



**House
Legislative
Analysis
Section**

Olds Plaza Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

TEACHER TENURE AFTER 4 YEARS

House Bill 5357

Sponsor: Rep. Jessie Dalman

Committee: Education

Complete to 3-26-92

A SUMMARY OF HOUSE BILL 5357 AS INTRODUCED 12-3-91

The bill would amend the teachers' tenure act to extend the probationary period for teachers from two years to four years and to require that teachers be provided during the probationary period with individualized professional development plans and with at least annual performance evaluations.

The bill would also repeal the provision that specifies that a teacher on permanent tenure whose services are terminated due to necessary personnel reductions be appointed to the first vacancy in the district for which he or she is certified and qualified.

Under the bill, a school board could place on continuing tenure a teacher who had served at least four years. (A teacher on continuing tenure on the effective date of the bill would remain on continuing tenure even if he or she had not served for four years.) A teacher under contract but not on continuing tenure would be on continuing tenure, with full right to a hearing and appeal under the teachers' tenure act, immediately upon reappointment for a fifth year. However, a school board could deny reappointment to such a teacher by a two-thirds vote of its members. (Currently, a unanimous vote is required.) If a vote was against reappointment was less than two-thirds, the teacher would be on continuing tenure.

The school board would have to ensure that a teacher during a probationary period was provided with an individualized professional development plan put together by appropriate building-level administrative personnel and the individual teacher. The performance evaluation would be by appropriate building-level administrative personnel. Each annual performance evaluation would have to include at least an assessment of the teacher's progress in meeting the objectives of the professional development plan and a revision of the plan as appropriate. If a school district failed to provide the plan or the assessment and the school board voted to deny reappointment to the teacher, the teacher would be entitled to a fifth year of probation. Further, a tenured teacher who becomes employed by another controlling board could be subject to another probationary period of two years rather than for one year only.

The bill would also change the definition of "teacher" as used in the act to apply not only to certificated individuals employed for a full school year but also to individuals employed for a full school year under a section of the School Code that permits the hiring of noncertificated, non-endorsed teachers for courses in computer science, foreign languages, mathematics, biology, chemistry, engineering, physics, robotics, or any combination of those

House Bill 5357 (3-26-92)

subjects in grades 9 through 12. The term "teacher" would not include a person whose teaching certificate had expired or had been suspended or revoked.

The bill is tie-barred to House Bill 5358, which would amend the School Code to require that to be eligible for an administrator's certificate for administering instructional programs or for its renewal, a person would have to complete postgraduate coursework or training in personnel evaluation.

MCL 38.71 et al.