

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) “Accredited” means accredited by an accreditation agency recognized by the Council for Higher Education Accreditation or by the United States Department of Education.

(b) “Act” means the revised school code, 1976 PA 451, MCL 380.1 to 380.1852.

(c) “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 act, MCL 380.1531i.

(d) “Appropriate placement” means placement within a grade level and discipline area as determined appropriate by the superintendent of public instruction.

(e) “Clinical experience” means structured, supervised activity in an instructional setting in which a teacher certification candidate may gain experience in the practice of teaching, as determined by the superintendent of public instruction.

(f) “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.

(g) “CTE” means career and technical education.

(h) “CTE classification of instructional programs (CIP) code” means the code of a career development area or a CTE program under the taxonomy published by the National Center for Education Statistics, or its successor agency, of the United States Department of Education.

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

(j) “Discipline area” means a content area, a subject area, or an education field, including a CTE classification of instructional programs (CIP) code, for which endorsement is available.

(k) “Education-related professional learning” means an educational opportunity that improves 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 an 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) Michigan annual district provided professional development hours.

(iv) Valid certification by the National Board for Professional Teaching Standards (NBPTS) or its successor agency, with valid NBPTS certification being equivalent to 150 education-related professional learning hours.

(l) “Educator preparation institution” means a baccalaureate degree-, or higher, granting institution that is approved to recommend applicants for certificates and endorsements under this code.

(m) “Educator preparation provider” means an educator preparation institution or an alternative route program provider.

(n) “Elementary level endorsement” means an endorsement to teach a specified discipline area in a specified grade band from birth to grade 6.

(o) “Endorsement” means a discipline area that a teacher may teach, as specified on a certificate, in the specific grade band, if any, specified on the certificate, based on completion of an appropriate program and passing the appropriate available examination as required by section 1531 of the act, MCL 380.1531.

(p) “Listed offense” means that term as defined in section 1535a of the act, MCL 380.1535a.

(q) “Michigan annual district provided professional development” means Michigan annual district provided professional development as required by sections 1526 and 1527 of the act, MCL 380.1526 and 380.1527.

(r) “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. (No longer issued.)

(vi) A professional CTE certificate, formerly the occupational education certificate. (No longer issued.)

(vii) A temporary teaching certificate.

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

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

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

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

(xii) An initial certificate entitled “provisional certificate.” (No longer issued.)

(xiii) A certificate entitled “interim occupational certificate.” (No longer issued.)

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

(t) “Out-of-state” means of a political subdivision of the United States, other than this state, of a federally recognized Native American tribe, or of a foreign country or a political subdivision of a foreign country.

(u) “PK-12 level endorsement” means an endorsement to teach a specified discipline area in the grade band of prekindergarten to grade 12.

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

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

(x) “Secondary level endorsement” means an endorsement to teach a specified discipline area in a specified grade band from grade 5 to grade 12.

(y) “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 educator preparation program, and has met all requirements set forth in this code and the act.

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

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

(bb) “Valid” means within the time period of the credential and not suspended, revoked, rescinded, or nullified.

History: 1979 AC; 1981 AACCS; 1986 AACCS; 1989 AACCS; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1103 Successful teaching.

Rule 3. (1) Successful teaching is teaching for 1 or more employers in an appropriate placement or appropriate placements with instructional responsibilities while holding a valid standard level teaching certificate.

(2) For purposes of determining successful teaching, 1 year of employment is a minimum of 150 instructional days and may be either an academic or a calendar year, but an individual may not earn more than 1 year of employment during an academic or a calendar year. An individual may accumulate 1 year of employment over a period of years.

(3) For purposes of determining successful teaching, 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 AACCS; 2017 AACCS; 2019 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1105 Credential requirements.

Rule 5. (1) Unless otherwise provided in the act, a school district or nonpublic school shall not assign an individual as a teacher in any of grades K to 12 unless both of the following are satisfied:

(a) One of the following:

(i) The individual holds a valid teaching certificate.
(ii) The school district or nonpublic school holds a valid permit allowing the individual's placement.

(iii) The school district or nonpublic school holds a valid authorization allowing the individual's placement.

(b) The assignment is an appropriate placement.

(2) A teacher of a 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.

History: 1979 AC; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1111 Fair opportunity.

Rule 11. All students in educational programs at any level and irrespective of their English language proficiency shall have fair access to opportunities to maximize their full development in a democratic society. Each educator preparation provider in this state shall provide prospective teachers access to theoretical knowledge and practical experiences supporting the vision and principles for universal education and for the appreciation, care, and respect needed to ensure fair opportunities regardless of the prospective educator's individual identities, including identities based on ethnicity, religion, national origin, age, gender identity, sexual orientation, marital status, and visible or invisible disability status.

History: 1979 AC; 1989 AACCS; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1115 Examination scores.

Rule 15. For the purpose of initial certification or endorsement, passing scores on the examinations as required by section 1531 of the act, MCL 380.1531, are valid for 5 years after the date of testing.

History: 1979 AC; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1117 Certificate issuance, restrictions, and expiration.

Rule 17. (1) A Michigan teaching certificate has certain restrictions as to appropriate placement. The applicant or holder and the employer shall be familiar with these restrictions.

(2) Subject to subrules (3) and (4) of this rule, a Michigan teaching certificate expires 5 years after June 30 of the calendar year of issuance.

(3) A temporary teaching certificate expires 1 year after the date of issuance.

(4) Continuing, life, and permanent certificates and full vocational authorizations do not expire.

(5) The superintendent of public instruction shall not issue a Michigan teaching certificate until after payment of the applicable evaluation fee as required by section 1538 of the act, MCL 380.1538.

History: 1979 AC; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1118 Nullification of teaching certificate or endorsement.

