

SENATE BILL NO. 200

March 04, 2021, Introduced by Senators GEISS, POLEHANKI, BRINKS, IRWIN, WOJNO, BAYER, HERTEL, CHANG, ANANICH, ALEXANDER, BULLOCK, MOSS and HOLLIER and referred to the Committee on Education and Career Readiness.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1249b (MCL 380.1249b), as amended by 2019 PA 5.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1249b. (1) ~~The~~ **Except as otherwise provided under this**
2 **section, the** board of a school district or intermediate school
3 district or board of directors of a public school academy shall
4 ensure that the performance evaluation system for building-level

1 school administrators and for central-office-level school
2 administrators who are regularly involved in instructional matters
3 meets all of the following:

4 (a) The performance evaluation system must include at least an
5 annual evaluation for all school administrators described in this
6 subsection by the school district superintendent or his or her
7 designee, intermediate superintendent or his or her designee, or
8 chief administrator of the public school academy, as applicable.
9 However, a superintendent or chief administrator ~~shall~~**must** be
10 evaluated by the board or board of directors or, if the
11 superintendent or chief administrator is not employed directly by
12 the board or board of directors, by the designee of the board or
13 board of directors.

14 (b) ~~For the 2018-2019 school year, 25% of the annual~~
15 ~~evaluation must be based on student growth and assessment data.~~
16 ~~Beginning with the 2019-2020 school year, 40%~~ **Except as otherwise**
17 **provided under this subdivision, 40%** of the annual evaluation must
18 be based on student growth and assessment data. **For the 2020-2021**
19 **school year, the annual evaluation must not be based on student**
20 **growth and assessment data.** The student growth and assessment data
21 to be used for the school administrator annual evaluation are the
22 aggregate student growth and assessment data that are used in
23 teacher annual year-end evaluations in each school in which the
24 school administrator works as an administrator or, for a central-
25 office-level school administrator, for the entire school district
26 or intermediate school district.

27 (c) For the purposes of conducting annual evaluations under
28 the performance evaluation system, the school district,
29 intermediate school district, or public school academy shall

1 develop or adopt and implement an evaluation tool for school
2 administrators. The portion of a school administrator's annual
3 evaluation that is not based on student growth must be based
4 primarily on the school administrator's performance as measured by
5 this evaluation tool.

6 (d) The portion of the annual evaluation that is not based on
7 student growth and assessment data as provided under subdivision
8 (b) or on an evaluation tool as provided under subdivision (c) must
9 be based on at least the following for each school in which the
10 school administrator works as an administrator or, for a central-
11 office-level school administrator, for the entire school district
12 or intermediate school district:

13 (i) If the school administrator conducts teacher performance
14 evaluations, the school administrator's proficiency in using the
15 evaluation tool for teachers used by the school district,
16 intermediate school district, or public school academy under
17 section 1249. If the school administrator designates another person
18 to conduct teacher performance evaluations, the evaluation of the
19 school administrator on this factor must be based on the designee's
20 proficiency in using the evaluation tool for teachers used by the
21 school district, intermediate school district, or public school
22 academy under section 1249, with the designee's performance to be
23 counted as if it were the school administrator personally
24 conducting the teacher performance evaluations.

25 (ii) The progress made by the school or school district in
26 meeting the goals set forth in the school's school improvement plan
27 or the school district's school improvement plans.

28 (iii) Pupil attendance in the school or school district.

29 (iv) Student, parent, and teacher feedback, as available, and

1 other information considered pertinent by the superintendent or
2 other school administrator conducting the performance evaluation or
3 the board or board of directors.

4 (e) For the purposes of conducting annual evaluations under
5 the performance evaluation system, by the beginning of the 2016-
6 2017 school year, the school district, intermediate school
7 district, or public school academy shall adopt and implement 1 or
8 more of the evaluation tools for school administrators that are
9 included on the list under subsection (3). However, if a school
10 district, intermediate school district, or public school academy
11 has 1 or more local evaluation tools for school administrators or
12 modifications of an evaluation tool on the list under subsection
13 (3), and the school district, intermediate school district, or
14 public school academy complies with subsection (2), the school
15 district, intermediate school district, or public school academy
16 may conduct annual year-end evaluations for school administrators
17 using 1 or more local evaluation tools or modifications.

18 (f) The evaluation tool and other measures used by the school
19 district, intermediate school district, or public school academy in
20 its performance evaluation system for school administrators must be
21 used consistently across the schools operated by a school district,
22 intermediate school district, or public school academy so that all
23 similarly situated school administrators are evaluated using the
24 same measures.

25 (g) The performance evaluation system must assign an
26 effectiveness rating to each school administrator described in this
27 subsection of highly effective, effective, minimally effective, or
28 ineffective.

