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**PA 100 (HB 4626)—amends Tenure Act**

<b>Art. I</b> Sec. 4	"Demote" means 15-day (or more) suspension. Doesn't include reduction in pay based on 1250.
<b>Art. IV</b> Sec. 1(1)	<i>Disciplinary standard is changed. "...discharge or demotion of a teacher on continuing tenure may be made only for a reason that is not arbitrary or capricious..."</i>
3(1)	Procedures for suspension.
3(3)	Procedures for addressing the possible escrowing of salary if criminal charges are filed against the teacher.

3(4)	Felony conviction for a nonlisted offense or misdemeanor that's a listed offense, board may discontinue salary on conviction. For felony conviction of listed offense, salary shall be discontinued as of date of conviction.
<b>Art. V</b> Sec. 2(1)	Board may grant unrequested leave of absence for up to one year, subject to renewal. Teacher may request a hearing. Tenure isn't terminated.
2(2)	Board may require teacher to furnish verification of "ability to perform his essential job functions."

**PA 101 (HB 4625)—amends Tenure Act**

<b>Art. II</b> Sec. 1(1)	Probationary period is five years for new hires.
(2)	Probationary period is four years for teachers under previous system.
(3)	If teacher has tenure—retains tenure.
Sec. 2	Teacher serves one probationary period in any one district.
(2)(a)	<i>A probationary teacher who's rated as effective or highly effective on his or her most recent annual year-end performance evaluation under Section 1249, isn't subject to being displaced by a teacher on continuing tenure solely because the other teacher has continuing tenure.</i>
Sec. 3(1)	Notification of continued employment must be at least 15 days before end of the year.
(2)	Probationary teacher may be dismissed at any time.
(3)(a)	IDP must be provided, and evaluation (1249) must assess goals of IDP.
(3)(b)(1)	<i>The teacher must be rated as <b>effective or highly effective on three most recent evaluations and has completed at least five full school years of employment in a probationary period.</b></i>
(3)(b)(2)	<i><b>Highly effective on three consecutive evaluations and has completed at least four full school years</b> the probationary period is met.</i>

<b>Art. III</b> Sec. 1(7)	Employment in a position other than as a classroom teacher doesn't earn tenure. If teacher had already earned tenure, then returns to the classroom is in accordance with tenure rules, but isn't considered a demotion in terms of pay.
Sec. 3	<i>Teacher on continuing tenure is provided with an annual year-end performance evaluation in accordance with Section 1249 of the Revised School Code. If the teacher has received a rating of <b>ineffective or minimally effective</b> on an annual year-end performance evaluation, the school district shall provide the teacher with an IDP developed by appropriate administrative personnel in consultation with the individual teacher. The IDP shall require the teacher to make progress toward individual development goals within a specific time period, <b>not to exceed 180 days</b>. The annual year-end performance evaluation shall be based on multiple classroom observations conducted during the period covered by the evaluation and shall include, in addition to the factors required under Section 1249, at least an assessment of the teacher's progress in meeting the goals of his or her IDP.</i>
<b>Art. IV</b> Sec. 4	Describes the rules and procedures for a tenure proceeding.

**PA 102 (HB 4627)—amends School Code (with 2015 additional changes)**

Sec. 1248 (1)	The following apply, "when conducting a <b>staffing or program reduction</b> or any other personnel determination resulting in the <b>elimination of a position</b> , when conducting a <b>recall</b> from a staffing or program reduction or any other personnel determination resulting in the elimination of a position, or in <b>hiring after a staffing or program reduction</b> or any other personnel determination resulting in the elimination of a position by a school district or intermediate school district:"
(1)(a)	"Length of service" shall not be the determining factor in personnel decisions.
(1)(b)	Personnel decisions resulting in RIF or recall are based on retaining effective teachers. Effectiveness shall be measured by system under 1249, and decisions based on:
(1)(b)(i)(A)	Student growth shall be predominant factor.
(B)	<i>"The teacher's demonstrated pedagogical skills, including at least a special determination concerning the teacher's knowledge of his or her subject area and the ability to impart that knowledge through planning, delivering rigorous content, checking for and building higher-level understanding, differentiating and managing a classroom; and consistent preparation to maximize instructional time."</i>
(C)	Classroom management.
(D)	Teacher attendance and discipline.
(1)(b)(ii)	Significant, relevant accomplishments and contributions.
(1)(b)(iii)	Relevant special training.
(1)(c)	Length of service or tenure status shall not be a factor. However, if all other factors are equal, length of service or tenure status may be used.