Rule 18. The holder of a Michigan teaching certificate may request that the superintendent of public instruction nullify the teaching certificate or certificate endorsement or endorsements under section 1532 of the act, MCL 380.1532, by submitting a request to the department in the manner established by the department.

History: 1992 AACCS; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1119 Members of the armed forces and uniformed services, veterans, and dependents.

Rule 19. (1) As used in this rule:

(a) “Armed forces” means the United States Army, Air Force, Navy, Marine Corps, Space Force, Coast Guard, or other military force designated by the United States Congress as a part of the Armed Forces of the United States, including the reserve components.

(b) “Dependent” means a spouse, surviving spouse, child who is less than 26 years of age, or surviving child who is less than 26 years of age.

(c) “Uniformed services” means the Commissioned Corps of the United States Public Health Service and the National Oceanic and Atmospheric Administration Commissioned Officer Corps.

(d) “Veteran” means that term as defined in section 1 of 1965 PA 190, MCL 35.61.

(2) If 1 of the following individuals serves a period of active duty during the time period of a certificate issued under these rules, the individual may file a request with the department that the superintendent of public instruction determine that all or part of the period of active duty satisfies some or all of the requirements for renewal of the certificate:

(a) A member of the armed forces or uniformed services.

(b) A veteran.

(3) The following individuals may file a request with the department for refund of an evaluation fee paid during the immediately preceding 1-year period under section 1538 of the act, MCL 380.1538, and for a voucher in the amount of the cost of an examination under section 1531 of the act, MCL 380.1531, to be presented at the time of registration for the examination:

(a) A member of the armed forces or uniformed services.

- (b) A veteran.
- (c) A dependent of a member of the armed forces or of the uniformed services.
- (d) A dependent of a veteran.

History: 2024 MR 12, Eff. June 27, 2024.

PART 2. STANDARD TEACHING CERTIFICATE AND INTERIM TEACHING CERTIFICATE

R 390.1121 Rescinded.

History: 1979 AC; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS.

R 390.1122 Rescinded.

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

R 390.1122a Interim teaching certificate.

Rule 22a. (1) The superintendent of public instruction may issue an interim teaching certificate with an appropriate endorsement or endorsements to an applicant who pays the applicable evaluation fee and meets all of the requirements under section 1531i(2) of the act, MCL 380.1531i.

(2) Subject to subrule (3) of this rule, an interim teaching certificate expires 5 years after June 30 of the calendar year of issuance.

(3) An interim teaching certificate expires if the candidate exits the program before completion. The superintendent of public instruction may reinstate an interim teaching certificate that expired under this subrule on request by the alternative route program provider if the candidate returns to the same program. On reinstatement under this subrule, an interim teaching certificate is valid for the amount of time that was left in the validity period under subrule (2) of this rule at the time of expiration under this subrule.

(4) On request by an alternative route program provider, the superintendent of public instruction may issue an endorsement on a valid interim teaching certificate held by an individual who meets the requirements of section 1531i of the act, MCL 380.1531i, in the discipline area and grade range of the alternative additional endorsement program in which the individual is participating.

(5) The superintendent of public instruction may issue an interim teaching certificate to an applicant 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 act, MCL 380.1531i. The individual may hold the Michigan teaching certificate and the interim teaching certificate at the same time.

(6) An interim teaching certificate is nonrenewable.

History: 2012 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1123 Standard teaching certificate; preparation program requirements.

Rule 23. (1) Subject to R 390.1161, the superintendent of public instruction may issue a standard teaching certificate to an applicant who has paid the applicable evaluation fee if the department has received the recommendation of an educator preparation institution under R 390.1125 based on the applicant's satisfactory completion of an approved program in educator preparation that 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 engage a candidate in a minimum of 300 hours of student contact as defined by the department.

(iii) Supervised directed teaching must be in the grade range for which the superintendent of public instruction is to issue an endorsement.

(iv) Based on regular observation by the employer and review by the educator preparation institution, the educator preparation institution may substitute 3 years of teaching in an appropriate placement for the supervised directed teaching required by this subdivision for a standard teaching certificate or endorsement. For purposes of this paragraph, R 390.1103(2) and (3) apply.

(c) An approved course of study in a certificate endorsement area that includes preparation in discipline area knowledge, pedagogy, and clinical experiences 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 clinical experiences with diverse student populations and in diverse instructional settings.

(ii) The superintendent of public instruction may issue a standard teaching certificate with an elementary level endorsement on satisfaction of both of the following:

(A) Completion of an approved course of study in base knowledge appropriate for elementary education, methods coursework, and appropriate clinical experiences.

(B) A minimum of 6 semester credit hours in the teaching of literacy with appropriate clinical experiences.

(iii) The superintendent of public instruction may issue a standard teaching certificate with a secondary or PK-12 level endorsement on 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 clinical experiences.

(B) A minimum of 3 semester credit hours in literacy instruction appropriate to the discipline area and appropriate clinical experiences.

(2) Subject to R 390.1161, the superintendent of public instruction may issue a standard teaching certificate to an applicant who has paid the applicable evaluation fee if the department has received the recommendation of an alternative route program provider under R 390.1125 based on the applicant's satisfactory completion of a program offered

by the alternative route program provider that includes a minimum of 12 weeks of teaching appropriate to each endorsement recommended by the alternative route program provider.

History: 1979 AC; 1986 AACCS; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1124 Rescinded.

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

R 390.1125 Degree; recommendations; rules as minimum requirements.

Rule 25. (1) An applicant for a standard teaching certificate shall possess a bachelor's degree and have the recommendation of an educator preparation provider. A Michigan educator preparation institution may accept a degree from an accredited institution if the accepting Michigan educator preparation institution determines that the degree is equivalent to that awarded by that institution.

