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BILL ANALYSIS

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Senate Bill 1509 (as introduced 9-23-10)  
Sponsor: Senator Wayne Kuipers  
Committee: Education

Date Completed: 9-23-10

### **CONTENT**

**The bill would amend the Revised School Code to do both of the following:**

- Make an exception to the requirement that a school board adopt and implement a performance evaluation system, if a collective bargaining agreement that prevented compliance with that requirement were in effect on January 4, 2010, until that agreement expired.**
- Require the Department of Education to work with organizations that represent employees to develop one or more models for a performance evaluation system.**

Under the Code, with the involvement of teachers and school administrators, the board of a school district, intermediate school district (ISD), or public school academy (PSA) must adopt and implement for all teachers and school administrators a rigorous, transparent, and fair performance evaluation system. The system must evaluate a teacher's or administrator's performance at least annually, while providing timely and constructive feedback.

The system also must establish clear approaches to measuring student growth and provide teachers and administrators with relevant data on student growth, as well as evaluate a teacher's or administrator's job performance using multiple rating categories that take into account data on student growth as a significant factor.

The system must use the evaluations to inform decisions regarding all of the following:

- The effectiveness of teachers and administrators.
- Promotion, retention, and development of teachers and administrators.
- Whether to grant tenure or full certification, or both, to teacher and administrators.
- Removing ineffective tenured and untenured teachers and administrators after they have had ample opportunities to improve.

Under the bill, if a collective bargaining agreement were in effect for a district's, ISD's, or PSA's teachers or school administrators as of January 4, 2010, and if that agreement prevented compliance with the performance evaluation requirement, the requirement would not apply to that district, ISD, or PSA until after the collective bargaining agreement expired. (The requirement was enacted by Public Act 205 of 2009, which took effect on January 4, 2010.)

The Department of Education would have to work with organizations that represent public school employees and management and that have served members on a statewide basis for at least 10 years, to develop and make available to public schools one or more model evaluation systems that met the performance evaluation system requirements.

MCL 380.1249

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

The Department would see increased costs in the development of one or more model evaluation systems as required by this legislation. The bill would have no fiscal impact on local government.

Fiscal Analyst: Kathryn Summers

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.