

SENATE BILL NO. 260

March 18, 2021, Introduced by Senators ZORN, HORN, LASATA, THEIS, VICTORY, DALEY, SCHMIDT and VANDERWALL and referred to the Committee on Education and Career Readiness.

A bill to amend 1937 (Ex Sess) PA 4, entitled

"An act relative to continuing tenure of office of certificated teachers in public educational institutions; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to create a state tenure commission and to prescribe the powers and duties thereof; and to prescribe penalties for violation of the provisions of this act,"

by amending sections 2a and 3b of article II and section 3 of article III (MCL 38.82a, 38.93, and 38.83b), sections 2a and 3b of article II as added and section 3 of article III as amended by 2011

PA 101.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **ARTICLE II**

2 Sec. 2a. ~~A~~**Before the effective date of the amendatory act**
 3 **that added section 1249c to the revised school code, 1976 PA 451,**
 4 **MCL 380.1249c, a** probationary teacher who is rated as effective or
 5 highly effective on his or her most recent annual year-end
 6 performance evaluation under section 1249 of the revised school
 7 code, 1976 PA 451, MCL 380.1249, is not subject to being displaced
 8 by a teacher on continuing tenure solely because the other teacher
 9 has continuing tenure. **Subject to section 1249c of the revised**
 10 **school code, 1976 PA 451, MCL 380.1249c, on or after the effective**
 11 **date of the amendatory act that added section 1249c to the revised**
 12 **school code, 1976 PA 451, MCL 380.1249c, a probationary teacher who**
 13 **is rated as effective on his or her most recent annual year-end**
 14 **performance evaluation under section 1249 of the revised school**
 15 **code, 1976 PA 451, MCL 380.1249, is not subject to being displaced**
 16 **by a teacher on continuing tenure solely because the other teacher**
 17 **has continuing tenure.**

18 Sec. 3b. (1) Except as otherwise provided in subsection (2),
 19 **before the effective date of the amendatory act that added section**
 20 **1249c to the revised school code, 1976 PA 451, MCL 380.1249c, a**
 21 **teacher ~~shall~~is not be** considered to have successfully completed
 22 the probationary period unless the teacher has been rated as
 23 effective or highly effective on his or her 3 most recent annual
 24 year-end performance evaluations under section 1249 of the revised
 25 school code, 1976 PA 451, MCL 380.1249, and has completed at least
 26 5 full school years of employment in a probationary period. **Subject**
 27 **to section 1249c of the revised school code, 1976 PA 451, MCL**

1 380.1249c, on or after the effective date of the amendatory act
2 that added section 1249c to the revised school code, 1976 PA 451,
3 MCL 380.1249c, a teacher is not considered to have successfully
4 completed the probationary period unless the teacher has been rated
5 as effective on his or her 3 most recent annual year-end
6 performance evaluations under section 1249 of the revised school
7 code, 1976 PA 451, MCL 380.1249, and has completed at least 5 full
8 school years of employment in a probationary period.

9 (2) ~~If~~ Before the effective date of the amendatory act that
10 added section 1249c to the revised school code, 1976 PA 451, MCL
11 380.1249c, if a teacher has been rated as highly effective on 3
12 consecutive annual year-end performance evaluations under section
13 1249 of the revised school code, 1976 PA 451, MCL 380.1249, and has
14 completed at least 4 full school years of employment in a
15 probationary period, the teacher ~~shall be~~ **is** considered to have
16 successfully completed the probationary period. **Subject to section**
17 **1249c of the revised school code, 1976 PA 451, MCL 380.1249c, on or**
18 **after the effective date of the amendatory act that added section**
19 **1249c to the revised school code, 1976 PA 451, MCL 380.1249c, if a**
20 **teacher has been rated as effective on 3 consecutive annual year-**
21 **end performance evaluations under section 1249 of the revised**
22 **school code, 1976 PA 451, MCL 380.1249, and has completed at least**
23 **4 full school years of employment in a probationary period, the**
24 **teacher is considered to have successfully completed the**
25 **probationary period.**

26 ARTICLE III

27 Sec. 3. The controlling board of the school district employing
28 a teacher on continuing tenure shall ensure that the teacher is
29 provided with an annual year-end performance evaluation in

1 accordance with section 1249 of the revised school code, 1976 PA
2 451, MCL 380.1249. ~~If~~ **Before the effective date of the amendatory**
3 **act that added section 1249c to the revised school code, 1976 PA**
4 **451, MCL 380.1249c, if** the teacher has received a rating of
5 ineffective or minimally effective on an annual year-end
6 performance evaluation, the school district shall provide the
7 teacher with an individualized development plan developed by
8 appropriate administrative personnel in consultation with the
9 individual teacher. **Subject to section 1249c of the revised school**
10 **code, 1976 PA 451, MCL 380.1249c, on or after the effective date of**
11 **the amendatory act that added section 1249c to the revised school**
12 **code, 1976 PA 451, MCL 380.1249c, if the teacher has received a**
13 **rating of ineffective or emerging on an annual year-end performance**
14 **evaluation, the school district shall provide the teacher with an**
15 **individualized development plan developed by appropriate**
16 **administrative personnel in consultation with the individual**
17 **teacher.** The individualized development plan ~~shall~~ **must** require the
18 teacher to make progress toward individual development goals within
19 a specified time period, not to exceed 180 days. The annual year-
20 end performance evaluation ~~shall~~ **must** be based on multiple
21 classroom observations conducted during the period covered by the
22 evaluation and ~~shall~~ **must** include, in addition to the factors
23 required under section 1249 of the revised school code, 1976 PA
24 451, MCL 380.1249, at least an assessment of the teacher's progress
25 in meeting the goals of his or her individualized development plan.
26 The controlling board shall determine the format and number of the
27 classroom observations in consultation with teachers and school
28 administrators.

29 Enacting section 1. This amendatory act does not take effect

1 unless all of the following bills of the 101st Legislature are
2 enacted into law:

3 (a) Senate Bill No. 56.

4 (b) Senate Bill No. 57.

5 (c) Senate Bill No. 267.

6

7 (d) Senate Bill No. 268.

8

9 (e) Senate Bill No. 261.

10

11 (f) Senate Bill No. 262.

12

13 (g) Senate Bill No. 263.

14

15 (h) Senate Bill No. 264.

16

17 (i) Senate Bill No. 266.

18

19 (j) Senate Bill No. 265.

20