

# HOUSE BILL NO. 4032

January 27, 2021, Introduced by Reps. Kahle, Kuppa and VanSingel and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending sections 1249 and 1249b (MCL 380.1249 and 380.1249b),  
section 1249 as amended by 2019 PA 6 and section 1249b as amended  
by 2019 PA 5.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**1**       Sec. 1249. (1) Subject to subsection (4), with the involvement  
**2**   of teachers and school administrators, the board of a school  
**3**   district or intermediate school district or board of directors of a

1 public school academy shall adopt and implement for all teachers  
2 and school administrators a rigorous, transparent, and fair  
3 performance evaluation system that does all of the following:

4 (a) ~~Evaluates~~ **Subject to subsection (2)(k) and section**  
5 **1249b(1)(j), evaluates** the teacher's or school administrator's job  
6 performance at least annually while providing timely and  
7 constructive feedback.

8 (b) Establishes clear approaches to measuring student growth  
9 and provides teachers and school administrators with relevant data  
10 on student growth.

11 (c) Evaluates a teacher's or school administrator's job  
12 performance, using multiple rating categories that take into  
13 account student growth and assessment data. Student growth must be  
14 measured using multiple measures that may include student learning  
15 objectives, achievement of individualized education program goals,  
16 nationally normed or locally developed assessments that are aligned  
17 to state standards, research-based growth measures, or alternative  
18 assessments that are rigorous and comparable across schools within  
19 the school district, intermediate school district, or public school  
20 academy. If the performance evaluation system implemented by a  
21 school district, intermediate school district, or public school  
22 academy under this section does not already include the rating of  
23 teachers as highly effective, effective, minimally effective, and  
24 ineffective, then the school district, intermediate school  
25 district, or public school academy shall revise the performance  
26 evaluation system not later than September 19, 2011 to ensure that  
27 it rates teachers as highly effective, effective, minimally  
28 effective, or ineffective.

29 (d) Uses the evaluations, at a minimum, to inform decisions

1 regarding all of the following:

2 (i) The effectiveness of teachers and school administrators,  
3 ensuring that they are given ample opportunities for improvement.

4 (ii) Promotion, retention, and development of teachers and  
5 school administrators, including providing relevant coaching,  
6 instruction support, or professional development.

7 (iii) Whether to grant tenure or full certification, or both, to  
8 teachers and school administrators using rigorous standards and  
9 streamlined, transparent, and fair procedures.

10 (iv) Removing ineffective tenured and untenured teachers and  
11 school administrators after they have had ample opportunities to  
12 improve, and ensuring that these decisions are made using rigorous  
13 standards and streamlined, transparent, and fair procedures.

14 (2) The board of a school district or intermediate school  
15 district or board of directors of a public school academy shall  
16 ensure that the performance evaluation system for teachers meets  
17 all of the following:

18 (a) ~~The~~ **Subject to subdivision (k), the** performance evaluation  
19 system must include at least an annual year-end evaluation for all  
20 teachers. An annual year-end evaluation must meet all of the  
21 following:

22 (i) ~~For the 2018-2019 school year, 25% of the annual year-end~~  
23 ~~evaluation must be based on student growth and assessment data.~~  
24 ~~Beginning with the 2019-2020 school year, 40%~~ **Twenty-five percent**  
25 of the annual year-end evaluation must be based on student growth  
26 and assessment data.

27 (ii) For core content areas in grades and subjects in which  
28 state assessments are administered, 50% of student growth must be  
29 measured using the state assessments, and the portion of student

1 growth not measured using state assessments must be measured using  
2 multiple research-based growth measures or alternative assessments  
3 that are rigorous and comparable across schools within the school  
4 district, intermediate school district, or public school academy.  
5 Student growth also may be measured by student learning objectives  
6 or nationally normed or locally adopted assessments that are  
7 aligned to state standards, or based on achievement of  
8 individualized education program goals.

9 (iii) The portion of a teacher's annual year-end evaluation that  
10 is not based on student growth and assessment data, as described  
11 under subparagraph (i), must be based primarily on a teacher's  
12 performance as measured by the evaluation tool developed or adopted  
13 by the school district, intermediate school district, or public  
14 school academy under subdivision (f).

