

DEPARTMENT OF EDUCATION
SUPERINTENDENT OF PUBLIC INSTRUCTION
TEACHER CERTIFICATION CODE

(By authority conferred on the superintendent of public instruction by sections 1157, 1531, 1531i, 1531k, 1535a, and 1539b of the revised school code, 1976 PA 451, MCL 380.1157, 380.1531, 380.1531i, 380.1531k, 380.1535a, and 380.1539b, and Executive Reorganization Order Nos. 1996-6 and 1996-7, MCL 388.993 and 388.994)

PART 1. GENERAL PROVISIONS

R 390.1101 Definitions.

Rule 1. As used in this code:

(a) “Alternative route program provider” means an entity approved by the superintendent of public instruction to provide teacher certification alternative route programs under section 1531i of the revised school code, 1976 PA 451, MCL 380.1531i.

(b) “Annual district provided professional development” means Michigan annual district provided professional development required by section 1527 of the revised school code, 1976 PA 451, MCL 380.1527.

(c) “Certificate endorsement” means a discipline area that a teacher may teach at specific grade levels based on completion of an appropriate program and passing the appropriate state teacher discipline area examination.

(d) “Course of study” means a cohesive, standards-based planned program that provides knowledge and skill for specialization in a discipline area or areas and supports the practice of teaching or the professional career development of the teacher.

(e) “CTE” means career and technical education and includes vocational and occupational education.

(f) “Department” means the Michigan department of education unless otherwise indicated.

(g) “Discipline area” means a content area, a subject area, or an education field for which endorsement is available.

(h) “Education-related professional learning” means an educational opportunity intended to improve a teacher’s practice and capacity to perform the work within the profession of education, including time spent engaging with local employers or technical centers, that is 1 or more of the following:

(i) Satisfactory college semester credit hours at a regionally accredited college or university, with 1 semester credit hour being equivalent to 25 education-related professional learning hours.

(ii) State continuing education clock hours.

(iii) Annual district provided professional development hours.

(i) “Elementary grade level authorization” means an authorization on a certificate to teach designated discipline areas in any grade or grade range from prekindergarten to grade 8.

(j) “Field experience” means structured, supervised activity in an instructional setting in which a teacher certification candidate may gain experience in the practice of teaching.

(k) “Listed offense” means that term as defined in section 1535a of the revised school code, 1976 PA 451, MCL 380.1535a.

(l) “Michigan teaching certificate” means any of the following:

(i) An interim teaching certificate.

(ii) A standard teaching certificate.

(iii) A professional teaching certificate.

(iv) An advanced professional teaching certificate.

(v) A standard CTE certificate. (Formerly the temporary vocational authorization and the interim occupational certificate.)

(vi) A professional CTE certificate. (Formerly the occupational education certificate.)

(vii) A temporary teacher employment authorization.

(viii) A professional temporary teacher employment authorization.

(ix) A continuing certificate. (No longer issued.)

(x) A life certificate. (No longer issued.)

(xi) A permanent certificate. (No longer issued.)

(xii) A temporary or full vocational authorization. (No longer issued.)

(m) “Nationally accredited” means accredited as a teacher preparation provider by an accrediting body with which the department has a state agreement and that the Council for Higher Education Accreditation or the United States Department of Education recognizes.

(n) “Nonpublic school” means a private, denominational, or parochial school.

(o) “PK-12 grade level authorization” means an authorization on a certificate to teach designated discipline areas in any grade or grade range from prekindergarten to grade 12.

(p) “Provider” means a teacher preparation institution or an agency that provides an approved alternative route program.

(q) “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.

(r) “Satisfactory college semester credit hours” means a grade of C or better or the equivalent.

(s) “School district” means a local school district established under the revised school code, 1976 PA 451, MCL 380.1 to 380.1852, an intermediate school district established under part 7 of the revised school code, 1976 PA 451, MCL 380.601 to 380.705, a public school academy established under part 6a of the revised school code, 1976 PA 451, MCL 380.501 to 380.507, an urban high school academy established under part 6c of the revised school code, 1976 PA 451, MCL 380.521 to 380.529, a school of excellence established under part 6e of the revised school code, 1976 PA 451, MCL 380.551 to 380.561, and a strict discipline academy established under sections 1311b to 1311m of the revised school code, 1976 PA 451, MCL 380.1311b to 380.1311m.

(t) “Secondary grade level authorization” means an authorization on a certificate to teach designated discipline areas in any grade or grade range from grade 6 to grade 12.

(u) “Standard teaching certificate” means the provisional certificate that the superintendent of public instruction issues to an individual who holds at least a bachelor’s degree, has completed a state approved teacher preparation program, and has met all requirements set forth in this code and the revised school code, 1976 PA 451, MCL 380.1 to 380.1852.

(v) “State board” means the Michigan state board of education.

(w) “State board approval” means a license, certificate, approval not requiring a teaching certificate, or other evidence of qualifications to hold a particular position in a school district or nonpublic school, other than a teaching certificate, that the superintendent of public instruction issues to an individual.

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

(y) “Teacher preparation institution” means a baccalaureate or higher degree granting institution that is state approved to recommend applicants for the several certificates and certificate endorsements under this code.

(z) “Validity” means the time period, grade level, and discipline area of a certificate, permit, or authorization.

History: 1979 AC; 1981 AACS; 1986 AACS; 1989 AACS; 2006 AACS; 2012 AACS; 2017 AACS; 2019 AACS.

R 390.1103 Successful teaching.

Rule 3. The determination of successful teaching specified in this code is according to all of the following:

(a) Successful experience must be with 1 or more employers in a teaching capacity within the validity of a teaching certificate.

(b) A year of employment is a minimum of 150 instructional days and may be either an academic or a calendar year, but an individual shall not earn more than 1 year of employment during an academic or a calendar year. An individual may accumulate a year of employment over a period of years.

(c) An instructional day is 6 or more hours during which teachers provide instruction to or have contact with students. A combination of 2 partial instructional days of not less than 3 hours equals 1 day.

History: 1979 AC; 2006 AACS; 2017 AACS; 2019 AACS

R 390.1105 Individuals required to hold certificates or permits.

Rule 5. (1) Unless otherwise provided in the revised school code, 1976 PA 451, MCL 380.1 to 380.1852, an individual employed as a teacher in grades K to 12 with instructional responsibilities shall hold a certificate, permit, or authorization valid for the assignment.

(2) A teacher of a day school program reimbursed from CTE funds shall meet the minimum qualifications for endorsement or authorization in the particular occupational education field as the superintendent of public instruction specifies.

(3) A teacher in a reimbursed program in special education shall meet the minimum qualifications for certification, endorsements, or approvals when law requires in the particular special education field, as the superintendent of public instruction specifies.

