

SUBSTITUTE FOR
SENATE BILL NO. 103

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending sections 1249 and 1249a (MCL 380.1249 and 380.1249a),
section 1249 as amended by 2014 PA 257 and section 1249a as added
by 2011 PA 102, and by adding sections 1249b and 1531j; and to
repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1249. (1) Subject to subsection ~~(7)~~, **(5)**, with the
2 involvement of teachers and school administrators, the board of a
3 school district or intermediate school district or board of
4 directors of a public school academy shall adopt and implement for
5 all teachers and school administrators a rigorous, transparent, and
6 fair performance evaluation system that does all of the following:
7 (a) Evaluates the teacher's or school administrator's job

1 performance at least annually while providing timely and
2 constructive feedback.

3 (b) Establishes clear approaches to measuring student growth
4 and provides teachers and school administrators with relevant data
5 on student growth.

6 (c) Evaluates a teacher's or school administrator's job
7 performance, using multiple rating categories that take into
8 account data on student growth as a significant factor. ~~For~~
9 **BEGINNING IN** 2014-2015, for grades and subjects in which state
10 assessments are administered in compliance with 20 USC 6311,
11 student growth must be measured, at least in part, using the state
12 assessments, and for **CORE CONTENT AREAS IN** grades and subjects in
13 which state assessments are not required and administered, ~~for~~
14 ~~purposes of 20 USC 6311,~~ student growth must be measured, at least
15 in part, using **RESEARCH-BASED GROWTH MEASURES OR** alternative
16 assessments that are rigorous and comparable across schools within
17 the school district, intermediate school district, or public school
18 academy. If the performance evaluation system implemented by a
19 school district, intermediate school district, or public school
20 academy under this section does not already include the rating of
21 teachers as highly effective, effective, minimally effective, and
22 ineffective, then the school district, intermediate school
23 district, or public school academy shall revise the performance
24 evaluation system not later than September 19, 2011 to ensure that
25 it rates teachers as highly effective, effective, minimally
26 effective, or ineffective.

27 (d) Uses the evaluations, at a minimum, to inform decisions

1 regarding all of the following:

2 (i) The effectiveness of teachers and school administrators,
3 ensuring that they are given ample opportunities for improvement.

4 (ii) Promotion, retention, and development of teachers and
5 school administrators, including providing relevant coaching,
6 instruction support, or professional development.

7 (iii) Whether to grant tenure or full certification, or both,
8 to teachers and school administrators using rigorous standards and
9 streamlined, transparent, and fair procedures.

10 (iv) Removing ineffective tenured and untenured teachers and
11 school administrators after they have had ample opportunities to
12 improve, and ensuring that these decisions are made using rigorous
13 standards and streamlined, transparent, and fair procedures.

14 (2) ~~Beginning with the 2015-2016 school year, the~~ **THE** board of
15 a school district or intermediate school district or board of
16 directors of a public school academy shall ensure that the
17 performance evaluation system for teachers meets all of the
18 following:

19 (a) The performance evaluation system shall include at least
20 an annual year-end evaluation for all teachers. ~~An~~ **BEGINNING WITH**
21 **THE 2017-2018 SCHOOL YEAR, AN** annual year-end evaluation shall meet
22 all of the following:

23 (i) ~~At least 50%~~ **FOR THE 2017-2018 SCHOOL YEAR, 25%** of the
24 annual year-end evaluation shall be based on student growth and
25 assessment data. ~~All student growth and assessment data shall be~~
26 ~~measured using the student growth assessment tool that is required~~
27 ~~under legislation enacted by the legislature after review of the~~

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1 ~~recommendations contained in the report of the former Michigan~~
2 ~~council for educator effectiveness.~~ BEGINNING WITH THE 2018-2019
3 SCHOOL YEAR, 40% OF THE ANNUAL YEAR-END EVALUATION SHALL BE BASED
4 ON STUDENT GROWTH AND ASSESSMENT DATA.

5 (ii) FOR CORE CONTENT AREAS IN GRADES AND SUBJECTS IN WHICH
6 STATE ASSESSMENTS ARE ADMINISTERED, <<AND FOR WHICH STUDENT GROWTH
AND ASSESSMENT DATA FROM THE STATE ASSESSMENT ARE AVAILABLE FOR THE
MOST RECENT 3-CONSECUTIVE-SCHOOL-YEAR PERIOD,>> AT LEAST <<40%>> OF
STUDENT GROWTH
7 MUST BE MEASURED USING THE STATE ASSESSMENTS.

8 (iii) FOR CORE CONTENT AREAS IN GRADES AND SUBJECTS IN WHICH
9 STATE ASSESSMENTS ARE NOT REQUIRED AND ADMINISTERED, AT LEAST 50%
10 OF STUDENT GROWTH MUST BE MEASURED USING RESEARCH-BASED GROWTH
11 MEASURES OR ALTERNATIVE ASSESSMENTS THAT ARE RIGOROUS AND
12 COMPARABLE ACROSS SCHOOLS WITHIN THE SCHOOL DISTRICT, INTERMEDIATE
13 SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY. STUDENT GROWTH ALSO MAY
14 BE MEASURED BY STANDARDS-BASED, NATIONALLY NORMED ASSESSMENTS, OR
15 OTHER NATIONAL OR LOCAL ASSESSMENTS, OR BASED ON ACHIEVEMENT OF
16 INDIVIDUALIZED EDUCATION PROGRAM GOALS.

17 (iv) THE PORTION OF A TEACHER'S ANNUAL YEAR-END EVALUATION
18 THAT IS NOT BASED ON STUDENT GROWTH AND ASSESSMENT DATA, AS
19 DESCRIBED UNDER SUBPARAGRAPH (i), SHALL BE BASED PRIMARILY ON A
20 TEACHER'S PERFORMANCE AS MEASURED BY THE EVALUATION TOOL DEVELOPED
21 OR ADOPTED BY THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR
22 PUBLIC SCHOOL ACADEMY UNDER SUBDIVISION (F).

