

# HOUSE BILL No. 4625

April 24, 2013, Introduced by Reps. Lund, Lyons, Kelly, Crawford, Rogers, Schmidt, Yonker, Walsh, Genetski, Victory, Poleski and Foster and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1250 (MCL 380.1250), as amended by 2009 PA 205.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1250. (1) ~~A~~**EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,**  
2 **A** school district, public school academy, or intermediate school  
3 district shall implement and maintain a method of compensation for  
4 its teachers and school administrators that includes job  
5 performance and job accomplishments as a significant factor in  
6 determining compensation and additional compensation. The  
7 assessment of job performance shall incorporate a rigorous,  
8 transparent, and fair evaluation system that evaluates a teacher's  
9 or school administrator's performance at least in part based upon  
10 data on student growth as measured by assessments and other  
11 objective criteria.

1           (2) If a collective bargaining agreement is in effect for  
2 teachers or school administrators of a school district, public  
3 school academy, or intermediate school district as of ~~the effective~~  
4 ~~date of the amendatory act that added this subsection,~~ **JANUARY 4,**  
5 **2010,** and if that collective bargaining agreement prevents  
6 compliance with subsection (1), then subsection (1) does not apply  
7 to that school district, public school academy, or intermediate  
8 school district until after the expiration of that collective  
9 bargaining agreement.

10           (3) **FOR TEACHERS AND SCHOOL ADMINISTRATORS WHO ARE HIRED AFTER**  
11 **THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS**  
12 **SUBSECTION, A SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR**  
13 **INTERMEDIATE SCHOOL DISTRICT SHALL IMPLEMENT AND MAINTAIN A METHOD**  
14 **OF COMPENSATION THAT INCLUDES JOB PERFORMANCE AND JOB**  
15 **ACCOMPLISHMENTS AS THE PRIMARY FACTOR IN DETERMINING COMPENSATION**  
16 **AND ADDITIONAL COMPENSATION. THE ASSESSMENT OF JOB PERFORMANCE**  
17 **SHALL INCORPORATE A RIGOROUS, TRANSPARENT, AND FAIR EVALUATION**  
18 **SYSTEM THAT EVALUATES A TEACHER'S OR SCHOOL ADMINISTRATOR'S**  
19 **PERFORMANCE PRIMARILY BASED UPON DATA ON STUDENT GROWTH AS MEASURED**  
20 **BY ASSESSMENTS AND OTHER OBJECTIVE CRITERIA.**

21           (4) **FOR TEACHERS AND SCHOOL ADMINISTRATORS WHO ARE HIRED AFTER**  
22 **THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS**  
23 **SUBSECTION, A SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR**  
24 **INTERMEDIATE SCHOOL DISTRICT SHALL NOT USE LENGTH OF SERVICE OR**  
25 **ACHIEVEMENT OF AN ADVANCED DEGREE AS A FACTOR IN COMPENSATION**  
26 **LEVELS OR ADJUSTMENTS IN COMPENSATION EXCEPT AS FOLLOWS:**

27           **(A) FOR A TEACHER WITH A SECONDARY LEVEL TEACHING CERTIFICATE**

1 WHO HAS A SUBJECT AREA ENDORSEMENT AND WHO TEACHES IN THAT SUBJECT  
2 AREA, AN ADVANCED DEGREE ACHIEVED IN THAT SUBJECT AREA MAY BE  
3 CONSIDERED AS A FACTOR IN THE TEACHER'S BASE COMPENSATION.

4 (B) FOR A TEACHER WITH AN ELEMENTARY LEVEL TEACHING  
5 CERTIFICATE WHO TEACHES IN AN ELEMENTARY GRADE, AN ADVANCED DEGREE  
6 IN ELEMENTARY EDUCATION MAY BE CONSIDERED AS A FACTOR IN THE  
7 TEACHER'S BASE COMPENSATION.

8 (5) IF A COLLECTIVE BARGAINING AGREEMENT IS IN EFFECT FOR  
9 TEACHERS OR SCHOOL ADMINISTRATORS OF A SCHOOL DISTRICT, PUBLIC  
10 SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL DISTRICT AS OF THE EFFECTIVE  
11 DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION, AND IF THAT  
12 COLLECTIVE BARGAINING AGREEMENT PREVENTS COMPLIANCE WITH SUBSECTION  
13 (3) OR (4), THEN SUBSECTION (3) OR (4) OR BOTH, AS APPLICABLE, DO  
14 NOT APPLY TO THAT SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR  
15 INTERMEDIATE SCHOOL DISTRICT UNTIL AFTER THE EXPIRATION OF THAT  
16 COLLECTIVE BARGAINING AGREEMENT.