



THE CONTINUING EDUCATION REQUIREMENTS

Ongoing professional development has long been a well-established requirement of the teaching profession in many states. In New Jersey, however, continuing education of teaching staff members did not become a state-wide requirement until May 1998, when the State Board of Education enacted a regulation requiring all classroom teachers to complete 100 clock hours of approved continuing professional development every five years. Since then, the state's professional development program has been a "work-in-progress," marked by continuous refinement and development. In 2004, this evolutionary process resulted in expanding the state-required on-going professional development to New Jersey's school administrators.

This article will delineate and summarize the most recent provisions of the code and their implications to local boards of education. It is anticipated, however, that the state's expectations will continue to be shaped by an evolutionary process subject to reassessment and future modifications. Board members can remain alert to the latest developments in this area by visiting the NJSBA website at www.njsba.org and clicking on the Member Services tab, then on Labor Relations and the "Continuing Education" entry listed under Critical Issues. This page also provides a direct link to the Professional Development page of the New Jersey Department of Education, which contains valuable information on the continuing education initiative including a list of the Most Frequently Asked Questions. In addition, subscribers to *The Negotiations Advisor Online*, will be kept informed of significant developments through the resource's "What's New" page.

While the continued evolution of the requirement may bring changes and additional clarification as well as raise new questions, this ongoing process will be guided by the Code's specific provisions and fundamental purpose: to establish a statewide system on continuous professional development that will provide all teachers and administrators with the knowledge, skills and "dispositions" ¹ that

are required to meet their responsibilities during their professional careers.

Continuing Education For Teachers

The state's requirement for teachers' continued professional development is addressed in *N.J.A.C. 6A:9-15.1 et seq.* This section of the Code covers the fundamental structure and implementation of the state-wide program, including teachers' continuing education requirement as well as the process and procedures required to implement, administer and monitor the state-wide program. In addition to the specific provisions of the Code, the Department of Education and the Professional Teaching Standard Board have, over the years, offered guidance and clarification to assist teachers' and local districts' understanding of their obligations. ² The provisions of the Code, as well as DOE's guidance, are summarized below.

The Requirement

The Administrative Code requires teachers to obtain 100 hours of continuing education every five years. The underlying purpose of New Jersey's continued education requirement is to establish a statewide system of ongoing professional development that will assist teachers to obtain, and maintain, the knowledge and skills essential to achieve the Core Curriculum Content Standards adopted by the State Board of Education. To govern the implementation of its goal, the Code addresses the very basic "who, when and what" issues surrounding the requirement.

Who Is Affected The requirement applies to all active teaching staff members employed as of September 2000 whose positions require possession of the instructional or educational services licenses in accordance with *N.J.A.C. 6A:9-8, 10 and 12* who are employed by boards of education, charter schools, and non-public schools that require teaching licenses. In other words, the requirement applies

¹ *N.J.A.C. 6A: 9-3.1*

² The Department of Education's guidelines and information on Professional Development may be accessed at www.state.nj.us/njded/profdev/. Links to this site, as well as additional sources of information, may also be found on the NJSBA web site at www.njsba.org.

to staff involved in instruction, including part-time teachers, special education teachers, and vocational teachers.³

The requirement affects only holders of standard certificates, thus provisional teachers are not required to participate until they successfully complete the requirements to obtain a standard certification. However, all new teachers with standard certificates must fulfill the requirement and must receive their individual PIP, within 60 days of the board's approval of their individual employment contracts.

The first five-year continuing education cycle extended from September 2000 to September 2005. The latest administrative code requirement clarifies that the cycle for new teachers begins with the issuance of their PIPs and is to be completed exactly five years from that date. According to *N.J.A.C. 6A-9-15.4 (d)*, accrued professional development hours are portable between schools and districts. However, the Code, as adopted in 2004, does not specifically address whether this portability extends to the number of years that newly-hired teachers' with experience in other districts obtained in their prior years of employment. This issue may be clarified by future guidance from the DOE.

According to the Department of Education's advice,⁴ the cycle is interrupted when teachers go on leave and is resumed when teachers return to active employment. However, teachers on leave for one year or less can have the option to accrue continuing education hours if the teacher has a PIP for the school year.

