

# 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.