

# SENATE BILL No. 1509

September 23, 2010, Introduced by Senator KUIPERS and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending section 1249 (MCL 380.1249), as added by 2009 PA 205.

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

1       Sec. 1249. (1) ~~With~~ **SUBJECT TO SUBSECTION (2), 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  
8 performance at least annually while providing timely and

1 constructive feedback.

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

5 (c) Evaluates a teacher's or school administrator's job  
6 performance, using multiple rating categories that take into  
7 account data on student growth as a significant factor. For these  
8 purposes, student growth shall be measured by national, state, or  
9 local assessments and other objective criteria.

10 (d) Uses the evaluations, at a minimum, to inform decisions  
11 regarding all of the following:

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

14 (ii) Promotion, retention, and development of teachers and  
15 school administrators, including providing relevant coaching,  
16 instruction support, or professional development.

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

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

24 **(2) IF A COLLECTIVE BARGAINING AGREEMENT IS IN EFFECT FOR**  
25 **TEACHERS OR SCHOOL ADMINISTRATORS OF A SCHOOL DISTRICT, PUBLIC**  
26 **SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL DISTRICT AS OF JANUARY 4,**  
27 **2010, AND IF THAT COLLECTIVE BARGAINING AGREEMENT PREVENTS**

1 COMPLIANCE WITH SUBSECTION (1), THEN SUBSECTION (1) DOES NOT APPLY  
2 TO THAT SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR INTERMEDIATE  
3 SCHOOL DISTRICT UNTIL AFTER THE EXPIRATION OF THAT COLLECTIVE  
4 BARGAINING AGREEMENT.

5 (3) THE DEPARTMENT SHALL WORK WITH ORGANIZATIONS THAT  
6 REPRESENT PUBLIC SCHOOL EMPLOYEES AND MANAGEMENT AND THAT HAVE  
7 SERVED MEMBERS ON A STATEWIDE BASIS FOR AT LEAST 10 YEARS TO  
8 DEVELOP AND MAKE AVAILABLE TO PUBLIC SCHOOLS 1 OR MORE MODEL  
9 EVALUATION SYSTEMS THAT MEET THE REQUIREMENTS OF SUBSECTION (1).