What Is Involved As of September 2000, active teachers have been required to complete 100 clock hours of state approved continued professional development every five years. The contents of each teacher's continuing education must be specified in a Professional Improvement Plan (PIP), developed in accordance with *N.J.A.C. 6:3-4.1 et seq.* and must be designed to meet the needs of the individual teacher in the context of his or her job. In addition, the 2004 Code requires that each teacher's professional development plan must also be aligned with the Code's Professional Development Standards as delineated in *N.J.A.C. 6A-9-15.2 (d)*.

The State's Standards For the first time, the 2004 regulations codify state-wide Professional Standards for Teachers and Professional Development Standards. Both sets of standards reflect the Department's fundamental assumption that the improvement of student learning requires a state-wide standard-based approach to the training, certification, and ongoing development of the state's teachers. The Professional Standards for Teachers, set forth at *N.J.A.C. 6A: 9-3.3*, set the framework to guide the accreditation of teacher training programs as well as criteria in considering recommendations for teacher certification. They also form the basis for the contents of the Professional Development Standards.

Found at *N.J.A.C. 6A-9-15.2 (d)*, the Professional

Development Standards contain 12 major characteristics of professional development plans, supplemented by specific descriptors, which should mark teachers' professional development plans. These include criteria requiring that professional development plans provide teachers with: enhanced knowledge of subject content; improved understanding of the academic, social, emotional, and physical needs of each learner and ensures that educators utilize appropriate teaching skills to enable students to meet or exceed their potential; the development of a variety of classroom-based assessment skills; and so on. The standards also establish a set of district characteristics required to support professional development, including: sufficient time during work hours to engage in collegial consultation; and intellectual and financial commitment to enable the achievement of professional developments.

What Professional Development Activities Count Towards the 100 Hours

The Department of Education has clarified the type of activities that may count towards teachers' fulfillment of their 100 hours requirement. Although not specifically incorporated in the amended 2004 Code, there is every indication that the Department's intent, as expressed in its document "A New Vision For Professional Development Update 2002"⁵, continues to be applicable, as long as they meet the elements of the codified standards. Thus, teachers may satisfy their continued education requirement through a combination of various experiences offered by providers that have registered with the Department of Education. These activities include: inservice programs; formal courses and conferences sponsored by colleges, district boards of education, professional associations, or other entities approved by the Commissioner of Education.

In addition, the following activities may also count towards the requirement: action research, development of other activities related to curriculum writing; activities that "serve the profession," including, but not limited to grant writing, mentoring and other professional activities, and independent professional studies such as study groups, sabbaticals, fellowships, textbook review and portfolio developments. However, certain limitations on creditable hours may be placed on these additional activities. For example, only 75 hours of professional activities can be accrued in any five-year period and hours spent serving on professional boards cannot exceed 10 hours in any one year.

Through codified standards and "What Counts" guidelines, the structure of teachers' professional development plan appear to be rather controlled by the state's direction. However, to actually count towards the 100 hours requirement, the Code continues to specify that each teacher's professional development activities must be specified in the individual's Performance Improvement Plan (PIP) that

³ The requirements for administrators' professional development, discussed later in this article, are delineated in *N.J.A.C. 6A: 9-16*.

⁴ See the Department's Frequently Asked Questions document at www.state.nj.us/njded/genfo/overview/faq_profdev.htm

⁵ The full document is available at www.state.nj.us/njded/profdev/

is developed in accordance with districts' evaluations of teaching performance. (See discussion, later in this article, on the importance of PIPs.)

Procedures for Implementing the Requirement

The Code establishes a framework for state-wide implementation that is designed to assure that the required professional development meets the goal of providing teachers throughout the state with challenging and meaningful experiences that are relevant to the task of enabling students achieve high academic standards.⁶ This structure is based upon expected common and consistent procedures that involve an ongoing interaction between the state, counties, and local districts, where each level is given specific tasks and responsibilities.

