

SUBSTITUTE FOR  
HOUSE BILL NO. 5224

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
(MCL 380.1 to 380.1852) by adding section 1249b.

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

1           **SEC. 1249B. (1) BEGINNING WITH THE 2014-2015 SCHOOL YEAR, THE**  
2 **BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT OR BOARD**  
3 **OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT THE**  
4 **PERFORMANCE EVALUATION SYSTEM REQUIRED UNDER SECTION 1249 FOR**  
5 **BUILDING-LEVEL SCHOOL ADMINISTRATORS AND FOR CENTRAL-OFFICE-LEVEL**  
6 **SCHOOL ADMINISTRATORS WHO ARE REGULARLY INVOLVED IN INSTRUCTIONAL**  
7 **MATTERS MEETS ALL OF THE FOLLOWING:**

8           **(A) THE PERFORMANCE EVALUATION SYSTEM SHALL INCLUDE AT LEAST**  
9 **AN ANNUAL EVALUATION FOR ALL SCHOOL ADMINISTRATORS DESCRIBED IN**

1 THIS SUBSECTION BY THE SCHOOL DISTRICT SUPERINTENDENT OR HIS OR HER  
2 DESIGNEE, INTERMEDIATE SUPERINTENDENT OR HIS OR HER DESIGNEE, OR  
3 CHIEF ADMINISTRATOR OF THE PUBLIC SCHOOL ACADEMY, AS APPLICABLE,  
4 EXCEPT THAT A SUPERINTENDENT OR CHIEF ADMINISTRATOR SHALL BE  
5 EVALUATED BY THE BOARD OR BOARD OF DIRECTORS. AN ANNUAL EVALUATION  
6 SHALL MEET ALL OF THE FOLLOWING:

7 (i) FOR THE ANNUAL EVALUATION FOR THE 2014-2015, 2015-2016, AND  
8 2016-2017 SCHOOL YEARS, 25% OF THE ANNUAL EVALUATION SHALL BE BASED  
9 ON STUDENT GROWTH AND ASSESSMENT DATA. BEGINNING WITH THE ANNUAL  
10 EVALUATION FOR THE 2017-2018 SCHOOL YEAR, 40% OF THE ANNUAL  
11 EVALUATION SHALL BE BASED ON STUDENT GROWTH AND ASSESSMENT DATA.

12 (ii) BEGINNING IN 2015-2016, 1/2 OF THE STUDENT GROWTH AND  
13 ASSESSMENT DATA SHALL BE MEASURED USING THE STATE STUDENT GROWTH  
14 ASSESSMENT TOOL. FOR A PUPIL WITH AN INDIVIDUALIZED EDUCATION  
15 PROGRAM, A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC  
16 SCHOOL ACADEMY MAY USE STATE-PROVIDED GROWTH DATA FOR UP TO 1/2 OF  
17 THE STUDENT GROWTH AND ASSESSMENT DATA FOR THAT PUPIL OR MAY USE 1  
18 OR MORE LOCALLY DETERMINED STUDENT MEASURES AND ASSESSMENTS WITH  
19 VALID GROWTH MEASUREMENTS, INCLUDING, BUT NOT LIMITED TO,  
20 INDIVIDUALIZED EDUCATION PROGRAM GOALS, FOR ALL OF THE STUDENT  
21 GROWTH AND ASSESSMENT DATA.

22 (iii) THE PORTION OF A SCHOOL ADMINISTRATOR'S STUDENT GROWTH AND  
23 ASSESSMENT DATA THAT IS NOT BASED ON STATE-PROVIDED DATA AS  
24 DESCRIBED IN SUBPARAGRAPH (ii) SHALL BE BASED ON 1 OR MORE LOCALLY  
25 DETERMINED STUDENT MEASURES AND ASSESSMENTS WITH VALID GROWTH  
26 MEASUREMENTS, WHICH MAY INCLUDE STUDENT LEARNING OBJECTIVES OR  
27 INDIVIDUALIZED EDUCATION PROGRAM GOALS. THESE LOCALLY DETERMINED

1 STUDENT MEASURES AND ASSESSMENTS MAY EITHER BE LOCALLY DEVELOPED OR  
2 CREATED BY A VENDOR. THE LOCALLY DETERMINED STUDENT MEASURES AND  
3 ASSESSMENTS SHALL BE USED CONSISTENTLY AMONG THE SCHOOLS OPERATED  
4 BY A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SO THAT ALL SIMILARLY  
5 SITUATED SCHOOL ADMINISTRATORS ARE EVALUATED USING THE SAME  
6 MEASURES AND ASSESSMENTS.

