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BILL ANALYSIS

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Senate Bill 344 (as introduced 4-26-11)
Sponsor: Senator Dave Hildenbrand
Committee: Education

Date Completed: 5-3-11

CONTENT

The bill would amend the teachers' tenure Act to provide for a probationary teacher to have the same right to employment as a teacher on continuing tenure in a "school of innovation" in a district meeting specific criteria (Grand Rapids Public Schools).

Under the Act, a teacher typically is in a probationary period during his or her first four full school years of employment. After satisfactorily completing the probationary period, a teacher is on continuing tenure and may not be dismissed or demoted except as provided by the Act.

Under the bill, if a probationary teacher were assigned to teach in a school of innovation and were rated effective or highly effective on the annual year-end performance evaluation required under the Act or the Revised School Code, then a teacher on continuing tenure would not have any greater right under the Act to employment than the probationary teacher, and the probationary teacher would not be subject to being displaced from his or her teaching assignment by a teacher on continuing tenure solely because the other teacher had continuing tenure.

"School of innovation" would mean a school, or a program within a school, that is operated by a school district that meets both of the following criteria:

- The district is located in whole or in part in a city with a population of at least 150,000 but less than 600,000 as of the most recent decennial census.
- The percentage of pupils enrolled in the district who are eligible for free or reduced-price lunch is at least 70%.

In addition, the school or program would have to be subject to an order to implement some type of school improvement measure under Section 1280 or 1280c of the Revised School Code, or under the Federal No Child Left Behind Act, or any other similar State or Federal school reform law.

(Under Section 1280 of the Revised School Code, a school is subject to various measures if it does not meet the standards established for accreditation. Section 1280c applies to schools that are determined to be among the lowest-achieving 5% of all public schools in the State.)

FISCAL IMPACT

The bill would have no fiscal impact on the State.

By allowing a probationary teacher in the specified circumstances to be equally considered for continued employment as a tenured teacher, the bill would create a potential for some school district savings if the probationary teacher had a smaller compensation cost than the tenured teacher, and if both were vying for the same position. This bill would affect only Grand Rapids Public Schools (GRPS), and so any district savings, likely to be fairly minimal, that could occur would accrue only to GRPS.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.