At the State Level The state's participation in implementing the requirement is delegated to Professional Teaching Standards Board (PTSB). In accordance with the provisions of the Code, the PTSB is a body composed of 19 members, appointed by the Commissioner of Education with the approval of the State Board. These members include: 10 teachers; two college representatives, at least one of which will represent a teacher education program; three district administrators; two members of local boards; and two members of the general public. In recommending the respective members, the Commissioner is required to solicit nominations from their major professional associations. The Commissioner, or a designee, serves as an ex-officio on the PTSB.

The charge of the Professional Teaching Standards Board is to advise the Commissioner of Education as to what common standards should mark the state's professional development requirement. Since it was initially established in 1998, the PTSB has issued a number of recommendations resulting in the incorporation of the specific Professional Teaching and Professional Development Standards in the 2004 amendments to the Code. In addition, other PTSB recommendations are reflected in the Department of Education's aforementioned "A New Vision For Professional Development," which includes definitions of what activities can count towards the 100 hours requirement.

In addition to its initial responsibility of recommending specific standards for the implementation of the requirement, the PTSB is also charged with maintaining a list of registered providers who offer professional development

opportunities which are aligned with the Code's Professional Development Standards. The PTSB also has monitoring responsibilities, addressed later in this article's section on Monitoring the Requirement.⁷

At the County Level The Code establishes a *County Professional Development Board* in each county of the state. The County Boards, appointed by the Commissioner upon the recommendation of the county superintendent, consist of 15 members, including seven active teachers, the same number of representatives from the other groups serving on the PTSB, and the county superintendent as a nonvoting member. In recommending members to serve on the County Board, the county superintendent is required to solicit nominations from the major professional associations representing the respective groups.

The County Professional Boards have the delegated authority of the Commissioner to review and approve local districts' professional development plans. Such review and approval is to assure that local plans, developed by the local committees, comply with the Code's established Professional Standards for Teachers and the Professional Development Standards. Once the County Boards have approved a local plan, "the final responsibility for adoption of the plan rests with the district board of education."⁸

At the Local Level The Code requires all local districts to establish a *Professional Development Committee*. The Committees are to be comprised of four active teachers, elected by the staff through their majority representatives, and two administrative staff appointed by the chief school administrator. The Department of Education has explained that it will work individually with small districts that only have one administrator to assure that the intended proportional representation is maintained in all districts.⁹ Elections of teachers to the local committees are to be conducted in accordance with the election procedures established by local unions' constitutions and by-laws.

Local Professional Development Committees are charged with the responsibility of assessing their districts' professional development needs and of planning and implementing local professional development activities that align with the Code's Professional Development Standards and Professional Standards for Teachers. The code further charges local committees to work in conjunction with the chief school administrator and input from parents, community members and local business leaders.¹⁰

The plans developed by local committees must then

⁶ N.J.A.C. 6.A: 9-15.3 (a) 2.

⁷ In addition to its regulatory responsibilities, the PTSB is charged with developing for itself an additional independent role by January 2005. That role includes: establishing and advocating broader standards of professional performance, conduct and ethical practices; gathering and disseminating information on exemplary practices; and providing nonbinding notices of noncompliance to individual districts and professionals who do not meet the state's standard and, where necessary, refer instances of noncompliance when there may be cause for state action. N.J.A.C. 6.A: 9-15.6

⁸ N.J.A.C. 6.A: 9-15.3 (c). Statements and comments published in the *New Jersey Register* are often read to provide guidance as to an agency's intent. This intent is frequently considered when agencies, such as the Public Employment Relations Commission, are called upon to resolve districts' disputes arising from different interpretations of the meaning of a statute or regulation.

⁹ As cited in the *New Jersey Register* at 30 N.J.R. 2082.

be presented to the County Professional Development Boards for their review and approval. After the County Board's approval, the local plan is then submitted to the local board for its review, approval or rejection. According to the *New Jersey Register*,¹¹ a local board can disapprove a plan that has been approved at the county level. Under those circumstances, the rejected plan is to be referred back to the local committee, who would revise the plan and resubmit it through the above process.

Monitoring Responsibilities

Declaring the 100 hours of approved professional development "legally binding,"¹² the Code establishes various levels of responsibilities to assure compliance with the requirement. This includes the interrelated responsibilities of the individual teacher, the state, and the local board of education.

