



DeWitt Public Schools

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September 16, 2016

Rep. Amanda Price, Chair
House Education Committee
PO Box 30014
Lansing, MI 48909

Dear Representative Price:

I am writing this letter in support of HB 5796 which would repeal section 380.1766 of the Revised School Code. I am the superintendent of DeWitt Public Schools and I had firsthand experience with MCL 1766 this past summer. This section of the revised school code is not in the best interest of students and it is not in the best interest of school districts that are trying to hire the best candidates for their open positions.

In June of 2016 DeWitt Public Schools posted two (2) special education teaching positions. Both of the positions were very challenging and they were open because experienced teachers in the district opted to transfer out of these positions. Not long after the postings went up, I was informed by the superintendent of Clinton County RESA (CCRESA) that they had to lay off a number of teachers due to a facility closing in St. John's, MI and that DeWitt Public Schools was obligated to offer these displaced teachers a job in our district as a special education teacher. I have been a school administrator for fourteen (14) years and I have never heard of a local school district having an obligation to hire displaced teachers from the intermediate district. Needless to say, I consulted our district attorney and this obligation was confirmed under MCL 1766 of 1976.

The CCRESA also had a few open positions in other departments for some of the displaced teachers and they followed their lay-off procedures to determine which teachers would be retained and which ones would be laid off. MCL 380.1248 of 2011 mandates that they lay off the least effective teachers. In the end, we had to offer employment to two (2) of the three (3) teachers who had been employed at the facility in St. John's that had closed. These teachers were determined to be the least effective teachers on that staff – not the least senior or the best suited for a position in a local school system, but the least effective. Without a choice, DeWitt Public Schools extended invitations to these teachers to interview and one of the three teachers accepted the offer to interview. (The other two found employment elsewhere). We invited this teacher and seven other candidates in to interview for the two positions that we had open. At the end of our interview process, our committee had ranked the former CCRESA teacher as number eight (8) out of eight (8) in terms of being a good fit for our positions. Our positions were for cognitively impaired and autistic middle school and intermediate school classrooms and this teacher had been teaching at a facility for emotionally impaired and

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delinquent young adults. Despite the low ranking and potential misfit for the position, we were obligated to employ this teacher.

Not only was this teacher not the best fit, but we were required to start the teacher on a high step of salary scale because MLC 1766 requires the local district to recognize the teacher's years of service at the ISD/RESA. Our master agreement allows us to recognize up to five (5) years of experience so this hire was not part of the budget we established in June.

The final pieces that were frustrating was that we had to go through this entire process with support staff openings as well and not only did we have to offer positions, we had to verify that they were turning down positions or they would remain on our recall list and have rights to open positions in the future. Potentially, other districts in the county who did not have open positions this summer may have to offer these teachers and support personnel positions the next time they do have an open position.

I feel that MCL 1766 is outdated and that it acts against the spirit of MCL 1248 which is designed to allow districts to hire and retain the most qualified teachers. School districts need to be able to hire teachers who are the best fit for their students and their school systems. MCL 1766 clearly acts in the best interest of adults and not in the best interest of some of our highest need students. I strongly support HB 5796.

Sincerely,



John Deiter, Ph.D.,
Superintendent