(4) A teacher aide, instructional support paraprofessional, classroom assistant, secretary to instructional personnel, or other paraprofessional legally employed in a non-instructional capacity does not require certification as a teacher.

History: 1979 AC; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS.

R 390.1111 Equality of opportunity.

Rule 11. (1) All students in educational programs at any level shall have equal access to opportunities to maximize their full development in a democratic society. Each Michigan teacher preparation institution shall provide prospective teachers access to theoretical knowledge and practical experiences supporting the vision and principles for universal education and for the development of cultural competence needed to respect differences and to avert disparate treatment based on race, religion, color, national origin or ancestry, age, gender preference, physical attributes, marital status, and disability.

(2) An applicant for certification who is otherwise qualified has the right to certification by the superintendent of public instruction, to receive training for the purpose of becoming a teacher, and to engage in supervised directed teaching in any school regardless of whether the applicant is a person with a disability. A school district or nonpublic school shall not refuse to engage a teacher who is a person with a disability on such grounds if the teacher is able to carry out the duties of the position for which the teacher applies.

History: 1979 AC; 1989 AACCS; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS.

R 390.1115 Applications; semester credit hours; examination scores.

Rule 15. (1) An applicant for a certificate, permit, or authorization shall submit the application to the superintendent of public instruction on a form supplied or approved by the superintendent of public instruction.

(2) Semester credit hours toward certification must be completed through an approved teacher preparation institution or alternative route program provider, or accepted in transfer by such an institution, and must be acceptable toward requirements for a standard teaching certificate and a bachelor's or higher degree. The superintendent of public instruction may determine the acceptability of credit hours presented for certification from approved teacher preparation institutions located in other states.

(3) For the purpose of initial certification, authorization, or endorsement, passing scores on the state teacher discipline area examinations are valid for 5 years from the date of testing.

History: 1979 AC; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS.

R 390.1117 Certificate restrictions and expiration.

Rule 17. (1) A certificate has certain restrictions as to grade level and discipline area. The applicant and employer shall be familiar with the specific provisions regarding the validity of the certificate.

(2) A certificate expires on June 30 of the expiration year indicated on the certificate, with the exception of the temporary teacher employment authorization and the professional temporary teacher employment authorization. Permanent, continuing, and life certificates and full vocational authorizations do not expire.

History: 1979 AC; 2006 AAC; 2012 AAC; 2017 AAC; 2019 AAC.

R 390.1118 Nullification of teaching certificate.

Rule 18. (1) The holder of a Michigan teaching certificate may request the superintendent of public instruction to nullify the teaching certificate or certificate endorsement or endorsements under section 1532 of the revised school code, 1976 PA 451, MCL 380.1532.

(2) Any nullification approved by the superintendent of public instruction takes effect immediately.

(3) The holder of a certificate shall submit a request for nullification in writing to the department. An individual who requests nullification may withdraw the request at any time before the superintendent of public instruction grants it.

(4) The superintendent of public instruction shall not reinstate a nullified certificate, endorsement, or grade level authorization.

History: 1992 AAC; 2006 AAC; 2012 AAC; 2017 AAC; 2019 AAC.

PART 2. STANDARD TEACHING CERTIFICATE AND INTERIM TEACHING CERTIFICATE

R 390.1121 Standard teaching certificate; general provisions.

Rule 21. (1) A candidate for certification shall make an application for a standard teaching certificate within 5 years after meeting certification requirements. The recommendation by the teacher preparation institution is valid for 5 years.

(2) The requirements in this part for the several certificates are minimum requirements. A teacher preparation institution may have additional requirements that exceed the requirements of this code.

(3) Individuals enrolled in teacher preparation institutions in this state shall comply with this part.

History: 1979 AC; 2006 AAC; 2012 AAC; 2017 AAC; 2019 AAC.

R 390.1122 Rescinded.

History: 1979 AC; 2006 AAC; 2012 AAC; 2017 AAC.

R 390.1122a Interim teaching certificate.

Rule 22a. (1) The superintendent of public instruction may grant an interim teaching certificate to an applicant who meets all of the requirements of an alternative route program under section 1531i of the revised school code, 1976 PA 451, MCL 380.1531i.

(2) An interim teaching certificate expires 5 years from June 30 of the calendar year that the superintendent of public instruction issues the certificate or upon notification by the alternative route program provider to the superintendent of public instruction that the candidate has exited the program before completion.

(3) The superintendent of public instruction shall add no additional endorsements to an interim teaching certificate after issuing the certificate.

(4) The superintendent of public instruction may grant an interim teaching certificate to an individual who holds a Michigan teaching certificate other than an interim teaching certificate and is seeking an additional endorsement through an alternative route program under section 1531i of the revised school code, 1976 PA 451, MCL 380.1531i. The individual may hold the Michigan teaching certificate and the interim teaching certificate at the same time.

(5) An interim teaching certificate is nonrenewable.

History: 2012 AACCS; 2017 AACCS; 2019 AACCS.

R 390.1123 Initial standard teaching certificate; program requirements.

Rule 23. (1) An applicant for a standard teaching certificate shall present evidence of the satisfactory completion of an approved program in teacher preparation, which includes all of the following:

(a) At least 20 semester credit hours of instruction in theoretical and practical knowledge reflecting state board approved standards and related proficiencies required of entry level teachers.

(b) Supervised directed teaching. All of the following apply:

(i) Supervised directed teaching must engage applicants in practical experiences that reflect and support the standards and related proficiencies for entry level teachers.

(ii) Supervised directed teaching must be for a minimum duration of 12 weeks and for a minimum of 6 semester credit hours, with 30 clock hours of classroom teaching and observation under the supervision of a teacher preparation institution being equivalent to 1 semester credit hour of supervised directed teaching.

(iii) Supervised directed teaching must be in the grade range and discipline area for which the superintendent of public instruction is to grant a certificate.

(iv) Based on the recommendation of the superintendent of an employing school district or nonpublic school and the teacher preparation institution, the superintendent of public instruction may waive up to 6 semester credit hours of supervised directed teaching for the initial standard teaching certificate if the applicant satisfies either of the following:

(A) Holds a master's or higher degree and has 3 years of successful teaching at the appropriate level.

(B) Has 5 years of successful teaching at the appropriate level.

(c) An approved course of study in a certificate endorsement area that includes preparation in discipline area knowledge, pedagogy, and field experiences as defined in state board approved standards and appropriate to the grade level the applicant proposes to teach. All of the following apply:

(i) The approved course of study must include early and ongoing structured field experiences with diverse student populations and in diverse instructional settings.

(ii) The superintendent of public instruction may issue an initial standard teaching certificate with elementary grade level authorization upon satisfaction of all of the following:

(A) Completion of an approved course of study in base knowledge appropriate for elementary education as specified in state board approved standards.