(2) An educator preparation provider that recommends candidates for teaching certificates shall establish selection criteria that ensure that it admits only qualified candidates to its approved educator preparation programs and recommends only qualified candidates for certification or additional certificate endorsements.

(3) An educator preparation provider shall not recommend candidates for certification or endorsement in discipline areas in which it does not have approved programs.

(4) An educator preparation provider shall make recommendations concerning all certificates for which the superintendent of public instruction approves the educator preparation provider. An educator preparation provider shall not make a recommendation concerning a certificate before satisfaction of both of the following:

(a) The applicant's satisfactory completion of an approved program of the educator preparation provider.

(b) The applicant's passing of appropriate available examinations as required by section 1531 of the act, MCL 380.1531.

(5) The requirements in these rules are minimum requirements. An educator preparation provider may have additional requirements that exceed the requirements of these rules.

(6) The superintendent of public instruction may determine the criteria for evaluating certification of candidates prepared by out-of-state providers in accordance with the law of this state, including R 390.1130.

History: 1979 AC; 1989 AACCS; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

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) Subject to R 390.1161, the superintendent of public instruction may issue an additional endorsement on a valid or expired Michigan teaching certificate, except an interim teaching certificate, to an applicant who has paid the applicable evaluation fee if both of the following are satisfied:

(a) The department has received the recommendation of an educator preparation institution under R 390.1125 based on the applicant's satisfactory completion of an approved additional endorsement program that included preparation in theoretical and practical knowledge, discipline area knowledge, pedagogy, and clinical experience, as defined in state board approved standards. If, for a particular additional endorsement program, state board approved standards do not specify pedagogy and clinical experience, the additional endorsement program must require pedagogy and clinical experience.

(b) The applicant passed the appropriate available examination as required by section 1531 of the act, MCL 380.1531.

(2) With the approval of a Michigan educator 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 appropriate available examinations as required by section 1531 of the act, MCL 380.1531, the educator preparation institution shall recommend the candidate for the additional endorsement.

(3) Subject to R 390.1161, the superintendent of public instruction may issue an additional endorsement on a Michigan teaching certificate, except an interim teaching certificate, to an applicant who has paid the applicable evaluation fee if both of the following are satisfied:

(a) The department has received the recommendation of an alternative route program provider based on the applicant's satisfactory completion of a program offered by the alternative route program provider that included both of the following:

(i) Satisfaction of all requirements in section 1531i of the act, MCL 380.1531i.

(ii) A minimum of 12 weeks of teaching appropriate to each endorsement recommended by the alternative route program provider.

(b) The applicant passed the appropriate available examination as required by section 1531 of the act, MCL 380.1531.

History: 1979 AC; 1981 AACCS; 1986 AACCS; 1989 AACCS; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1129a Rescinded.

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

R 390.1129b Renewal of standard teaching certificate; progression to professional ..teaching certificate.

Rule 29b. (1) Subject to subrules (4) and (5) of this rule and subject to section 1233(6) to (8) of the act, MCL 380.1233, if an applicant who holds a standard teaching certificate does not qualify for the professional teaching certificate, the superintendent of public instruction may issue to the applicant a 5-year renewal of the standard teaching certificate if the applicant has paid the applicable evaluation fee and the department has received documentation that, since the issue date of the most recent certificate, the applicant completed a combination of education-related professional learning hours totaling 150 hours.

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

(3) The superintendent of public instruction may issue additional 5-year renewals of a standard teaching certificate to an applicant under subrule (1) of this rule on or after January 1 of the year in which the certificate expires.

(4) Subject to section 1233(6) to (8) of the act, MCL 380.1233, the superintendent of public instruction may issue one 5-year renewal of a standard teaching certificate to an applicant who has paid the applicable evaluation fee if the department has received documentation that the applicant earned at any time an education-related master's or higher degree.

(5) Subject to section 1233(6) to (8) of the act, MCL 380.1233, the superintendent of public instruction may issue one 5-year renewal of a standard teaching certificate to an applicant who has paid the applicable evaluation fee if the department has received documentation that the applicant holds a valid out-of-state teaching certificate.

(6) An individual who holds a valid or expired standard teaching certificate may progress to the professional teaching certificate at any time after satisfaction of the requirements of R 390.1133.

History: 2012 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1130 Out-of-state teaching certificate and program; temporary teaching certificate.

Rule 30. (1) Subject to subrule (5) of this rule and R 390.1204, the superintendent of public instruction may issue a standard teaching certificate to an applicant who has paid

the applicable evaluation fee if the department has received documentation of both of the following:

(a) One of the following:

(i) An out-of-state certificating authority issued a standard level, or higher, teaching certificate to the applicant at any time based on satisfaction of requirements for certification the superintendent of public instruction considers equivalent to those in effect in this state.

(ii) The applicant satisfactorily completed an out-of-state program the requirements of which the superintendent of public instruction considers equivalent to those in effect in this state that lead to teacher certification.

(b) The applicant passed the appropriate available examinations as required by section 1531 of the act, MCL 380.1531.

(2) Subject to subrule (5) of this rule and R 390.1204, the superintendent of public instruction may issue a professional teaching certificate to an applicant who has paid the applicable evaluation fee if the department has received documentation of all of the following:

(a) An out-of-state certificating authority issued a standard level, or higher, teaching certificate to the applicant at any time based on satisfaction of requirements for certification the superintendent of public instruction considers equivalent to those in effect in this state.

(b) The applicant satisfies the requirements of R 390.1123(1)(c)(ii)(B) or (iii)(B).

(c) The applicant satisfies all requirements of section 1531(6) of the act, MCL 380.1531.