15 (iv) The portion of a teacher's evaluation that is not measured  
16 using student growth and assessment data, as described under  
17 subparagraph (i), or using the evaluation tool developed or adopted  
18 by the school district, intermediate school district, or public  
19 school academy, as described under subparagraph (iii), must  
20 incorporate criteria enumerated in section 1248(1)(b)(i) to (iii)  
21 that are not otherwise evaluated under subparagraph (i) or (iii).

22 (b) If there are student growth and assessment data available  
23 for a teacher for at least 3 school years, the annual year-end  
24 evaluation must be based on the student growth and assessment data  
25 for the most recent 3-consecutive-school-year period. If there are  
26 not student growth and assessment data available for a teacher for  
27 at least 3 school years, the annual year-end evaluation must be  
28 based on all student growth and assessment data that are available  
29 for the teacher.

1 (c) The annual year-end evaluation must include specific  
2 performance goals that will assist in improving effectiveness for  
3 the next school year and are developed by the school administrator  
4 or his or her designee conducting the evaluation, in consultation  
5 with the teacher, and any recommended training identified by the  
6 school administrator or designee, in consultation with the teacher,  
7 that would assist the teacher in meeting these goals. For a teacher  
8 described in subdivision (d), the school administrator or designee  
9 shall develop, in consultation with the teacher, an individualized  
10 development plan that includes these goals and training and is  
11 designed to assist the teacher to improve his or her effectiveness.

12 (d) The performance evaluation system must include a midyear  
13 progress report for a teacher who is in the first year of the  
14 probationary period prescribed by section 1 of article II of 1937  
15 (Ex Sess) PA 4, MCL 38.81, or who received a rating of minimally  
16 effective or ineffective in his or her most recent annual year-end  
17 evaluation. The midyear progress report must be used as a  
18 supplemental tool to gauge a teacher's improvement from the  
19 preceding school year and to assist a teacher to improve. All of  
20 the following apply to the midyear progress report:

21 (i) The midyear progress report must be based at least in part  
22 on student achievement.

23 (ii) The midyear progress report must be aligned with the  
24 teacher's individualized development plan under subdivision (c).

25 (iii) The midyear progress report must include specific  
26 performance goals for the remainder of the school year that are  
27 developed by the school administrator conducting the annual year-  
28 end evaluation or his or her designee and any recommended training  
29 identified by the school administrator or designee that would

1 assist the teacher in meeting these goals. At the midyear progress  
2 report, the school administrator or designee shall develop, in  
3 consultation with the teacher, a written improvement plan that  
4 includes these goals and training and is designed to assist the  
5 teacher to improve his or her rating.

6 (iv) The midyear progress report must not take the place of an  
7 annual year-end evaluation.

8 (e) The performance evaluation system must include classroom  
9 observations to assist in the performance evaluations. All of the  
10 following apply to these classroom observations:

11 (i) A classroom observation must include a review of the  
12 teacher's lesson plan and the state curriculum standard being used  
13 in the lesson and a review of pupil engagement in the lesson.

14 (ii) A classroom observation does not have to be for an entire  
15 class period.

16 (iii) Unless a teacher has received a rating of effective or  
17 highly effective on his or her 2 most recent annual year-end  
18 evaluations, there must be at least 2 classroom observations of the  
19 teacher each school year. At least 1 observation must be  
20 unscheduled.

21 (iv) The school administrator responsible for the teacher's  
22 performance evaluation shall conduct at least 1 of the  
23 observations. Other observations may be conducted by other  
24 observers who are trained in the use of the evaluation tool that is  
25 used under subdivision (f). These other observers may be teacher  
26 leaders.

27 (v) A school district, intermediate school district, or public  
28 school academy shall ensure that, within 30 days after each  
29 observation, the teacher is provided with feedback from the

1 observation.

2 (f) For the purposes of conducting annual year-end evaluations  
3 under the performance evaluation system, by the beginning of the  
4 2016-2017 school year, the school district, intermediate school  
5 district, or public school academy shall adopt and implement 1 or  
6 more of the evaluation tools for teachers that are included on the  
7 list under subsection (5). However, if a school district,  
8 intermediate school district, or public school academy has 1 or  
9 more local evaluation tools for teachers or modifications of an  
10 evaluation tool on the list under subsection (5), and the school  
11 district, intermediate school district, or public school academy  
12 complies with subsection (3), the school district, intermediate  
13 school district, or public school academy may conduct annual year-  
14 end evaluations for teachers using 1 or more local evaluation tools  
15 or modifications. The evaluation tools must be used consistently  
16 among the schools operated by a school district, intermediate  
17 school district, or public school academy so that all similarly  
18 situated teachers are evaluated using the same evaluation tool.