(B) Completion of an approved course of study in a discipline area appropriate to the elementary grade level, methods coursework appropriate to that area, and appropriate field experiences as specified in state board approved standards.

(C) A minimum of 6 semester credit hours in the teaching of literacy with appropriate field experiences as specified in state board approved standards.

(iii) The superintendent of public instruction may issue an initial standard teaching certificate with secondary grade level authorization upon satisfaction of both of the following:

(A) Completion of an approved course of study in a discipline area appropriate to the secondary grade level, methods coursework appropriate to that area, and appropriate field experiences as specified in state board approved standards.

(B) A minimum of 3 semester credit hours in literacy instruction appropriate to the discipline area and appropriate field experiences as specified in state board approved standards.

(2) Both of the following apply to an approved alternative route program under section 1531i of the revised school code, 1976 PA 451, MCL 380.1531i:

(a) An applicant may satisfy the requirements of this rule by completing an approved alternative route program if the teaching component of the alternative route program includes both of the following:

(i) An initial 4 weeks of employment supported by intensive observation, mentoring or coaching, and feedback provided by an assigned mentor or coach with experience and expertise in the candidate's certificate endorsement area or appropriate level of certification.

(ii) An additional 8 weeks of continued supervision, mentoring or coaching, and evaluation.

(b) For an endorsement to be eligible for recommendation by the alternative route program provider on a standard teaching certificate, the applicant shall have completed a minimum of 12 weeks of teaching appropriate to the endorsement.

(3) An initial standard teaching certificate issued under this rule expires 5 years from June 30 of the calendar year of issuance.

(4) An initial certificate entitled "provisional certificate" is valid until 6 years from June 30 of the calendar year of issuance.

History: 1979 AC; 1986 AACS; 2006 AACS; 2012 AACS; 2017 AACS; 2019 AACS.

R 390.1124 Rescinded.

History: 1979 AC; 1989 AACCS; 2006 AACCS; 2012 AACCS; 2017 AACCS.

R 390.1125 Degree and recommendations.

Rule 25. (1) An applicant for a standard teaching certificate or standard CTE certificate shall possess a bachelor's degree and shall have the recommendation of a Michigan teacher preparation institution or approved alternative route program provider. A Michigan teacher preparation institution may accept a degree from a regionally accredited institution if the accepting Michigan teacher preparation institution determines that the degree is equivalent to that awarded by that institution. The superintendent of public instruction reserves the right to determine the acceptability of degree equivalence recommendations.

(2) The teacher preparation institution or approved alternative route program shall make recommendations concerning all certificates for which the superintendent of public instruction approves the teacher preparation institution or approved alternative route program.

(3) Before a teacher preparation institution or approved alternative route program provider may recommend an applicant, the applicant shall present to the teacher preparation institution or alternative route program provider a valid certificate of completion of a course approved by the superintendent of public instruction in first aid and cardiopulmonary resuscitation as required by section 1531d of the revised school code, 1976 PA 451, MCL 380.1531d.

History: 1979 AC; 1989 AACCS; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS.

R 390.1126 Rescinded.

History: 1979 AC; 1981 AACCS; 1989 AACCS; 2006 AACCS; 2012 AACCS; 2017 AACCS.

R 390.1127 Rescinded.

History: 1979 AC; 1981 AACCS; 1986 AACCS; 2006 AACCS; 2012 AACCS; 2017 AACCS.

R 390.1128 Rescinded.

History: 1979 AC; 1986 AACCS; 2006 AACCS; 2012 AACCS.

R 390.1129 Additional endorsements.

Rule 29. (1) An applicant for an initial standard teaching certificate or a holder of a valid or expired teaching certificate may qualify for another certificate endorsement by

presenting evidence of completion of an additional endorsement program with a minimum of 20 semester credit hours.

(2) An additional endorsement program includes preparation in theoretical and practical knowledge, discipline area knowledge, pedagogy, and field experience, as defined in state board approved standards. If, for a particular additional endorsement program, state board approved standards do not specify pedagogy and field experience, the additional endorsement program shall require pedagogy and field experience no later than the beginning of the fall 2019 semester.

(3) Upon passing the state teacher discipline area examination if an examination is available and successfully completing credit requirements at a Michigan teacher preparation institution, a candidate may apply for the additional certificate endorsement.

(4) With the approval of a Michigan teacher preparation institution, an individual who is already certified and who wishes to qualify for an additional endorsement may combine coursework to meet preparation standards in the discipline area with already earned semester credit hours to bring the total up to the minimum number of required credits as specified in this rule. When the candidate has completed the required credits and passed the state teacher discipline area examination, the teacher preparation institution shall recommend the candidate for the additional endorsement.

(5) The holder of a Michigan teaching certificate except an interim teaching certificate may qualify for an additional endorsement by presenting evidence of completion of an approved Michigan alternative route program under R 390.1122a.

History: 1979 AC; 1981 AACS; 1986 AACS; 1989 AACS; 2006 AACS; 2012 AACS; 2017 AACS; 2019 AACS.

R 390.1129a Rescinded.

History: 1979 AC; 1989 AACS; 2006 AACS; 2012 AACS; 2017 AACS.

R 390.1129b Procedures at expiration of standard teaching certificate.

Rule 29b. (1) An applicant with a standard teaching certificate may progress to the professional teaching certificate at any time if the applicant has met the requirements of R 390.1133.

(2) Subject to subrules (4) and (5) of this rule and subject to section 1233(7) to (9) of the revised school code, 1976 PA 451, MCL 380.1233, if the applicant does not qualify for the professional teaching certificate, the superintendent of public instruction may grant a 5-year renewal of the standard teaching certificate based upon evidence that, since the issue date of the most recent certificate, the applicant has completed any combination of education-related professional learning hours, as defined in R 390.1101, totaling 150 hours.

(3) A teacher may obtain additional 5-year renewals of a standard teaching certificate under subrule (2) of this rule on or after January 1 of the year in which the certificate expires.

(4) Subject to section 1233(7) to (9) of the revised school code, 1976 PA 451, MCL 380.1233, the superintendent of public instruction may grant one 5-year renewal of a

standard teaching certificate based upon the holder's submission of evidence of having earned at any time an education-related master's or higher degree.

(5) Subject to section 1233(7) to (9) of the revised school code, 1976 PA 451, MCL 380.1233, a teacher who holds an expired standard teaching certificate and holds a valid teaching certificate from another state is eligible for one 5-year renewal of the standard teaching certificate.

(6) A standard teaching certificate renewal issued under this rule expires 5 years from June 30 of the calendar year of issuance.

History: 2012 AACCS; 2017 AACCS; 2019 AACCS.

R 390.1130 Reciprocity agreements, foreign programs, and temporary teacher employment authorizations.

Rule 30. (1) The superintendent of public instruction may enter into written agreements with the states for the mutual acceptance of 1 or more types of teaching certificates issued by each state.