Each Active Teacher Each active individual teacher is given the responsibility, in conjunction with board policy, to take whatever steps are necessary in order to meet the requirement [N.J.A.C. 6A:9-15.4 (a)]. Note that teachers' responsibilities are linked to districts' policies. Since most, if not all, districts provide some form of inservice and tuition reimbursement for teachers, it is expected that teachers will be provided onsite opportunities to meet their 100 hours and assisted in covering the costs of meeting the requirements in accordance with their local district policies and negotiated contractual provisions. This expectation is also found in the Code's Professional Development Standards at N.J.A.C. 6A:9-15.2 (d)10.

The State Beyond establishing the requirement and the approval of training activities that will satisfy the 100 hours of continued education, the Code also assigns a monitoring role to the State Department of Education. This role involves assessing and analyzing the various continuing professional development activities, including inservice programs, to assure their effectiveness in meeting the needs of the state, local boards, and individual teachers. In addition, the state has the responsibility to review and monitor compliance with the continuing education requirement in the context of its evaluation of school districts.

Monitoring Districts' Compliance The Department's role in reviewing local districts' compliance with their continued education responsibilities was also clarified by the comments published in the *New Jersey Register*.¹³ The Department's assessment of a district's compliance with its responsibility under the Code is incorporated into the state's new monitoring system. This evaluation will include a review of the number of the district's teachers who do,

and do not, fulfill the requirements; and the district's compliance with its responsibility to assist and support teachers' efforts and to monitor their progress. Administrators' failure to meet those rules, as well as teachers' noncompliance, could hold "potential repercussions for the district and conceivably individual teachers."

Monitoring Teachers' Compliance At the initiation of the continuing education requirement, the Department commented in the *New Jersey Register*,¹⁴ that the emphasis of monitoring teachers' progress will be on evaluation. However, failure to comply is a legal violation and the Department of Education has the authority to enforce compliance with the requirement. While the continued education obligation is not an automatic requirement to maintain licensure, the Department of Education noted that it has the authority, at its discretion, to petition for disciplinary action, including the imposition of licensing sanctions for teachers' failure to complete their 100 hours of continued education in the given five-year period. The Department's decisions will be based upon districts' reports of noncompliance and descriptions of the actions taken by the local district. However, the *Register* noted that whatever the district board does, or does not do, will not affect the Department's right to bring specific cases before the State Board of Examiners, following due process procedures.

The Local District The ongoing, continuous responsibility to monitor teachers' compliance with the continued education requirement is placed at the local district level. The Code assigns the following specific responsibilities to local districts:

- *the employing board of education "shall actively assist and support a teacher's efforts" to meet the requirement [N.J.A.C. 6A:9-15.4 (b)];*
- *evaluators must assure that teachers' Professional Improvement Plans, developed in accordance with N.J.A.C. 6:3-4.1 through 4.3, specify the content of each teacher's continuing education; meets the needs of the individual teacher in the context of his or her job [N.J.A.C. 6A:9-15.2 (b)]; and is aligned with the Code's standards [N.J.A.C. 6A:9-15.2 (c) (d)] ;*
- *the administration must assure that all newly hired teachers have an individual PIP within 60 days of the board's approval of their employment contract [N.J.A.C. 6A:9-15.2 (a)]*
- *local supervisor and district administrator, through the Professional Improvement Plan process, shall monitor the teacher's efforts continuously through progressive supervision where the teacher's progress*

¹⁰ Although not specified in Code, local professional development committees have been advised by the Commissioner of Education to consult with their local boards before they submit their plans to the County Boards. See Commissioner's Memo to Chief School Administrators, September 5, 2000.

¹¹ 30 N.J.R. 2081.

¹² N.J.A.C. 6A:9-15.4 (a)

¹³ 30 N.J.R. 2080.

