

Legislative Analysis



PROFESSIONAL DEVELOPMENT REQUIREMENTS FOR TEACHERS AND ADMINISTRATORS

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House Bill 5156 (proposed substitute H-4)
Sponsor: Rep. Lisa Posthumus Lyons

House Bill 5158 (proposed substitute H-3)
Sponsor: Rep. Amanda Price

House Bill 5157 (proposed substitute H-4)
Sponsor: Rep. Daniela R. Garcia

House Bill 5159 (proposed substitute H-2)
Sponsor: Rep. Ken Yonker

Committee: Education
Complete to 2-3-16

REVISED 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 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.

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).¹ 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 school district develop an individualized development plan for each teacher, conduct classroom evaluations, and produce a performance evaluation each year.

¹ 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

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.

The trainings required in this bill are separate from the 15 days of professional development required within a teacher's first three years of teaching under Section 1526 of the Revised School Code, with proposed changes in House Bill 5158, below.

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 complete 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' 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).

CHANGES IN NEW SUBSTITUTE BILLS:

The latest substitutes for the bills would do the following:

- Add Achievement Authority schools to the schools affected by these four bills.
- Change the minimum increment of time for continuing professional development from 30 minutes to 45 minutes.
- Allow professional development to be based on "a school improvement plan for a school in which [a teacher] teaches" in addition to the teacher's individual professional development plan. Any plan would also be based on the State Board approved standards for professional learning.

- Make the following changes in the teacher professional development guidelines requirements to be developed by the Department of Education:
 - Replace the requirement that 50% of professional development take place individually or in groups smaller than 30 teachers with a broader requirement that the professional development be targeted to a group of teachers based on a commonality of needs based on their individual plans and the school plan.
 - Require that a portion of the professional development be conducted during the school year.
- Make the following change in the administrator continuing education guidelines requirements to be developed by the Department of Education:
 - Add "rater reliability, and providing coaching and feedback to the teacher or administrator being evaluated" to the list of education experiences included in conducting evaluations of teachers and administrator peers.
- Require that mentor teachers assigned to new teachers be rated as at least "effective" under Section 1249.
- Extend the requirement that a school district, ISD, charter school, or achievement authority provide teachers in their first three years of employment with a mentor to include administrators in their first three years in that role.
- Rewrite the State Aid penalty, as described above.

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 3 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.

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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.