(2) Under a reciprocity agreement described in subrule (1) of this rule, the superintendent of public instruction may issue a standard teaching certificate to an individual who meets all of the following requirements:

(a) The applicant holds, or is eligible for, a standard level teaching certificate issued by the certifying authority of any other state whose requirements for certification the superintendent of public instruction deems equivalent to those in effect in this state.

(b) The applicant holds valid first aid and adult and pediatric cardiopulmonary resuscitation certificates as required by section 1531d of the revised school code, 1976 PA 451, MCL 380.1531d.

(c) The applicant has passed discipline area examinations as required by section 1531 of the revised school code, 1976 PA 451, MCL 380.1531.

(3) Under a reciprocity agreement described in subrule (1) of this rule, the superintendent of public instruction may issue a professional teaching certificate to an individual who meets both of the following requirements:

(a) A minimum of 6 satisfactory college semester credit hours of literacy instruction for a certificate with elementary grade level authorization or a minimum of 3 satisfactory college semester credit hours of literacy instruction as appropriate to the discipline area for a certificate with secondary or PK-12 grade level authorization.

(b) All requirements set forth in section 1531(6) of the revised school code, 1976 PA 451, MCL 380.1531.

(4) An applicant who has completed an alternative route program approved by an appropriate out-of-state agency may present evidence of successful completion of that program and a valid standard level teaching certificate from that state.

(5) An organization approved by the United States Department of Education and by the superintendent of public instruction shall evaluate teacher preparation programs completed in foreign countries in determining eligibility for certification.

(6) The superintendent of public instruction may issue a nonrenewable, 1-year temporary teacher employment authorization to an individual who satisfies the requirements of section 1531(16) of the revised school code, 1976 PA 451, MCL 380.1531. Such individual shall hold a teaching certificate issued by another state, by a

United States territory, or by a Canadian province that satisfies standards established by the department.

(7) The superintendent of public instruction may issue a Michigan teaching certificate under section 1531(6) of the revised school code, 1976 PA 451, MCL 380.1531, to an individual holding a teaching certificate issued by another state, by a United States territory, or by a Canadian province that satisfies standards established by the department. If the individual satisfies all of the requirements of section 1531(6) of the revised school code, 1976 PA 451, MCL 380.1531, except for the literacy instruction requirements set forth in this code, the superintendent of public instruction may issue to the individual a nonrenewable 1-year professional temporary teacher employment authorization.

History: 1979 AC; 2006 AAC; 2012 AAC; 2017 AAC; 2019 AAC.

PART 3. PROFESSIONAL TEACHING CERTIFICATE

R 390.1131 Rescinded.

History: Rescinded 1954 ACS 74, Eff. Jan. 19, 1973.

R 390.1132 Rescinded.

History: 1979 AC; 1981 AAC; 1989 AAC; 2006 AAC; 2012 AAC; 2017 AAC; 2019 AAC.

R 390.1133. Professional teaching certificate.

Rule 33. (1) The superintendent of public instruction may issue a professional teaching certificate to an applicant who presents evidence at the time of the application of satisfaction of all of the following:

(a) Met the successful teaching requirement as specified in section 1531j of the revised school code, 1976 PA 451, MCL 380.1531j, and as defined in R 390.1103.

(b) Completed the reading requirements of section 1531(4) of the revised school code, 1976 PA 451, MCL 380.1531.

(c) Completed a minimum of 6 satisfactory college semester credit hours of literacy instruction for a certificate with elementary grade level authorization or a minimum of 3 satisfactory college semester credit hours of literacy instruction as appropriate to the discipline area for a certificate with secondary or PK-12 grade level authorization. The applicant may have completed this course credit at any time before application for the professional teaching certificate.

(d) Earned at any time an education-related master's or higher degree or, subject to section 1233(7) to (9) of the revised school code, 1976 PA 451, MCL 380.1233, since the issue date of the most recent standard teaching certificate or renewal, completed any combination of education-related professional learning hours, as defined in R 390.1101, totaling 150 hours.

(2) An individual who meets the requirements of this rule may apply for the initial professional teaching certificate at any time.

(3) An initial professional teaching certificate expires 5 years from June 30 of the calendar year of issuance.

History: 1979 AC; 1981 AACS; 1989 AACS; 2006 AACS; 2017 AACS; 2019 AACS.

R 390.1134 Rescinded.

History: 1979 AC; 1986 AACS; 1989 AACS; 2006 AACS; 2012 AACS; 2017 AACS.

R 390.1135 Professional teaching certificate; renewal.

Rule 35. (1) Subject to section 1233(7) to (9) of the revised school code, 1976 PA 451, MCL 380.1233, the superintendent of public instruction may renew a professional teaching certificate that has expired or will expire within the calendar year of application upon the applicant's completion since the issue date of the most recent professional teaching certificate or renewal of any combination of education-related professional learning hours, as defined in R 390.1101, totaling 150 hours.

(2) Additional hours beyond the 150 hours required under subrule (1) of this rule that a certificate holder earns during any certificate validity do not apply toward any subsequent renewals.

(3) Subject to section 1233(7) to (9) of the revised school code, 1976 PA 451, MCL 380.1233, a teacher who holds a valid or expired Michigan professional teaching certificate and holds a valid teaching certificate from another state is eligible for one 5-year renewal of the Michigan professional teaching certificate.

(4) A professional teaching certificate renewal expires 5 years from June 30 of the calendar year of issuance.

History: 1986 AACS; 1989 AACS; 2006 AACS; 2012 AACS; 2017 AACS; 2019 AACS.

R 390.1136 Rescinded.

History: 1989 AACS; 2006 AACS.

R 390.1137 Advanced professional teaching certificate.

Rule 37. (1) The superintendent of public instruction may issue an advanced professional teaching certificate to an applicant who satisfies all of the following:

(a) Holds a professional teaching certificate or a life, continuing, or permanent certificate.

(b) One of the following:

(i) Holds national board certification.

(ii) Has completed a teacher leader training or preparation program approved by the superintendent of public instruction, with such completion being indicated on the certificate required in subdivision (a) of this subrule.

(iii) Has completed a successful term as Michigan teacher of the year as determined by the superintendent of public instruction.

(c) On annual year-end evaluations under section 1249 of the revised school code, 1976 PA 451, MCL 380.1249, received ratings required by section 1531k of the revised school code, 1976 PA 451, MCL 380.1531k.

(2) An initial advanced professional teaching certificate expires 5 years from June 30 of the calendar year of issuance.

History: 2012 AACCS; 2017 AACCS; 2019 AACCS.

R 390.1138 Advanced professional teaching certificate; renewal.

