Utilization of Non-Certified Personnel

School districts may employ non-certified personnel to assist teachers and support instruction. This includes instructional personnel, clerical support personnel and other paraprofessional personnel. The purpose of this document is to clarify conditions governing the assignment of non-certified personnel employed to support teachers and instruction at the elementary and secondary level.

The term “non-certified personnel” as used in this document, refers to teacher aides/assistants, paraprofessionals and other support personnel for whom a valid Michigan teaching certificate is not required as a condition for employment.

The document does not apply to occupational and physical therapists, school nurses, or other licensed, certified, approved professional support personnel, or to personnel assigned to non-educational activities, such as athletic events, leisure time instruction, or community service programs which are operated as extracurricular activities.

Legal Authority

Michigan Compiled Law (MCL) 380.1231 and the State School Aid Act (SSAA) 388.1763 requires that all local boards of a school district ensure that only qualified teachers who hold a valid Michigan teaching certificate are assigned the responsibility of providing instruction and are required to hire and contract with qualified teachers. This is subject to sections MCL 380.1233b and MCL 380.1233c. Additional information on placement can be found in the Appropriate Placement of Teachers and Paraprofessionals document.

School districts are prohibited from allowing non-certified personnel employed as teacher aides/assistants or instructional paraprofessionals to assume the responsibility of teachers in elementary or secondary schools within the state of Michigan, as indicated in the following quote from MCL 380.1233(1):

...the board of a school district or intermediate school board of an intermediate school district shall not permit a teacher who does not hold a valid teaching certificate to teach in a grade or department of the school.

Non-certified personnel may be employed and assigned to assist and support teachers or other approved professional personnel as authorized in Michigan Administrative Code 390.1105.
Authorized Activities

School districts may employ non-certified personnel to assist and support:

1. non-instructional activities, including:
   a. Maintaining safety and discipline in the lunchrooms, on the playground, or in other school settings.
   b. Functioning as health care aides, library assistants, or other responsibilities of non-instructional support for the students.
   c. Supervising before and after school programs and non-instructional periods (e.g., study hall periods not counted as part of the required minimum number of hours of pupil instruction as required by section 101 of the State School Aid Act, MCL 388.1701.)

2. instructional and related activities, including:
   a. Assisting in the development of instructional and related materials, performance or clerical tasks, correction of papers.
   b. Complementing instructional activities, such as assisting the teacher during the lesson by helping students who may need additional support with instruction.
   c. Supplementing instruction by assisting the teacher with individuals or small groups of pupils on follow-up activities as specified.
   d. Reinforcing instruction by assisting the teacher in administering drill activities for individuals or small groups.

Supervision of Non-certified Personnel Providing Instructional Support

Non-certified, non-instructional personnel may supervise students during library periods, study halls, lunch hours, and other times not counted as part of the students’ instructional day as defined in R 340.10 of the Michigan Administrative Code.

Each educational agency must ensure that certified teachers are responsible for students during instructional periods every day; however, certified teachers may temporarily be absent during part of an instructional period to handle emergencies, discipline problems, or other unforeseen problems of a temporary nature.

Non-certified personnel engaged in complementing, supplementing, or reinforcing instruction that is counted as part of the instructional day under Rule 340.10 of the Michigan Administrative Code shall be under the meaningful direction and supervision of a certified classroom teacher.

“Meaningful direction” means that the teacher is responsible for:

1) Planning and coordinating all lessons.
2) Presenting the initial lesson.
3) Identifying the type of complementing, supplementing, or reinforcing instruction to be provided.
4) Specifying the methods, materials, and techniques to be used by non-certified personnel.

“Supervision” means the certified teacher periodically:
1) Evaluates the performance of non-certified personnel providing instructional support.
2) Reviews the work plans.
3) Evaluates student progress.

Non-certified personnel may not be given full responsibility for instruction. They may provide complementing, supplementing, or reinforcing instruction to individuals or small groups of students without the teacher physically being present for a limited period of time as long as the teacher knows the whereabouts of the aide and students at all times, the non-certified personnel are never given full responsibility for instruction, and the activities of the non-certified personnel are always under the meaningful direction and supervision of the teacher.

Role and Responsibility of Non-certified Personnel

Districts are authorized to employ teacher aides/assistants and other paraprofessionals to support teachers in the day-to-day operation of school programs. Non-certified personnel in the following programs have special responsibilities or functions as established in administrative rule or as a condition for receipt of state or federal funds.

1. Section 41:

Under the Section 41, Michigan Bilingual Education Grant, the bilingual/ESL instruction for English Learners in speaking, reading, writing, or comprehension, must be conducted by a teacher with a Michigan bilingual education or ESL endorsement. When a teacher with a Michigan bilingual or ESL endorsement is not available to support bilingual/ESL instruction, districts must seek substitute permits for qualified individuals to serve in this role. Permits should not be considered permanent solutions for staffing, and districts are strongly encouraged to support personnel in pursuing a bilingual or ESL endorsement on a Michigan teaching certificate.

Teacher aides, assistants, paraprofessionals, or tutors who assist with instruction must be under the direct supervision of a certified and endorsed (or properly permitted) teacher. These non-certified staff should speak the home language of the students to provide bilingual support to add in developing English language proficiency.
2. Title I:

The MDE requires that paraprofessionals meet specific requirements under former Highly Qualified provisions.

For the purposes of Title I, Part A, a paraprofessional is defined as an employee who provides instructional support in a program supported with Title I, Part A funds, either in a school-wide program or directly under a target-assisted program. This includes paraprofessionals who do the following:

- Provide one-on-one tutoring if such tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher.
- Assist with classroom management, such as organizing instructional and other materials.
- Conduct parental involvement activities.
- Provide instructional assistance in a computer laboratory.
- Provide support in a library or media center.
- Act as a translator.
- Provide instructional support services under the direct supervision of a teacher.

As partners in the instructional process, paraprofessionals who work in programs supported with Title I funds must meet the requirements of NCLB. For more information on these requirements, please reference the Paraprofessionals Requirements document.

3. Special Education:

Paraprofessional personnel employed in special education programs are qualified under requirements established by their respective intermediate school district plan. Special education paraprofessional personnel include, but are not limited to, teacher aides, health care aides, bilingual aides, instructional aides, and program assistants in programs for students with cognitive impairments or severe multiple impairments. (Rule 340.1793)

4. CTE- Vocational/Technical Education:

CTE paraprofessionals are non-certified aides assigned to support teachers in state approved Career and Technical Education (CTE) programs. Paraprofessionals who substitute for CTE teachers need an Annual CTE Authorization (ACA). An ACA requires a minimum of 4,000 hours of recent and relevant work experience within the past six years. A substitute ACA may be issued with a minimum of 2,000 hours.