

18A:27-3.2

LEGISLATIVE HISTORY CHECKLIST

NJSA 18A:27-3.2

Laws of 1975 Chapter 132

Bill No. A1668

Sponsor(s) Florio, Schuck & Burstein

Date Introduced April 29, 1974

Committee: Assembly

Senate Education

Amended during passage Yes ~~No~~ Amendments during passage denoted by asterisks

Date of passage: Assembly May 16, 1974

Senate May 5, 1975

Date of approval June 30, 1975

Following statements are attached if available:

Sponsor statement Yes ~~No~~

Committee Statement: Assembly Yes ~~No~~

Senate Yes ~~No~~

Fiscal Note Yes ~~No~~

Veto message Yes ~~No~~

Message on signing Yes ~~No~~

Following were printed:

Reports Yes ~~No~~

Hearings Yes ~~No~~

As explained in the Senate Comm. statement to A1668, this bill is a compromise version of A929 and A960 of 1974.

- 974.90 New Jersey. Legislature. Assembly. Education Committee.
- E24 Public hearing on A929 (Requiring observation and evaluation of non-tenure teaching staff members) and A960 (Prescribing non-tenure teacher's rights) held 3/11/74.
- 1974g

10/4/76

1377

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ASSEMBLY, No. 1668

CHAPTER 132 LAWS OF N. J. 1975
APPROVED 6-30-75

STATE OF NEW JERSEY

INTRODUCED APRIL 29, 1974

By Assemblymen FLORIO, SCHUCK and BURSTEIN

(Without Reference)

AN ACT concerning education and supplementing "An act concerning education and providing for continued employment of non-tenure teaching staff members and supplementing Title 18A of the New Jersey Statutes," approved February 10, 1972 (P. L. 1971, c. 436).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Every board of education in this State shall cause each non-
2 tenure teaching staff member employed by it to be observed and
3 evaluated in the performance of his duties at least three times
4 during each school year but not less than once during each semester,
5 ***[to]*** **provided that the number of required observations and*
6 *evaluations may be reduced proportionately when an individual*
7 *teaching staff member's term of service is less than one academic*
8 *year. Each evaluation shall** be followed by a conference between
9 that teaching staff member and his or her superior or superiors
10 ***[for the purpose of identifying any deficiencies, extending**
11 **assistance for their correction and improving instruction]*.** **The*
12 *purpose of this procedure is to recommend as to reemployment,*
13 *identify any deficiencies, extend assistance for their correction and*
14 *improve professional competence.**

1 2. Any teaching staff member receiving notice that a teaching
2 contract for the succeeding school year will not be offered may,
3 within 15 days thereafter, request in writing a statement of the
4 reasons for such nonemployment which shall be given to the teach-
5 ing staff member in writing within ***[15]*** **30** days after the
6 receipt of such request.

1 **3. The provisions of this act shall be carried out pursuant to*
2 *rules established by the State Board of Education.**

1 ***[3.]*** **4.** This act shall take effect July 1 next following
2 enactment.

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

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STATE OF NEW JERSEY

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4 reasons for such nonemployment which shall be given to the teach-
5 ing staff member in writing within 15 days after the receipt of such
6 request.

1 3. This act shall take effect July 1 next following enactment.

STATEMENT

Section 1 of this bill would require the evaluation of each non-tenure teaching staff member at least three times during the school year.

Section 2 would permit a nontenure teaching staff member to request a statement of the reasons when he is not reemployed by the board of education.

SENATE EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1668

with Senate committee amendments

STATE OF NEW JERSEY

DATED: APRIL 21, 1975

PROVISIONS OF THE BILL

Assembly Bill No. 1668, with Senate committee amendments has two main provisions regarding nontenured teachers. It would require a minimum of three observations and evaluations of a nontenured teacher per year, each to be followed by a conference with the teacher's superior. Second, it provides a mechanism by which a teacher whose contract has not been renewed may request and must be given written reasons for nonrenewal.

BACKGROUND

Passing a bill on this subject has been a major goal of the NJEA for several years. Governor Cahill vetoed a bill in 1971 because he felt that two annual observations were not adequate. Assembly Bill No. 1668 addresses itself to the issues raised in Assembly Bill No. 929 and Assembly Bill No. 960, both introduced in 1974. Assembly Bill No. 929 subsequently called for a minimum of four observations and would have provided for automatic renewal should these observations not be performed. The Department of Education and the State board objected that an error or delay could be converted into a guarantee of reemployment. The School Boards Association agreed and objected further that four observations were more than most districts could handle.

The companion bill, Assembly Bill No. 960, would have provided a statement of reasons, a hearing procedure and an appeals mechanism for a nontenured teacher whose contract is not renewed. Objections were raised to this bill on the grounds that it would provide what amounted to instant tenure.

Assembly Bill No. 1668 is a result of a compromise worked out in the Assembly Education Committee and refined by amendments in the Senate Education Committee. The Assembly Committee reduced the number of mandated observations to three, removed the penalty clause for nonrenewal and included a stipulation that teachers must be given

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FROM THE OFFICE OF THE GOVERNOR

NY 1, 1975

FOR FURTHER INFORMATION

IMMEDIATE RELEASE

DICK CAMPBELL

Governor Brendan Byrne signed into law Monday night a bill providing for periodic evaluations of all non-tenure public school teachers.

The bill, A-1668, requires every Board of Education to provide for at least three evaluations each year of all non-tenure public school teachers.

The evaluations are to be followed by a conference between the teacher and a superior to be used as a guide to reemployment, to identify any deficiencies, to extend assistance for their correction and to improve professional competence.

In signing the bill, Byrne said he has been assured by State Education Commissioner Fred G. Burke and other education leaders that the measure can be fully implemented without any additional costs to school districts.

He said the bill will benefit both school teachers and school boards.

The bill also provides that any teacher whose contract is not being renewed can request and will receive a written statement of the reasons.

The measure was sponsored by former Assemblyman James J. Florio, D-Camden.

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