¹⁴ 30 N.J.R. 2080.

is inadequate [N.J.A.C. 6A:9-15.4 (b)];

- *the district administration shall take appropriate remedial action, by applying sound and accepted principles of progressive supervision as well as by using existing laws and rules to the fullest extent. [N.J.A.C. 6:9-15.5 (a)2.] ;*
- *the district administration must provide documentation of each teacher's fulfillment of the professional development requirement and, following the first five-year cycle, report annually to the Department all instances of noncompliance and describe of the actions taken to address them. [N.J.A.C. 6:9-15.5 (a)3].*

Implications for Local Boards

Teachers' 100 hours of required continuing education is no longer a new issue for boards of education. Since the initiation of the requirement, boards have adjusted their policies and practices to assure effective compliance with their responsibilities under the law. Nevertheless, boards need to continue to assess their current approaches and to remain vigilant to assure their ability to balance their commitment to continued professional development with their other educational and operational goals. To that end, boards will need to continue to be watchful of their districts' appropriate development of individual teachers' PIPs and to monitor the ongoing impact of their contractual provisions on their school operations.

The Development of PIPs The Code's requirement that teachers' individualized continued professional development be delineated in their PIPs is an important part of linking continuing education to its intended purpose: to improve instruction to assure student learning of the Core Curriculum Standards. Boards must continue to assure that their policies direct and guide their districts' evaluation procedures to focus on the development of PIPs to include meaningful activities that can help teachers improve their instructional skills and/or to remain aware of the latest best teaching practices.

The 2004 inclusion of a broad list of both Professional Teaching Standards and Professional Development Standards cannot be allowed to replace administrators' assessments of teachers' individual developmental needs. Rather, the standards should be used to guide the selection of activities that are appropriate for each teacher's classroom performance. Further, while PIPs need to be developed through open discussion and collegial cooperation between the supervisor and the teacher, the administration continues to have the final authority in the contents of PIPs.¹⁵

Boards of education cannot, and should not, be directly involved in the development of their teachers' PIPs. That is, and must be, an administrative function performed by duly certificated supervisors and evaluators. However, a district board of education does have the responsibility to establish policies that articulate district goals and expectations. Boards should therefore continue to review their policies. Boards should also continue to hold their superintendent accountable for administering and implementing a process of teacher evaluation which not only permits boards to assist teachers to meet their 100 hours requirement, but also provides the district with an approach to control professional development so that it is directly related to the improvement of instruction, student achievement, and the district's needs.

Impact of contractual provisions Most, if not all, teachers' contracts include some form of professional development provisions. Typically, these include provisions such as: tuition reimbursement; release time for professional visitations and/or seminars and workshops; inservice days; and credit on the salary guide for additional education. Boards of education need to review their contracts to assess how their negotiated provisions have helped, or hindered, their ability to meet their districts' goals for professional development and to control the allocation of their limited resources.

Periodic analysis of negotiated agreements and practices is an essential element to boards' ability to assure and retain the type of conditions necessary to effective school management. Changing circumstances, additional information and actual experience under current provisions identify areas in the contract, and in binding district practices, that have proven to impair the administration of the district. Cumbersome or damaging provisions, as well as binding past practices¹⁶ can be changed through negotiations, as long as the board raises appropriate bargaining proposals that are designed to modify existing terms of employment to improve district operations.

A number of resources are available to assist boards to analyze their contractual provisions and to draft their own bargaining proposals. These include: a series of articles, included in the NJSBA's online subscription service *The Negotiations Advisor Online*, such as "Analysis of Professional Development Clauses" in the Selected Contract Clauses section, as well as relevant sections of the "Analysis of the NJEA Sample Agreement;" and the NJSBA publication *Costing Out Your Labor Agreement*. Using these resources will help boards to achieve good administrative control of their teachers' efforts to meet their ongoing requirement to attain 100 hours of continuing education.

¹⁵ See, for example, *Douma v. Board of Education of East Brunswick*, SLD 81(443)1981; *Grieco v. Board of Education of the Town of Nutley*, SLD 83:1258 (1983). Both of these decisions were reaffirmed by the Commissioner of Education after the first adoption of the Continuing Education Requirement. Nothing in the 2003 amendment nullifies or modifies this interpretation of the nature of PIPs and their development.

¹⁶ For a full discussion of past practices, please see the article "The Meaning and Relevance of Past Practice" in the NJSBA's online subscription service *The Negotiations Advisor Online*.