23 (v) THE PORTION OF A TEACHER'S EVALUATION THAT IS NOT MEASURED
24 USING STUDENT GROWTH AND ASSESSMENT DATA, AS DESCRIBED UNDER
25 SUBPARAGRAPH (i), OR USING THE EVALUATION TOOL DEVELOPED OR ADOPTED
26 BY THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC
27 SCHOOL ACADEMY, AS DESCRIBED UNDER SUBPARAGRAPH (iv), SHALL

1 INCORPORATE CRITERIA ENUMERATED IN SECTION 1248(1)(B)(i) TO (iii)
2 THAT ARE NOT OTHERWISE EVALUATED UNDER SUBPARAGRAPH (i) OR (iv).

3 (B) ~~(ii)~~—If there are student growth and assessment data
4 available for a teacher for at least 3 school years, the annual
5 year-end evaluation shall be based on the student growth and
6 assessment data for the most recent 3-consecutive-school-year
7 period. If there are not student growth and assessment data
8 available for a teacher for at least 3 school years, the annual
9 year-end evaluation shall be based on all student growth and
10 assessment data that are available for the teacher.

11 (C) ~~(iii)~~—The annual year-end evaluation shall include
12 specific performance goals that will assist in improving
13 effectiveness for the next school year and are developed by the
14 school administrator or his or her designee conducting the
15 evaluation, in consultation with the teacher, and any recommended
16 training identified by the school administrator or designee, in
17 consultation with the teacher, that would assist the teacher in
18 meeting these goals. For a teacher described in subdivision ~~(b)~~,
19 (D), the school administrator or designee shall develop, in
20 consultation with the teacher, an individualized development plan
21 that includes these goals and training and is designed to assist
22 the teacher to improve his or her effectiveness.

23 (D) ~~(b)~~—The performance evaluation system shall include a
24 midyear progress report for a teacher who is in the first year of
25 the probationary period prescribed by section 1 of article II of
26 1937 (Ex Sess) PA 4, MCL 38.81, or who received a rating of
27 minimally effective or ineffective in his or her most recent annual

1 year-end evaluation. The midyear progress report shall be used as a
2 supplemental tool to gauge a teacher's improvement from the
3 preceding school year and to assist a teacher to improve. All of
4 the following apply to the midyear progress report:

5 (i) The midyear progress report shall be based at least in
6 part on student achievement.

7 (ii) The midyear progress report shall be aligned with the
8 teacher's individualized development plan under subdivision

9 ~~(a) (iii)~~. (C) .

10 (iii) The midyear progress report shall include specific
11 performance goals for the remainder of the school year that are
12 developed by the school administrator conducting the annual year-
13 end evaluation or his or her designee and any recommended training
14 identified by the school administrator or designee that would
15 assist the teacher in meeting these goals. At the midyear progress
16 report, the school administrator or designee shall develop, in
17 consultation with the teacher, a written improvement plan that
18 includes these goals and training and is designed to assist the
19 teacher to improve his or her rating.

20 (iv) The midyear progress report shall not take the place of
21 an annual year-end evaluation.

22 (E) ~~(e)~~ The performance evaluation system shall include
23 classroom observations to assist in the performance evaluations.
24 All of the following apply to these classroom observations:

25 ~~(i) Except as provided in this subdivision, the manner in~~
26 ~~which a classroom observation is conducted shall be prescribed in~~
27 ~~the evaluation tool for teachers described in subdivision (d).~~

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1 (i) ~~(ii)~~—A classroom observation shall include a review of the
2 teacher's lesson plan and the state curriculum standard being used
3 in the lesson and a review of pupil engagement in the lesson.

4 (ii) ~~(iii)~~—A classroom observation does not have to be for an
5 entire class period.

6 (iii) ~~(iv)~~—Unless a teacher has received a rating of effective
7 or highly effective on his or her 2 most recent annual year-end
8 evaluations, there shall be ~~multiple~~ **AT LEAST 2** classroom
9 observations of the teacher each school year. **BEGINNING WITH THE**
10 **2015-2016 SCHOOL YEAR, AT LEAST 1 OBSERVATION MUST BE UNSCHEDULED.**

11 (iv) **BEGINNING WITH THE 2015-2016 SCHOOL YEAR, THE SCHOOL**
12 **ADMINISTRATOR RESPONSIBLE FOR THE TEACHER'S PERFORMANCE EVALUATION**
13 **SHALL CONDUCT AT LEAST 1 OF THE OBSERVATIONS. OTHER OBSERVATIONS**
14 **MAY BE CONDUCTED BY OTHER OBSERVERS WHO ARE TRAINED IN THE USE OF**
15 **THE EVALUATION TOOL THAT IS USED UNDER SUBDIVISION (F). THESE OTHER**
16 **OBSERVERS MAY BE TEACHER LEADERS. THIS SUBPARAGRAPH DOES NOT**
17 **PROHIBIT A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC**
18 **SCHOOL ACADEMY FROM CONSIDERING INDICATORS OF TEACHER PERFORMANCE**
19 **OBSERVED BY OTHER INDIVIDUALS WHO ARE NOT TRAINED IN THE USE OF THE**
20 **EVALUATION TOOL.**

21 (v) **BEGINNING WITH THE 2015-2016 SCHOOL YEAR, A SCHOOL**
22 **DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY**
23 **SHALL ENSURE THAT, WITHIN 30 << >> DAYS AFTER EACH OBSERVATION,**
24 **THE TEACHER IS PROVIDED WITH FEEDBACK FROM THE OBSERVATION. FAILURE**
25 **TO PROVIDE FEEDBACK FROM AN OBSERVATION WITHIN 30 << >> DAYS DOES**
26 **NOT PROHIBIT A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR**
27 **PUBLIC SCHOOL ACADEMY FROM CONSIDERING INFORMATION OBTAINED FROM**

