for 5 years upon application in the manner designated by the department and completion, since the issuance of the most recent school counselor license or renewal, of any combination of the following totaling 150 hours, with 1 semester credit hour being equivalent to 25 hours of state continuing education clock hours or 25 hours of district provided professional development:~~

- (a) **Satisfactory college semester credit hours applicable to school counseling at a regionally accredited university, college, or community college.**
- (b) **State continuing education clock hours applicable to school counseling.**
- (c) **Michigan district provided professional development hours applicable to school counseling.**
- ~~(4)(b)~~ **Correspondence credit shall does not meet the requirements for renewal of a school counselor credential or its renewal license.**
- ~~(5)~~ **Online and distance learning coursework-semester hour credit shall meet the requirements meet the requirements for renewal of a school counselor license or its renewal if attending earned at a sponsoring institution with an approved school counseling counselor preparation program or a regionally accredited college or university.**
- (6) An individual who holds an expired Michigan school counselor license and a valid out-of-state school counselor license and who has been employed within the validity of either license for at least 1 year in the immediately preceding 5-year period is eligible for one 5-year renewal of the Michigan school counselor license. The requirements of subrule (3) of this rule do not apply to a 1-time renewal under this subrule.**

R 390.1306 School counselor license; ~~out-of-state~~ applicant **trained in out-of-state school counselor preparation program.**

Rule 6. (1) An ~~out-of-state~~ applicant for a school counselor license **who was trained in an out-of-state school counselor preparation program approved by the appropriate out-of-state agency** shall meet **all of** the following requirements:

- (a) ~~Has applied~~ **Apply** directly to the department.
- (b) ~~Has successfully completed~~ **Successfully complete** the department's school counselor examination.
- ~~(c)(2)~~ **The individual meets Meet** at least 1 of the following:
  - ~~(i)(a)~~ **Hold** a master's degree or higher **from a regionally accredited institution** in a school counselor ~~education~~ **preparation** program ~~at an approved out-of-state institution that is approved by the appropriate out-of-state agency and~~ that includes the skills and content areas ~~pursuant to described in section 380.1233(2)(b)~~ **1233(2)(b)(i)** of 1976 PA 451, MCL 380.1233(2)(b)(i).
  - (ii) Satisfy all of the following:**
    - ~~(A)(b)~~ **Complete** ~~Has completed~~ at least 5 years of successful experience serving in a school counseling role in another state, **while licensed as a school counselor in that state**, within the ~~immediate~~ **immediately** preceding 7-year period.
    - ~~(B)~~ **and holds Hold** a bachelor of science or a bachelor of arts degree from ~~an approved a~~ **regionally accredited institution in a school counselor education preparation program approved by the appropriate out-of-state agency.**
    - ~~(C)(3)~~ **The individual shall provide Provide** written documentation of the **out-of-state** credential and ~~the~~ approval document required by ~~another-that~~ **that** state to serve in the school counseling role.
    - ~~(4)~~ **The state board may accept a comparable school counselor license from another state as a basis for the issuance of the Michigan school counselor license.**

~~(5) The state board may accept credits presented for licensing from out-of-state accredited institutions. Official transcripts shall be submitted directly to the department with a school counselor license application and other supporting documentation.~~

**(2) A school counselor license issued under this rule expires 5 years from June 30 of the calendar year the certificate is issued.**

**(3) Renewal of a school counselor license issued under this rule is subject to the requirements set forth in R 390.1305(3) to (5).**

R 390.1307 ~~Temporary school counselor authorization; out-of-state applicant~~ **trained in out-of-state school counselor preparation program.**

Rule 7. An ~~out-of-state applicant for a school counselor license who was trained in an out-of-state school counselor preparation program approved by the appropriate out-of-state agency and who satisfies all other requirements, but has yet to take and pass the required~~ **except successful completion of the department's school counselor** examination; may be issued a 1-year nonrenewable temporary school counselor authorization, ~~which expires 1 year from the date of issuance.~~ The authorization allows the individual to be employed as a school counselor **in this state during the validity period of the authorization.**

