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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Christie vetoes Moriarty bill, drone measure, The Philadelphia Inquirer, 1-23-14

"New education laws include tenure, social media training," The Press of Atlantic City, 1-24-14

LAW/KR

§§2,3 -
C.18A:60-16 &
18A:60-17
§4 - Note

P.L.2013, CHAPTER 235, *approved January 17, 2014*
Assembly, No. 1165 (*Fourth Reprint*)

1 AN ACT concerning tenure of State ¹**[and county]**¹ college faculty
2 and amending and supplementing P.L.1973, c.163.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 3 of P.L.1973, c.163 (C.18A:60-8) is amended to
8 read as follows:

9 3. ¹**[a.]**¹ Faculty members ¹at a county college¹ shall be under
10 tenure in their academic rank, but not in any administrative
11 position, during good behavior, efficiency and satisfactory
12 professional performance, as evidenced by formal evaluation and
13 shall not be dismissed or reduced in compensation except for
14 inefficiency, unsatisfactory professional performance, incapacity or
15 other just cause and then only in the manner prescribed by
16 subarticle B of article 2 of chapter 6 of Title 18A of the New Jersey
17 Statutes, after employment in such college or by such board of
18 trustees for

19 **[a.** 5 consecutive calendar years; or

20 b. 5 consecutive academic years, together with employment at
21 the beginning of the next academic year; or

22 c. the equivalent of more than 5 academic years within a period
23 of any 6 consecutive academic years]

24 ¹**[(1)** 6 consecutive calendar years; or

25 (2) 6 consecutive academic years, together with employment at
26 the beginning of the next academic year; or

27 (3) the equivalent of more than 6 academic years within a period
28 of any 7 consecutive academic years.

29 b. The board of trustees may, upon the hiring of a new faculty
30 member, grant tenure to the member if he was previously under
31 tenure at an accredited institution of higher education]

32 a. 5 consecutive calendar years; or

33 b. 5 consecutive academic years, together with employment at
34 the beginning of the next academic year; or

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AHI committee amendments adopted June 13, 2013.

²Senate SHI committee amendments adopted November 14, 2013.

³Senate floor amendments adopted January 9, 2014.

⁴Senate floor amendments adopted January 13, 2014.

1 c. the equivalent of more than 5 academic years within a period
 2 of any 6 consecutive academic years¹.

3 (cf: P.L.1973, c.163, s.3)

4
 5 ¹2. (New section) ²a.² Faculty members at a State college shall
 6 be under tenure in their academic rank, but not in any
 7 administrative position, during good behavior, efficiency and
 8 satisfactory professional performance, as evidenced by formal
 9 evaluation and shall not be dismissed or reduced in compensation
 10 except for inefficiency, unsatisfactory professional performance,
 11 incapacity or other just cause and then only in the manner
 12 prescribed by subarticle B of article 2 of chapter 6 of Title 18A of
 13 the New Jersey Statutes, after employment in such college or by
 14 such board of trustees for

15 (1) 6 consecutive calendar years; or

16 (2) 6 consecutive academic years, together with employment at
 17 the beginning of the next academic year; or

18 (3) the equivalent of more than 6 academic years within a period
 19 of any 7 consecutive academic years.¹

20 ²b. The board of trustees may, upon the hiring of a new faculty
 21 member, grant tenure to the member if he was previously under
 22 tenure at an accredited ³four-year³ institution of higher education.

23 ⁴【³In such instances, there shall be appropriate faculty
 24 consideration consistent with decisions for tenure at the State
 25 college.³】 A State college shall develop procedures regarding the
 26 granting of tenure upon hiring to a new faculty member who was
 27 previously under tenure at an accredited four-year institution that
 28 are consistent with decisions for tenure at the State college, and
 29 shall include faculty members in the development of the
 30 procedures.⁴ The number of new faculty members receiving tenure
 31 upon hire in an academic year shall be limited to 15% of the total
 32 number of new ³full-time tenure-track³ faculty members hired at the
 33 institution in the prior academic year or one faculty member,
 34 whichever is greater.²

35
 36 ¹【2.】^{3.1} (New section) Notwithstanding the provisions of
 37 section ¹【3 of P.L.1973, c.163 (C.18A:60-8)】 2 of P.L. , c. (C.)
 38 (pending before the Legislature as this bill),¹ to the contrary, in the
 39 case of a faculty member who is employed at a State ¹【or county】¹
 40 college prior to the effective date of P.L. , c. (C.) (pending
 41 before the Legislature as this bill), tenure shall be granted in
 42 accordance with the provisions of section 3 of P.L.1973, c.163
 43 (C.18A:60-8) as it read prior to the effective date of P.L. ,
 44 c. (C.) (pending before the Legislature as this bill).