Rule 38. (1) The superintendent of public instruction may renew an advanced professional teaching certificate that has expired or will expire within the calendar year of renewal application if the applicant satisfies both of the following:

(a) On annual year-end evaluations under section 1249 of the revised school code, 1976 PA 451, MCL 380.1249, received ratings required by section 1531k of the revised school code, 1976 PA 451, MCL 380.1531k.

(b) Since the issue date of the most recent advanced professional teaching certificate or renewal, subject to section 1233(7) to (9) of the revised school code, 1976 PA 451, MCL 380.1233, completed any combination of education-related professional learning hours, as defined in R 390.1101, totaling 150 hours.

(2) Additional hours beyond the 150 hours required under subrule (1)(b) of this rule that a certificate holder earns during any certificate validity do not apply toward any subsequent renewals.

(3) An applicant who does not receive ratings on annual year-end evaluations under section 1249 of the revised school code, 1976 PA 451, MCL 380.1249, as required in section 1531k of the revised school code, 1976 PA 451, MCL 380.1531k, is not eligible to renew the advanced professional teaching certificate. This does not preclude renewal of a professional teaching certificate under R 390.1135.

(4) Renewal of an advanced professional teaching certificate expires 5 years from June 30 of the calendar year of issuance.

History: 2012 AACCS; 2017 AACCS; 2019 AACCS.

PART 4. SUBSTITUTE PERMITS

R 390.1141 Substitute permits; general provisions.

Rule 41. (1) A school district or nonpublic school shall obtain a substitute permit for any individual or teacher who does not hold the valid and appropriate endorsement or certificate, including an individual employed under section 505, 1233b, 1233c, or 1531f

of the revised school code, 1976 PA 451, MCL 380.505, 380.1233b, 380.1233c, and 380.1531f.

(2) Upon approval of an application and payment of the appropriate fee, the superintendent of public instruction may issue to a school district or nonpublic school a substitute permit to employ an individual who meets the requirements of statute and this part when an appropriately certificated and endorsed teacher is not available for employment. The substitute permit is a full-year, daily, or expert substitute permit.

(3) The superintendent of public instruction may issue a full-year, daily, or expert substitute permit or renewal of a substitute permit to the recommending superintendent or school administrator, who shall apply for such substitute permit or renewal on behalf of the school district or nonpublic school. The recommending superintendent or school administrator receiving the substitute permit or renewal shall hold the substitute permit or renewal for the individual.

(4) The department shall receive the fee for an approved substitute permit prior to the first instructional day the individual is in the assignment.

(5) A substitute permit is valid from the issue date to August 31 or the last day of the school district's or nonpublic school's academic year, whichever date comes first.

(6) Subject to subrule (8) of this rule, the superintendent of public instruction may revoke, refuse to grant, refuse to renew, or refuse to extend a substitute permit pursuant to this code for 1 of the following reasons:

(a) Fraud, material misrepresentation, or concealment or omission of fact in the application for or the use of the substitute permit.

(b) Conviction of the individual for a crime described in section 1535a of the revised school code, 1976 PA 451, MCL 380.1535a.

(c) Failure to meet the requirements for the substitute permit.

(7) The superintendent of public instruction may rescind a substitute permit at the request of the school district or nonpublic school.

(8) The superintendent of public instruction shall revoke, refuse to grant, refuse to renew, or refuse to extend a substitute permit if the criminal history of the individual for whom a school district or nonpublic school requests the permit includes conviction of a listed offense.

(9) A school district placing a noncertified, inappropriately certified, or unlicensed individual in an assignment without obtaining a permit or authorization under this code is subject to section 163 of the state school aid act of 1979, 1979 PA 94, MCL 388.1763.

History: 1979 AC; 1989 AACS; 2006 AACS; 2012 AACS; 2017 AACS; 2019 AACS.

R 390.1142 Full-year substitute permit.

Rule 42. (1) The superintendent of public instruction may issue a full-year substitute permit to a school district or nonpublic school if a properly certificated and endorsed teacher is unavailable for the assignment.

(2) All of the following apply to a full-year substitute permit:

(a) The individual for whom the school district or nonpublic school requests the full-year substitute permit satisfies the requirements of section 1233(6) of the revised school code, 1976 PA 451, MCL 380.1233.

(b) When a school district or nonpublic school requests a full-year substitute permit for an assignment to teach a core academic discipline, as defined by the superintendent of public instruction, the school district or nonpublic school shall present evidence that the individual has completed an academic major in the discipline or obtained a passing score on the appropriate available discipline area examination approved by the superintendent of public instruction.

(c) The employing school district or nonpublic school shall assign a mentor to the individual.

(d) The employing school district or nonpublic school may apply to renew a full-year substitute permit to place the same individual in the permitted assignment area. The following requirements apply at the time of the application for renewal:

(i) For the first renewal, the individual shall have had a minimum of 1 formal observation leading to a comprehensive evaluation rating of effective or highly effective and shall be enrolled in an approved teacher preparation program. This program must lead to either an initial teaching certificate or an additional endorsement on an existing teaching certificate.

(ii) Within each subsequent year of renewal, the candidate shall have completed a minimum of 6 additional satisfactory college semester credit hours in the approved program and shall have had a minimum of 1 formal observation leading to a comprehensive evaluation rating of effective or highly effective.

(3) A school district or nonpublic school may apply for a shortage full-year substitute permit for an individual who holds a professional or advanced professional teaching certificate but who does not hold the appropriate endorsement or grade level authorization. All of the following apply to the shortage full-year substitute permit:

(a) The superintendent of public instruction identifies the discipline as an area of critical shortage.

(b) If the discipline area is a core academic discipline as defined by the superintendent of public instruction, the individual has completed an academic major in the discipline or obtained a passing score on the appropriate available discipline area examination approved by the superintendent of public instruction.

(c) The assignment does not exceed ½ of a full-time equivalency teaching position, defined in accordance with a local bargaining agreement.

(d) Renewal requires the teacher to have had 1 formal observation leading to a comprehensive evaluation rating of effective or highly effective in the permitted discipline area and assignment during the validity of the shortage full-year substitute permit under section 1249 of the revised school code, 1976 PA 451, MCL 380.1249.

(4) Any substitute permit issued under this rule is valid for teaching in the grade levels and discipline areas specified on the permit from the date of issuance to the end of the academic school year specified on the permit.

(5) A school district or nonpublic school may apply for renewal of a substitute permit issued under this rule not more than 3 times.

History: 1979 AC; 1989 AACS; 2006 AACS; 2012 AACS; 2017 AACS; 2019 AACS.

R 390.1143 Daily substitute permit.

Rule 43. (1) The superintendent of public instruction may issue a daily substitute permit to a school district or nonpublic school for an individual who satisfies the requirements of section 1233(6) of the revised school code, 1976 PA 451, MCL 380.1233.

(2) All of the following apply to a daily substitute permit:

(a) A daily substitute permit is valid for teaching on a substitute basis during a given academic school year. As used in this rule, “teaching on a substitute basis” means teaching in a classroom when the certificated teacher regularly assigned to the classroom is temporarily absent.