(3) Subject to subrule (5) of this rule, the superintendent of public instruction may issue an endorsement on a valid or expired Michigan teaching certificate to an applicant who has paid the applicable evaluation fee if the department has received documentation of both of the following:

(a) One of the following:

(i) The applicant holds a valid or expired out-of-state teaching certificate with the endorsement or its equivalent.

(ii) The applicant completed an out-of-state program with requirements the superintendent of public instruction considers equivalent to those in effect in this state that lead to the endorsement.

(b) The applicant passed appropriate available examinations as required by section 1531 of the act, MCL 380.1531.

(4) Subject to subrule (5) of this rule and R 390.1204, the superintendent of public instruction may issue a nonrenewable 1-year temporary teaching certificate to an applicant who has paid the applicable evaluation fee and satisfies the requirements of section 1531(13) of the act, MCL 380.1531.

(5) An application for a Michigan teaching certificate or endorsement based on a foreign teaching credential must include documentation of credential review by a current member in good standing of an international credential review association approved by the department.

(6) The superintendent of public instruction may enter into a written reciprocity agreement with an out-of-state certificating authority for the mutual acceptance of 1 or more types of teaching certificates.

History: 1979 AC; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

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 AACCS; 1989 AACCS; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS.

R 390.1133. Professional teaching certificate.

Rule 33. (1) The superintendent of public instruction may issue a professional teaching certificate to an applicant who has paid the applicable evaluation fee if the department has received documentation of all of the following:

(a) The applicant successfully completed 3 full years of classroom teaching as described in R 390.1103.

(b) The applicant completed the reading requirements of section 1531(3) of the act, MCL 380.1531.

(c) The applicant completed a minimum of 6 satisfactory college semester credit hours of literacy instruction for a certificate with an elementary level endorsement or a minimum of 3 satisfactory college semester credit hours of literacy instruction as appropriate to the discipline area for a certificate with another endorsement. The applicant may have completed this course credit at any time before applying for the professional teaching certificate.

(d) Subject to section 1233(6) to (8) of the act, MCL 380.1233, since the issue date of the most recent standard teaching certificate, the applicant completed a combination of education-related professional learning hours totaling 150 hours.

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

History: 1979 AC; 1981 AACCS; 1989 AACCS; 2006 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1134 Rescinded.

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

R 390.1135 Renewal of professional teaching certificate.

Rule 35. (1) Subject to subrule (3) of this rule and subject to section 1233(6) to (8) of the act, 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 if the applicant has paid the applicable evaluation fee and the department has received documentation that, since the issue date of the most recent teaching certificate, the applicant completed a combination of education-related professional learning hours totaling 150 hours.

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

(3) Subject to section 1233(6) to (8) of the act, MCL 380.1233, the superintendent of public instruction may issue one 5-year renewal of a valid or expired Michigan professional teaching certificate to an applicant who has paid the applicable evaluation fee if the department has received documentation that the applicant holds a valid out-of-state teaching certificate.

History: 1986 AACCS; 1989 AACCS; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1136 Rescinded.

History: 1989 AACCS; 2006 AACCS.

R 390.1137 Advanced professional teaching certificate.

Rule 37. The superintendent of public instruction may issue an advanced professional teaching certificate at any time to an applicant who has paid the applicable evaluation fee if the department has received documentation of both of the following:

(a) The applicant holds a professional teaching certificate or a life, continuing, or permanent certificate.

(b) One of the following:

(i) The applicant holds valid certification by the National Board for Professional Teaching Standards or its successor agency.

(ii) The applicant 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 rule.

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

(iv) The applicant completed a specialist preparation program approved by the superintendent of public instruction, with such completion being indicated on the certificate required in subdivision (a) of this rule.

History: 2012 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

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 expires within the calendar year of renewal application if the applicant has paid the applicable evaluation fee and the department has received documentation that, since the issue date of the most recent advanced professional teaching certificate, subject to section 1233(6) to (8) of the act, MCL 380.1233, the applicant completed a combination of education-related professional learning hours totaling 150 hours.

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

History: 2012 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

PART 4. SUBSTITUTE PERMITS

R 390.1141 Substitute permits; general provisions.

Rule 41. (1) On approval of an application and payment of the applicable evaluation fee, the superintendent of public instruction may issue to a school district or nonpublic school a substitute permit or renewal of a substitute permit to assign an individual who meets the requirements of statute and this part.

(2) Subject to subrule (9) of this rule, before assigning an individual who cannot be appropriately placed in the assignment, a school district or nonpublic school shall apply to the department for a substitute permit or renewal of a substitute permit under this part, pay the applicable evaluation fee, verify satisfaction of the requirements of statute and this part, and hold the substitute permit or renewal for placement of the individual. Subject to the act, the school district or nonpublic school shall verify that an individual with a valid certificate under which appropriate placement is possible is not available for the assignment in accordance with the established hiring practice of the school district or nonpublic school.

(3) An individual shall not apply for a substitute permit or renewal of a substitute permit on behalf of a school district or nonpublic school for the individual's own placement unless the board of the school district or the governing body of the nonpublic school approves the application in the manner directed by the department.

(4) A substitute permit issued under this part is valid from the issue date to August 31 immediately following the academic year listed on the permit.

(5) Subject to subrule (7) of this rule, the superintendent of public instruction may revoke, refuse to grant, refuse to renew, or refuse to extend a substitute permit under this part for any 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 act, MCL 380.1535a.

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

(d) Action taken by an out-of-state certificating authority against an educator credential issued at any time to the individual by that authority.

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

(7) 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.

(8) Subject to subrule (9) of this rule, a school district employing an individual who is not appropriately placed under a valid certificate, valid substitute permit, valid authorization, or valid approval issued under rules promulgated by the department is subject to section 163 of the state school aid act of 1979, 1979 PA 94, MCL 388.1763.

