

## REQUIREMENTS FOR TEACHER AND ADMINISTRATOR PROFESSIONAL DEVELOPMENT

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**House Bill 5156 (H-5) as reported  
from committee**  
**Sponsor: Rep. Lisa Posthumus Lyons**

**House Bill 5158 (H-4) as reported  
from committee**  
**Sponsor: Rep. Amanda Price**

**House Bill 5157 (H-4) as reported  
from committee**  
**Sponsor: Rep. Daniela R. Garcia**

**House Bill 5159 (H-2) as reported  
from committee**  
**Sponsor: Rep. Ken Yonker**

**Committee: Education**  
**Complete to 2-11-16**

***BRIEF SUMMARY:*** House Bills 5156-5158 would amend sections of the Revised School Code pertaining to professional development requirements for teachers and administrators. House Bill 5159 would amend the State School Aid Act, by describing a procedure and assigning a penalty for districts and intermediate school districts (ISDs) that fail to meet those requirements. All four are tie-barred together, meaning none could take effect unless all are enacted, and they would go into effect 90 days after enactment.

***FISCAL IMPACT:*** The bills would have a minimal, if any, fiscal impact on the state, but could increase costs for districts, including public school academies, and intermediate districts.

The bills could create additional administrative costs to the state by requiring that the Department of Education (MDE) create new guidelines for the delivery of professional development for both teachers and administrators; however, those costs would likely be avoided by redirecting existing staff time rather than requiring additional staff.

The bills would increase costs to districts and intermediate districts by an indeterminate amount depending on the extent to which they are already providing professional development that would satisfy the revised requirements. The bills would create additional costs as follows:

- The bills could increase the number of separate training sessions necessary by requiring that professional development be targeted to a group of teachers based on a commonality of needs based on the teachers' individual development plans or a school improvement plan.
- The bills could create the need for additional substitute teachers by requiring that a portion of professional development occur during the school year, if it took place during the school day.
- The bills could require new content and increased time for administrative continuing education by requiring that districts and intermediate districts follow yet-to-be-determined department guidelines with new activities specified by House Bill 5157.

- The bill could create additional costs by requiring that administrators in their first three years be assigned a mentor, if a board had to hire a mentor from outside the district.
- The bills could reduce state funding to districts and intermediate districts by penalizing them up by 5% of their total state aid payments if a district or intermediate district fails to meet the professional development requirements and subsequently fails to submit a compliance plan, submits a plan that the department believes will not correct the violation, or fails to satisfy the terms of its compliance plan.

The bills would not have a practical fiscal impact in moving from days to hours because MDE guidance and practice already requires that 1 professional development day be equal to 6 hours.

### ***THE APPARENT PROBLEM:***

Requirements have long existed for teacher and administrator professional development, but there has been no enforcement mechanism to ensure that the development is specific to the individuals targeted, that it is complementary to the school schedule, or that it is conducted in small groups best able to benefit from the information.

Consequently, say critics, professional development is often ineffective—perhaps conducted for the required period of time, but consisting of a movie or motivational speaker presented to an auditorium filled with teachers.

These bills are intended to ensure that the guidelines developed by the MDE provides more focused and productive professional development, while also allowing for local flexibility. Also, significantly, House Bill 5159 imposes a financial penalty when a district fails to comply with the guidelines and does not remedy the violation.

### ***THE CONTENT OF THE BILL:***

#### **House Bill 5156 (Professional Development for Teachers)**

House Bill 5156 would amend the number of hours of professional development trainings a school board must provide to each teacher, from five days to thirty hours each school year (ongoing development).<sup>1</sup> These trainings must be delivered in increments of not less than 45 minutes.

The requirement applies to the boards of school districts, intermediate school districts (ISDs), public school academies (charter schools), and an achievement authority.

Also, the bill states that the Department of Education must develop guidelines for the professional development, to be implemented within 90 days after the bill takes effect, which must be based on the requirements of MCL 38.83A. That section of the Revised School Code applies to a teacher's five-year probationary period, and mandates that a

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<sup>1</sup> Guidance from the Michigan Department of Education equates one day of professional development to six hours, which would make these requirements equivalent.  
[www.michigan.gov/documents/mde/Guidance\\_Prof\\_and\\_Occup\\_Cert\\_Renew\\_412079\\_7.pdf?20160120115525](http://www.michigan.gov/documents/mde/Guidance_Prof_and_Occup_Cert_Renew_412079_7.pdf?20160120115525)

school district develop an individualized development plan for each teacher, conduct classroom evaluations, and produce a performance evaluation each year.

The guidelines would also require that the professional development be targeted to a group of teachers based on a commonality of needs as established through the teachers' individual development plans or the schools' school improvement plan.

Finally, it would require that a portion of the professional development be conducted during the school year.

MCL 380.1527

**House Bill 5157 (Continuing Education for Administrators)**

A 2009 amendment to the section of the Revised School Code that this bill would amend called for the superintendent to establish continuing education requirements, to be completed every five years by all school administrators. This bill would lay out the specific guidelines the continuing education must follow.

Currently, any administrator (superintendent, principal, assistant principal, or other individual whose primary responsibility is administering instructional programs, or chief business official) who was employed as an administrator before January 4, 2010, must complete existing continuing education requirements.

House Bill 5157 provides that the continuing education must be based on an individual professional development plan for each individual, and meet additional guidelines, to be developed by the Department of Education. The guidelines are to be developed no later than 90 days after House Bill 5157 takes effect. These guidelines must:

- Be based on state board-approved standards for professional learning.
- Include educational experiences in conducting evaluations of teachers and of administrator peers. This should include at least training on evaluation models, practicum experiences using those models, rater reliability, and providing coaching and feedback to the teacher or administrator being evaluated.
- Include educational experiences in methods for improving teacher-to-teacher and teacher-to-administrator collaboration.
- Include training on interpreting student assessment data and on how to use that data to improve student learning.