A1165 [4R]

3

1 ¹~~3.~~ 4.¹ This act shall take effect ⁴~~immediately~~ 180 days
2 following the date of enactment⁴.

3

4

5

6

7 Revises the period of time required for a State college faculty
8 member to receive tenure.

ASSEMBLY, No. 1165

STATE OF NEW JERSEY 215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblyman GILBERT "WHIP" L. WILSON

District 5 (Camden and Gloucester)

Co-Sponsored by:

Assemblymen Schaer, DeAngelo and Coutinho

SYNOPSIS

Revises the period of time required for a State or county college faculty member to receive tenure.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 2/22/2012)

A1165 LAMPITT, WILSON

2

1 AN ACT concerning tenure of State and county college faculty and
2 amending and supplementing P.L.1973, c.163.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 3 of P.L.1973, c.163 (C.18A:60-8) is amended to
8 read as follows:

9 3. a. Faculty members shall be under tenure in their academic
10 rank, but not in any administrative position, during good behavior,
11 efficiency and satisfactory professional performance, as evidenced
12 by formal evaluation and shall not be dismissed or reduced in
13 compensation except for inefficiency, unsatisfactory professional
14 performance, incapacity or other just cause and then only in the
15 manner prescribed by subarticle B of article 2 of chapter 6 of Title
16 18A of the New Jersey Statutes, after employment in such college
17 or by such board of trustees for

18 **[**a. 5 consecutive calendar years; or

19 b. 5 consecutive academic years, together with employment at
20 the beginning of the next academic year; or

21 c. the equivalent of more than 5 academic years within a period
22 of any 6 consecutive academic years**]**

23 (1) 6 consecutive calendar years; or

24 (2) 6 consecutive academic years, together with employment at
25 the beginning of the next academic year; or

26 (3) the equivalent of more than 6 academic years within a period
27 of any 7 consecutive academic years.

28 b. The board of trustees may, upon the hiring of a new faculty
29 member, grant tenure to the member if he was previously under
30 tenure at an accredited institution of higher education.

31 (cf: P.L.1973, c.163, s.3)

32

33 2. (New section) Notwithstanding the provisions of section 3 of
34 P.L.1973, c.163 (C.18A:60-8) to the contrary, in the case of a
35 faculty member who is employed at a State or county college prior
36 to the effective date of P.L. , c. (pending before the Legislature as
37 this bill), tenure shall be granted in accordance with the provisions
38 of section 3 of P.L.1973, c.163 (C.18A:60-8) as it read prior to the
39 effective date of P.L. , c. (pending before the Legislature as this
40 bill).

41

42 3. This act shall take effect immediately.

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 STATEMENT

2

3 This bill provides that a State or county college faculty member
4 will qualify for tenure after employment at the institution for: a
5 period of 6 consecutive calendar years; or a period of 6 consecutive
6 academic years, together with employment at the beginning of the
7 next academic year; or the equivalent of more than 6 academic
8 years within a period of any 7 consecutive academic years.

9 Under current law, a faculty member of a State college or a
10 county college qualifies for tenure after employment at the college
11 for: 5 consecutive calendar years; 5 consecutive academic years,
12 together with employment at the beginning of the next academic
13 year; or the equivalent of more than 5 academic years within a
14 period of any 6 consecutive academic years.

15 The bill also allows a college to grant tenure upon hiring a new
16 faculty member if he was previously under tenure at an accredited
17 institution of higher education.

18 The bill provides that a faculty member who is employed at a
19 State or county college, prior to the bill's effective date will be
20 granted tenure in accordance with the law as it currently reads.

ASSEMBLY HIGHER EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1165

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 13, 2013

The Assembly Higher Education Committee reports favorably Assembly Bill No. 1165 with committee amendments.

As amended, this bill provides that a State college faculty member will qualify for tenure after employment at the institution for: a period of 6 consecutive calendar years; or a period of 6 consecutive academic years, together with employment at the beginning of the next academic year; or the equivalent of more than 6 academic years within a period of any 7 consecutive academic years.