(2)	Current CBAs are grandfathered until expiration.
(3)	Any action against board can only seek reinstatement and not lost wages, benefits or damages.
Sec. 1249 (1)	Must involve teachers and administrators in the adoption and implementation of a "rigorous, transparent and fair" evaluation system.
(1)(a)	Evaluate teachers/administrators annually and provide timely feedback.
(1)(b)	Establish "clear approaches" to measuring student growth and provide "relevant data" on student growth.
(1)(c)	Incorporate student growth as part of evaluation tool.
(1)(d)	Use the evaluations to inform decisions regarding effectiveness, promotion, retention, development, tenure and termination while identifying areas for improvement and providing support to improve.
(2)(a)(i)	Through the 2017-2018 school year, 25% of evaluation must be based on student growth data (40% thereafter).
(2)(a)(ii)	As of 2018-2019. 50% of student growth component must be based upon state assessments with the remainder based upon rigorous and consistent alternative assessments.
(2)(a)(iii)	As of 2016-2017, that portion of the evaluation tool not based on student growth must be based on a tool that meets all statutory requirements (such as those on the MDE list).
(2)(a)(iv)	Tool must incorporate Section 1248(1)(b)(i) to (iii) factors.
(2)(b)	Assessments must be based upon three most recent years of data, if available; otherwise it must be based upon whatever data is available for the teacher.

**PA 102 (HB 4627)—amends School Code (with 2015 additional changes), continued**

(2)(c)	Annual evaluation must include specific performance goals, recommend training where appropriate and create an IDP for 1 <sup>st</sup> year teachers as well as minimally effective/ineffective teachers.
(2)(d)	Must incorporate mid-year progress reports for 1 <sup>st</sup> year teachers and minimally effective/ineffective teachers that are based upon student achievement and aligned to prior IDPs. Mid-year report must include performance goals for the rest of the year, recommend possible training and incorporate a written improvement plan. Annual year-end evaluations must still occur.
(2)(e)	Annual evaluation must include 2 classroom observations, 1 of which is unscheduled. Observations must review lesson plan, alignment to state curriculum and assess student engagement. Feedback to teacher within 30 days.
(2)(f)	As of 2016-2017, districts may use an evaluation tool from the MDE list, modify an existing tool or create their own.
(2)(g)	Ratings given must be “effective,” “highly effective,” “minimally effective” or “ineffective” based upon the annual evaluation score.
(2)(h)	Assigning a mentor to 1 <sup>st</sup> year teachers, as well as those rated less than “effective” is encouraged.
(2)(i)	Student growth data may be ignored for a particular pupil for a school year, with superintendent approval.
(2)(j)	<i>If teacher is “ineffective” on three consecutive annual evaluations, district shall dismiss the teacher.</i>
(2)(k)	If teacher is “highly effective” on three consecutive annual evaluations, district may conduct “biennial” evaluations. If teacher is no longer highly effective, revert to annual evaluations.
(2)(l)	Nonprobationary teachers rated as ineffective have the right to a review of their evaluation.
(2)(m)	Training as to how the evaluation tool is used must be provided to teachers beginning in 2016-2017.
(2)(n)	Training with respect to conducting evaluations and using the evaluation tool must be provided to all evaluators.
(3)	For 2016-2017, district websites must post specific information about the evaluation tool that the district will use: research basis for the tool, author of the tool, evidence of reliability, evaluation frameworks, rubrics, observation process...
(4)	Prior collective bargaining agreements that contradict this statute control until their expiration.
(5)	MDE will maintain a list of evaluation tools that have been shown to be acceptable.
(6)	The training required is paid for by the Educator Evaluation Reserve Fund.
(7)	Nothing in Section 1249 affects the rules outlined in Section 1248.

