



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

GRETCHEN WHITMER
GOVERNOR

MICHAEL F. RICE, Ph.D.
STATE SUPERINTENDENT

MEMORANDUM

DATE: September 2, 2021

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

FROM: Delsa D. Chapman, Ed.D., Deputy Superintendent *DDC*
Division of Educator, Student, and School Support
Kyle L. Guerrant, Deputy Superintendent *KG*
Division of Finance and Operations

SUBJECT: Teacher Certification Requirement for Membership Purposes 2021-22

The state legislature passed and the governor signed into law Public Act 48 of 2021, which defines teacher certification requirements for membership purposes in section 6 ([MCL 388.1606](#)) of the state school aid act.

MCL 388.1606(8)

"... A pupil not counted as 1.0 full-time equated membership due to an absence from a class is counted as a prorated membership for the classes the pupil attended. For purposes of this subsection, "class" means either of the following, as applicable:

- (a) A period of time in one day when pupils and an individual who is appropriately placed under a valid certificate, substitute permit, authorization or approval issued by the department are together and instruction is taking place. This subdivision does not apply for the 2020-2021 and 2021-2022 school years.
- (b) For the 2020-2021 and 2021-2022 school years only, a period of time in one day when pupils and a certificated teacher, a teacher engaged to teach under section 1233b of the revised school code, [MCL 380.1233b](#), or an individual working under a valid substitute permit, authorization or approval issued by the department are together and instruction is taking place."

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As such, for the 2021-22 school year, pupil membership auditors will only review teacher placements for grade level placement as described in subsection (b) above.

However, pursuant to the state legislature's change in law (MCL [388.1763](#)), districts must ensure that teachers are appropriately placed for the grade level and subject area (either with certificate or permit) to avoid a salary deduction. If an educator is not able to be placed appropriately (grade level and subject area), the district must obtain a permit for the placement of the teacher outside of his or her endorsement to avoid a salary deduction.

The above requirements pertain to virtual teachers, as well, as noted in MDE [MEMO #095-21](#).

Districts must take note that subsection (a) will require a teacher to be appropriately placed for both the grade level and subject area for membership purposes and to avoid salary deductions for the 2022-23 school year. Auditor training for the 2022-23 school year will be provided.

Questions regarding this memorandum may be directed to Brian Ciloski at CiloskiB@michigan.gov or Jessica Beagle at BeagleJ1@michigan.gov.

Questions for appropriate placement of an educator by content area and grade-level may be directed to MDE-EducatorHelp@michigan.gov.

cc: Michigan Education Alliance
Confederation of Michigan Tribal Education Directors