19 (g) The performance evaluation system must assign an  
20 effectiveness rating to each teacher of highly effective,  
21 effective, minimally effective, or ineffective, based on his or her  
22 score on the annual year-end evaluation described in this  
23 subsection.

24 (h) As part of the performance evaluation system, and in  
25 addition to the requirements of section 1526, a school district,  
26 intermediate school district, or public school academy is  
27 encouraged to assign a mentor or coach to each teacher who is  
28 described in subdivision (d).

29 (i) The performance evaluation system may allow for exemption

1 of student growth data for a particular pupil for a school year  
2 upon the recommendation of the school administrator conducting the  
3 annual year-end evaluation or his or her designee and approval of  
4 the school district superintendent or his or her designee,  
5 intermediate superintendent or his or her designee, or chief  
6 administrator of the public school academy, as applicable.

7 (j) The performance evaluation system must provide that, if a  
8 teacher is rated as ineffective on 3 consecutive annual year-end  
9 evaluations, the school district, intermediate school district, or  
10 public school academy shall dismiss the teacher from his or her  
11 employment. This subdivision does not affect the ability of a  
12 school district, intermediate school district, or public school  
13 academy to dismiss a teacher from his or her employment regardless  
14 of whether the teacher is rated as ineffective on 3 consecutive  
15 annual year-end evaluations.

16 (k) The performance evaluation system must provide that, if a  
17 teacher is rated as highly effective on 3 consecutive annual year-  
18 end evaluations, the school district, intermediate school district,  
19 or public school academy may choose to conduct a year-end  
20 evaluation biennially instead of annually. However, if a teacher is  
21 not rated as highly effective on 1 of these biennial year-end  
22 evaluations, the teacher ~~shall~~**must** again be provided with annual  
23 year-end evaluations.

24 (l) The performance evaluation system must provide that, if a  
25 teacher who is not in a probationary period prescribed by section 1  
26 of article II of 1937 (Ex Sess) PA 4, MCL 38.81, is rated as  
27 ineffective on an annual year-end evaluation, the teacher may  
28 request a review of the evaluation and the rating by the school  
29 district superintendent, intermediate superintendent, or chief

1 administrator of the public school academy, as applicable. The  
2 request for a review must be submitted in writing within 20 days  
3 after the teacher is informed of the rating. Upon receipt of the  
4 request, the school district superintendent, intermediate  
5 superintendent, or chief administrator of the public school  
6 academy, as applicable, shall review the evaluation and rating and  
7 may make any modifications as appropriate based on his or her  
8 review. However, the performance evaluation system must not allow  
9 for a review as described in this subdivision more than twice in a  
10 3-school-year period.

11 (m) The school district, intermediate school district, or  
12 public school academy shall provide training to teachers on the  
13 evaluation tool or tools used by the school district, intermediate  
14 school district, or public school academy in its performance  
15 evaluation system and on how each evaluation tool is used. This  
16 training may be provided by a school district, intermediate school  
17 district, or public school academy, or by a consortium consisting  
18 of 2 or more of these.

19 (n) A school district, intermediate school district, or public  
20 school academy shall ensure that training is provided to all  
21 evaluators and observers. The training must be provided by an  
22 individual who has expertise in the evaluation tool or tools used  
23 by the school district, intermediate school district, or public  
24 school academy, which may include either a consultant on that  
25 evaluation tool or framework or an individual who has been trained  
26 to train others in the use of the evaluation tool or tools. This  
27 subdivision does not prohibit a school district, intermediate  
28 school district, public school academy, or consortium consisting of  
29 2 or more of these, from providing the training in the use of the

1 evaluation tool or tools if the trainer has expertise in the  
2 evaluation tool or tools.

3 (3) A school district, intermediate school district, or public  
4 school academy shall post on its public website all of the  
5 following information about the evaluation tool or tools it uses  
6 for its performance evaluation system for teachers:

7 (a) The research base for the evaluation framework,  
8 instrument, and process or, if the school district, intermediate  
9 school district, or public school academy adapts or modifies an  
10 evaluation tool from the list under subsection (5), the research  
11 base for the listed evaluation tool and an assurance that the  
12 adaptations or modifications do not compromise the validity of that  
13 research base.