(b) A daily substitute permit is not valid for any regular or extended teaching assignment. As used in this rule, “regular or extended teaching assignment” means an assignment to the same classroom for more than 90 consecutive calendar days.

(c) If an individual holds a valid Michigan teaching certificate, a school district or nonpublic school may employ the individual in an assignment outside the validity of the certificate for not more than 90 consecutive calendar days without obtaining a substitute permit.

(d) A daily substitute permit is not renewable.

(e) If the individual does not qualify to transition to the full-year substitute permit, the employing school district or nonpublic school may apply for extension of the daily substitute permit as follows:

(i) The school district or nonpublic school may apply for extension of the daily substitute permit for 1 additional 90 consecutive calendar day period during the same school year if the school district or nonpublic school satisfies both of the following before the application for extension:

(A) There is a formal satisfactory observation of the individual by either an administrator or a designee.

(B) The school district or nonpublic school assigns a mentor to the individual.

(ii) In addition to an extension granted under paragraph (i) of this subdivision, the superintendent of public instruction has the discretion to grant the application of the school district or nonpublic school for 1 emergency extension of the daily substitute permit for another 90 consecutive calendar day period.

History: 1979 AC; 1989 AACs; 2006 AACs; 2012 AACs; 2017 AACs; 2019 AACs.

R 390.1144 Rescinded.

History: 1979 AC; 1989 AACs.

R 390.1145 Expert substitute permit.

Rule 45. (1) The superintendent of public instruction may issue an expert substitute permit under this rule to a school district or nonpublic school if a properly certificated and endorsed teacher is not available for the teaching assignment.

(2) The assignment for which a school district or nonpublic school requests an expert substitute permit must not exceed ½ of a full-time equivalency teaching position, defined in accordance with a local bargaining agreement.

(3) The individual for whom a school district or nonpublic school requests an expert substitute permit shall have documented expertise in the area of the assignment or a similar area and at least 5 years of successful and documented work experience in the area of the assignment or a similar area. The work experience requirement does not apply to an individual employed to teach a world language.

(4) Subject to subrule (5) of this rule, if the assignment for which a school district or nonpublic school requests an expert substitute permit is in a core academic discipline as defined by the superintendent of public instruction, the individual shall hold a bachelor's or higher degree from a regionally accredited college or university and 1 of the following:

(a) An academic major in the discipline area of the assignment or a related discipline area as determined by the superintendent of public instruction.

(b) A passing score on the appropriate available discipline area examination approved by the superintendent of public instruction.

(5) Subject to section 1233(6) of the revised school code, 1976 PA 451, MCL 380.1233, if the assignment for which a school district or nonpublic school requests an expert substitute permit is teaching a world language, the individual shall satisfy all of the following requirements:

(a) Hold a bachelor's or higher degree from a regionally accredited college or university or equivalent.

(b) Demonstrate oral language proficiency by passing an oral examination approved by the superintendent of public instruction.

(c) Demonstrate written language proficiency by passing a written examination, if available, approved by the superintendent of public instruction.

(6) If the assignment for which a school district or nonpublic school requests an expert substitute permit is in a non-core discipline area, the individual shall do 1 of the following:

(a) Satisfy the requirements of section 1233(6) of the revised school code, 1976 PA 451, MCL 380.1233, and hold a valid business or industry license or credential in the specific discipline area of the assignment, if one is available.

(b) Hold a bachelor's or higher degree from a regionally or nationally accredited college or university.

(7) An expert substitute permit is valid for teaching in the grade levels and discipline areas specified on the permit from the date of issuance to the end of the academic year specified on the permit.

(8) The superintendent of public instruction may renew an expert substitute permit upon annual application by a school district or nonpublic school and verification of 1 formal observation leading to a comprehensive evaluation rating of effective or highly effective in the permitted discipline area and assignment during the validity of the expert substitute permit. If the assignment is in a non-core discipline area and the individual qualified for an initial expert substitute permit under only subrule (6)(a) of this rule, the business or industry license or credential, if available, must be valid at the time of the application for renewal unless the individual holds a bachelor's or higher degree at the time of the application for renewal.

History: 1979 AC; 1989 AACs; 2006 AACs; 2012 AACs; 2017 AACs; 2019 AACs.

R 390.1146 Rescinded.

History: 1989 AACCS; 2006 AACCS; 2012 AACCS; 2017 AACCS.

R 390.1147 Rescinded.

History: 2012 AACCS; 2017 AACCS.

PART 5. TEACHER PREPARATION PROVIDERS

R 390.1151 Approved teacher preparation providers and programs.

Rule 51. (1) The state board approves standards for reviewing prospective teacher preparation providers to prepare and recommend candidates for initial certification. The superintendent of public instruction shall make recommendations to the state board for the initial state approval of teacher preparation institutions based on state board approved standards. This subrule does not apply to alternative route program providers approved under section 1531i of the revised school code, 1976 PA 451, MCL 380.1531i.

(2) The superintendent of public instruction shall approve programs offered by teacher preparation institutions in accordance with state board approved standards for teacher preparation. The superintendent of public instruction shall approve alternative route program providers as authorized in section 1531i of the revised school code, 1976 PA 451, MCL 380.1531i.

(3) Continued approval by the superintendent of public instruction requires that a teacher preparation provider hold national accreditation or that a state review process recommend approval by the superintendent of public instruction.

(4) An approved teacher preparation provider shall submit data required by the department for a determination of its annual teacher preparation provider performance score as approved by the superintendent of public instruction.

(5) Upon request of the superintendent of public instruction, a teacher preparation provider shall present a report of its teacher preparation curricula and program offerings. The programs of an approved teacher preparation provider are subject to periodic review by the superintendent of public instruction.

(6) A provider recommending candidates for teaching certificates shall establish selection techniques that ensure that it admits only qualified candidates to its teacher preparation program and that it recommends only qualified candidates for certification or additional certificate endorsements.

(7) An approved teacher preparation provider shall not recommend candidates for certification or endorsement in discipline areas in which it does not have approved programs. The superintendent of public instruction may determine the criteria for accepting certification of candidates prepared by out-of-state teacher preparation providers in accordance with the law of this state.

History: 1979 AC; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS.

R 390.1152 Approved teacher preparation providers; equivalence credits.

Rule 52. (1) An approved Michigan teacher preparation provider may award semester credit hours on an equivalence basis for previously completed coursework or previous life learning experiences in partial fulfillment of the requirements of the provider's approved programs for certification or certificate endorsements.

(2) An approved Michigan teacher preparation provider may not use equivalence options to satisfy specific legal requirements for individuals seeking teaching certification.

History: 1979 AC; 2006 AACS; 2012 AACS; 2017 AACS; 2019 AACS.