(9) If an individual holds a valid Michigan teaching certificate, a school district or nonpublic school may place the individual outside the grade levels and discipline areas listed on the certificate for not more than 90 consecutive calendar days without obtaining a substitute permit.

History: 1979 AC; 1989 AACCS; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1142 Daily substitute permit.

Rule 42. (1) The superintendent of public instruction may issue a daily substitute permit to a school district or nonpublic school for an individual who has satisfactorily completed the credit requirement of section 1233(5) of the act, MCL 380.1233.

(2) A daily substitute permit is valid for teaching on a substitute or intermittent basis when the certificated teacher regularly assigned to the classroom is temporarily absent. A daily substitute permit is valid for no more than 90 consecutive calendar days in the same assignment.

(3) A daily substitute permit is not renewable.

(4) On application by a school district or nonpublic school, the superintendent of public instruction may issue to the school district or nonpublic school an extension of a daily substitute permit as follows if the individual does not qualify for transition to a full-year substitute permit:

(a) The superintendent of public instruction may issue an extension of the daily substitute permit for 1 additional 90-consecutive-calendar-day period if the school district or nonpublic school verifies both of the following:

(i) There was a formal satisfactory observation of the individual by an administrator or designee during the period of the daily substitute permit.

(ii) The school district or nonpublic school assigned a mentor to the individual during the period of the daily substitute permit.

(b) In addition to an extension granted under subdivision (a) of this subrule, the superintendent of public instruction may, in the exercise of discretion, grant the application of a 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 AACCS; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1143 Full-year basic substitute permit.

Rule 43. (1) The superintendent of public instruction may issue a full-year basic substitute permit under this rule to a school district or nonpublic school for the assignment of an individual, including but not limited to the assignment of an individual under section 505, 1233b, 1233c, or 1531f of the act, MCL 380.505, 380.1233b, 380.1233c, and 380.1531f.

(2) Subject to the act, all of the following apply to a full-year basic substitute permit:

(a) The individual for whom the school district or nonpublic school requests the full-year basic substitute permit has satisfactorily completed the credit requirement of section 1233(5) of the act, MCL 380.1233.

(b) The superintendent of public instruction shall not issue a full-year basic substitute permit to a school district or nonpublic school for an assignment to teach a core academic discipline, as defined by the superintendent of public instruction, unless the department has received documentation of 1 of the following:

(i) The individual completed an academic major or minor in the discipline area.

(ii) The individual earned 20 semester credit hours in the discipline area.

(iii) The individual obtained a passing score on the appropriate available discipline area examination approved by the superintendent of public instruction.

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

(d) The individual and the supervisor shall collaboratively develop and implement an individualized development plan.

(3) The superintendent of public instruction may renew a full-year basic substitute permit not more than 3 times to place the same individual in the permitted assignment on application by the school district or nonpublic school, and both of the following apply:

(a) For the first renewal, all of the following apply:

(i) At the time of the application for renewal by the school district or nonpublic school, the individual is enrolled in an educator preparation program that leads to either a teaching certificate or an additional endorsement on a teaching certificate.

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

(iii) The individual and the supervisor shall collaboratively develop and implement an individualized development plan.

(b) For each subsequent renewal, all of the following apply:

(i) At the time of the application for renewal by the school district or nonpublic school, the individual demonstrates progress toward completion of an educator preparation program, as determined by the superintendent of public instruction, since the most recent renewal.

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

(iii) The individual and the supervisor shall collaboratively develop and implement an individualized development plan.

History: 1979 AC; 1989 AACs; 2006 AACs; 2012 AACs; 2017 AACs; 2019 AACs; 2020 AACs; 2024 MR 12, Eff. June 27, 2024.

R 390.1144 Full-year shortage substitute permit.

Rule 44. (1) The superintendent of public instruction may issue a full-year shortage substitute permit under this rule to a school district or nonpublic school for an individual who cannot be appropriately placed under a valid certificate or credential.

(2) Subject to the act, all of the following apply to a full-year shortage substitute permit:

(a) A school district or nonpublic school may apply for a full-year shortage substitute permit for assignment of an individual who holds a valid professional, advanced professional, continuing, life, or permanent teaching certificate but who does not hold the appropriate endorsement for the assignment, including grade band endorsement.

(b) The superintendent of public instruction shall not issue a full-year shortage substitute permit to a school district or nonpublic school for an assignment to teach a core academic discipline, as defined by the superintendent of public instruction, unless the department has received documentation of 1 of the following:

(i) The individual completed an academic major or minor in the discipline area.

(ii) The individual earned 20 semester credit hours in the discipline area.

(iii) The individual obtained a passing score on the appropriate available discipline area examination approved by the superintendent of public instruction.

(c) The assignment does not exceed 1/2 of a full-time equivalency teaching position.

(3) The superintendent of public instruction may renew a full-year shortage substitute permit not more than 3 times to place the same individual in the permitted assignment on application by the school district or nonpublic school, and both of the following apply:

(a) During the year of the most recent full-year shortage substitute permit or renewal, the individual had 1 formal observation leading to a comprehensive evaluation rating of effective or highly effective under section 1249 of the act, MCL 380.1249.

(b) The assignment does not exceed 1/2 of a full-time equivalency teaching position.

History: 1979 AC; 1989 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1145 Full-year expert substitute permit.

Rule 45. (1) The superintendent of public instruction may issue a full-year expert substitute permit under this rule to a school district or nonpublic school for an individual who cannot be appropriately placed under a valid certificate or credential, and all of the following apply:

(a) The assignment for which the school district or nonpublic school requests a full-year expert substitute permit must not exceed 1/2 of a full-time equivalency teaching position.