14 (b) The identity and qualifications of the author or authors  
15 or, if the school district, intermediate school district, or public  
16 school academy adapts or modifies an evaluation tool from the list  
17 under subsection (5), the identity and qualifications of a person  
18 with expertise in teacher evaluations who has reviewed the adapted  
19 or modified evaluation tool.

20 (c) Either evidence of reliability, validity, and efficacy or  
21 a plan for developing that evidence or, if the school district,  
22 intermediate school district, or public school academy adapts or  
23 modifies an evaluation tool from the list under subsection (5), an  
24 assurance that the adaptations or modifications do not compromise  
25 the reliability, validity, or efficacy of the evaluation tool or  
26 the evaluation process.

27 (d) The evaluation frameworks and rubrics with detailed  
28 descriptors for each performance level on key summative indicators.

29 (e) A description of the processes for conducting classroom

1 observations, collecting evidence, conducting evaluation  
2 conferences, developing performance ratings, and developing  
3 performance improvement plans.

4 (f) A description of the plan for providing evaluators and  
5 observers with training.

6 (4) If a collective bargaining agreement was in effect for  
7 teachers or school administrators of a school district,  
8 intermediate school district, or public school academy as of July  
9 19, 2011, if that same collective bargaining agreement is still in  
10 effect as of November 5, 2015, and if that collective bargaining  
11 agreement prevents compliance with subsection (1), then subsection  
12 (1) does not apply to that school district, intermediate school  
13 district, or public school academy until after the expiration of  
14 that collective bargaining agreement.

15 (5) The department shall establish and maintain a list of  
16 teacher evaluation tools that have demonstrated evidence of  
17 efficacy and that may be used for the purposes of this section.  
18 That list initially must include at least the evaluation models  
19 recommended in the final recommendations released by the Michigan  
20 council on educator effectiveness in July 2013. The list must  
21 include a statement indicating that school districts, intermediate  
22 school districts, and public school academies are not limited to  
23 only using the evaluation tools that are included on the list. A  
24 school district, intermediate school district, or public school  
25 academy is not required to use an evaluation tool for teacher  
26 evaluations that is the same as it uses for school administrator  
27 evaluations or that has the same author or authors as the  
28 evaluation tool it uses for school administrator evaluations. The  
29 department shall promulgate rules establishing standards and

1 procedures for adding an evaluation tool to or removing an  
 2 evaluation tool from the list. These rules must include a process  
 3 for a school district, intermediate school district, or public  
 4 school academy to submit its own evaluation tool for review for  
 5 placement on the list.

6 ~~(6) The training required under subsection (2) must be paid~~  
 7 ~~for from the funds available in the educator evaluation reserve~~  
 8 ~~fund created under section 95a of the state school aid act of 1979,~~  
 9 ~~MCL 388.1695a.~~

10 (6) ~~(7)~~ This section does not affect the operation or  
 11 applicability of section 1248.

12 (7) ~~(8)~~ As used in this section, "teacher" means an individual  
 13 who has a valid Michigan teaching certificate or authorization or  
 14 who is engaged to teach under section 1233b; who is employed, or  
 15 contracted for, by a school district, intermediate school district,  
 16 or public school academy; and who is assigned by the school  
 17 district, intermediate school district, or public school academy to  
 18 deliver direct instruction to pupils in any of grades K to 12 as a  
 19 teacher of record.

20 Sec. 1249b. (1) The board of a school district or intermediate  
 21 school district or board of directors of a public school academy  
 22 shall ensure that the performance evaluation system for building-  
 23 level school administrators and for central-office-level school  
 24 administrators who are regularly involved in instructional matters  
 25 meets all of the following:

26 (a) ~~The~~ **Subject to subdivision (j),** the performance evaluation  
 27 system must include at least an annual evaluation for all school  
 28 administrators described in this subsection by the school district  
 29 superintendent or his or her designee, intermediate superintendent

1 or his or her designee, or chief administrator of the public school  
2 academy, as applicable. However, a superintendent or chief  
3 administrator ~~shall~~ **must** be evaluated by the board or board of  
4 directors or, if the superintendent or chief administrator is not  
5 employed directly by the board or board of directors, by the  
6 designee of the board or board of directors.

