

Act No. 136
Public Acts of 2005
Approved by the Governor
September 28, 2005
Filed with the Secretary of State
September 29, 2005
EFFECTIVE DATE: January 1, 2006

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2005**

Introduced by Rep. Emmons

ENROLLED HOUSE BILL No. 4991

AN ACT 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 1 of article IV (MCL 38.101), as amended by 1993 PA 60.

The People of the State of Michigan enact:

ARTICLE IV

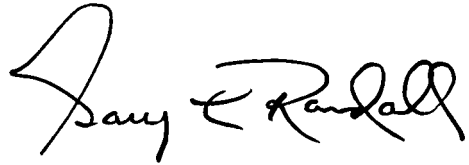
Sec. 1. Except as otherwise provided in section 1a of this article, discharge or demotion of a teacher on continuing tenure may be made only for reasonable and just cause and only as provided in this act. This act does not prevent any controlling board from establishing a reasonable policy for retirement to apply equally to all teachers who are eligible for retirement under the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1408, or, having established a reasonable retirement age policy, from temporarily continuing on a year-to-year basis on criteria equally applied to all teachers the contract of any teacher whom the controlling board might wish to retain beyond the established retirement age for the benefit of the school system.

Enacting section 1. This amendatory act takes effect January 1, 2006.

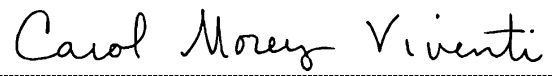
Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

- (a) House Bill No. 4402.
- (b) House Bill No. 4928.
- (c) House Bill No. 4930.
- (d) Senate Bill No. 601.
- (e) Senate Bill No. 609.
- (f) Senate Bill No. 611.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor