

HOUSE BILL NO. 5811

February 23, 2022, Introduced by Reps. Stone, Weiss, Brenda Carter, Sabo, Clemente, Hope, Coleman, Haadsma, Breen, Sowerby, Steckloff, Cavanagh, Cherry, Steenland, Neeley, Brabec, Garza, Liberati, O'Neal, Cynthia Johnson, Rabhi, Kuppa, Pohutsky, Tyrone Carter, Manoogian, Bolden, Rogers, Shannon, Anthony, Scott, Aiyash, Thanedar, Ellison, Morse, Young, Peterson, Tate, Jones, Hertel and Whitsett 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 1 of article IV (MCL 38.101), as amended by 2011 PA 100.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 ARTICLE IV
2 Sec. 1. (1) Except as otherwise provided in section 1a of this

1 article, discharge or demotion of a teacher on continuing tenure
2 may be made **as follows:**

3 **(a) Before the effective date of the amendatory act that added**
4 **this subdivision, only for a reason that is not arbitrary or**
5 **capricious and only as provided in this act.**

6 **(b) On or after the effective date of the amendatory act that**
7 **that added this subdivision, only for reasonable and just cause and**
8 **only as provided in this act.**

9 (2) This act does not prevent any controlling board from
10 establishing a reasonable policy for retirement to apply equally to
11 all teachers who are eligible for retirement under the public
12 school employees retirement act of 1979, 1980 PA 300, MCL 38.1301
13 to 38.1437, or, having established a reasonable retirement age
14 policy, from temporarily continuing on a year-to-year basis on
15 criteria equally applied to all teachers the contract of any
16 teacher whom the controlling board might wish to retain beyond the
17 established retirement age for the benefit of the school system.

18 Enacting section 1. This amendatory act does not take effect
19 unless Senate Bill No.____ or House Bill No. 5812 (request no.
20 04272'21 a) of the 101st Legislature is enacted into law.