7 (b) ~~For the 2018-2019 school year, 25% of the annual~~  
8 ~~evaluation must be based on student growth and assessment data.~~  
9 ~~Beginning with the 2019-2020 school year, 40%~~ **Twenty-five percent**  
10 of the annual evaluation must be based on student growth and  
11 assessment data. The student growth and assessment data to be used  
12 for the school administrator annual evaluation are the aggregate  
13 student growth and assessment data that are used in teacher annual  
14 year-end evaluations in each school in which the school  
15 administrator works as an administrator or, for a central-office-  
16 level school administrator, for the entire school district or  
17 intermediate school district.

18 (c) For the purposes of conducting annual evaluations under  
19 the performance evaluation system, the school district,  
20 intermediate school district, or public school academy shall  
21 develop or adopt and implement an evaluation tool for school  
22 administrators. The portion of a school administrator's annual  
23 evaluation that is not based on student growth must be based  
24 primarily on the school administrator's performance as measured by  
25 this evaluation tool.

26 (d) The portion of the annual evaluation that is not based on  
27 student growth and assessment data as provided under subdivision  
28 (b) or on an evaluation tool as provided under subdivision (c) must  
29 be based on at least the following for each school in which the

1 school administrator works as an administrator or, for a central-  
2 office-level school administrator, for the entire school district  
3 or intermediate school district:

4 (i) If the school administrator conducts teacher performance  
5 evaluations, the school administrator's proficiency in using the  
6 evaluation tool for teachers used by the school district,  
7 intermediate school district, or public school academy under  
8 section 1249. If the school administrator designates another person  
9 to conduct teacher performance evaluations, the evaluation of the  
10 school administrator on this factor must be based on the designee's  
11 proficiency in using the evaluation tool for teachers used by the  
12 school district, intermediate school district, or public school  
13 academy under section 1249, with the designee's performance to be  
14 counted as if it were the school administrator personally  
15 conducting the teacher performance evaluations.

16 (ii) The progress made by the school or school district in  
17 meeting the goals set forth in the school's school improvement plan  
18 or the school district's school improvement plans.

19 (iii) Pupil attendance in the school or school district.

20 (iv) Student, parent, and teacher feedback, as available, and  
21 other information considered pertinent by the superintendent or  
22 other school administrator conducting the performance evaluation or  
23 the board or board of directors.

24 (e) For the purposes of conducting annual evaluations under  
25 the performance evaluation system, by the beginning of the 2016-  
26 2017 school year, the school district, intermediate school  
27 district, or public school academy shall adopt and implement 1 or  
28 more of the evaluation tools for school administrators that are  
29 included on the list under subsection (3). However, if a school

1 district, intermediate school district, or public school academy  
2 has 1 or more local evaluation tools for school administrators or  
3 modifications of an evaluation tool on the list under subsection  
4 (3), and the school district, intermediate school district, or  
5 public school academy complies with subsection (2), the school  
6 district, intermediate school district, or public school academy  
7 may conduct annual year-end evaluations for school administrators  
8 using 1 or more local evaluation tools or modifications.

9 (f) The evaluation tool and other measures used by the school  
10 district, intermediate school district, or public school academy in  
11 its performance evaluation system for school administrators must be  
12 used consistently across the schools operated by a school district,  
13 intermediate school district, or public school academy so that all  
14 similarly situated school administrators are evaluated using the  
15 same measures.

16 (g) The performance evaluation system must assign an  
17 effectiveness rating to each school administrator described in this  
18 subsection of highly effective, effective, minimally effective, or  
19 ineffective.

20 (h) The performance evaluation system must ensure that if a  
21 school administrator described in this subsection is rated as  
22 minimally effective or ineffective, the person or persons  
23 conducting the evaluation shall develop and require the school  
24 administrator to implement an improvement plan to correct the  
25 deficiencies. The improvement plan must recommend professional  
26 development opportunities and other actions designed to improve the  
27 rating of the school administrator on his or her next annual  
28 evaluation.

29 (i) The performance evaluation system must provide that, if a

1 school administrator described in this subsection is rated as  
2 ineffective on 3 consecutive annual evaluations, the school  
3 district, intermediate school district, or public school academy  
4 shall dismiss the school administrator from his or her employment.  
5 This subdivision does not affect the ability of a school district,  
6 intermediate school district, or public school academy to dismiss a  
7 school administrator from his or her employment regardless of  
8 whether the school administrator is rated as ineffective on 3  
9 consecutive annual evaluations.