R 390.1153 Approved teacher preparation providers; experimental programs.

Rule 53. The superintendent of public instruction, at the request of an approved teacher preparation provider, may waive for a specific time particular requirements of this code for an experimental teacher preparation program. The request must provide sufficient detail to allow assessment of the proposed experimental program and comparison with the provider's approved program. If the superintendent of public instruction grants the request, the provider shall objectively evaluate and report to the department on the effectiveness of the experiment for the time period of the waiver. The superintendent of public instruction may renew the waiver if evaluation data provide evidence of value.

History: 1979 AC; 2006 AACS; 2017 AACS; 2019 AACS 2019.

R 390.1154 Rescinded.

History: 1979 AC; 2006 AACS; 2012 AACS; 2017 AACS.

R 390.1155 Rescinded.

History: 1979 AC; 2006 AACS; 2012 AACS.

R 390.1156 Rescinded.

History: 1979 AC; 2006 AACS; 2012 AACS; 2017 AACS.

R 390.1157 Rescinded.

History: 1981 AACS; 2006 AACS.

PART 6. CTE ENDORSEMENTS, CTE CERTIFICATES, AND ANNUAL AUTHORIZATION

R 390.1161 Standard teaching certificate and professional teaching certificate with CTE endorsement.

Rule 61. (1) An applicant for CTE endorsement shall meet the requirements for a standard teaching certificate or a professional teaching certificate as described in part 2 and part 3 of these rules and shall present evidence of completing all of the following:

(a) A program with a minimum of 6 semester credit hours, or equivalent, of CTE coursework at an institution approved by the state board for the preparation of CTE teachers.

(b) Program requirements, as defined by the state board, for each CTE endorsement.

(c) Two years of recent and relevant experience, as defined by the superintendent of public instruction, in the occupational area of the endorsement.

(2) A CTE endorsement is valid for teaching in the stated occupational area in an approved CTE program.

History: 1979 AC; 2006 AAC; 2012 AAC; 2017 AAC; 2019 AAC.

R 390.1162 Rescinded.

History: 1979 AC; 1989 AAC; 2006 AAC; 2012 AAC; 2017 AAC.

R 390.1163 Standard CTE certificate.

Rule 63. (1) The superintendent of public instruction may issue a standard CTE certificate upon the recommendation of an approved CTE teacher preparation institution to an applicant presenting evidence that the applicant meets all of the following requirements:

(a) Possesses a baccalaureate degree.

(b) Has a major or minor in the field of specialization in which the applicant requests CTE certification.

(c) Has a minimum of 2 years of recent and relevant experience, as defined by the superintendent of public instruction, in the occupational area.

(d) Passed discipline area examinations as required by section 1531 of the revised school code, 1976 PA 451, MCL 380.1531.

(e) Successfully completed a minimum of 6 satisfactory college semester credit hours of professional or CTE education credit.

(2) A standard CTE certificate is valid for teaching in the occupational education field specified on the certificate.

(3) A certificate entitled "interim occupational certificate" is valid until 6 years from June 30 of the calendar year of issuance. A standard CTE certificate issued under this rule expires 5 years from June 30 of the calendar year of issuance.

(4) An applicant with a standard CTE certificate may progress to the professional CTE certificate at any time if the applicant has met the requirements of R 390.1164a.

(5) Subject to subrules (7) and (8) of this rule, if the holder of a standard CTE certificate does not qualify for the professional CTE certificate at the expiration of the standard CTE certificate, the superintendent of public instruction may grant a 5-year renewal of the standard CTE certificate based upon evidence that the holder has completed, since the issue date of the most recent certificate, any combination of education-related professional learning hours, as defined in R 390.1101, totaling 150 hours.

(6) A teacher may obtain additional 5-year renewals of a standard CTE certificate under subrule (5) of this rule on or after January 1 of the year in which the certificate expires.

(7) The superintendent of public instruction may grant to a teacher who holds a standard CTE certificate one 5-year renewal of the certificate upon submission of evidence that the teacher earned at any time an education-related master's or higher degree.

(8) A teacher who holds an expired standard CTE certificate but holds a valid CTE certificate from another state is eligible for one 5-year renewal of the standard CTE certificate.

(9) A standard CTE certificate renewal issued under this rule expires 5 years from June 30 of the calendar year of issuance.

History: 1979 AC; 2006 AACs; 2012 AACs; 2017 AACs; 2019 AACs.

R 390.1164 Rescinded.

History: 1979 AC; 2006 AACs; 2017 AACs; 2019 AACs.

R 390.1164a Professional CTE certificate.

Rule 64a. (1) The superintendent of public instruction may issue a professional CTE certificate to an applicant who presents evidence at the time of the application that the applicant has satisfied all of the following:

(a) Met the requirements of section 1531j of the revised school code, 1976 PA 451, MCL 380.1531j.

(b) Completed the reading requirements of section 1531(4) of the revised school code, 1976 PA 451, MCL 380.1531.

(c) Earned an education-related master's or higher degree at any time or, since the issue date of the most recent standard CTE certificate or renewal, completed any combination of education-related professional learning hours, as defined in R 390.1101, totaling 150 hours.

(2) A professional CTE certificate is valid for teaching in the occupational education field specified on the certificate.

(3) An individual who meets the requirements of this rule may apply for the initial professional CTE certificate at any time.

(4) The superintendent of public instruction may renew a professional CTE certificate that has expired or will expire within the calendar year of application upon the applicant's completion since the issue date of the most recent professional CTE certificate or renewal of any combination of education-related professional learning hours, as defined in R 390.1101, totaling 150 hours.

(5) Additional hours beyond the 150 hours required under subrule (4) of this rule do not apply toward any subsequent renewals.

(6) A teacher who holds a valid or expired Michigan professional CTE certificate and a valid teaching certificate from another state or a valid CTE certificate from another state is eligible for one 5-year renewal of the Michigan professional CTE certificate.

(7) A professional CTE certificate or renewal expires 5 years from June 30 of the calendar year of issuance.

History: 1979 AC; 2006 AACCS; 2017 AACCS; 2019 AACCS.

R 390.1165 Annual authorization.

Rule 65. (1) To allow a school district or nonpublic school to employ an individual in industrial technology education, as defined by the superintendent of public instruction, or in a CTE program who does not meet the requirements for the standard CTE certificate, the superintendent of public instruction may issue to the school district or nonpublic school an annual authorization and renewals of that authorization under section 1233b(2)(b) and (5)(b) of the revised school code, 1976 PA 451, MCL 380.1233b.

(2) An annual authorization is valid for teaching in the occupational education field specified on the authorization.

(3) Before applying for an annual authorization, a school district or nonpublic school shall certify that a certified teacher with the appropriate endorsement is not available for the assignment.