(b) The individual for whom the school district or nonpublic school requests a full-year 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 assigned to teach a world language.

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

(d) The individual and the supervisor shall collaboratively develop and implement an individualized development plan.

(e) Subject to subdivision (f) of this subrule, the superintendent of public instruction shall not issue a full-year expert substitute permit to a school district or nonpublic school for an assignment to teach a core academic discipline, as defined by the superintendent of public instruction, unless the department has received documentation of both of the following:

(i) The individual holds a bachelor's degree, or higher, from an accredited college or university.

(ii) One of the following:

(A) The individual completed an academic major or minor in the discipline area.

(B) The individual earned 20 semester credit hours in the discipline area.

(C) The individual earned a passing score on the appropriate available discipline area examination approved by the superintendent of public instruction.

(f) Subject to section 1233(5) of the act, MCL 380.1233, the superintendent of public instruction shall not issue a full-year expert substitute permit to a school district or nonpublic school for an assignment to teach a world language unless the department has received documentation of all of the following:

(i) The individual holds a bachelor's degree, or higher, or equivalent, from an accredited college or university, or equivalent.

(ii) The individual demonstrates oral language proficiency by passing an oral examination, if available, approved by the superintendent of public instruction.

(iii) The individual demonstrates written language proficiency by passing a written examination, if available, approved by the superintendent of public instruction.

(g) The superintendent of public instruction shall not issue a full-year expert substitute permit to a school district or nonpublic school for an assignment to teach in a non-core discipline area unless the department has received documentation of 1 of the following:

(i) The individual satisfactorily completed the credit requirement of section 1233(5) of the act, MCL 380.1233, and holds a valid business or industry license or credential in the specific discipline area of the assignment, if one is available.

(ii) The individual holds a bachelor's or higher degree from an accredited college or university.

(2) The superintendent of public instruction may renew a full-year expert substitute permit on annual application by a school district or nonpublic school. All of the following apply:

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

(b) The individual and the supervisor shall collaboratively develop and implement an individualized development plan.

(c) If the assignment is in a non-core discipline area and the individual qualified for an initial full-year expert substitute permit under only subrule (1)(g)(i) of this rule, the applicant shall verify that the business or industry license or credential, if available, is valid at the time of the application for renewal or that the individual holds a bachelor's degree, or higher, at the time of the application for renewal.

History: 1979 AC; 1989 AAC; 2006 AAC; 2012 AAC; 2017 AAC; 2019 AAC; 2020 AAC; 2024 MR 12, Eff. June 27, 2024.

R 390.1146 Rescinded.

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

R 390.1147 Rescinded.

History: 2012 AACCS; 2017 AACCS.

PART 5. EDUCATOR PREPARATION PROVIDERS AND PROGRAMS

R 390.1151 Approval of educator preparation providers and programs.

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

(2) The superintendent of public instruction shall approve programs offered by educator preparation institutions in accordance with state board approved standards for educator preparation. The superintendent of public instruction shall approve alternative route programs in accordance with section 1531i of the act, MCL 380.1531i.

(3) Continued approval of an educator preparation provider by the superintendent of public instruction requires that the educator preparation provider be accredited or that a state review process recommend approval by the superintendent of public instruction.

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

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

History: 1979 AC; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1152 Award or waiver of credit hours based on previous coursework or experience.

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

(2) This rule does not allow an educator preparation provider to waive statutory requirements.

History: 1979 AC; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1153 Educator preparation institution experimental programs.

Rule 53. The superintendent of public instruction, at the request of an educator preparation institution, may waive, for a specific time, particular requirements of this code for an experimental educator preparation program. The request must provide sufficient detail to allow assessment of the proposed experimental program and comparison with the educator preparation institution's approved program. If the superintendent of public instruction grants the request, the educator preparation institution 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 AACCS; 2017 AACCS; 2019 AACCS 2019; 2024 MR 12, Eff. June 27, 2024.

R 390.1154 Rescinded.

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

R 390.1155 Rescinded.

History: 1979 AC; 2006 AACCS; 2012 AACCS.

R 390.1156 Rescinded.

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

R 390.1157 Rescinded.

History: 1981 AACCS; 2006 AACCS.

PART 6. CTE ENDORSEMENTS AND ANNUAL AUTHORIZATION

R 390.1161 CTE endorsements.

Rule 61. (1) Subject to R 390.1167, the superintendent of public instruction may issue a CTE endorsement on a standard, professional, or advanced professional teaching

certificate if the applicant has paid the applicable evaluation fee and the department has received documentation of both of the following:

(a) An institution approved for the preparation of CTE teachers recommends the applicant based on the applicant's satisfactory completion of all program requirements, including a minimum of 6 semester credit hours or equivalent of CTE coursework.

(b) The applicant has 2 years of recent and relevant experience, as defined by the superintendent of public instruction, in the occupational area of the endorsement.

(2) Appropriate placement of an individual holding a teaching certificate with a CTE endorsement is in the specified occupational area in an approved CTE program, in an industrial technology education program, grades 6 to 12, or in career pathway courses, grades 6 to 12.

History: 1979 AC; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1162 Rescinded.

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

R 390.1163 Rescinded.

History: 1979 AC; 2006 AACCS; 2012 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1164 Rescinded.

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

R 390.1164a Rescinded.

History: 1979 AC; 2006 AACCS; 2017 AACCS; 2019 AACCS; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1165 Annual authorization.

Rule 65. (1) Subject to R 390.1167, on payment of the applicable evaluation fee and approval of an application, the superintendent of public instruction may issue to a school district or nonpublic school an annual authorization and renewals to assign an individual who cannot be appropriately placed under a valid certificate or other credential in industrial technology education, as defined by the superintendent of public instruction, or in a CTE program.