1 **THAT OBSERVATION IN THE TEACHER'S EVALUATION.**

2 (F) ~~(d)~~—For the purposes of conducting annual year-end
3 evaluations under the performance evaluation system, the school
4 district, intermediate school district, or public school academy
5 shall **DEVELOP OR** adopt and implement ~~the state~~**AN** evaluation tool
6 for teachers. ~~that is required under legislation enacted by the~~
7 ~~legislature after review of the recommendations contained in the~~
8 ~~report of the former Michigan council for educator effectiveness.~~
9 ~~However, if a school district, intermediate school district, or~~
10 ~~public school academy has a local evaluation tool for teachers that~~
11 ~~is consistent with the state evaluation tool, the school district,~~
12 ~~intermediate school district, or public school academy may conduct~~
13 ~~annual year end evaluations for teachers using that local~~
14 ~~evaluation tool.~~**BEGINNING WITH THE 2015-2016 SCHOOL YEAR, THE**
15 **EVALUATION TOOL OR TOOLS USED BY THE SCHOOL DISTRICT, INTERMEDIATE**
16 **SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY IN ITS PERFORMANCE**
17 **EVALUATION SYSTEM SHALL BE USED CONSISTENTLY ACROSS THE SCHOOLS**
18 **OPERATED BY A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR**
19 **PUBLIC SCHOOL ACADEMY SO THAT ALL SIMILARLY SITUATED TEACHERS ARE**
20 **EVALUATED USING THE SAME EVALUATION TOOL. THE SCHOOL DISTRICT,**
21 **INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY SHALL POST**
22 **INFORMATION ABOUT THE EVALUATION TOOL ON ITS PUBLIC WEBSITE AS**
23 **REQUIRED UNDER SUBSECTION (4).**

24 (G) ~~(e)~~—The performance evaluation system shall assign an
25 effectiveness rating to each teacher of highly effective,
26 effective, minimally effective, or ineffective, based on his or her
27 score on the annual year-end evaluation described in this

1 subsection.

2 **(H)** ~~(f)~~—As part of the performance evaluation system, and in
3 addition to the requirements of section 1526, a school district,
4 intermediate school district, or public school academy is
5 encouraged to assign a mentor or coach to each teacher who is
6 described in subdivision ~~(b)~~ **(D)**.

7 **(I)** ~~(g)~~—The performance evaluation system may allow for
8 exemption of student growth data for a particular pupil for a
9 school year upon the recommendation of the school administrator
10 conducting the annual year-end evaluation or his or her designee
11 and approval of the school district superintendent or his or her
12 designee, intermediate superintendent or his or her designee, or
13 chief administrator of the public school academy, as applicable.

14 **(J)** ~~(h)~~—The performance evaluation system shall provide that,
15 if a teacher is rated as ineffective on 3 consecutive annual year-
16 end evaluations, the school district, public school academy, or
17 intermediate school district shall dismiss the teacher from his or
18 her employment. This subdivision does not affect the ability of a
19 school district, intermediate school district, or public school
20 academy to dismiss an ineffective teacher from his or her
21 employment regardless of whether the teacher is rated as
22 ineffective on 3 consecutive annual year-end evaluations.

23 **(K)** ~~(i)~~—The performance evaluation system shall provide that,
24 if a teacher is rated as highly effective on 3 consecutive annual
25 year-end evaluations, the school district, intermediate school
26 district, or public school academy may choose to conduct a year-end
27 evaluation biennially instead of annually. However, if a teacher is

1 not rated as highly effective on 1 of these biennial year-end
2 evaluations, the teacher shall again be provided with annual year-
3 end evaluations.

4 (l) ~~(j)~~—The performance evaluation system shall provide that,
5 if a teacher who is not in a probationary period prescribed by
6 section 1 of article II of 1937 (Ex Sess) PA 4, MCL 38.81, is rated
7 as ineffective on an annual year-end evaluation, the teacher may
8 request a review of the evaluation and the rating by the school
9 district superintendent, intermediate superintendent, or chief
10 administrator of the public school academy, as applicable. The
11 request for a review must be submitted in writing within 20 days
12 after the teacher is informed of the rating. Upon receipt of the
13 request, the school district superintendent, intermediate
14 superintendent, or chief administrator of the public school
15 academy, as applicable, shall review the evaluation and rating and
16 may make any modifications as appropriate based on his or her
17 review. However, the performance evaluation system shall not allow
18 for a review as described in this subdivision more than twice in a
19 3-school-year period.

20 (M) BEGINNING WITH THE 2015-2016 SCHOOL YEAR, THE SCHOOL
21 DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY
22 SHALL PROVIDE INFORMATION TO TEACHERS ON THE EVALUATION TOOL OR
23 TOOLS USED BY THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR
24 PUBLIC SCHOOL ACADEMY IN ITS PERFORMANCE EVALUATION SYSTEM AND ON
25 HOW EACH EVALUATION TOOL IS USED.

26 ~~——(3) Beginning with the 2015-2016 school year, the board of a~~
27 ~~school district or intermediate school district or board of~~

~~1 directors of a public school academy shall ensure that the
2 performance evaluation system for building level school
3 administrators and for central office level school administrators
4 who are regularly involved in instructional matters meets all of
5 the following:~~

~~6 — (a) The performance evaluation system shall include at least
7 an annual year end evaluation for all school administrators
8 described in this subsection by the school district superintendent
9 or his or her designee, intermediate superintendent or his or her
10 designee, or chief administrator of the public school academy, as
11 applicable, except that a superintendent or chief administrator
12 shall be evaluated by the board or board of directors.~~

~~13 — (b) At least 50% of the annual year end evaluation shall be
14 based on student growth and assessment data. The student growth and
15 assessment data to be used for the school administrator annual
16 year end evaluation are the aggregate student growth and assessment
17 data that are used in teacher annual year end evaluations in each
18 school in which the school administrator works as an administrator
19 or, for a central office level school administrator, for the entire
20 school district or intermediate school district.~~

~~21 — (c) The portion of the annual year end evaluation that is not
22 based on student growth and assessment data shall be based on at
23 least the following for each school in which the school
24 administrator works as an administrator or, for a central office
25 level school administrator, for the entire school district or
26 intermediate school district.~~

~~27 — (i) If the school administrator conducts teacher performance~~

1 ~~evaluations, the school administrator's training and proficiency in~~
2 ~~using the evaluation tool for teachers described in subsection~~
3 ~~(2)(d), including a random sampling of his or her teacher~~
4 ~~performance evaluations to assess the quality of the school~~
5 ~~administrator's input in the teacher performance evaluation system.~~
6 ~~If the school administrator designates another person to conduct~~
7 ~~teacher performance evaluations, the evaluation of the school~~
8 ~~administrator on this factor shall be based on the designee's~~
9 ~~training and proficiency in using the evaluation tool for teachers~~
10 ~~described in subsection (2)(d), including a random sampling of the~~
11 ~~designee's teacher performance evaluations to assess the quality of~~
12 ~~the designee's input in the teacher performance evaluation system,~~
13 ~~with the designee's performance to be counted as if it were the~~
14 ~~school administrator personally conducting the teacher performance~~
15 ~~evaluations.~~