7 (iv) IF THERE ARE STUDENT GROWTH AND ASSESSMENT DATA FOR A  
8 SCHOOL ADMINISTRATOR FOR AT LEAST 3 SCHOOL YEARS, THE ANNUAL  
9 EVALUATION SHALL BE BASED ON THE STUDENT GROWTH AND ASSESSMENT DATA  
10 FOR THE MOST RECENT 3-CONSECUTIVE-SCHOOL-YEAR PERIOD. IF THERE ARE  
11 NOT STUDENT GROWTH AND ASSESSMENT DATA AVAILABLE FOR A SCHOOL  
12 ADMINISTRATOR FOR AT LEAST 3 SCHOOL YEARS, THE ANNUAL EVALUATION  
13 SHALL BE BASED ON ALL STUDENT GROWTH AND ASSESSMENT DATA THAT ARE  
14 AVAILABLE FOR THE SCHOOL ADMINISTRATOR.

15 (B) THE PORTION OF THE ANNUAL EVALUATION THAT IS NOT BASED ON  
16 STUDENT GROWTH AND ASSESSMENT DATA AS PROVIDED IN SUBDIVISION (A)  
17 OR THE SCHOOL ADMINISTRATOR EVALUATION TOOL AS PROVIDED IN  
18 SUBDIVISION (C) SHALL BE BASED ON AT LEAST THE FOLLOWING FOR EACH  
19 SCHOOL IN WHICH THE SCHOOL ADMINISTRATOR WORKS AS AN ADMINISTRATOR  
20 OR, FOR A CENTRAL OFFICE LEVEL SCHOOL ADMINISTRATOR, FOR THE ENTIRE  
21 SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT:

22 (i) IF THE SCHOOL ADMINISTRATOR CONDUCTS TEACHER PERFORMANCE  
23 EVALUATIONS, THE SCHOOL ADMINISTRATOR'S TRAINING AND PROFICIENCY IN  
24 USING THE EVALUATION TOOL FOR TEACHERS UNDER SECTION 1249,  
25 INCLUDING A RANDOM SAMPLING OF HIS OR HER TEACHER PERFORMANCE  
26 EVALUATIONS TO ASSESS THE QUALITY OF THE SCHOOL ADMINISTRATOR'S  
27 INPUT IN THE TEACHER PERFORMANCE EVALUATION SYSTEM. IF THE SCHOOL

1 ADMINISTRATOR DESIGNATES ANOTHER PERSON TO CONDUCT TEACHER  
2 PERFORMANCE EVALUATIONS, THE EVALUATION OF THE SCHOOL ADMINISTRATOR  
3 ON THIS FACTOR SHALL BE BASED ON THE DESIGNEE'S TRAINING AND  
4 PROFICIENCY IN USING THE EVALUATION TOOL FOR TEACHERS UNDER SECTION  
5 1249, INCLUDING A RANDOM SAMPLING OF THE DESIGNEE'S TEACHER  
6 PERFORMANCE EVALUATIONS TO ASSESS THE QUALITY OF THE DESIGNEE'S  
7 INPUT IN THE TEACHER PERFORMANCE EVALUATION SYSTEM, WITH THE  
8 DESIGNEE'S PERFORMANCE TO BE COUNTED AS IF IT WERE THE SCHOOL  
9 ADMINISTRATOR PERSONALLY CONDUCTING THE TEACHER PERFORMANCE  
10 EVALUATIONS.

11 (ii) THE PROGRESS MADE BY THE SCHOOL OR SCHOOL DISTRICT IN  
12 MEETING THE GOALS SET FORTH IN THE SCHOOL'S SCHOOL IMPROVEMENT  
13 PLAN, OR THE SCHOOL DISTRICT'S SCHOOL IMPROVEMENT PLANS, OR A  
14 COMBINATION OF THESE.

15 (iii) PUPIL ATTENDANCE IN THE SCHOOL OR SCHOOL DISTRICT, AS  
16 APPLICABLE.

17 (iv) STUDENT, PARENT, AND TEACHER FEEDBACK, AND OTHER  
18 INFORMATION CONSIDERED PERTINENT BY THE SUPERINTENDENT OR OTHER  
19 PERSON CONDUCTING THE PERFORMANCE EVALUATION OR THE BOARD OR BOARD  
20 OF DIRECTORS.