(2) All of the following apply to an annual authorization or renewal:

(a) Before assigning an individual who cannot be appropriately placed in industrial technology education, as defined by the superintendent of public instruction, or in a CTE

program, a school district or nonpublic school shall apply to the department for an annual authorization or renewal under this part, pay the applicable evaluation fee, satisfy all requirements of this rule, and hold the annual authorization or renewal.

(b) The superintendent of public instruction shall not issue an annual authorization or renewal under this rule unless the department has received verification of satisfaction of the requirements of section 1233b(2)(b) and (5)(b) of the act, MCL 380.1233b.

(c) Appropriate placement of an individual for whom a school district or nonpublic school holds an annual authorization or renewal is in the occupational education field specified on the authorization.

(d) The school district or nonpublic school shall assign a mentor to an individual during every year of assignment of the individual under an annual authorization or renewal.

(e) An individual and the individual's supervisor shall collaboratively develop and implement an individualized development plan during every year of placement of the individual under an annual authorization or renewal.

(f) Unless the superintendent of public instruction grants the request of a school district or nonpublic school for permission under section 1233b(6) of the act, MCL 380.1233b, to place an individual for more than 10 years under this rule, the school district or nonpublic school may apply no more than 9 times for renewal of an annual authorization allowing placement of the individual under this rule. A request for permission to place an individual for more than 10 years under this rule must be in the form and manner directed by the superintendent of public instruction.

(3) An annual authorization or renewal is valid from the issue date to August 31 immediately following the end of the academic year listed on the authorization or renewal.

(4) Subject to subrule (6) of this rule, the superintendent of public instruction may refuse to grant or may rescind or revoke an annual authorization or renewal for any 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 or renewal.

(b) Conviction of the individual for a crime described in section 1535a of the act, MCL 380.1535a.

(c) Failure to meet the requirements for the annual authorization or renewal.

(d) Action taken by an out-of-state certificating authority against an educator credential issued at any time to the individual by that authority.

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

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

(7) A school district employing an individual who is not appropriately placed under a valid certificate, valid substitute permit, valid authorization, or valid approval issued under rules promulgated by the department 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; 2020 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1166 Rescinded.

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

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 endorsement to the individual under this code or before the superintendent of public instruction may issue an annual authorization or renewal for the individual under this code.

History: 1979 AC; 2012 AACCS; 2017 AACCS; 2019 AACCS; 2024 MR 12, Eff. June 27, 2024.

PART 9. EFFECTIVE DATE AND RESCISSION

R 390.1198 Rescinded.

History: 1979 AC; 2017 AACCS.

R 390.1199 Rescinded.

History: 1979 AC; 2017 AACCS.

PART 10. SUSPENSION, REVOCATION, DENIAL, RESCISSION, AND REINSTATEMENT OF CREDENTIALS

R 390.1201 Suspension of, revocation of, imposition of conditions on, or denial of renewal of a credential.

Rule 101. The superintendent of public instruction may suspend, revoke, impose reasonable conditions on, or deny renewal of a credential issued to an individual by the superintendent of public instruction for either of the following reasons:

(a) The holder of the credential engaged in fraud, material misrepresentation, or concealment or omission of fact in the application for or the use of a credential issued to the individual by the superintendent of public instruction.

(b) The holder of the credential was convicted of a crime described in section 1535a or 1539b of the act, MCL 380.1535a and 380.1539b.

History: 1979 AC; 2006 AACCS; 2017 AACCS; 2019 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1202 Rescinded.

History: 1979 AC; 2006 AACCS; 2015 AACCS.

R 390.1203 Notice of basis for action; notice of right to hearing; informal conference; referral for hearing.

Rule 103. Subject to summary suspension under section 1535a(2) or 1539b(2) of the act, MCL 380.1535a and 380.1539b, all of the following apply to action taken under R 390.1201:

(a) Not more than 7 calendar days after receiving notice that the criminal history of the holder of a credential issued by the superintendent of public instruction includes conviction of a crime described in section 1535a or 1539b of the act, 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) On receipt of notice of a basis for action under R 390.1201(a) or not more than 10 business days after receiving documentation of a conviction under subdivision (a) of this rule, the department shall notify the holder of the credential in writing of all of the following:

(i) Because of the conviction or because of the identified reason under R 390.1201(a), the superintendent of public instruction may suspend, revoke, impose conditions on, or deny renewal of the credential.

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

(iii) If 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 shall suspend or deny renewal of the credential.

(iv) If the holder requests a hearing within 15 business days after receipt of the notice, there must be an informal conference.

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

(d) Not more than 15 business days after receipt of the notice under subdivision (b) of this rule, the holder of the credential shall request a hearing. If the holder does not timely request a hearing, the superintendent of public instruction shall suspend or deny renewal of the credential.

(e) If the holder of the credential timely requests a hearing under subdivision (d) of this rule, the department shall immediately notify the holder of the date and time of an informal conference. Unless otherwise agreed, the informal conference is a telephone conference with an authorized representative of the department.

(f) After the informal conference and consideration of the documentation and other information presented, the department may recommend that the superintendent of public instruction take no action against or grant renewal of the credential or that there be a settlement or conditional agreement. The superintendent of public instruction shall approve, modify, or deny the recommendation of the department.

(g) If the superintendent of public instruction or designee decides to refer the case to the Michigan office of administrative hearings and rules for hearing following the informal conference, the department shall make the referral.

History: 1979 AC; 2006 AACS; 2017 AACS; 2024 MR 12, Eff. June 27, 2024.

R 390.1204 Denial or rescission of credential.

Rule 104. (1) The superintendent of public instruction may deny an individual's application for a credential for any of the following reasons:

(a) The applicant engaged in fraud, material misrepresentation, or concealment or omission of fact in the application for or the use of a credential issued to the individual by the superintendent of public instruction.