16 ~~—— (ii) The progress made by the school or school district in~~
17 ~~meeting the goals set forth in the school's school improvement plan~~
18 ~~or the school district's school improvement plans.~~

19 ~~—— (iii) Pupil attendance in the school or school district.~~

20 ~~—— (iv) Student, parent, and teacher feedback, and other~~
21 ~~information considered pertinent by the superintendent or other~~
22 ~~school administrator conducting the performance evaluation or the~~
23 ~~board or board of directors.~~

24 ~~—— (d) For the purposes of conducting performance evaluations~~
25 ~~under the performance evaluation system, the school district,~~
26 ~~intermediate school district, or public school academy shall adopt~~
27 ~~and implement the state evaluation tool for school administrators~~

1 ~~described in this subsection that is required under legislation~~
2 ~~enacted by the legislature after review of the recommendations~~
3 ~~contained in the report of the former Michigan council for educator~~
4 ~~effectiveness. However, if a school district, intermediate school~~
5 ~~district, or public school academy has a local evaluation tool for~~
6 ~~school administrators described in this subsection that is~~
7 ~~consistent with the state evaluation tool, the school district,~~
8 ~~intermediate school district, or public school academy may conduct~~
9 ~~performance evaluations for school administrators using that local~~
10 ~~evaluation tool.~~

11 ~~—— (e) The performance evaluation system shall assign an~~
12 ~~effectiveness rating to each school administrator described in this~~
13 ~~subsection of highly effective, effective, minimally effective, or~~
14 ~~ineffective, based on his or her score on the evaluation tool~~
15 ~~described in subdivision (d).~~

16 ~~—— (f) The performance evaluation system shall ensure that if a~~
17 ~~school administrator described in this subsection is rated as~~
18 ~~minimally effective or ineffective, the person or persons~~
19 ~~conducting the evaluation shall develop and require the school~~
20 ~~administrator to implement an improvement plan to correct the~~
21 ~~deficiencies. The improvement plan shall recommend professional~~
22 ~~development opportunities and other measures designed to improve~~
23 ~~the rating of the school administrator on his or her next annual~~
24 ~~year end evaluation.~~

25 ~~—— (g) The performance evaluation system shall provide that, if a~~
26 ~~school administrator described in this subsection is rated as~~
27 ~~ineffective on 3 consecutive annual year end evaluations, the~~

~~1 school district, public school academy, or intermediate school
2 district shall dismiss the school administrator from his or her
3 employment. However, this subdivision applies only if the 3
4 consecutive annual year end evaluations are conducted using the
5 same evaluation tool and under the same performance evaluation
6 system. This subdivision does not affect the ability of a school
7 district, intermediate school district, or public school academy to
8 dismiss an ineffective school administrator from his or her
9 employment regardless of whether the school administrator is rated
10 as ineffective on 3 consecutive annual year end evaluations.~~

~~11 (h) The performance evaluation system shall provide that, if a
12 school administrator is rated as highly effective on 3 consecutive
13 annual year end evaluations, the school district, intermediate
14 school district, or public school academy may choose to conduct a
15 year end evaluation biennially instead of annually. However, if a
16 school administrator is not rated as highly effective on 1 of these
17 biennial year end evaluations, the school administrator shall again
18 be provided with annual year end evaluations.~~

~~19 (4) It is the intent of the legislature to review the report
20 submitted by the former Michigan council for educator effectiveness
21 and to enact appropriate legislation to put into place a statewide
22 performance evaluation system taking into consideration the
23 recommendations contained in the report.~~

~~24 (5) If all of the following apply for a public school operated
25 by a school district, intermediate school district, or public
26 school academy, then the school district, intermediate school
27 district, or public school academy is not required to comply with~~

1 ~~subsection (2) or (3) for that public school:~~

2 ~~(3) (a) As of July 19, 2011, the school district, intermediate~~
3 ~~school district, or public school academy had already implemented~~
4 ~~and is currently using a performance evaluation system for that~~
5 ~~public school~~ **FOR THE PURPOSES OF THIS SECTION, A SCHOOL DISTRICT,**
6 **INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY IS**
7 **ENCOURAGED TO ADOPT AND IMPLEMENT A PERFORMANCE EVALUATION SYSTEM**
8 **FOR TEACHERS** that meets all of the following: ~~requirements:~~

9 ~~(A) (i)~~ Under the system, ~~the most~~ **A** significant portion of a
10 teacher's ~~or school administrator's~~ evaluation is based on student
11 growth and assessment data, which may include value-added measures.

12 ~~(B) (ii)~~ **FOR STUDENT GROWTH THAT CANNOT BE MEASURED AS**
13 **REQUIRED UNDER SUBSECTION (2) (A) (i) TO (iii),** THE system uses
14 research-based measures to determine student growth. ~~For 2014-2015,~~
15 ~~for grades and subjects in which state assessments are administered~~
16 ~~in compliance with 20 USC 6311, student growth must be measured, at~~
17 ~~least in part, using the state assessments, and for grades and~~
18 ~~subjects in which state assessments are not required and~~
19 ~~administered for purposes of 20 USC 6311, student growth must be~~
20 ~~measured, at least in part, using alternative assessments that are~~
21 ~~rigorous and comparable across schools within the school district,~~
22 ~~intermediate school district, or public school academy. Student~~
23 ~~growth also may be measured by standards based, nationally normed~~
24 ~~assessments and other objective criteria which may include other~~
25 ~~national or local assessments.~~

26 ~~(C) (iii)~~ The system determines professional competence
27 through ~~multiple~~ **AT LEAST 2** direct observations of classroom

1 practices and professional practices throughout the school year.

2 (D) ~~(iv)~~ Under the system, teacher effectiveness and ratings,
3 as measured by student achievement and growth data, are factored
4 into teacher retention, promotion, and termination decisions.

5 (E) ~~(v)~~ Under the system, teacher and school administrator
6 performance evaluation results are used to inform teacher
7 professional development for the succeeding year.

8 (F) ~~(vi)~~ The system ensures that teachers and school
9 administrators are evaluated at least annually.