MCL 380.1246

**House Bill 5158 (Probationary Teachers)**

Now, a probationary teacher is required to complete at least 15 days of professional development (probationary development). House Bill 5158 would amend that requirement slightly so that they would be required to compete 90 hours over the course of at least 15 days, in increments of at least 30 minutes each day.

Additionally, a school currently ensures that a probationary teacher is assigned to one or more "master teachers, or college professors or retired master teachers, who shall act as a mentor or mentors to the teacher." House Bill 5158 would amend this language to require a school board, ISD, the board of directors for a charter school, or an achievement authority to assign a teacher one or more "mentor teachers who have been rated as at least 'effective' on at least 3 of his or her most recent 5 annual evaluations under Section 1249 and who meet requirements established by the superintendent of public instruction."

It would also extend the mentorship requirement to administrators in the first three years of their employment in that role.

This professional development requirement is in addition to the ongoing development requirement described in Section 1527 of the Revised School Code, with proposed changes in House Bill 5156, above.

MCL 380.1526

#### **House Bill 5159 (State Aid Penalty)**

This bill provides that, if the MDE determines that a district or ISD has failed to meet any of the professional development requirements outlined in the three bills described above, the district may be subject to forfeiture of five percent of its total state aid.

Upon determination of a violation, the MDE will issue a *written notice and explanation* of the violation to the district or ISD.

Within 30 days of the notice, the district or ISD must *submit a compliance plan* to the MDE for bringing itself into compliance with the professional development requirements.

If the district or school district does not submit a plan, or if the MDE determines the plan would not correct the violation, the MDE will *withhold five percent of the state aid* for the district or ISD until it submits a satisfactory compliance plan.

Likewise, the MDE will withhold five percent of the state aid if it subsequently determines that the offending school district or ISD has failed to comply with its compliance plan.

The bill amends the State School Aid Act (MCL 388. 1763).

#### ***BACKGROUND INFORMATION:***

The sponsors report that this legislation is the product of two years of work, many meetings with teachers and administrators by members of the Education Committee, and collaboration with the Michigan Department of Education.

#### ***Five Percent Penalty***

House Bill 5159 initially included an automatic five percent cut to a district or ISD's State Aid funding for violation of House Bills 5156, 5157, or 5158. The current language, which

allows a district or ISD the opportunity to explain and correct the violation before imposition of the penalty, is intended to address concerns that violations by a district would automatically impact school funding. Proponents of the provision say that, by giving schools additional chances to avoid the penalty, it is hoped that the penalty will never need to be imposed.

Similar forfeitures of five percent of State Aid may also be imposed for violating the following sections of the State School Aid Act:

- When a district or ISD violates state and federal reporting requirements for pupil count, dropout and graduation rate, educational personnel, and safety practices (specifies 5% of "total funds"). (MCL 388.1619)
- When a district does not comply with specified rules for reporting, applications, and acceptance of nonresident pupils within the ISD or in a contiguous ISD. (MCL 388.1705 and 388.1705c)
- When a school official, member of a board or other person within a district dispenses, distributes, or dispenses prescriptions for a family planning drug or device, or makes referrals for abortions. (MCL 388.1766)
- When a district or ISD does not comply with specified immunization reporting rules (specifies 5% of "total funds"). (MCL 388.1767)

### ***ARGUMENTS:***

#### ***For:***

Proponents argue that although standards have long been in place for professional development, those standards are largely ignored. Because there is no punishment for failing to follow the rules, say critics, schools simply choose not to follow them. Often, all of the teachers in a school, or even in a district, are packed into an auditorium and lectured, merely so the district can claim compliance. These bills tighten and clarify existing standards, seek to ensure that professional development is provided in smaller, more subject-specific groups, and introduce an enforcement mechanism that should boost compliance.

Proponents supported the change from days to hours for professional development. While the time spent on professional development would be the same, the ability for a district to break it up into smaller sections, especially if it is spread throughout the year, allows increased flexibility. Ideally, districts will be able to provide targeted professional development for the period of time needed for that development, rather than extending or compressing it to fit the current six-hour increment.

#### ***Against:***

There was no opposition expressed to House Bills 5156-5158, but a number of teacher and administrator organizations oppose House Bill 5159. They argue that cuts to school funding do not affect the parties guilty of the violation but, rather, the children of that district.

Opponents argued that professional development requirements should use an enforcement mechanism that does not punish children, which may include lowering pay for or removing administrators who do not comply, lowering the ranking or grade of the school, or noting the violation on evaluations.

***POSITIONS:***

The Michigan Department of Education supports the bills. (1-14-16)

The Grand Rapids Chamber of Commerce supports the bills. (1-28-16)

The Michigan Association of Secondary School Principals supports House Bills 5156-5158. (2-4-16)

The Michigan Elementary and Middle School Principals Association supports House Bills 5156-5158. (2-4-16)

Students First supports these bills. (2-4-16)

A representative of the Michigan Education Association testified and indicated neutrality on these bills. (1-28-16)

A representative of the American Federation of Teachers testified and indicated neutrality on House Bills 5156 and 5158. (1-28-16)

A representative of the American Federation of Teachers testified in opposition to House Bill 5159. (1-28-16)

The Michigan Association of Secondary School Principals opposes House Bill 5159. (2-4-16)

The Michigan Elementary and Middle School Principals Association opposes House Bill 5159. (2-4-16)

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.