Continuing Education For Administrators

The state's requirement for administrators' continued professional development is addressed in *N.J.A.C. 6A:9-16.1 et seq.* This section of the 2004 Code, entitled "Required Professional Development for School Leaders," establishes two new sets of requirements: one for Chief School Administrators and a one for Principals and Supervisors. The Code's provisions are summarized below. However, as a new initiative, the area of continuing education for school leaders is a work-in-progress which is expected to be marked by the development of criteria and procedures as well additional clarification and guidance from the Department of Education. Please consult with your resources, including the "What's New" section of *The Negotiations Advisor Online*, to assure your knowledge of possibly new developments in this area.

Implementing the Intended Requirement

The purpose of this new code is to establish "standard-based professional development for school leaders" that will continue to provide the "knowledge, skills and dispositions that school leaders need to practice responsibly."¹⁷ To that end, the Code establishes a State Advisory Committee on Professional Development for School Leaders, charged with the responsibility of advising the Department on the development of a framework for professional development plans that will support school leaders' efforts to fulfill the requirement. In addition, the Committee is to recommend to the Commissioner: guidelines for the certification of the process, standards for implementation, funding and implementation issues as well as means of evaluating the new initiative.

The Advisory Committee is to be composed of 10 members, including: three principals, three chief school administrators, two supervisors, one teacher, one higher education representative, and one board of education member. The Commissioner or his designee shall serve as ex-officio. While the details of the new program will continue to evolve, the Code establishes the basic "who, when, and what" fundamental elements of the requirement.

Who is Affected The rules affect all active school leaders whose positions require possession of the chief school administrator, principal or supervisor endorsement as defined in *N.J.A.C. 6A:9-11.2*. (Note: these rules do not apply to Business Administrators.) The rules apply to all local boards of education, charter schools and non-public schools who require the possession of the covered endorsements.

When The requirement shall take effect on the date of commencement of each district's 2004-2005 school year.

What is Involved Each school leader is required to complete an individualized professional growth plan that: identifies professional goals related to specific district or school needs; grounds professional development activities in objectives related to improving teaching, learning, and student development; and is aligned with the Professional Standards for School Leaders now formally delineated in the Code.¹⁸ School leaders must be required to provide evidence of fulfilling their plans in the form of narrative accounts detailing their goals and achievements and documentation of their participation in professional development activities.

In recognition of the different roles played by the various categories of school leaders, the Code establishes one set of requirements for superintendents and another structure for building level administrators.

Professional Development for Chief School Administrators

The Code requires Chief School Administrators to identify their goals and to develop their professional growth plan with a "peer review committee." The role of this committee, which consists of three or more chief school administrators selected by each CSA, is to provide support, to review the CSA's progress, and to recommend certification of the successful completion of the professional plan. Chief School Administrators are required to provide evidence of completion of their professional growth plan to a peer review team every three to five years, depending upon the length of their contracts with their districts' board of education.

The New Jersey Association of School Administrators is to coordinate the peer review process, certify the completion of each professional plan, and provide documentation of completion to the administrator's board of education.¹⁹

Professional Development for Principals and Supervisors

Principals and supervisors are to develop their professional development goals in conjunction with the chief school administrator. After their goals have been identified, principals and supervisors are to submit their plans to a self-selected peer review committee, comprised of three or more school administrators to obtain their input and assurance that the goals comply with the Professional

¹⁷ *N.J.A.C. 6A:9-3.1 (b)*

¹⁸ The codification of these standards reflect the Department's fundamental assumption that the improvement of student learning requires a new state-wide standard-based approach to the education of school leaders. Accordingly, these standards are required elements that are to be used at all stages of administrators' careers, from guiding the content of school leader preparation programs and recommending certification to the development of professional growth plans. These Professional Standards consist of six broad categories of identified characteristics school leaders need to "promote the success of all students" which are supplemented by detailed, specific elements that are deemed necessary to achieve the expected standard. The complete set of standards can be found at *N.J.A.C. 6A:9-3.4*.

¹⁹ *N.J.A.C. 6A:9-16.3, 16.4.*

Standards for School Leaders.