10 ~~—— (b) The school district, intermediate school district, or
11 public school academy notified the former governor's council on
12 educator effectiveness by November 1, 2011 that it is exempt under
13 this subsection from the requirements of subsections (2) and (3).~~

14 ~~—— (c) The school district, intermediate school district, or
15 public school academy posts a description of its evaluation system
16 on its website.~~

17 ~~—— (6) If, after July 19, 2011, a school district, intermediate
18 school district, or public school academy begins operating a new
19 public school, or implements a new performance evaluation system
20 for a public school it operates, and all of the following apply,
21 then the school district, intermediate school district, or public
22 school academy is not required to comply with subsection (2) or (3)
23 for that public school.~~

24 ~~—— (a) The performance evaluation system adopted and implemented
25 for that public school replicates and is identical to the
26 performance evaluation system of a public school that is exempt
27 under subsection (5).~~

1 ~~—— (b) The school district, intermediate school district, or~~
2 ~~public school academy posts a description of the performance~~
3 ~~evaluation system on its website.~~

4 (4) BEGINNING WITH THE 2017-2018 SCHOOL YEAR, A SCHOOL
5 DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY
6 SHALL POST ON ITS PUBLIC WEBSITE ALL OF THE FOLLOWING INFORMATION
7 ABOUT THE EVALUATION TOOL OR TOOLS IT USES FOR ITS PERFORMANCE
8 EVALUATION SYSTEM FOR TEACHERS:

9 (A) THE RESEARCH BASE FOR THE EVALUATION FRAMEWORK,
10 INSTRUMENT, AND PROCESS OR, IF THE SCHOOL DISTRICT, INTERMEDIATE
11 SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY ADAPTS OR MODIFIES AN
12 EVALUATION TOOL FROM THE LIST UNDER SUBSECTION (6), THE RESEARCH
13 BASE FOR THE LISTED EVALUATION TOOL AND AN ASSURANCE THAT THE
14 ADAPTATIONS OR MODIFICATIONS DO NOT COMPROMISE THE VALIDITY OF THAT
15 RESEARCH BASE.

16 (B) THE IDENTITY AND QUALIFICATIONS OF THE AUTHOR OR AUTHORS
17 OR, IF THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC
18 SCHOOL ACADEMY ADAPTS OR MODIFIES AN EVALUATION TOOL FROM THE LIST
19 UNDER SUBSECTION (6), THE IDENTITY AND QUALIFICATIONS OF A PERSON
20 WITH EXPERTISE IN TEACHER EVALUATIONS WHO HAS REVIEWED THE ADAPTED
21 OR MODIFIED EVALUATION TOOL.

22 (C) EITHER EVIDENCE OF RELIABILITY, VALIDITY, AND EFFICACY OR
23 A PLAN FOR DEVELOPING THAT EVIDENCE OR, IF THE SCHOOL DISTRICT,
24 INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY ADAPTS OR
25 MODIFIES AN EVALUATION TOOL FROM THE LIST UNDER SUBSECTION (6), AN
26 ASSURANCE THAT THE ADAPTATIONS OR MODIFICATIONS DO NOT COMPROMISE
27 THE RELIABILITY, VALIDITY, OR EFFICACY OF THE EVALUATION TOOL OR

1 THE EVALUATION PROCESS.

2 (D) THE EVALUATION FRAMEWORKS AND RUBRICS WITH DETAILED
3 DESCRIPTORS FOR EACH PERFORMANCE LEVEL ON KEY SUMMATIVE INDICATORS.

4 (E) A DESCRIPTION OF THE PROCESSES FOR CONDUCTING CLASSROOM
5 OBSERVATIONS, COLLECTING EVIDENCE, CONDUCTING EVALUATION
6 CONFERENCES, DEVELOPING PERFORMANCE RATINGS, AND DEVELOPING
7 PERFORMANCE IMPROVEMENT PLANS.

8 (F) A DESCRIPTION OF THE PLAN FOR PROVIDING EVALUATORS AND
9 OBSERVERS WITH TRAINING.

10 (5) ~~(7)~~—If a collective bargaining agreement ~~is~~ **WAS** in effect
11 for teachers or school administrators of a school district, public
12 school academy, or intermediate school district as of July 19,
13 2011, **IF THAT SAME COLLECTIVE BARGAINING AGREEMENT IS STILL IN**
14 **EFFECT AS OF THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED**
15 **SECTION 1531J**, and if that collective bargaining agreement prevents
16 compliance with subsection (1), then subsection (1) does not apply
17 to that school district, public school academy, or intermediate
18 school district until after the expiration of that collective
19 bargaining agreement.

20 (6) THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET SHALL
21 ESTABLISH AND MAINTAIN A LIST OF TEACHER EVALUATION TOOLS THAT HAVE
22 DEMONSTRATED EVIDENCE OF EFFICACY AND THAT MAY BE USED FOR THE
23 PURPOSES OF THIS SECTION. THAT LIST MAY INCLUDE EVALUATION MODELS
24 RECOMMENDED IN THE FINAL RECOMMENDATIONS RELEASED BY THE MICHIGAN
25 COUNCIL ON EDUCATOR EFFECTIVENESS IN JULY 2013. THE LIST SHALL
26 INCLUDE A STATEMENT INDICATING THAT SCHOOL DISTRICTS, INTERMEDIATE
27 SCHOOL DISTRICTS, AND PUBLIC SCHOOL ACADEMIES ARE NOT LIMITED TO

1 ONLY USING THE EVALUATION TOOLS THAT ARE INCLUDED ON THE LIST. A
2 SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL
3 ACADEMY IS NOT REQUIRED TO USE AN EVALUATION TOOL FOR TEACHER
4 EVALUATIONS THAT IS THE SAME AS IT USES FOR SCHOOL ADMINISTRATOR
5 EVALUATIONS OR THAT HAS THE SAME AUTHOR OR AUTHORS AS THE
6 EVALUATION TOOL IT USES FOR SCHOOL ADMINISTRATOR EVALUATIONS.

7 (7) THIS SECTION DOES NOT AFFECT THE OPERATION OR
8 APPLICABILITY OF SECTION 1248.

9 Sec. 1249a. (1) BEGINNING WITH THE 2018-2019 SCHOOL YEAR,
10 SUBJECT TO SUBSECTION (2), A SCHOOL DISTRICT, INTERMEDIATE SCHOOL
11 DISTRICT, OR PUBLIC SCHOOL ACADEMY SHALL NOT ASSIGN A PUPIL TO BE
12 TAUGHT IN THE SAME SUBJECT AREA FOR 2 CONSECUTIVE YEARS BY A
13 TEACHER WHO HAS BEEN RATED AS INEFFECTIVE ON HIS OR HER 2 MOST
14 RECENT ANNUAL YEAR-END EVALUATIONS UNDER SECTION 1249.