10 (j) The performance evaluation system must provide that, if a  
11 school administrator is rated as highly effective on 3 consecutive  
12 annual evaluations, the school district, intermediate school  
13 district, or public school academy may choose to conduct an  
14 evaluation biennially instead of annually. However, if a school  
15 administrator is not rated as highly effective on 1 of these  
16 biennial evaluations, the school administrator shall again be  
17 provided with annual evaluations.

18 (k) The school district, intermediate school district, or  
19 public school academy shall provide training to school  
20 administrators on the measures used by the school district,  
21 intermediate school district, or public school academy in its  
22 performance evaluation system for school administrators and on how  
23 each of the measures is used. This training may be provided by a  
24 school district, intermediate school district, or public school  
25 academy, or by a consortium consisting of 2 or more of these.

26 (l) A school district, intermediate school district, or public  
27 school academy shall ensure that training is provided to all  
28 evaluators and observers. The training must be provided by an  
29 individual who has expertise in the evaluation tool or tools used

1 by the school district, intermediate school district, or public  
2 school academy, which may include either a consultant on that  
3 evaluation tool or framework or an individual who has been trained  
4 to train others in the use of the evaluation tool or tools. This  
5 subdivision does not prohibit a school district, intermediate  
6 school district, public school academy, or consortium consisting of  
7 2 or more of these, from providing the training in the use of the  
8 evaluation tool or tools if the trainer has expertise in the  
9 evaluation tool or tools.

10 (2) A school district, intermediate school district, or public  
11 school academy shall post on its public website all of the  
12 following information about the measures it uses for its  
13 performance evaluation system for school administrators:

14 (a) The research base for the evaluation framework,  
15 instrument, and process or, if the school district, intermediate  
16 school district, or public school academy adapts or modifies an  
17 evaluation tool from the list under subsection (3), the research  
18 base for the listed evaluation tool and an assurance that the  
19 adaptations or modifications do not compromise the validity of that  
20 research base.

21 (b) The identity and qualifications of the author or authors  
22 or, if the school district, intermediate school district, or public  
23 school academy adapts or modifies an evaluation tool from the list  
24 under subsection (3), the identity and qualifications of a person  
25 with expertise in teacher evaluations who has reviewed the adapted  
26 or modified evaluation tool.

27 (c) Either evidence of reliability, validity, and efficacy or  
28 a plan for developing that evidence or, if the school district,  
29 intermediate school district, or public school academy adapts or

1 modifies an evaluation tool from the list under subsection (3), an  
2 assurance that the adaptations or modifications do not compromise  
3 the reliability, validity, or efficacy of the evaluation tool or  
4 the evaluation process.

5 (d) The evaluation frameworks and rubrics, with detailed  
6 descriptors for each performance level on key summative indicators.

7 (e) A description of the processes for collecting evidence,  
8 conducting evaluation conferences, developing performance ratings,  
9 and developing performance improvement plans.

10 (f) A description of the plan for providing evaluators and  
11 observers with training.

12 (3) The department shall establish and maintain a list of  
13 school administrator evaluation tools that have demonstrated  
14 evidence of efficacy and that may be used for the purposes of this  
15 section. That list initially must include at least the 2 evaluation  
16 models recommended in the final recommendations released by the  
17 Michigan council on educator effectiveness in July 2013. The list  
18 must include a statement indicating that school districts,  
19 intermediate school districts, and public school academies are not  
20 limited to only using the evaluation tools that are included on the  
21 list. A school district, intermediate school district, or public  
22 school academy is not required to use an evaluation tool for school  
23 administrator evaluations that is the same as it uses for teacher  
24 evaluations or that has the same author or authors as the  
25 evaluation tool it uses for teacher evaluations. The department  
26 shall promulgate rules establishing standards and procedures for  
27 adding an evaluation tool to or removing an evaluation tool from  
28 the list. These rules must include a process for a school district,  
29 intermediate school district, or public school academy to submit

1 its own evaluation tool for review for placement on the list.

2 ~~(4) The training required under subsection (1) must be paid~~

3 ~~for from the funds available in the educator evaluation reserve~~

4 ~~fund created under section 95a of the state school aid act of 1979,~~

5 ~~MCL 388.1695a.~~