Principals and supervisors are required to provide evidence of their plan fulfillment to their superintendent every three years. Their initial three-year cycle is to extend from September 2004 to September 2007. The chief school administrator has the responsibility to certify the development, implementation and successful completion of each principal and supervisor.²⁰

Monitoring of Compliance

The responsibility to ensure enforcement of the professional development requirement for school leaders is placed with the Department of Education. Districts' compliance with the requirement will be part of the Department's annual evaluation process for school districts. In addition, the department is charged with monitoring and evaluating the effectiveness of the regulations in meeting the needs of practitioners, school districts, and the State. The Department also has the obligation to submit a progress report in September 2005 to the State Board addressing implementation and other relevant issues.²¹

Implications for Boards of Education

Unlike teachers' obligation to attain continued professional development, the state's requirement for school administrators' continuing education is a new and developing area for New Jersey school districts. Like many other "new" state initiatives, the expected date of implementation will occur before all the detailed aspects of the program have been defined. Once again, boards will need to navigate through the requirement, at least in the first few years, with their best understanding of the provisions and intent of the new Code.

Understand the Requirement It is quite clear that the state's requirement for school leaders differs considerably from the process that is established for teachers. For example, the Code does not set a minimum number of hours of required continuing education nor does it require that the contents of individual professional development be included in each administrator's PIP. In fact, the absence of board involvement in school leaders' required professional development is a most notable aspect of the Code adopted in 2003. According to the Department of Education, the omission of boards' oversight was a deliberate attempt to separate the state's requirement from the local evaluation process.

Understand the Distinction Between State and Local Requirements In the process of the development of the new licensure code, the absence of board involvement was questioned by the NJSBA. The Department's

answer, included in *The New Jersey Register* was:

*The intent of the proposed individual professional development plan for the chief school administrator is to stress peer collaboration, support and learning that is not evaluative in nature. It does not replace the evaluative role for the school board in the job performance of chief school administrators.*²²

Although the Department did not expressly address its requirement for principals and supervisors, it can easily be inferred that the same distinction was intended for those school leaders. Therefore, the burden of assuring that school administrators continue to improve their performance as district leaders through an expected and locally directed professional development plan remains a local responsibility.

Maintain Your Own District Standards and Expectations To assure their administrators' continued professional growth and improved performance, boards must assure that they have a meaningful and effective process of performance evaluation at all levels of the administrative staff. This means that boards must be prepared and committed to meet their own local responsibilities for their various roles in evaluating the performance of their administrators.

Evaluations of Chief School Administrators In accordance with *N.J.A.C.* 6:3-2.2, boards have the direct responsibility to implement their policy to conduct annual evaluations of their chief school administrators. This responsibility includes the preparation of an annual written evaluation report which identifies areas of strengths and weaknesses and recommends professional growth and development. As part of the evaluation process, the board and the CSA are to mutually develop "an individual plan for professional growth and development based in part upon any needs identified in the evaluation."²³

Boards that wish to assure that their superintendents' ongoing professional development reflects the issues raised by the superintendent's actual performance in their district must continue to set this direction in their annual evaluation process. Without this direct board involvement, boards cannot be sure that the state required professional development plan approved by a peer review committee, composed of superintendents selected by their CSA, will be designed to address identified areas needed to improve their CSA's performance.

To meet their responsibilities, board members may need resources and training to conduct meaningful and appropriate evaluations of their chief school administrators. The NJSBA's Field Service Department is available to assist boards of education to meet their legal obligation to per-

²⁰ *N.J.A.C.* 6A: 9- 16.5.

²¹ *N.J.A.C.* 6A: 9- 16.6.

²² 36 *N.J.R.* 471.

²³ *N.J.A.C.* 6: 3-2.2 (c) 4.

form direct evaluations of their chief school administrators. Further information on these resources can be obtained by visiting the NJSBA web page at www.njsba.org, clicking on the Member Services tab, and clicking on Field Services.

