

HOUSE BILL No. 4586

April 27, 2011, Introduced by Reps. Hooker, Yonker, Bumstead and Rendon and referred to the Committee on Education.

A bill to amend 1937 (Ex Sess) PA 4, entitled

"An act relative to continuing tenure of office of certificated teachers in public educational institutions; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to create a state tenure commission and to prescribe the powers and duties thereof; and to prescribe penalties for violation of the provisions of this act,"

by amending section 2 of article IV (MCL 38.102), as amended by 1993 PA 60.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

ARTICLE IV

Sec. 2. (1) All charges against a teacher shall be made in writing, signed by the person making the charges, and filed with the secretary, clerk, or other designated officer of the controlling board, and a copy of the charges shall be provided to the teacher. The charges shall specify a proposed outcome of either discharge or a specific demotion of the teacher. **THE PERSON MAKING**

1 THE CHARGES SHALL PROVIDE THE TEACHER WITH A 5-DAY PERIOD FOR THE
2 TEACHER TO SUBMIT A WRITTEN RESPONSE TO THE CHARGES BEFORE THE
3 CHARGES ARE FILED WITH THE CONTROLLING BOARD.

4 (2) The controlling board shall decide whether or not to
5 proceed upon the charges, or may modify the charges and decide to
6 proceed upon the charges as modified, not later than 10 days after
7 the charges are filed with the controlling board. A decision to
8 proceed upon the charges shall not be made except by a majority
9 vote of the controlling board and shall be reduced to writing. **IF**
10 **THE TEACHER SUBMITS A WRITTEN RESPONSE TO THE CHARGES, THE**
11 **CONTROLLING BOARD SHALL CONSIDER THAT RESPONSE BEFORE VOTING ON THE**
12 **CHARGES.** The controlling board, if it decides to proceed upon the
13 charges, shall furnish the teacher not later than 5 days after
14 deciding to proceed upon the charges with the written decision to
15 proceed upon the charges, a written statement of the charges and a
16 statement of the teacher's rights under this article.