29 (h) The performance evaluation system must ensure that if a

1 school administrator described in this subsection is rated as
2 minimally effective or ineffective, the person or persons
3 conducting the evaluation shall develop and require the school
4 administrator to implement an improvement plan to correct the
5 deficiencies. The improvement plan must recommend professional
6 development opportunities and other actions designed to improve the
7 rating of the school administrator on his or her next annual
8 evaluation.

9 (i) The performance evaluation system must provide that, if a
10 school administrator described in this subsection is rated as
11 ineffective on 3 consecutive annual evaluations, the school
12 district, intermediate school district, or public school academy
13 shall dismiss the school administrator from his or her employment.
14 This subdivision does not affect the ability of a school district,
15 intermediate school district, or public school academy to dismiss a
16 school administrator from his or her employment regardless of
17 whether the school administrator is rated as ineffective on 3
18 consecutive annual evaluations.

19 (j) The performance evaluation system must provide that, if a
20 school administrator is rated as highly effective on 3 consecutive
21 annual evaluations, the school district, intermediate school
22 district, or public school academy may choose to conduct an
23 evaluation biennially instead of annually. However, if a school
24 administrator is not rated as highly effective on 1 of these
25 biennial evaluations, the school administrator shall again be
26 provided with annual evaluations.

27 (k) The school district, intermediate school district, or
28 public school academy shall provide training to school
29 administrators on the measures used by the school district,

1 intermediate school district, or public school academy in its
2 performance evaluation system for school administrators and on how
3 each of the measures is used. This training may be provided by a
4 school district, intermediate school district, or public school
5 academy, or by a consortium consisting of 2 or more of these.

6 (1) A school district, intermediate school district, or public
7 school academy shall ensure that training is provided to all
8 evaluators and observers. The training must be provided by an
9 individual who has expertise in the evaluation tool or tools used
10 by the school district, intermediate school district, or public
11 school academy, which may include either a consultant on that
12 evaluation tool or framework or an individual who has been trained
13 to train others in the use of the evaluation tool or tools. This
14 subdivision does not prohibit a school district, intermediate
15 school district, public school academy, or consortium consisting of
16 2 or more of these, from providing the training in the use of the
17 evaluation tool or tools if the trainer has expertise in the
18 evaluation tool or tools.

19 (2) A school district, intermediate school district, or public
20 school academy shall post on its public website all of the
21 following information about the measures it uses for its
22 performance evaluation system for school administrators:

23 (a) The research base for the evaluation framework,
24 instrument, and process or, if the school district, intermediate
25 school district, or public school academy adapts or modifies an
26 evaluation tool from the list under subsection (3), the research
27 base for the listed evaluation tool and an assurance that the
28 adaptations or modifications do not compromise the validity of that
29 research base.

1 (b) The identity and qualifications of the author or authors
2 or, if the school district, intermediate school district, or public
3 school academy adapts or modifies an evaluation tool from the list
4 under subsection (3), the identity and qualifications of a person
5 with expertise in teacher evaluations who has reviewed the adapted
6 or modified evaluation tool.

7 (c) Either evidence of reliability, validity, and efficacy or
8 a plan for developing that evidence or, if the school district,
9 intermediate school district, or public school academy adapts or
10 modifies an evaluation tool from the list under subsection (3), an
11 assurance that the adaptations or modifications do not compromise
12 the reliability, validity, or efficacy of the evaluation tool or
13 the evaluation process.

14 (d) The evaluation frameworks and rubrics, with detailed
15 descriptors for each performance level on key summative indicators.

16 (e) A description of the processes for collecting evidence,
17 conducting evaluation conferences, developing performance ratings,
18 and developing performance improvement plans.

19 (f) A description of the plan for providing evaluators and
20 observers with training.

21 (3) The department shall establish and maintain a list of
22 school administrator evaluation tools that have demonstrated
23 evidence of efficacy and that may be used for the purposes of this
24 section. That list initially must include at least the 2 evaluation
25 models recommended in the final recommendations released by the
26 Michigan council on educator effectiveness in July 2013. The list
27 must include a statement indicating that school districts,
28 intermediate school districts, and public school academies are not
29 limited to only using the evaluation tools that are included on the

1 list. A school district, intermediate school district, or public
2 school academy is not required to use an evaluation tool for school
3 administrator evaluations that is the same as it uses for teacher
4 evaluations or that has the same author or authors as the
5 evaluation tool it uses for teacher evaluations. The department
6 shall promulgate rules establishing standards and procedures for
7 adding an evaluation tool to or removing an evaluation tool from
8 the list. These rules must include a process for a school district,
9 intermediate school district, or public school academy to submit
10 its own evaluation tool for review for placement on the list.

11 ~~(4) The training required under subsection (1) must be paid~~
12 ~~for from the funds available in the educator evaluation reserve~~
13 ~~fund created under section 95a of the state school aid act of 1979,~~
14 ~~MCL 388.1695a.~~