15 (2) Beginning ~~in 2015-2016,~~ WITH THE 2018-2019 SCHOOL YEAR, if
16 a pupil is assigned to be taught by a teacher who has been rated as
17 ineffective on his or her 2 most recent annual year-end evaluations
18 under section 1249, SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT,
19 OR PUBLIC SCHOOL ACADEMY IS UNABLE TO COMPLY WITH SUBSECTION (1)
20 AND PLANS TO ASSIGN A PUPIL TO BE TAUGHT IN THE SAME SUBJECT AREA
21 FOR 2 CONSECUTIVE YEARS BY A TEACHER WHO HAS BEEN RATED AS
22 INEFFECTIVE ON HIS OR HER 2 MOST RECENT ANNUAL YEAR-END EVALUATIONS
23 UNDER SECTION 1249, the board of the school district or
24 intermediate school district or board of directors of the public
25 school academy in which the pupil is enrolled shall notify the
26 pupil's parent or legal guardian that the BOARD OR BOARD OF
27 DIRECTORS IS UNABLE TO COMPLY WITH SUBSECTION (1) AND THAT THE

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1 pupil has been assigned to **BE TAUGHT IN THE SAME SUBJECT AREA FOR A**
 2 **SECOND CONSECUTIVE YEAR BY** a teacher who has been rated as
 3 ineffective on his or her 2 most recent annual year-end
 4 evaluations. The notification shall be in writing, shall be
 5 delivered to the parent or legal guardian not later than July 15
 6 immediately preceding the beginning of the school year for which
 7 the pupil is assigned to the teacher, and shall ~~identify the~~
 8 ~~teacher who is the subject of the notification.~~ **INCLUDE AN**
 9 **EXPLANATION OF WHY THE BOARD OR BOARD OF DIRECTORS IS UNABLE TO**
 10 **COMPLY WITH SUBSECTION (1).**

11 **SEC. 1249B. (1) THE BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE**
 12 **SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY**
 13 **SHALL ENSURE THAT THE PERFORMANCE EVALUATION SYSTEM FOR BUILDING-**
 14 **LEVEL SCHOOL ADMINISTRATORS AND FOR CENTRAL-OFFICE-LEVEL SCHOOL**
 15 **ADMINISTRATORS WHO ARE REGULARLY INVOLVED IN INSTRUCTIONAL MATTERS**
 16 **MEETS ALL OF THE FOLLOWING:**

17 **(A) THE PERFORMANCE EVALUATION SYSTEM SHALL INCLUDE AT LEAST**
 18 **AN ANNUAL EVALUATION FOR ALL SCHOOL ADMINISTRATORS DESCRIBED IN**
 19 **THIS SUBSECTION BY THE SCHOOL DISTRICT SUPERINTENDENT OR HIS OR HER**
 20 **DESIGNEE, INTERMEDIATE SUPERINTENDENT OR HIS OR HER DESIGNEE, OR**
 21 **CHIEF ADMINISTRATOR OF THE PUBLIC SCHOOL ACADEMY, AS APPLICABLE.**
 22 **HOWEVER, A SUPERINTENDENT OR CHIEF ADMINISTRATOR SHALL BE EVALUATED**
 23 **BY THE BOARD OR BOARD OF DIRECTORS OR, IF THE SUPERINTENDENT OR**
 24 **CHIEF ADMINISTRATOR IS NOT EMPLOYED DIRECTLY BY THE BOARD OR BOARD**
 25 **OF DIRECTORS, BY THE DESIGNEE OF THE BOARD OR BOARD OF DIRECTORS.**

26 **(B) FOR THE 2017-2018 SCHOOL YEAR, 25% OF THE ANNUAL << >>**
 27 **EVALUATION SHALL BE BASED ON STUDENT GROWTH AND ASSESSMENT DATA.**

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1 BEGINNING WITH THE 2018-2019 SCHOOL YEAR, 40% OF THE ANNUAL <<
2 >> EVALUATION SHALL BE BASED ON STUDENT GROWTH AND ASSESSMENT
3 DATA. THE STUDENT GROWTH AND ASSESSMENT DATA TO BE USED FOR THE
4 SCHOOL ADMINISTRATOR ANNUAL << >> EVALUATION ARE THE AGGREGATE
5 STUDENT GROWTH AND ASSESSMENT DATA THAT ARE USED IN TEACHER ANNUAL
6 YEAR-END EVALUATIONS IN EACH SCHOOL IN WHICH THE SCHOOL
7 ADMINISTRATOR WORKS AS AN ADMINISTRATOR OR, FOR A CENTRAL-OFFICE-
8 LEVEL SCHOOL ADMINISTRATOR, FOR THE ENTIRE SCHOOL DISTRICT OR
9 INTERMEDIATE SCHOOL DISTRICT.

10 (C) THE PORTION OF THE ANNUAL << >> EVALUATION THAT IS NOT
11 BASED ON STUDENT GROWTH AND ASSESSMENT DATA SHALL BE BASED ON AT
12 LEAST THE FOLLOWING FOR EACH SCHOOL IN WHICH THE SCHOOL
13 ADMINISTRATOR WORKS AS AN ADMINISTRATOR OR, FOR A CENTRAL-OFFICE-
14 LEVEL SCHOOL ADMINISTRATOR, FOR THE ENTIRE SCHOOL DISTRICT OR
15 INTERMEDIATE SCHOOL DISTRICT:

16 (i) IF THE SCHOOL ADMINISTRATOR CONDUCTS TEACHER PERFORMANCE
17 EVALUATIONS, THE SCHOOL ADMINISTRATOR'S PROFICIENCY IN USING THE
18 EVALUATION TOOL FOR TEACHERS USED BY THE SCHOOL DISTRICT,
19 INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY UNDER
20 SECTION 1249. IF THE SCHOOL ADMINISTRATOR DESIGNATES ANOTHER PERSON
21 TO CONDUCT TEACHER PERFORMANCE EVALUATIONS, THE EVALUATION OF THE
22 SCHOOL ADMINISTRATOR ON THIS FACTOR SHALL BE BASED ON THE
23 DESIGNEE'S PROFICIENCY IN USING THE EVALUATION TOOL FOR TEACHERS
24 USED BY THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR
25 PUBLIC SCHOOL ACADEMY UNDER SECTION 1249, WITH THE DESIGNEE'S
26 PERFORMANCE TO BE COUNTED AS IF IT WERE THE SCHOOL ADMINISTRATOR
27 PERSONALLY CONDUCTING THE TEACHER PERFORMANCE EVALUATIONS.