21 (v) DEMONSTRATION OF EFFECTIVE MANAGEMENT AND DEVELOPMENT OF  
22 INSTRUCTIONAL STAFF, UNLESS THIS CRITERION IS ALREADY REQUIRED IN  
23 THE EVALUATION TOOL OR TOOLS ADOPTED FOR SCHOOL ADMINISTRATORS  
24 UNDER SUBSECTIONS (2) TO (5).

25 (C) THE PORTION OF A SCHOOL ADMINISTRATOR'S ANNUAL EVALUATION  
26 THAT IS NOT BASED ON STUDENT GROWTH AND ASSESSMENT DATA AS PROVIDED  
27 IN SUBDIVISION (A) SHALL BE BASED PRIMARILY ON THE SCHOOL

1 ADMINISTRATOR'S PERFORMANCE AS MEASURED BY THE EVALUATION TOOL  
2 ADOPTED BY THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR  
3 PUBLIC SCHOOL ACADEMY. BY THE BEGINNING OF THE 2015-2016 SCHOOL  
4 YEAR, THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC  
5 SCHOOL ACADEMY SHALL ADOPT AND IMPLEMENT 1 OR MORE OF THE APPROVED  
6 EVALUATION TOOLS FOR SCHOOL ADMINISTRATORS AS PROVIDED IN  
7 SUBSECTIONS (2) TO (5). THE EVALUATION TOOLS SHALL BE USED  
8 CONSISTENTLY AMONG THE SCHOOLS OPERATED BY A SCHOOL DISTRICT,  
9 INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY SO THAT ALL  
10 SIMILARLY SITUATED SCHOOL ADMINISTRATORS ARE EVALUATED USING THE  
11 SAME EVALUATION TOOL.

12 (D) THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR  
13 PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT AN INDIVIDUAL, SCHOOL  
14 BOARD, OR BOARD OF DIRECTORS CONDUCTING AN EVALUATION RECEIVES  
15 TRAINING FROM THE VENDOR OR A TRAINING PROVIDER THAT HAS A CONTRACT  
16 WITH THE VENDOR TO PROVIDE TRAINING USING A VENDOR-APPROVED  
17 TRAINING PROGRAM FOR THE EVALUATION TOOL THAT IS USED BY THE SCHOOL  
18 DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY.  
19 THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL  
20 ACADEMY SHALL ENSURE THAT AN INDIVIDUAL OR BOARD CONDUCTING AN  
21 EVALUATION RECEIVES TRAINING IN COACHING, PROVIDING FEEDBACK, AND  
22 RATER RELIABILITY. THE INDIVIDUAL OR BOARD SHOULD RECEIVE TRAINING  
23 IN COACHING, PROVIDING FEEDBACK, AND RATER RELIABILITY AT LEAST  
24 ONCE EVERY 3 YEARS. THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL  
25 DISTRICT, OR PUBLIC SCHOOL ACADEMY SHALL ALSO PROVIDE INFORMATION  
26 TO SCHOOL ADMINISTRATORS ON THE EVALUATION TOOL AND HOW IT IS USED.

27 (E) THE PERFORMANCE EVALUATION SYSTEM SHALL ASSIGN AN

1 EFFECTIVENESS RATING TO EACH SCHOOL ADMINISTRATOR DESCRIBED IN THIS  
2 SUBSECTION OF HIGHLY EFFECTIVE, EFFECTIVE, MINIMALLY EFFECTIVE, OR  
3 INEFFECTIVE, BASED ON HIS OR HER SCORE ON THE EVALUATION TOOL  
4 DESCRIBED IN SUBSECTIONS (2) TO (5).

5 (F) THE PERFORMANCE EVALUATION SYSTEM SHALL ENSURE THAT IF A  
6 SCHOOL ADMINISTRATOR DESCRIBED IN THIS SUBSECTION IS RATED AS  
7 MINIMALLY EFFECTIVE OR INEFFECTIVE, THE PERSON OR PERSONS  
8 CONDUCTING THE EVALUATION SHALL DEVELOP AND REQUIRE THE SCHOOL  
9 ADMINISTRATOR TO IMPLEMENT AN IMPROVEMENT PLAN TO CORRECT THE  
10 DEFICIENCIES. THE IMPROVEMENT PLAN SHALL RECOMMEND PROFESSIONAL  
11 DEVELOPMENT OPPORTUNITIES AND OTHER MEASURES DESIGNED TO IMPROVE  
12 THE RATING OF THE SCHOOL ADMINISTRATOR ON HIS OR HER NEXT ANNUAL  
13 EVALUATION.

