

**TEACHERS' TENURE (EXCERPT)**  
**Act 4 of 1937 (Ex. Sess.)**

ARTICLE VII  
STATE TENURE COMMISSION.

**38.131 State tenure commission; creation, membership; superintendent as ex-officio secretary; legal advisor.**

Sec. 1. There is hereby created a state tenure commission of 5 members: 2 of whom shall be classroom instructors, 1 a member of a board of education of a graded or city school district, 1 a person not a member of a board of education or a teacher, and 1 a superintendent of schools. The superintendent of public instruction shall be ex officio secretary of the commission, and the attorney general shall assign to the commission an assistant who shall be legal advisor to the commission.

**History:** 1937, Ex. Sess., Act 4, Eff. Sept. 1, 1937;—CL 1948, 38.131;—Am. 1963, Act 242, Eff. Sept. 6, 1963.

**Popular name:** Teachers' Tenure Act

**38.132 Tenure commission; members, appointment, terms, vacancies.**

Sec. 2. Within 30 days after the effective date of this act, the governor shall appoint the members of the tenure commission for the following terms: One for a term of 3 years, 1 for a term of 2 years and 1 for a term of 1 year. Each term shall begin on the first day of September. Immediately preceding the expiration of their respective terms the governor shall appoint succeeding members of the tenure commission for terms of 5 years. In the event of a vacancy on the tenure commission the governor shall immediately appoint a successor to complete the unexpired term.

**History:** 1937, Ex. Sess., Act 4, Eff. Sept. 1, 1937;—CL 1948, 38.132.

**Popular name:** Teachers' Tenure Act

**38.133 Tenure commission; geographical qualifications of members.**

Sec. 3. Not more than 1 member of the tenure commission shall be appointed from any 1 school district.

**History:** 1937, Ex. Sess., Act 4, Eff. Sept. 1, 1937;—CL 1948, 38.133.

**Popular name:** Teachers' Tenure Act

**38.134 Tenure commission; qualifications of teacher member.**

Sec. 4. Any teacher appointed to the tenure commission after September 1, 1938, must be on continuing tenure.

**History:** 1937, Ex. Sess., Act 4, Eff. Sept. 1, 1937;—CL 1948, 38.134.

**Popular name:** Teachers' Tenure Act

**38.135 Tenure commission; membership of teacher not to affect tenure.**

Sec. 5. Membership on the state tenure commission shall not adversely affect the status of the teacher's tenure with a controlling board.

**History:** 1937, Ex. Sess., Act 4, Eff. Sept. 1, 1937;—CL 1948, 38.135.

**Popular name:** Teachers' Tenure Act

**38.136 Tenure commission; times and places of meetings; conducting business at public meeting; notice of meeting.**

Sec. 6. (1) The tenure commission shall meet twice a year at stated times in the city of Lansing, and at other times and in other places as determined by the commission.

(2) The business which the commission may perform shall be conducted in compliance with Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

**History:** 1937, Ex. Sess., Act 4, Eff. Sept. 1, 1937;—CL 1948, 38.136;—Am. 1977, Act 252, Imd. Eff. Dec. 6, 1977.

**Popular name:** Teachers' Tenure Act

**38.137 Tenure commission; powers.**

Sec. 7. The tenure commission is hereby vested with such powers as are necessary to carry out and enforce the provisions of this act.

**History:** 1937, Ex. Sess., Act 4, Eff. Sept. 1, 1937;—CL 1948, 38.137.

**Popular name:** Teachers' Tenure Act

### **38.138 Tenure commission; compensation and expenses.**

Sec. 8. The per diem compensation of the state tenure commission and the schedule for reimbursement of expenses shall be established annually by the legislature.

**History:** 1937, Ex. Sess., Act 4, Eff. Sept. 1, 1937;—CL 1948, 38.138;—Am. 1965, Act 8, Imd. Eff. Apr. 8, 1965;—Am. 1975, Act 56, Imd. Eff. May 20, 1975.

**Popular name:** Teachers' Tenure Act

### **38.139 Tenure commission; board of review for cases appealed from decision of controlling board; location of records; availability of certain writings to public.**

Sec. 9. (1) The tenure commission shall act as a board of review for all cases appealed from the decision of a controlling board. All records of the tenure commission shall be kept in the office of the superintendent of public instruction.

(2) A writing prepared, owned, used in the possession of, or retained by the commission in the performance of an official function shall be made available to the public in compliance with the freedom of information act, Act No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

**History:** 1937, Ex. Sess., Act 4, Eff. Sept. 1, 1937;—CL 1948, 38.139;—Am. 1963, Act 242, Eff. Sept. 6, 1963;—Am. 1977, Act 252, Imd. Eff. Dec. 6, 1977;—Am. 1993, Act 60, Eff. Oct. 1, 1993.

**Popular name:** Teachers' Tenure Act

### **38.140 Tenure commission; organizational meeting, election of officers, rules and regulations.**

Sec. 10. Within 30 days after the effective date of this act, the tenure commission shall hold a meeting in the city of Lansing for the purpose of organization and the election of a chairman and secretary, both of whom shall be members of the commission. The tenure commission shall draw up rules and regulations and shall have the power to amend same and to provide for the conduct of its affairs in such manner as shall be consistent with the provisions of this act.

**History:** 1937, Ex. Sess., Act 4, Eff. Sept. 1, 1937;—CL 1948, 38.140.

**Popular name:** Teachers' Tenure Act

**Administrative rules:** R 38.131 et seq. of the Michigan Administrative Code.

### **38.141 Repealed. 1965, Act 8, Imd. Eff. Apr. 8, 1965.**

**Compiler's note:** The repealed section provided two-year appropriation for expenses of the tenure commission.

**Popular name:** Teachers' Tenure Act