

SENATE BILL No. 344

April 26, 2011, Introduced by Senator HILDENBRAND and referred to the Committee on Education.

A bill to amend 1937 (Ex Sess) PA 4, entitled

"An act relative to continuing tenure of office of certificated teachers in public educational institutions; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to create a state tenure commission and to prescribe the powers and duties thereof; and to prescribe penalties for violation of the provisions of this act,"

by amending section 4 of article II (MCL 38.84).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

ARTICLE II

Sec. 4. (1) Articles 4, 5, and 6 ~~shall~~ DO not apply to any teacher ~~deemed to be~~ WHO IS in a PROBATIONARY period. ~~of probation.~~

(2) IF A PROBATIONARY TEACHER IS ASSIGNED TO TEACH IN A SCHOOL OF INNOVATION AND IS RATED AS EFFECTIVE OR HIGHLY EFFECTIVE ON THE ANNUAL YEAR-END PERFORMANCE EVALUATION REQUIRED UNDER SECTION 3A OF THIS ARTICLE AND SECTION 1249 OF THE REVISED SCHOOL CODE, 1976 PA

1 451, MCL 380.1249, THEN A TEACHER ON CONTINUING TENURE DOES NOT
2 HAVE ANY GREATER RIGHT UNDER THIS ACT TO EMPLOYMENT THAN THE
3 PROBATIONARY TEACHER AND THE PROBATIONARY TEACHER IS NOT SUBJECT TO
4 BEING DISPLACED FROM HIS OR HER TEACHING ASSIGNMENT BY A TEACHER ON
5 CONTINUING TENURE SOLELY BECAUSE THE OTHER TEACHER HAS CONTINUING
6 TENURE. AS USED IN THIS SECTION, "SCHOOL OF INNOVATION" MEANS A
7 SCHOOL, OR A PROGRAM WITHIN A SCHOOL, THAT MEETS ALL OF THE
8 FOLLOWING:

9 (A) THE SCHOOL OR PROGRAM IS OPERATED BY A SCHOOL DISTRICT, AS
10 THAT TERM IS DEFINED IN SECTION 6 OF THE REVISED SCHOOL CODE, 1976
11 PA 451, MCL 380.6, THAT MEETS BOTH OF THE FOLLOWING:

12 (i) THE SCHOOL DISTRICT IS LOCATED IN WHOLE OR IN PART IN A
13 CITY WITH A POPULATION OF AT LEAST 150,000 BUT LESS THAN 600,000 AS
14 OF THE MOST RECENT DECENNIAL CENSUS.

15 (ii) THE PERCENTAGE OF PUPILS ENROLLED IN THE SCHOOL DISTRICT
16 WHO ARE ELIGIBLE FOR FREE OR REDUCED-PRICE LUNCH IS AT LEAST 70%.

17 (B) THE SCHOOL OR PROGRAM IS SUBJECT TO AN ORDER TO IMPLEMENT
18 SOME TYPE OF SCHOOL IMPROVEMENT MEASURE UNDER SECTION 1280 OR 1280C
19 OF THE REVISED SCHOOL CODE, 1976 PA 451, MCL 380.1280 AND
20 380.1280C, OR UNDER THE NO CHILD LEFT BEHIND ACT OF 2001, PUBLIC
21 LAW 107-110, OR ANY OTHER SIMILAR STATE OR FEDERAL SCHOOL REFORM
22 LAW.