14 (G) THE PERFORMANCE EVALUATION SYSTEM SHALL PROVIDE THAT, IF A  
15 SCHOOL ADMINISTRATOR DESCRIBED IN THIS SUBSECTION IS RATED AS  
16 INEFFECTIVE ON 3 CONSECUTIVE ANNUAL EVALUATIONS, THE SCHOOL  
17 DISTRICT, PUBLIC SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL DISTRICT  
18 SHALL DISMISS THE SCHOOL ADMINISTRATOR FROM HIS OR HER EMPLOYMENT.  
19 HOWEVER, THIS SUBDIVISION APPLIES ONLY IF THE 3 CONSECUTIVE ANNUAL  
20 EVALUATIONS ARE CONDUCTED USING THE SAME EVALUATION FRAMEWORK AND  
21 UNDER THE SAME PERFORMANCE EVALUATION SYSTEM. THIS SUBDIVISION DOES  
22 NOT AFFECT THE ABILITY OF A SCHOOL DISTRICT, INTERMEDIATE SCHOOL  
23 DISTRICT, OR PUBLIC SCHOOL ACADEMY TO DISMISS AN INEFFECTIVE SCHOOL  
24 ADMINISTRATOR FROM HIS OR HER EMPLOYMENT REGARDLESS OF WHETHER THE  
25 SCHOOL ADMINISTRATOR IS RATED AS INEFFECTIVE ON 3 CONSECUTIVE  
26 ANNUAL EVALUATIONS.

27 (H) THE PERFORMANCE EVALUATION SYSTEM SHALL PROVIDE THAT, IF A

1 SCHOOL ADMINISTRATOR IS RATED AS HIGHLY EFFECTIVE ON 3 CONSECUTIVE  
2 ANNUAL EVALUATIONS, THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL  
3 DISTRICT, OR PUBLIC SCHOOL ACADEMY MAY CHOOSE TO CONDUCT AN  
4 EVALUATION BIENNIALLY INSTEAD OF ANNUALLY. HOWEVER, IF A SCHOOL  
5 ADMINISTRATOR IS NOT RATED AS HIGHLY EFFECTIVE ON 1 OF THESE  
6 BIENNIAL EVALUATIONS, THE SCHOOL ADMINISTRATOR SHALL AGAIN BE  
7 PROVIDED WITH ANNUAL EVALUATIONS.

8 (2) SUBJECT TO SUBSECTIONS (3) TO (5), FOR THE PURPOSES OF  
9 EVALUATING SCHOOL ADMINISTRATOR PERFORMANCE AS PROVIDED IN  
10 SUBSECTION (1), A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR  
11 PUBLIC SCHOOL ACADEMY SHALL USE 1 OR MORE OF THE FOLLOWING  
12 EVALUATION TOOLS:

13 (A) THE SCHOOL ADVANCE ADMINISTRATOR EVALUATION SYSTEM  
14 DEVELOPED BY P. REEVES AND P. MCNEIL.

15 (B) THE D. REEVES LEADERSHIP PERFORMANCE RUBRIC.

16 (C) THE R. MARZANO SCHOOL AND DISTRICT LEADERSHIP EVALUATION.

17 (3) THE DEPARTMENT MAY DESIGNATE 1 OR MORE OTHER EVALUATION  
18 TOOLS AS ACCEPTABLE FOR USE UNDER THIS SECTION IF THE EVALUATION  
19 TOOL MEETS THE REQUIREMENTS FOR LOCALLY DEVELOPED EVALUATION TOOLS  
20 AS PROVIDED IN SUBSECTION (5). IF THE DEPARTMENT DESIGNATES AN  
21 EVALUATION TOOL AS ACCEPTABLE, A SCHOOL DISTRICT, INTERMEDIATE  
22 SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY MAY USE THAT EVALUATION  
23 TOOL FOR THE PURPOSES OF EVALUATING SCHOOL ADMINISTRATOR  
24 PERFORMANCE AS PROVIDED IN SUBSECTION (1). IF AT ANY POINT THE  
25 DEPARTMENT DETERMINES THAT 1 OF THE APPROVED EVALUATION TOOLS  
26 IDENTIFIED IN THIS SUBSECTION FAILS TO MEET THE REQUIREMENTS FOR  
27 LOCALLY DEVELOPED EVALUATION TOOLS AS PROVIDED IN SUBSECTION (5),