(b) The applicant was convicted of a crime described in section 1535a or 1539b of the act, MCL 380.1535a and 380.1539b.

(c) The applicant does not meet the requirements for the credential.

(d) An out-of-state certifying authority took action against an educator credential issued at any time to the applicant by that authority.

(2) After notice and an opportunity to show compliance, the superintendent of public instruction may rescind a credential issued to an individual by the superintendent of public instruction for failure of the individual to meet the requirements for the credential.

History: 1979 AC; 2004 AACS; 2006 AACS; 2017 AACS; 2019 AACS; 2020 AACS; 2024 MR 12, Eff. June 27, 2024.

R 390.1205 Investigation.

Rule 105. An authorized representative of the department shall perform the investigatory and prosecutorial functions regarding cases pertaining to credentials issued by the superintendent of public instruction. On receipt of information that may serve as the basis for suspension, revocation, denial, refusal to renew, or rescission of a credential, the authorized representative shall initiate an investigation of that information.

History: 1979 AC; 2006 AACS; 2024 MR 12, Eff. June 27, 2024.

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 Reinstatement of suspended or revoked credential.

Rule 108. (1) Unless the superintendent of public instruction suspended or revoked an individual's credential based on conviction of a listed offense, the individual may file with the department a request for reinstatement of the credential that was suspended or revoked under these rules.

(2) If the superintendent suspended or revoked the credential under R 390.1201(a), all of the following apply:

(a) The individual shall provide to the department documentation and other information that demonstrates that the individual is currently fit to serve in an elementary or secondary school in this state and that reinstatement of the credential will not adversely affect the health, safety, and welfare of pupils.

(b) If the superintendent of public instruction suspended or revoked the credential pursuant to an agreement between the department and the individual, the individual shall provide to the department documentation and other information that establishes satisfaction of the conditions set forth in the agreement.

(c) Not more than 30 calendar days after receipt of the request for reinstatement, the department shall notify the individual in writing of all of the following:

(i) The individual has the right to a hearing.

(ii) If the individual does not request a hearing within 30 calendar days after receipt of notice of the right to a hearing, the superintendent of public instruction shall dismiss the request for reinstatement of the credential.

(iii) If the individual requests a hearing within 30 calendar days after receipt of the notice, there must be an informal conference on the request for reinstatement.

(d) Not more than 30 calendar days after receipt of the notice described in subdivision (c) of this subrule, the individual shall request a hearing. If the individual does not timely request a hearing, the superintendent of public instruction shall dismiss the request for reinstatement of the credential.

(e) If the individual timely requests a hearing, the department shall immediately notify the individual of the date and time of an informal conference on the request for reinstatement. Unless otherwise agreed, the informal conference is a telephone conference with an authorized representative of the department.

(f) After the informal conference and consideration of the documentation and other information presented, the department shall recommend that the superintendent of public instruction reinstate or deny reinstatement of the credential. Based on consideration of the recommendation and the documentation and other information presented, the superintendent of public instruction shall reinstate or deny reinstatement of the credential. The superintendent of public instruction shall not reinstate the credential unless the superintendent of public instruction finds that the individual is currently fit to serve in an elementary or secondary school in this state and that reinstatement will not adversely affect the health, safety, and welfare of pupils.

(g) If the superintendent of public instruction does not reinstate the credential under subdivision (f) of this subrule, the department shall refer the request to the Michigan office of administrative hearings and rules for hearing.

(3) If the superintendent of public instruction suspended or revoked the credential under R 390.1201(b), not more than 30 calendar days after receipt of a request for a hearing on reinstatement, the department shall refer the request to the Michigan office of

administrative hearings and rules under section 1535a(5) or section 1539b(5) of the act, MCL 380.1535a and 380.1539b.

History: 1979 AC; 2006 AACCS; 2024 MR 12, Eff. June 27, 2024.

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 Removal of suspension or revocation of credential after conviction set aside, expunged, or dismissed.

Rule 111. (1) The superintendent of public instruction shall remove the suspension or revocation of a credential if all of the following requirements are met:

(a) The suspension or revocation was based solely on a criminal conviction under section 1535a or section 1539b of the act, MCL 380.1535a and 380.1539b.

(b) The holder of the credential files with the department a request for removal of the suspension or removal that includes documentation satisfactory to the department that the conviction was set aside under 1965 PA 213, MCL 780.621 to 780.624, or otherwise expunged or dismissed by a court of competent jurisdiction.

(c) If the conviction was set aside under section 1g of 1965 PA 213, MCL 780.621g, and the judgment of sentence included an order of restitution, the request for removal includes verification that the individual has fully paid court-ordered restitution or has made a good faith effort to do so.

(2) Removal of a suspension or revocation under this rule does not relieve the holder of the credential of the responsibility to comply with all legal requirements for renewal of the credential.

(3) This rule does not preclude the superintendent of public instruction from taking action against a credential under R 390.1201, or from denying or rescinding a credential under R 390.1204, for a reason other than a conviction that was set aside or otherwise expunged or dismissed.

History: 1979 AC; 2006 AACCS; 2024 MR 12, Eff. June 27, 2024.

R 390.1212 Rescinded.

History: 1979 AC; 2006 AACCS; 2015 AACCS.

R 390.1213 Rescinded.

History: 1979 AC; 2006 AACS; 2015 AACS.

R 390.1214 Rescinded.

History: 1979 AC; 2006 AACS; 2015 AACS.

R 390.1215 Rescinded.

History: 1979 AC; 2006 AACS.

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 office of administrative hearings and rules or may remand a case to the Michigan office of administrative hearings and rules 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 AACS; 2017 AACS; 2020 AACS.