

# HOUSE BILL No. 4551

April 13, 2011, Introduced by Rep. Yonker 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 school district, public school academy, or  
2       intermediate school district shall implement and maintain a method  
3       of compensation for its teachers and school administrators that  
4       includes job performance and job accomplishments as a significant  
5       factor in determining compensation and additional compensation. The  
6       assessment of job performance shall incorporate a rigorous,  
7       transparent, and fair evaluation system that evaluates a teacher's  
8       or school administrator's performance at least in part based upon  
9       data on student growth as measured by assessments and other

1 objective criteria.

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

11 (3) **THE BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL**  
12 **DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY SHALL**  
13 **ENSURE THAT THE METHOD OF COMPENSATION IMPLEMENTED AND MAINTAINED**  
14 **BY THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC**  
15 **SCHOOL ACADEMY UNDER SUBSECTION (1) DOES NOT AWARD A STEP INCREASE**  
16 **TO A TEACHER OR SCHOOL ADMINISTRATOR UNLESS THE TEACHER OR SCHOOL**  
17 **ADMINISTRATOR EARNS A RATING OF AT LEAST SATISFACTORY ON THE ANNUAL**  
18 **PERFORMANCE EVALUATION REQUIRED UNDER SECTION 1249 AND THE**  
19 **EVALUATION SYSTEM REQUIRED UNDER SUBSECTION (1). AS USED IN THIS**  
20 **SECTION, "STEP INCREASE" MEANS A PAY INCREASE RESULTING FROM**  
21 **COMPLETION OF A YEAR OR OTHER TIME INCREMENT OF SERVICE OR FROM THE**  
22 **ATTAINMENT OF A DEGREE OR OTHER MEASURE OF EDUCATIONAL ACHIEVEMENT.**

23 (4) IF A COLLECTIVE BARGAINING AGREEMENT IS IN EFFECT FOR  
24 TEACHERS OR SCHOOL ADMINISTRATORS OF A SCHOOL DISTRICT, PUBLIC  
25 SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL DISTRICT AS OF THE EFFECTIVE  
26 DATE OF THE AMENDATORY ACT THAT ADDED SUBSECTION (3), AND IF THAT  
27 COLLECTIVE BARGAINING AGREEMENT PREVENTS COMPLIANCE WITH SUBSECTION

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