R 390.1308 ~~Certificate, license, and authorization~~ **School counselor credential** restrictions and expiration **dates.**

Rule 8. (1) ~~A certificate, license, permit, and an authorization~~ **School counselor credentials issued under these rules** have certain restrictions as to the nature of teaching or serving as a school counselor for which the ~~holder~~ **holders** may be employed. ~~The applicant~~ **Applicants** and ~~employer~~ **employers** shall be ~~thoroughly~~ familiar with the specific provisions regarding the validity of ~~the several certificates~~ **school counselor credentials.**

~~(2) All certificates or licenses expire~~ **A certificate or license issued under these rules expires 5 years from** ~~on June 30 of the expiration calendar year it is issued indicated on the certificate or license with the exception of, the temporary teacher employment authorization, the two-year extended provisional renewal, permits, the preliminary employment authorization to work as a school counselor, and the temporary school counselor authorization, or unless otherwise noted on the certificate, license, permit or authorization.~~

**(3) A preliminary employment authorization to work as a school counselor expires 3 years from the date of issuance.**

**(4) A temporary school counselor authorization expires 1 year from the date of issuance.**

R 390.1309 **Initial program approval.**

Rule 9. (1) **The state board shall approve standards for reviewing school counselor preparation programs.**

**(2) The superintendent of public instruction shall approve school counselor preparation programs in accordance with the state board approved standards.**

**(3) Continued approval of a school counselor preparation program by the superintendent of public instruction requires national accreditation of the**

preparation program provider by an accrediting body that is recognized by the United States department of education or a recommendation for approval to the superintendent of public instruction from a state review process.

**R 390.1310 Denial, suspension, or revocation of school counselor credential; reinstatement.**

**Rule 10. (1) The superintendent of public instruction may refuse to grant, refuse to renew, suspend, revoke, or impose reasonable conditions on a school counselor credential for the following reasons:**

**(a) Fraud, material misrepresentation, or concealment or omission of fact in the application for or the use of a school counselor credential.**

**(b) Conviction of a crime described in section 1535a or 1539b of 1976 PA 451, MCL 380.1535a or 380.1539b.**

**(2) The superintendent of public instruction may refuse to grant or refuse to renew a school counselor credential for failure of the applicant to meet the requirements for the school counselor credential. After notice and an opportunity to show compliance, the superintendent of public instruction may rescind, suspend, or revoke a school counselor credential for failure of the holder to meet the requirements for the credential.**

**(3) The superintendent of public instructions shall not deny, refuse to renew, suspend, or revoke a school counselor credential solely on the basis of a conviction unless the superintendent of public instruction finds that the conviction is reasonably and adversely related to the individual's present fitness to serve as a school counselor in this state or that the conviction demonstrates that the individual is unfit to serve as a school counselor in this state. For purposes of this subrule, conviction of a listed offense is reasonably and adversely related to the individual's present fitness to serve as a school counselor in this state and demonstrates that the individual is unfit to serve as a school counselor in this state.**

**(4) A certified copy of the judgment of conviction and sentence is conclusive evidence of conviction of a crime described in section 1535a or 1539b of 1976 PA 451, MCL 380.1535a or 380.1539b. With the exception of a conviction of a listed offense, a conviction of a crime described in those sections or of a substantially similar crime in another state is considered to be reasonably and adversely related to the ability of the individual to serve as a school counselor and is sufficient grounds for refusal to grant, refusal to renew, suspension of, or revocation of a school counselor credential. For purposes of this subrule, conviction of a listed offense is reasonably and adversely related to the individual's present fitness to serve as a school counselor in this state and demonstrates that the individual is unfit to serve as a school counselor in this state.**

**(5) If the superintendent of public instruction refuses to grant, refuses to renew, suspends, or revokes a school counselor credential under subrule 1(b) of this rule, after the completion of the individual's sentence and upon application and a showing of good cause, the superintendent of public instruction may grant a new or renewed credential or reinstate a suspended or revoked credential. This does not apply if the individual was convicted of a listed offense, in which case the superintendent of public instruction shall not grant a new or renewed school**