Sec. 1249(a)	Beginning in 2018-2019, a pupil cannot be assigned to an ineffective rated teacher (in the same subject area) two years in a row. If this section cannot be complied with, parents must be notified.
Sec. 1249(b)	Evaluation systems for building-level administrators who are “regularly involve in instructional matters” must:
(1)(a)	Be conducted at least annually by the superintendent or a designee. Superintendents shall be evaluated by the board.
(1)(b)	Through the 2017-2018 school year, 25% of evaluation must be based on <i>aggregate</i> student growth data (40% thereafter).
(1)(c)	An evaluation tool that measures factors aside from student growth must also be developed, adopted and implemented.
(1)(d)	Additional factors to be evaluated, aside from student growth and those factors incorporated in the Section (1)(c) tool must also be included. They are:
(1)(d)(i)	For administrators who conduct evaluations, their proficiency in using the designated evaluation tool. If a designee conducts the evaluations, their proficiency in using the tool is part of the administrator’s evaluation.
(1)(d)(ii)	Progress made toward any existing school improvement plans.
(1)(d)(iii)	Pupil attendance in the school or school district.
(1)(d)(iv)	Student/parent/teacher feedback, as available, as well as any other information deemed pertinent.
(1)(e)	As of 2016-2017, districts may use an evaluation tool from the MDE list, modify an existing tool or create their own.
(1)(f)	Evaluation tool must be consistent across the district.
(1)(g)	Ratings given must be “effective,” “highly effective,” “minimally effective” or “ineffective” based upon the annual evaluation score.
(1)(h)	Administrators rated below “effective” must be given improvement plans.
(1)(i)	<i>An “ineffective” rating on three consecutive annual evaluations must result in dismissal of the administrator.</i>
(1)(j)	Three consecutive “highly effective” ratings allow for the administrator to move to a biennial evaluation.
(1)(k)	Training on how the tool is used must be provided to those being evaluated.
(1)(l)	Training on how to use the tool must be provided to all evaluators.
(2)	For 2016-2017, district websites must post specific information about the evaluation tool that the district will use: research basis for the tool, author of the tool, evidence of reliability, evaluation frameworks, rubrics, observation process...
(3)	MDE will maintain a list of evaluation tools that have been shown to be acceptable.
(4)	The training required is paid for by the Educator Evaluation Reserve Fund.

**PA 103 (HB 4628)—amends PERA MCL 423.215—adds seven new prohibited subjects of bargaining**

Sec. 15	<i>Decisions regarding the placement of teachers or the impact of that decision.</i>
(3)(j)	
(3)(k)	<i>Decisions about the development, content, standards, procedures, adoption and implementation of the district policies regarding personnel decisions when conducting a <b>reduction in force</b>, or any other personnel determination resulting in the <b>elimination of a position</b>, or a <b>recall</b> from a reduction in force or any other personnel determination resulting in the elimination of a position, or in hiring after a reduction in force or any other personnel determination resulting in the elimination of a position, as provided under Section 1248 of the Revised School Code, or the impact of those decisions.</i>

(3)(l)	Decisions about the evaluation system or the impact of those decisions.
(3)(m)	Decisions about policies regarding <i>the discharge or discipline of an employee or the impact of those decisions.</i> District must not adopt a standard other than “arbitrary and capricious.”
(3)(n)	<i>Decisions about the format, timing or number of classroom observations,</i> or the impact of those decisions.
(3)(o)	Decisions about 1250 or the impact of those decisions.
(3)(p)	Decisions about the format, content and procedures for notification of parents.