Under current law, a faculty member of a State college or a county college qualifies for tenure after employment at the college for: 5 consecutive calendar years; 5 consecutive academic years, together with employment at the beginning of the next academic year; or the equivalent of more than 5 academic years within a period of any 6 consecutive academic years.

The bill provides that a faculty member who is employed at a State college prior to the bill's effective date will be granted tenure in accordance with the law as it currently reads.

The committee amended the bill to provide that the six-year tenure qualification period only applies to faculty members at State colleges, not county colleges.

This bill was pre-filed for introduction in the 2012-2013 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE HIGHER EDUCATION COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1165

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 14, 2013

The Senate Higher Education Committee reports favorably Assembly Bill No. 1165 (1R) with committee amendments.

As amended, this bill provides that a State college faculty member will qualify for tenure after employment at the institution for: a period of 6 consecutive calendar years; or a period of 6 consecutive academic years, together with employment at the beginning of the next academic year; or the equivalent of more than 6 academic years within a period of any 7 consecutive academic years.

Under current law, a faculty member of a State college or a county college qualifies for tenure after employment at the college for: 5 consecutive calendar years; 5 consecutive academic years, together with employment at the beginning of the next academic year; or the equivalent of more than 5 academic years within a period of any 6 consecutive academic years.

The bill provides that a faculty member who is employed at a State college prior to the bill's effective date will be granted tenure in accordance with the law as it currently reads. The bill also allows a State college to grant tenure upon hiring a new faculty member if he was previously under tenure at an accredited institution of higher education.

The committee amended the bill to: allow a State college to grant tenure upon hiring a new faculty member if he was previously under tenure at an accredited institution of higher education; and limit the number of new faculty members receiving tenure upon hire in an academic year to 15% of the total number of new faculty members hired at the institution in the prior academic year or one faculty member, whichever is greater.

As amended and reported by the committee, this bill is identical to Senate Bill No. 1160 with Senate committee amendments, which was also reported by the committee on this same date.

STATEMENT TO
[Second Reprint]
ASSEMBLY, No. 1165

with Senate Floor Amendments
(Proposed by Senator WEINBERG)

ADOPTED: JANUARY 9, 2014

These floor amendments: 1) clarify that in the case of the tenure upon hire that may be granted under the bill by the board of trustees of a State college to a faculty member who was previously under tenure at an accredited institution of higher education, that tenure must have been at a four-year institution; 2) clarify that the 15% cap established in the bill on the number of new faculty members receiving tenure upon hire, is 15% of new full-time tenure-track faculty; and 3) provide that in instances of tenure upon hire, there will be appropriate faculty consideration consistent with decisions for tenure at the State college.

STATEMENT TO
[Third Reprint]
ASSEMBLY, No. 1165

with Senate Floor Amendments
(Proposed by Senator WEINBERG)

ADOPTED: JANUARY 13, 2014

These floor amendments: direct a State college to develop procedures for the granting of tenure upon hire to a new faculty member who was previously under tenure at an accredited four-year institution of higher education that are consistent with decisions for tenure at the State college; require that faculty members be included in the development of those procedures; eliminate language that required appropriate faculty consideration in instances of tenure upon hire; and change the bill's effective date from immediately to 180 days following enactment.

SENATE, No. 1160

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED JANUARY 23, 2012

Sponsored by:
Senator LORETTA WEINBERG
District 37 (Bergen)

SYNOPSIS

Revises the period of time required for a State or county college faculty member to receive tenure.

CURRENT VERSION OF TEXT

As introduced.



S1160 WEINBERG

2

1 AN ACT concerning tenure of State and county college faculty and
2 amending and supplementing P.L.1973, c.163.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 3 of P.L.1973, c.163 (C.18A:60-8) is amended to
8 read as follows:

9 3. a. Faculty members shall be under tenure in their academic
10 rank, but not in any administrative position, during good behavior,
11 efficiency and satisfactory professional performance, as evidenced
12 by formal evaluation and shall not be dismissed or reduced in
13 compensation except for inefficiency, unsatisfactory professional
14 performance, incapacity or other just cause and then only in the
15 manner prescribed by subarticle B of article 2 of chapter 6 of Title
16 18A of the New Jersey Statutes, after employment in such college
17 or by such board of trustees for

18 **[a.** 5 consecutive calendar years; or

19 b. 5 consecutive academic years, together with employment at
20 the beginning of the next academic year; or

21 c. the equivalent of more than 5 academic years within a period
22 of any 6 consecutive academic years.]

