



**House  
Legislative  
Analysis  
Section**

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**TEACHER TENURE AFTER 4 YEARS**

**House Bill 4112**  
**Sponsor: Rep. Jessie Dalman**  
**Committee: Education**

**Complete to 2-12-93**

**A SUMMARY OF HOUSE BILL 4112 AS INTRODUCED 2-2-93**

The bill would amend the teachers' tenure act to do the following:

-- extend the probationary period for teachers from two years to four years and require that teachers be provided during the probationary period with individualized professional development plans and with at least annual, end-of-year performance evaluations. An evaluation would be based on at least two classroom observations at least 60 days apart, unless the teacher and administration agree to a shorter interval. A collective bargaining agreement could call for more evaluations or observations.

-- allow a two-year probationary period for a teacher who was under contract but not on continuing tenure as of the bill's effective date (with an additional year possible), and stipulate that a teacher on continuing tenure when the bill took effect would remain on continuing tenure despite not having served for at least four full school years of employment.

-- require school boards to ensure that a teacher on continuing tenure had a performance evaluation at least once every three years and to provide an individualized development plan for a teacher with a less-than-satisfactory evaluation. An evaluation would be based on at least two classroom observations. A bargaining agreement could provide for more evaluations and observations.

-- specify that a teacher in a program operated by a consortium of school districts who had been on continuing tenure in a participating district would be considered on continuing tenure only in that district. A teacher in such a program not tenured in a participating district who satisfactorily completed a probationary period would be tenured only in the school district that was the fiscal agent for the consortium.

-- specify that a teacher who satisfactorily completed the probationary period as an adult education teacher be considered on continuing tenure only for adult education and not for elementary or secondary education.

-- increase the maximum probationary period for a tenured teacher who was employed by a new school board from one year to two years. (However, if when the bill took effect a teacher was under contract to a new school board but was not on continuing tenure, the probationary period could not exceed one year.)

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-- repeal the provision that specifies that a teacher on permanent tenure whose services are terminated due to necessary personnel reductions be appointed to the first vacancy in the district for which he or she is certified and qualified.

-- expand the definition of "teacher" in the act so that the term would apply not only to certificated teachers but also to individuals employed for a full school year under a section of the School Code that permits the hiring of non-certificated, non-endorsed teachers for courses in computer science, foreign languages, mathematics, biology, chemistry, engineering, physics, robotics, and combinations of those subjects in grades 9 through 12. However, the term "teacher" would apply to those individuals for purposes of serving the probationary period and would not apply for the purpose of continuing tenure until they became certificated. The term "teacher" would not include a person whose certificate had expired or had been suspended or revoked. The term "certificated" refers to a person holding a valid certificate. The bill would deem a person to be holding a valid certificate in cases where the teacher education college provided written evidence that he or she met certification requirements but the state board of education had not yet confirmed or rejected his or her application for a teaching certificate.

MCL 38.71 et al.