Evaluations of Principals and Supervisors The state's minimum standards for evaluations of teaching staff members, including principals and supervisors, are set in *N.J.A.C. 6:3-4.1 et seq.* This section of the Code requires that the evaluation process includes the development of PIPs, defined as

*... a written statement of actions developed by the supervisor and the teaching staff member to correct deficiencies or to continue professional growth, timelines for their implementation, and the responsibilities of the individual teaching staff member and the district for implementing the plan*²⁴

Thus, the locally designed PIP is intended to be a blueprint to guide the continuous improvement and development of each principal's and supervisor's professional performance. Progress in meeting the objectives of the PIPs then becomes part of the next year's performance evaluation, which in turn, becomes the basis of the next year's improvement plan. As such, the locally designed professional development plan is specifically related to administrators' performance of their district responsibilities. In sharp contrast, the state-required professional development for principals and supervisors does not specifically require a linkage to district performance. Therefore, boards that wish to assure a direct relationship between professional development and professional performance must make sure that the state-required professional development does not replace or dilute their districts' development of PIPs.

Boards of education do not, and should not, be directly involved in evaluating the performance of their principals and supervisors. That evaluative function belongs to the chief school administrator and/or his designee. However, boards of education can, and should, have well-developed board policies setting the district's standards for the evaluation of staff performance as well as its expectations for the conduct the evaluation process. Boards should also have an established process for its continuous review of district policies that assures that these documents reflect current conditions, including changes in the legal environment and in the district's direction.

A number of resources are available to assist boards' development of appropriate and relevant policies. These include the assistance of the NJSBA's Policy and Library Resources Department. Boards can also access valuable resources, such as the Critical Policies Reference Manual and the Manual of Positions and Policies on Education by going to the NJSBA web page at www.njsba.org and clicking on the Department's site listed under Member Services.

As in all other areas of policy-setting, the responsibility to administer and implement the board's direction falls on the Chief School Administrator. Boards should not usurp their superintendent's authority. However, a part of boards' responsibilities in evaluating their superintendents involves the assessment of the chief school administrator's effective administration and implementation of district policies. In this way, boards can assure that the district's approach to evaluating principals and supervisors complies with both legal requirements and district goals.

Be On the Alert for New Developments The state's requirement for school leaders' professional development is structured to be "a work-in-progress." For example, the Code expects future developments, based on the recommendations of the State Advisory Committee on Professional Development for School Leaders, that will address the framework for administrators' professional development plans, standards for implementation, as well as funding and other implementation issues. In addition, initial implementation of this initiative is likely to lead to advice or recommendations from the Commissioner of Education.

News of these expected developments will be posted on the "What's New" page of NJSBA's subscription service *The Negotiations Advisor Online*. However, boards are advised to consult their legal and labor resources before they proceed to take any action that addresses the issue of their administrators' state-required continued professional development.

Summary

New Jersey's mandate for an ongoing system of professional development is but one reflection of the state's initiative to improve the quality and proficiency of its teaching staff members. The Code requires virtually all teaching staff members to become involved and committed to the process; however, it also assigns significant administrative rights and responsibilities to local boards of education. While board members may question the substance and effectiveness of the state's requirements and object to the Code's imposition of additional bureaucratic "red tape," they cannot forget that the regulations do not deny boards' authority to become active participants in the development of their district's professional development plans. In fact, boards' involvement can also help to provide assurances that the state mandate results in a positive local impact on teachers' and administrators' effectiveness, student learning, and a district's ability to achieve its own goals. However, achieving an appropriate and constructive local impact will not be easy or automatic. Rather, boards will need to take the time to seriously and carefully consider their own local policies on staff's performance evaluations. Boards need to make sure that those policies clearly establish a district direction that requires a strong relationship

²⁴ *N.J.A.C. 6:3-4.3 (h) 3*

between staff members' professional performance and their individual professional development plan. Boards will also need to make sure that their own process for evaluating the superintendent not only complies with the district's stated direction, but also includes an assessment of their CSA's administration and oversight of their stated goals for staff evaluation.

In addition, boards will need to remember that the continuing education requirement has been, and will con-

tinue to be, a "work in progress." Future developments may include changes in both staff members' and boards' rights and responsibilities. Board members can keep abreast of these new developments through updated information that will be reported on the "What's New" page of the NJSBA subscription service *The Negotiations Advisor Online* and by consulting with their legal and labor relations resources.