

# The path to smart tenure reform

	ORIGINAL BILL:	NJEA POSITION	FINAL BILL
<b>Where cases are heard</b>	Tenure cases remain in the courts, heard by an Administrative Law Judge. A costly and time-consuming process.	Tenure cases should go to an arbitrator, whose decision is final and binding. A faster, less expensive process.	Tenure cases go to an arbitrator, whose decision is final and binding. A faster, less expensive process.
<b>Acquisition of tenure</b>	Tenure could be earned in four years, but teacher would need three consecutive annual summative evaluations of effective or highly effective. Teacher could teach forever without acquiring tenure.	Tenure can be earned in four years. Use the longer probationary period to provide better mentoring and evaluation so that new teachers have the opportunity to succeed and districts have the time and reliable information they need to make smart decisions about granting tenure.	Tenure can be earned in four years. After a first year, which includes required mentoring, a teacher must be rated effective in two of the following three years to be considered for tenure.
<b>Tenure charges</b>	Tenure could be revoked without due process if an employee was rated ineffective or partially effective in one year and did not improve the following year. As a result, employees could be fired, with no right to appeal outside the district. Due process would have been effectively eliminated.	If a tenured teacher is judged ineffective under a good evaluation system and does not improve in a reasonable period of time, a district should act to remove that person. Due process rights must be maintained.	Tenure charges <i>must</i> be brought against a teacher rated ineffective following a partially effective or lower rating the previous year. Tenure charges <i>may</i> be brought against a teacher rated partially effective following a partially effective or lower rating the previous year, but the district has the discretion to offer that teacher a third year to reach a effective rating before a tenure charge. Due process rights are maintained.
<b>Who conducts evaluations</b>	A school improvement panel, consisting of administrators and a district teacher, would conduct evaluations.	Certified in-district supervisors should conduct evaluations.	Certified in-district supervisors conduct evaluations.
<b>Seniority</b>	Seniority would be only within rating categories, allowing effective senior teachers to be fired before less experienced colleagues in layoff situations.	Seniority must remain in place.	No changes to seniority.
<b>Test scores and evaluations</b>	No language limiting the use of standardized test scores in teacher evaluations.	Test scores should be only one of multiple measures of student learning. Student test scores should not be the determining factor in a teacher's evaluation.	Stipulates that test scores shall not be the "predominant" factor in a teacher's evaluation.
<b>Mutual consent on transfers</b>	Teachers could not be transferred without consent of both the principal and the teacher. If no placement was found after one year they would lose their job.	So-called "mutual consent" is a back door to eliminating due process and must not be included.	No mutual consent provision.
<b>Who bears the cost</b>	Shared between the district and the association.	The state should pay.	The state.