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1 (ii) THE PROGRESS MADE BY THE SCHOOL OR SCHOOL DISTRICT IN
2 MEETING THE GOALS SET FORTH IN THE SCHOOL'S SCHOOL IMPROVEMENT PLAN
3 OR THE SCHOOL DISTRICT'S SCHOOL IMPROVEMENT PLANS.

4 (iii) PUPIL ATTENDANCE IN THE SCHOOL OR SCHOOL DISTRICT.

5 (iv) STUDENT, PARENT, AND TEACHER FEEDBACK, AS AVAILABLE, AND
6 OTHER INFORMATION CONSIDERED PERTINENT BY THE SUPERINTENDENT OR
7 OTHER SCHOOL ADMINISTRATOR CONDUCTING THE PERFORMANCE EVALUATION OR
8 THE BOARD OR BOARD OF DIRECTORS.

9 (D) THE MEASURES USED BY THE SCHOOL DISTRICT, INTERMEDIATE
10 SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY IN ITS PERFORMANCE
11 EVALUATION SYSTEM FOR SCHOOL ADMINISTRATORS SHALL BE USED
12 CONSISTENTLY ACROSS THE SCHOOLS OPERATED BY A SCHOOL DISTRICT,
13 INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY SO THAT ALL
14 SIMILARLY SITUATED SCHOOL ADMINISTRATORS ARE EVALUATED USING THE
15 SAME MEASURES.

16 (E) THE PERFORMANCE EVALUATION SYSTEM SHALL ASSIGN AN
17 EFFECTIVENESS RATING TO EACH SCHOOL ADMINISTRATOR DESCRIBED IN THIS
18 SUBSECTION OF HIGHLY EFFECTIVE, EFFECTIVE, MINIMALLY EFFECTIVE, OR
19 INEFFECTIVE.

20 (F) THE PERFORMANCE EVALUATION SYSTEM SHALL ENSURE THAT IF A
21 SCHOOL ADMINISTRATOR DESCRIBED IN THIS SUBSECTION IS RATED AS
22 MINIMALLY EFFECTIVE OR INEFFECTIVE, THE PERSON OR PERSONS
23 CONDUCTING THE EVALUATION SHALL DEVELOP AND REQUIRE THE SCHOOL
24 ADMINISTRATOR TO IMPLEMENT AN IMPROVEMENT PLAN TO CORRECT THE
25 DEFICIENCIES. THE IMPROVEMENT PLAN SHALL RECOMMEND PROFESSIONAL
26 DEVELOPMENT OPPORTUNITIES AND OTHER ACTIONS DESIGNED TO IMPROVE THE
27 RATING OF THE SCHOOL ADMINISTRATOR ON HIS OR HER NEXT ANNUAL <<

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1 >> EVALUATION.

2 (G) THE PERFORMANCE EVALUATION SYSTEM SHALL PROVIDE THAT, IF A
3 SCHOOL ADMINISTRATOR DESCRIBED IN THIS SUBSECTION IS RATED AS
4 INEFFECTIVE ON 3 CONSECUTIVE ANNUAL << >> EVALUATIONS, THE
5 SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL
6 DISTRICT SHALL DISMISS THE SCHOOL ADMINISTRATOR FROM HIS OR HER
7 EMPLOYMENT. THIS SUBDIVISION DOES NOT AFFECT THE ABILITY OF A
8 SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL
9 ACADEMY TO DISMISS AN INEFFECTIVE SCHOOL ADMINISTRATOR FROM HIS OR
10 HER EMPLOYMENT REGARDLESS OF WHETHER THE SCHOOL ADMINISTRATOR IS
11 RATED AS INEFFECTIVE ON 3 CONSECUTIVE ANNUAL << >> EVALUATIONS.

12 (H) THE PERFORMANCE EVALUATION SYSTEM SHALL PROVIDE THAT, IF A
13 SCHOOL ADMINISTRATOR IS RATED AS HIGHLY EFFECTIVE ON 3 CONSECUTIVE
14 ANNUAL << >> EVALUATIONS, THE SCHOOL DISTRICT, INTERMEDIATE
15 SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY MAY CHOOSE TO CONDUCT A
16 << >> EVALUATION BIENNIALLY INSTEAD OF ANNUALLY. HOWEVER, IF A
17 SCHOOL ADMINISTRATOR IS NOT RATED AS HIGHLY EFFECTIVE ON 1 OF THESE
18 BIENNIAL << >> EVALUATIONS, THE SCHOOL ADMINISTRATOR SHALL AGAIN
19 BE PROVIDED WITH ANNUAL << >> EVALUATIONS.

20 (I) THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR
21 PUBLIC SCHOOL ACADEMY SHALL PROVIDE INFORMATION TO SCHOOL
22 ADMINISTRATORS ON THE MEASURES USED BY THE SCHOOL DISTRICT,
23 INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY IN ITS
24 PERFORMANCE EVALUATION SYSTEM FOR SCHOOL ADMINISTRATORS AND ON HOW
25 EACH OF THE MEASURES IS USED.

26 (2) FOR THE PURPOSES OF THIS SECTION, A SCHOOL DISTRICT,
27 INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY IS

1 ENCOURAGED TO ADOPT AND IMPLEMENT A PERFORMANCE EVALUATION SYSTEM
2 FOR SCHOOL ADMINISTRATORS THAT MEETS ALL OF THE FOLLOWING:

3 (A) UNDER THE SYSTEM, A SIGNIFICANT PORTION OF A SCHOOL
4 ADMINISTRATOR'S EVALUATION IS BASED ON STUDENT GROWTH AND
5 ASSESSMENT DATA, WHICH MAY INCLUDE VALUE-ADDED MEASURES.

6 (B) THE SYSTEM USES RESEARCH-BASED MEASURES TO DETERMINE
7 STUDENT GROWTH.