**counselor credential or reinstate a suspended or revoked school counselor credential. If the individual was convicted of a crime described in section 1535a or 1539b of 1976 PA 451, MCL 380.1535a or 380.1539b, other than a listed offense, the superintendent of public instruction shall not grant a new or renewed school counselor credential or reinstate an individual's credential unless the superintendent of public instruction finds that the individual is currently fit to serve as a school counselor in this state and that granting a new or renewed credential or reinstating the credential will not adversely affect the health, safety, and welfare of students.**

**R 390.1311 Investigation.**

**Rule 11. The superintendent of public instruction shall designate an employee of the department to perform the investigatory and prosecutorial functions regarding cases pertaining to school counselor credentials. Upon receipt of information that may serve as the basis for a refusal to grant, refusal to renew, suspension of, or revocation of a school counselor credential, the designee of the superintendent of public instruction shall initiate an investigation of that information.**

**R 390.1312 Notice of basis for action; notice of right to hearing; informal conference to show compliance; referral for hearing.**

**Rule 12. (1) All of the following apply to action taken under R 390.1310(1)(a) or (b) unless the individual was convicted of a listed offense:**

**(a) Not more than 7 calendar days after receiving notice that the applicant for or the holder of a school counselor credential has been convicted of a crime described in section 1535a or 1539b of 1976 PA 451, MCL 380.1535a or 380.1539b, the department shall request from the court a certified copy of the judgment of conviction and sentence or other document regarding disposition of the case.**

**(b) Upon receipt of notice of a basis for action under R 390.1310(1)(a), or not later than 10 business days after receiving documentation of a conviction under subdivision (a) of this subrule, the department shall notify the applicant or the holder of the school counselor credential in writing of all of the following:**

**(i) Because of the conviction or because of the identified reason under R 390.1310(1)(a), the school counselor credential may be denied, suspended, or revoked.**

**(ii) The applicant, or the holder of the school counselor credential, has the right to a hearing.**

**(iii) If a hearing is not requested within 15 business days after receipt of notice of the right to a hearing, the school counselor credential will be denied or suspended.**

**(iv) If a hearing is requested within 15 business days after receipt of the notice, there will be an informal conference to show compliance.**

**(c) The notice under subdivision (b) of this subrule must include a copy of applicable statutes and rules.**

**(d) Not later than 15 business days after receipt of the notice under subdivision (b) of this subrule, the applicant or the holder of a school counselor credential shall request a hearing. If the applicant or the holder does not timely request a hearing,**

**the superintendent of public instruction shall deny the initial or renewed school counselor credential or shall suspend the school counselor credential.**

**(e) If the applicant or the holder of a school counselor credential timely requests a hearing under subdivision (d) of this subrule, the department shall immediately notify the applicant or the holder of the date and time of an informal conference to show compliance. Unless otherwise agreed, the informal conference to show compliance shall be a telephone conference with an authorized representative of the superintendent of public instruction.**

**(f) After the informal conference to show compliance and consideration of the evidence presented, the superintendent's designee may recommend referral of the matter to the Michigan administrative hearing system for hearing or may recommend a finding of compliance or a written settlement of the matter. The superintendent of public instruction shall approve, modify, or deny a recommended finding of compliance or written settlement.**

**(g) If there is no finding of compliance or written settlement of the matter following the informal conference to show compliance, the department shall refer the case to the Michigan administrative hearing system for hearing.**

**(2) If action is taken by the superintendent of public instruction under R 390.1301 based on conviction of a listed offense, there is no right to request a hearing and the superintendent of public instruction shall not reinstate a school counselor credential.**

**R 390.1313 Action by superintendent of public instruction on proposal for decision.**

**Rule 13. (1) The superintendent of public instruction may adopt, modify, or reverse a proposal for decision of the Michigan administrative hearing system or may remand a case to the Michigan administrative hearing system for further proceedings.**

**(2) A party shall not directly or indirectly communicate with the superintendent of public instruction or individuals involved in the review of a proposal for decision regarding issues of fact or law except on notice and opportunity for all parties to participate, unless provided by law.**