

Legislative Analysis



TEACHER EFFECTIVENESS: PARENTAL NOTIFICATION & CONSENT

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House Bill 5776

Sponsor: Rep. Maureen Stapleton

Committee: Education

Complete to 11-27-12

A SUMMARY OF HOUSE BILL 5776 AS INTRODUCED 7-18-12

House Bill 5776 would require that school officials obtain written parental consent to place a student in a classroom with a teacher rated ineffective on the teacher's most recent year-end evaluation. The bill amends two sections of the Revised School Code (MCL 380.1249 & 1249a). A more detailed description of the bill follows.

House Bill 5776 requires that, beginning in the 2015-2016 school year, a school district, intermediate school district, or charter school planning to assign a student to be taught by a teacher who has been rated as ineffective in the most recent annual year-end evaluation, first obtain the written consent of the parent (or legal guardian) before finalizing that assignment. Currently under the law, a school district or charter school must simply notify a parent of a child's assignment to an ineffective teacher, if that teacher has been rated ineffective on the two most recent annual year-end evaluations.

Now under the law, the written notice to parents must be delivered by July 15, and must identify the teacher who is the subject of the notification. House Bill 5776 would retain this provision. Further, House Bill 5776 would require that the parental notification include a consent form that the parent (or legal guardian) can use to provide written consent.

Under the bill, if a school district or charter school does not receive, by August 1, a signed written consent form from the parent, then the schools would be required to assign the student for that school year only to one or more teachers who have been rated as at least minimally effective or better on their most recent annual year-end evaluations.

Finally, under current law, the Governor's Council on Educator Effectiveness is developing a performance-based educator evaluation system for Michigan administrators and teachers. Since the council's creation in late 2010, it has been transferred from the Governor's office to the Department of Technology, Management, and Budget, and renamed the Michigan Council for Educator Effectiveness. House Bill 5776 updates several subsections of the Revised School Code to make accurate references to the council. House Bill 5776 also requires that school districts and charter schools use a teacher's rating from the council's eventual performance evaluation system for the purpose of parental notification and consent (described above), if the school officials assign students to classrooms having ineffective teachers.

FISCAL IMPACT:

The bill would have an indeterminate fiscal impact but could create additional costs for school districts. To the extent that parents chose not to have their children in classes with a teacher rated ineffective, it may require staffing changes during the month before classes begin. The bill could result in a situation where a district had to hire additional staff, while still having to pay the teacher rated as ineffective, under an existing contract, even if the teacher had no students.

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