1 THE DEPARTMENT MAY REVOKE THE DESIGNATION OF THAT EVALUATION TOOL  
2 AS ACCEPTABLE FOR USE UNDER THIS SECTION.

3 (4) A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC  
4 SCHOOL ACADEMY MAY USE 1 OR MORE ADAPTATIONS OR MODIFICATIONS OF AN  
5 EVALUATION TOOL THAT IS ACCEPTABLE FOR USE UNDER SUBSECTION (2) OR  
6 (3) FOR THE PURPOSES OF EVALUATING SCHOOL ADMINISTRATOR PERFORMANCE  
7 AS PROVIDED IN SUBSECTION (1) IF THE ADAPTATIONS OR MODIFICATIONS  
8 MEET ALL OF THE FOLLOWING AND THE SCHOOL DISTRICT, INTERMEDIATE  
9 SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY PROVIDES ASSURANCE OF ALL  
10 OF THE FOLLOWING ON ITS PUBLIC WEBSITE:

11 (A) THE ADAPTATIONS OR MODIFICATIONS DO NOT COMPROMISE THE  
12 VALIDITY OF EITHER THE EVALUATION TOOL OR THE EVALUATION PROCESS.

13 (B) THE ADAPTATIONS OR MODIFICATIONS HAVE UNDERGONE REVIEW BY  
14 A PERSON WITH EXPERTISE IN SCHOOL ADMINISTRATOR EVALUATIONS AND THE  
15 POSTED ASSURANCES INCLUDE THE IDENTITY AND QUALIFICATIONS OF THE  
16 PERSON WHO CONDUCTED THE REVIEW.

17 (C) THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR  
18 PUBLIC SCHOOL ACADEMY ENSURES THAT ALL EVALUATORS AND OBSERVERS  
19 RECEIVE INITIAL AND FOLLOW-UP TRAINING FROM THE VENDOR OF THE  
20 EVALUATION TOOL THAT IS BEING MODIFIED OR FROM A TRAINING PROVIDER  
21 THAT HAS A CONTRACT WITH THE VENDOR TO PROVIDE TRAINING USING A  
22 VENDOR-APPROVED TRAINING PROGRAM FOR THE EVALUATION TOOL THAT IS  
23 BEING MODIFIED.

24 (5) A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC  
25 SCHOOL ACADEMY MAY USE 1 OR MORE LOCALLY DEVELOPED EVALUATION TOOLS  
26 FOR THE PURPOSES OF EVALUATING SCHOOL ADMINISTRATOR PERFORMANCE AS  
27 PROVIDED IN SUBSECTION (1) IF THE SCHOOL DISTRICT, INTERMEDIATE



1 SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY PROVIDES ALL OF THE  
2 FOLLOWING INFORMATION ABOUT THE LOCALLY DEVELOPED EVALUATION TOOL  
3 ON ITS PUBLIC WEBSITE:

4 (A) THE RESEARCH BASE FOR THE EVALUATION FRAMEWORK,  
5 INSTRUMENT, AND PROCESS.

6 (B) THE IDENTITY AND QUALIFICATIONS OF THE AUTHOR OR AUTHORS.

7 (C) EITHER EVIDENCE OF RELIABILITY, VALIDITY, AND EFFICACY OR  
8 A PLAN FOR DEVELOPING THAT EVIDENCE.

9 (D) THE EVALUATION FRAMEWORKS AND RUBRICS WITH DETAILED  
10 DESCRIPTORS FOR EACH PERFORMANCE LEVEL ON KEY SUMMATIVE INDICATORS.

11 (E) A DESCRIPTION OF THE PROCESSES FOR COLLECTING EVIDENCE,  
12 CONDUCTING EVALUATION CONFERENCES, DEVELOPING PERFORMANCE RATINGS,  
13 AND DEVELOPING PERFORMANCE IMPROVEMENT PLANS.

14 (F) A DESCRIPTION OF THE PLAN FOR PROVIDING ALL EVALUATORS AND  
15 OBSERVERS WITH INITIAL AND FOLLOW-UP TRAINING AND THE IDENTITY AND  
16 QUALIFICATIONS OF THE PROVIDERS OF THAT TRAINING.

17 Enacting section 1. This amendatory act does not take effect  
18 unless House Bill No. 5223 of the 97th Legislature is enacted into  
19 law.