



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

RICK SNYDER
GOVERNOR

BRIAN J. WHISTON
STATE SUPERINTENDENT

MEMORANDUM

DATE: February 23, 2017

TO: Local and Intermediate School District Superintendents
Public School Academy Directors

FROM: Venessa A. Keesler, Ph.D., Deputy Superintendent *V. Keesler*
Division of Educator, Student, and School Supports

SUBJECT: Definition of "Administering Instructional Programs"

Michigan Compiled Law (MCL) 380.1246 states that an administrator must be certified, "grand-parented" with continuing education, or appropriately enrolled in an administrator preparation program if she or he is "a superintendent, principal, assistant principal, or other person whose primary responsibility is administering instructional programs or as a chief business official."

Determining certification requirements for administrators in districts that hold the exact titles listed in the legislation is easy. This memo provides guidance for districts to determine whether an educator of another title "administers instructional programs" and thus is required by law to hold an administrator certificate. An individual is considered to be "administering instructional programs" if she/he has:

1. Responsibility for curriculum. This includes final or executive decisions which directly impact what should be taught to students and how it should be delivered, as well as what learning outcomes are expected, often following a philosophy of research, best practices, and continuous improvement providing equitable access to all students.
2. Responsibility for overseeing district or school improvement plan design or implementation. This includes a vision and a method for execution of plans regarding incorporating student assessment, using student performance and school safety data to drive decision-making, the use of information technology to support improvement, professional development, and overall student achievement.

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3. Oversight of instructional policies. This includes the creation, modification, and recommendation of final policy regarding any aspect of how teachers implement, deliver, and support curriculum. Whether or not making specific financial decisions in support of these policies is part of the oversight role, this person still has final decision-making responsibility for instruction.
4. Executive-level reporting on academic progress to a governing authority. This includes providing updates, documentation, data, or presentations in an official or executive capacity to a governing body regarding progress on student learning goals—whether or not these reports are tied to expenditures related to the successful delivery of the instruction.
5. Supervision and evaluation of direct reports responsible for instruction. This includes providing executive leadership for employees who report to the individual, and providing direction to establish work priorities and decision-making. This involves evaluation of educator efficacy as well as general work performance of staff.

The MDE will deem an administrator working at a district or school level to be “administering instructional programs” if the person’s position description or day-to-day duties include any or all of these elements. Note that a key element is whether or not the administrator has final or executive decision-making responsibility for the relevant areas of this definition. This separates teacher leaders from this definition, for example, who often assist someone else with decision-making for these areas, but do not have the final or executive responsibility for those decisions.

In a memo dated October 15, 2015, the Michigan Department of Education (MDE) provided notification that the amendment to MCL 388.1763 expanded the potential deductions for non-certified personnel to administrators. It is critical that every district review the certification and continuing education status of every administrator in the district in light of both the October 2015 amendment to this law and the definition of “administering instructional programs” as set out in this memo.

For additional information, please contact Phil Chase at ChaseP2@michigan.gov or 517-241-3960.

cc: Michigan Education Alliance