23 (1) 6 consecutive calendar years; or

24 (2) 6 consecutive academic years, together with employment at
25 the beginning of the next academic year; or

26 (3) the equivalent of more than 6 academic years within a period
27 of any 7 consecutive academic years.

28 b. The board of trustees may, upon the hiring of a new faculty
29 member, grant tenure to the member if he was previously under
30 tenure at an accredited institution of higher education.

31 (cf: P.L.1973, c.163, s.3)

32

33 2. (New section) Notwithstanding the provisions of section 3
34 of P.L.1973, c.163 (C.18A:60-8) to the contrary, in the case of a
35 faculty member who is employed at a State or county college prior
36 to the effective date of P.L. , c. (pending before the Legislature as
37 this bill), tenure shall be granted in accordance with the provisions
38 of section 3 of P.L.1973, c.163 (C.18A:60-8) as it read prior to the
39 effective date of P.L. , c. (pending before the Legislature as this
40 bill).

41

42 3. This act shall take effect immediately.

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

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STATEMENT

This bill provides that a State or county college faculty member will qualify for tenure after employment at the institution for: a period of 6 consecutive calendar years; or a period of 6 consecutive academic years, together with employment at the beginning of the next academic year; or the equivalent of more than 6 academic years within a period of any 7 consecutive academic years.

Under current law, a faculty member of a State college or a county college qualifies for tenure after employment at the college for: 5 consecutive calendar years; 5 consecutive academic years, together with employment at the beginning of the next academic year; or the equivalent of more than 5 academic years within a period of any 6 consecutive academic years.

The bill also allows a college to grant tenure upon hiring a new faculty member if he was previously under tenure at an accredited institution of higher education.

SENATE HIGHER EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 1160

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 14, 2013

The Senate Higher Education Committee reports favorably Senate Bill No. 1160 with committee amendments.

This bill, as amended, provides that a State college faculty member will qualify for tenure after employment at the institution for: a period of 6 consecutive calendar years; a period of 6 consecutive academic years, together with employment at the beginning of the next academic year; or the equivalent of more than 6 academic years within a period of any 7 consecutive academic years.

Under current law, a faculty member of a State college or a county college qualifies for tenure after employment at the college for: 5 consecutive calendar years; 5 consecutive academic years, together with employment at the beginning of the next academic year; or the equivalent of more than 5 academic years within a period of any 6 consecutive academic years.

The bill provides that a faculty member who is employed at a State college prior to the bill's effective date will be granted tenure in accordance with the law as it currently reads. The bill also allows a State college to grant tenure upon hiring a new faculty member if he was previously under tenure at an accredited institution of higher education.

The committee amended the bill to: provide that the six-year tenure qualification period only applies to faculty members at State colleges, not county colleges; and limit the number of new faculty members receiving tenure upon hire in an academic year to 15% of the total number of new faculty members hired at the institution in the prior academic year or one faculty member, whichever is greater.

As amended and reported by the committee, this bill is identical to Assembly Bill No. 1165 (1R) with Senate committee amendments, which was also reported by the committee on this same date.

STATEMENT TO
[First Reprint]
SENATE, No. 1160

with Senate Floor Amendments
(Proposed by Senator WEINBERG)

ADOPTED: JANUARY 9, 2014

These floor amendments: 1) clarify that in the case of the tenure upon hire that may be granted under the bill by the board of trustees of a State college to a faculty member who was previously under tenure at an accredited institution of higher education, that tenure must have been at a four-year institution; 2) clarify that the 15% cap established in the bill on the number of new faculty members receiving tenure upon hire, is 15% of new full-time tenure-track faculty; and 3) provide that in instances of tenure upon hire, there will be appropriate faculty consideration consistent with decisions for tenure at the State college.

STATEMENT TO
[Second Reprint]
SENATE, No. 1160

with Senate Floor Amendments
(Proposed by Senator WEINBERG)

ADOPTED: JANUARY 13, 2014

These floor amendments: direct a State college to develop procedures for the granting of tenure upon hire to a new faculty member who was previously under tenure at an accredited four-year institution of higher education that are consistent with decisions for tenure at the State college; require that faculty members be included in the development of those procedures; eliminate language that required appropriate faculty consideration in instances of tenure upon hire; and change the bill's effective date from immediately to 180 days following enactment.