8 (C) THE SYSTEM DETERMINES PROFESSIONAL COMPETENCE THROUGH
9 EVALUATION OF PROFESSIONAL PRACTICES USING A RESEARCH-BASED
10 FRAMEWORK.

11 (D) UNDER THE SYSTEM, SCHOOL ADMINISTRATOR EFFECTIVENESS AND
12 RATINGS, AS MEASURED BY STUDENT ACHIEVEMENT AND GROWTH DATA, ARE
13 FACTORED INTO SCHOOL ADMINISTRATOR RETENTION, PROMOTION, AND
14 TERMINATION DECISIONS.

15 (E) UNDER THE SYSTEM, SCHOOL ADMINISTRATOR PERFORMANCE
16 EVALUATION RESULTS ARE USED TO INFORM SCHOOL ADMINISTRATOR
17 PROFESSIONAL DEVELOPMENT FOR THE SUCCEEDING YEAR.

18 (F) THE SYSTEM ENSURES THAT SCHOOL ADMINISTRATORS ARE
19 EVALUATED AT LEAST ANNUALLY.

20 (3) BEGINNING WITH THE 2017-2018 SCHOOL YEAR, A SCHOOL
21 DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY
22 SHALL POST ON ITS PUBLIC WEBSITE ALL OF THE FOLLOWING INFORMATION
23 ABOUT THE MEASURES IT USES FOR ITS PERFORMANCE EVALUATION SYSTEM
24 FOR SCHOOL ADMINISTRATORS:

25 (A) THE RESEARCH BASE FOR THE EVALUATION FRAMEWORK,
26 INSTRUMENT, AND PROCESS.

27 (B) THE IDENTITY AND QUALIFICATIONS OF THE AUTHOR OR AUTHORS.

1 (C) EITHER EVIDENCE OF RELIABILITY, VALIDITY, AND EFFICACY OR
2 A PLAN FOR DEVELOPING THAT EVIDENCE.

3 (D) THE EVALUATION FRAMEWORKS AND RUBRICS, WITH DETAILED
4 DESCRIPTORS FOR EACH PERFORMANCE LEVEL ON KEY SUMMATIVE INDICATORS.

5 (E) A DESCRIPTION OF THE PROCESSES FOR COLLECTING EVIDENCE,
6 CONDUCTING EVALUATION CONFERENCES, DEVELOPING PERFORMANCE RATINGS,
7 AND DEVELOPING PERFORMANCE IMPROVEMENT PLANS.

8 (F) A DESCRIPTION OF THE PLAN FOR PROVIDING EVALUATORS AND
9 OBSERVERS WITH TRAINING.

10 (4) THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET SHALL
11 ESTABLISH AND MAINTAIN A LIST OF SCHOOL ADMINISTRATOR EVALUATION
12 TOOLS THAT HAVE DEMONSTRATED EVIDENCE OF EFFICACY AND THAT MAY BE
13 USED FOR THE PURPOSES OF THIS SECTION. THAT LIST MAY INCLUDE THE 2
14 EVALUATION MODELS RECOMMENDED IN THE FINAL RECOMMENDATIONS RELEASED
15 BY THE MICHIGAN COUNCIL ON EDUCATOR EFFECTIVENESS IN JULY 2013. THE
16 LIST SHALL INCLUDE A STATEMENT INDICATING THAT SCHOOL DISTRICTS,
17 INTERMEDIATE SCHOOL DISTRICTS, AND PUBLIC SCHOOL ACADEMIES ARE NOT
18 LIMITED TO ONLY USING THE EVALUATION TOOLS THAT ARE INCLUDED ON THE
19 LIST. A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC
20 SCHOOL ACADEMY IS NOT REQUIRED TO USE AN EVALUATION TOOL FOR SCHOOL
21 ADMINISTRATOR EVALUATIONS THAT IS THE SAME AS IT USES FOR TEACHER
22 EVALUATIONS OR THAT HAS THE SAME AUTHOR OR AUTHORS AS THE
23 EVALUATION TOOL IT USES FOR TEACHER EVALUATIONS.

24 SEC. 1531J. NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT OR
25 A RULE TO THE CONTRARY, BEGINNING JULY 1, 2018, THE SUPERINTENDENT
26 OF PUBLIC INSTRUCTION SHALL NOT ISSUE AN INITIAL PROFESSIONAL
27 TEACHING CERTIFICATE TO AN INDIVIDUAL UNLESS THE INDIVIDUAL

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1 PRESENTS EVIDENCE SATISFACTORY TO THE SUPERINTENDENT OF PUBLIC
2 INSTRUCTION DEMONSTRATING THAT HE OR SHE MEETS ALL OF THE
3 FOLLOWING:

4 (A) THE INDIVIDUAL HAS SUCCESSFULLY COMPLETED AT LEAST 3 FULL
5 YEARS OF CLASSROOM TEACHING.

6 (B) THE INDIVIDUAL MEETS EITHER OF THE FOLLOWING:

7 (i) WAS RATED AS EITHER EFFECTIVE OR HIGHLY EFFECTIVE ON HIS
8 OR HER ANNUAL YEAR-END PERFORMANCE EVALUATION UNDER SECTION 1249
9 FOR THE 3 CONSECUTIVE SCHOOL YEARS IMMEDIATELY PRECEDING HIS OR HER
10 APPLICATION FOR THE PROFESSIONAL TEACHING CERTIFICATE.

11 (ii) WAS RATED AS EITHER EFFECTIVE OR HIGHLY EFFECTIVE ON HIS
12 OR HER ANNUAL YEAR-END PERFORMANCE EVALUATION UNDER SECTION 1249
13 FOR AT LEAST 3 NONCONSECUTIVE SCHOOL YEARS BEFORE HIS OR HER
14 APPLICATION FOR THE PROFESSIONAL TEACHING CERTIFICATE AND SUBMITS A
15 RECOMMENDATION FROM THE CHIEF SCHOOL ADMINISTRATOR OF THE SCHOOL AT
16 WHICH HE OR SHE IS CURRENTLY EMPLOYED THAT HE OR SHE BE ISSUED A
17 PROFESSIONAL TEACHING CERTIFICATE.

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26 Enacting section 1. Section 95a of the state school aid act of
27 1979, 1979 PA 94, MCL 388.1695a, is repealed.

1 Enacting section 2. This amendatory act takes effect 90 days
2 after the date it is enacted into law.