(4) Unless the superintendent of public instruction grants the request of a school district or nonpublic school for a waiver under section 1233b(6) of the revised school code, 1976 PA 451, MCL 380.1233b, the school district or nonpublic school may apply no more than 9 times for renewal of an annual authorization allowing employment of an individual under this rule.

(5) Subject to subrule (7) of this rule, the superintendent of public instruction may refuse to grant or may rescind or revoke an annual authorization for 1 of the following reasons:

(a) Fraud, material misrepresentation, or concealment or omission of fact in the application for or the use of the annual authorization.

(b) Conviction of the individual for a crime described in section 1535a of the revised school code, 1976 PA 451, MCL 380.1535a.

(c) Failure to meet the requirements of this rule.

(6) The superintendent of public instruction may rescind an annual authorization at the request of the school district or nonpublic school.

(7) The superintendent of public instruction shall refuse to grant or shall revoke an annual authorization if the criminal history of the individual for whom a school district or nonpublic school requests the authorization includes conviction of a listed offense.

(8) A school district placing a noncertified, inappropriately certified, or unlicensed individual in an assignment without obtaining a permit or an authorization under this code is subject to section 163 of the state school aid act of 1979, 1979 PA 94, MCL 388.1763.

History: 1979 AC; 1987 AACCS; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS.

R 390.1166 Rescinded.

History: 1979 AC; 2006 AAC; 2012 AAC; 2017 AAC; 2019 AAC.

R 390.1167 State or federal license.

Rule 67. If a school district or nonpublic school assigns instructional responsibility to an individual in a field for which state or federal law requires a license, the individual shall hold the appropriate license before the superintendent of public instruction may issue a CTE certificate or CTE endorsement to the individual under this code or before the superintendent of public instruction may issue an annual authorization for the individual under this code.

History: 1979 AC; 2012 AAC; 2017 AAC; 2019 AAC.

PART 9. EFFECTIVE DATE AND RESCISSION

R 390.1198 Rescinded.

History: 1979 AC; 2017 AAC.

R 390.1199 Rescinded.

History: 1979 AC; 2017 AAC.

PART 10. DENIAL, SUSPENSION, AND REVOCATION OF TEACHING CERTIFICATES AND STATE BOARD APPROVALS

R 390.1201 Denial, suspension, or revocation of certificate or state board approval.

Rule 101. (1) The superintendent of public instruction may refuse to grant, refuse to renew, suspend, revoke, or impose reasonable conditions on a teaching certificate or state board approval for the following reasons:

(a) Fraud, material misrepresentation, or concealment or omission of fact in the application for or the use of a teaching certificate or state board approval.

(b) Conviction of a crime described in section 1535a or 1539b of the revised school code, 1976 PA 451, MCL 380.1535a and 380.1539b.

(2) The superintendent of public instruction may refuse to grant or renew a teaching certificate or state board approval for failure of the applicant to meet the requirements for the teaching certificate or state board approval. After notice and an opportunity for a hearing, which the holder shall request within 15 business days after receipt of the notice, the superintendent of public instruction may rescind, suspend, or revoke a teaching

certificate or a state board approval for failure of the holder to meet the requirements for the teaching certificate or state board approval. If the holder does not timely request a hearing, the superintendent of public instruction shall rescind, suspend, or revoke the teaching certificate or state board approval.

History: 1979 AC; 2006 AACCS; 2017 AACCS; 2019 AACCS.

R 390.1202 Rescinded.

History: 1979 AC; 2006 AACCS; 2015 AACCS.

R 390.1203 Investigation.

Rule 103. The superintendent of public instruction shall designate an employee of the department to perform the investigatory and prosecutorial functions regarding contested cases pertaining to teacher certification or state board approval. Upon receipt of information that may serve as the basis for a refusal to grant, refusal to renew, suspension of, or revocation of a teaching certificate or state board approval, the designee of the superintendent of public instruction shall initiate an investigation of that information.

History: 1979 AC; 2006 AACCS; 2017 AACCS.

R 390.1204 Notice of basis for action; notice of right to hearing; informal conference to show compliance; referral for hearing.

Rule 104. Subject to summary suspension under section 1535a(2) or 1539b(2) of the revised school code, 1976 PA 451, MCL 380.1535a and 380.1539b, all of the following apply to action taken under R 390.1201(1)(a) or (b):

(a) Not more than 7 calendar days after receiving notice that the criminal history of an applicant for or the holder of a teaching certificate or state board approval includes conviction of a crime described in section 1535a or 1539b of the revised school code, 1976 PA 451, MCL 380.1535a and 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 390.1201(1)(a), or not later than 10 business days after receiving documentation of a conviction under subdivision (a) of this rule, the department shall notify the applicant for or the holder of the teaching certificate or state board approval in writing of all of the following:

(i) Because of the conviction or because of the identified reason under R 390.1201(1)(a), the superintendent of public instruction may deny, suspend, or revoke the teaching certificate or state board approval.

(ii) The applicant or the holder has the right to a hearing.

(iii) If the applicant or the holder does not request a hearing within 15 business days after receipt of notice of the right to a hearing, the superintendent of public instruction will deny or suspend the teaching certificate or state board approval.

(iv) If the applicant or the holder requests a hearing 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 rule 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 rule, the applicant for or the holder of a teaching certificate or state board approval 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 teaching certificate or state board approval or shall suspend the teaching certificate or state board approval.

(e) If the applicant for or the holder of a teaching certificate or state board approval timely requests a hearing under subdivision (d) of this rule, 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 is 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.

History: 1979 AC; 2004 AACs; 2006 AACs; 2017 AACs; 2019 AACs.

R 390.1205 Rescinded.

History: 1979 AC; 2006 AACs.

R 390.1206 Rescinded.

History: 1979 AC; 2004 AACs; 2006 AACs; 2015 AACs.

R 390.1207 Rescinded.

History: 1979 AC; 2006 AACs; 2015 AACs.

R 390.1208 Rescinded.

History: 1979 AC; 2006 AACs.

R 390.1209 Rescinded.

History: 1979 AC; 2006 AACCS; ; 2015 AACCS.

R 390.1210 Rescinded.

History: 1979 AC; 2006 AACCS; ; 2015 AACCS.

R 390.1211 Rescinded.

History: 1979 AC; 2006 AACCS.

R 390.1212 Rescinded.

History: 1979 AC; 2006 AACCS; 2015 AACCS.

R 390.1213 Rescinded.

History: 1979 AC; 2006 AACCS; 2015 AACCS.

R 390.1214 Rescinded.

History: 1979 AC; 2006 AACCS; 2015 AACCS.

R 390.1215 Rescinded.

History: 1979 AC; 2006 AACCS.

R 390.1216 Action by superintendent of public instruction on proposal for decision.

Rule 116. (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.

History: 1979 AC; 2006 AACCS; 2017 AACCS.