

HOUSE BILL NO. 5993

April 12, 2022, Introduced by Reps. Weiss, Kuppa, Brabec, Rogers, Breen, Sowerby, Sneller, Brixie, Stone, Cavanagh, Hope, Brenda Carter, LaGrand and Young 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 3a of article II and section 3 of article III (MCL 38.83a and 38.93), as amended by 2011 PA 101.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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ARTICLE II

1 Sec. 3a. ~~(1) The~~**Subject to subsection (2), the** controlling
 2 board of a probationary teacher's employing school district shall
 3 ensure that the teacher is provided with an individualized
 4 development plan developed by appropriate administrative personnel
 5 in consultation with the individual teacher and that the teacher is
 6 provided with at least an annual year-end performance evaluation
 7 each year during the teacher's probationary period. The annual
 8 year-end performance evaluation ~~shall~~**must** be based on classroom
 9 observations and ~~shall~~**must** include at least an assessment of the
 10 teacher's progress in meeting the goals of his or her
 11 individualized development plan. The controlling board shall
 12 determine the format and number of the classroom observations in
 13 consultation with teachers and school administrators. A performance
 14 evaluation ~~shall~~**under this section must** be conducted in accordance
 15 with section 1249 of the revised school code, 1976 PA 451, MCL
 16 380.1249.

17 **(2) The controlling board of a probationary teacher's**
 18 **employing school district is not required to ensure that the**
 19 **teacher is provided with an annual year-end performance evaluation**
 20 **under this section for the 2021-2022 school year.**

21 ARTICLE III

22 Sec. 3. ~~(1) The~~**Subject to subsection (2), the** controlling
 23 board of the school district employing a teacher on continuing
 24 tenure shall ensure that the teacher is provided with an annual
 25 year-end performance evaluation in accordance with section 1249 of
 26 the revised school code, 1976 PA 451, MCL 380.1249. If the teacher
 27 has received a rating of ineffective or minimally effective on an
 28 annual year-end performance evaluation, the school district shall
 29 provide the teacher with an individualized development plan

1 developed by appropriate administrative personnel in consultation
2 with the individual teacher. The individualized development plan
3 ~~shall~~**must** require the teacher to make progress toward individual
4 development goals within a specified time period, not to exceed 180
5 days. The annual year-end performance evaluation ~~shall~~**must** be
6 based on multiple classroom observations conducted during the
7 period covered by the evaluation and ~~shall~~**must** include, in
8 addition to the factors required under section 1249 of the revised
9 school code, 1976 PA 451, MCL 380.1249, at least an assessment of
10 the teacher's progress in meeting the goals of his or her
11 individualized development plan. The controlling board shall
12 determine the format and number of the classroom observations in
13 consultation with teachers and school administrators.

14 **(2) The controlling board of the school district employing a**
15 **teacher on continuing tenure is not required to ensure that the**
16 **teacher is provided with an annual year-end performance evaluation**
17 **under this section for the 2021-2022 school year.**

18 Enacting section 1. This amendatory act does not take effect
19 unless Senate Bill No. ____ or House Bill No. 5992 (request no.
20 04523'21) of the 101st Legislature is enacted into law.