

HOUSE BILL NO. 5685

January 25, 2022, Introduced by Rep. Hornberger and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1231 (MCL 380.1231), as amended by 2020 PA 23,
and by adding section 1233d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1231. (1) Except as otherwise provided in subsections (5)
2 and (6), the board of a school district shall hire and contract
3 with qualified teachers. Contracts with teachers must be in writing
4 and signed on behalf of the school district by a majority of the

1 board, by the president and secretary of the board, or by the
2 superintendent of schools or an authorized representative of the
3 board. The contracts must specify the wages agreed upon.

4 (2) The board of a school district shall file a teacher's
5 contract with the secretary of the board and shall furnish a
6 duplicate copy of the contract to the teacher.

7 (3) Except as otherwise provided under this act, a contract
8 with a teacher is not valid unless the individual holds a valid
9 teaching certificate or is engaged to teach under section 1233b at
10 the time the contractual period begins or the individual is engaged
11 to teach in a community district under section 1233c. A contract
12 terminates if the certificate expires by limitation and is not
13 renewed immediately or if it is suspended or revoked by proper
14 legal authority.

15 (4) The board of a school district, after a teacher has been
16 employed at least 2 consecutive years by the board, may enter into
17 a continuing contract with a certificated teacher or a teacher
18 engaged to teach under section 1233b or, for a community district,
19 with an individual engaged to teach in a community district under
20 section 1233c.

21 (5) The board of a school district that is a community
22 district may employ or contract for, or both, qualified teachers
23 and other qualified instructional personnel at a public school that
24 formerly operated as an achievement school as necessary to carry
25 out the purposes of the community district.

26 (6) If a school district partners with an education management
27 organization for a dropout recovery program as described under
28 section 23a of the state school aid act of 1979, MCL 388.1623a, the
29 teacher of record for that program may be employed by or contracted

1 through the education management organization.

2 (7) As used in this section:

3 (a) "Achievement school" means a public school formerly within
4 the education achievement system that was operated, managed,
5 authorized, established, or overseen by the achievement authority.

6 (b) "Education management organization" means that term as
7 defined in section 23a of the state school aid act of 1979, MCL
8 388.1623a.

9 (c) "Teacher" does not include a substitute teacher **or student**
10 **teacher described in section 1233d.**

11 (d) "Teacher of record" means that term as defined in section
12 23a of the state school aid act of 1979, MCL 388.1623a.

13 **Sec. 1233d. Beginning on the effective date of the amendatory**
14 **act that added this section, subject to section 1531b, the board of**
15 **a school district or intermediate school district or board of**
16 **directors of a public school academy may employ directly, through a**
17 **contract, or contract for a full-time or part-time noncertificated,**
18 **nonendorsed student teacher without a permit to teach in a school**
19 **operated by the board for not longer than 1 year.**