

CHAPTER 7

STATE-OPERATED SCHOOL DISTRICTS

Authority

N.J.S.A. 18A:1-1, 18A:4-15 and 18A:7A-45.

Source and Effective Date

R.1999 d.297, effective August 5, 1999.
See: 31 N.J.R. 1411(a), 31 N.J.R. 2641(a).

Executive Order No. 66(1978) Expiration Date

Chapter 7, State-Operated School Districts, expires on August 5, 2004.

Chapter Historical Note

Chapter 7, State-Operated School Districts, was adopted as R.1990 d.13, effective January 2, 1990. See: 21 N.J.R. 3352(a), 22 N.J.R. 28(a).

Pursuant to Executive Order No. 22(1994), the original chapter expiration date of January 2, 1995 was extended to July 2, 1996. See: 26 N.J.R. 3783(a); 26 N.J.R. 3942(a).

Pursuant to Executive Order No. 66(1978), Chapter 7, State-Operated School Districts, was readopted as R.1994 d.616, effective November 18, 1994. See: 26 N.J.R. 3524(b), 26 N.J.R. 5010(b).

Pursuant to Executive Order No. 66(1978), Chapter 7, State-Operated School Districts, was readopted as R.1999 d.297, effective August 5, 1999. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. PROCEDURE FOR EVALUATION OF BUILDING PRINCIPALS AND VICE-PRINCIPALS IN STATE-OPERATED SCHOOL DISTRICTS

6:7-1.1 Inefficiency defined

The word "inefficiency" when used in this subchapter shall mean the failure to demonstrate satisfactory perfor-

mance in any one of the areas of school building leadership/management identified in N.J.A.C. 6:7-2.2.

6:7-1.2 Procedure for evaluation

(a) Within 30 days of appointment, the State district superintendent shall establish an assessment unit which shall conduct on-site evaluations of each building principal and vice-principal in the State-operated school district.

(b) No fewer than three evaluations pursuant to N.J.A.C. 6:7-2.2 shall be performed for each building principal and vice-principal within six months following the reorganization of the State-operated school district.

(c) Upon completion of each evaluation, the assessment unit shall provide a written evaluation report to the State district superintendent and the building principal or vice-principal.

Amended by R.1994 d.616, effective December 19, 1994.
See: 26 N.J.R. 3524(b), 26 N.J.R. 5010(b).

Amended by R.1999 d.297, effective September 7, 1999.
See: 31 N.J.R. 1411(a), 31 N.J.R. 2641(a).

Inserted references to vice-principals throughout.

6:7-1.3 Additional procedures relating to the evaluation of tenured building principals and vice-principals

(a) When, after review of at least two written evaluation reports, the State district superintendent determines that the evaluations support a charge of inefficiency against a tenured principal or vice-principal, the State district superintendent shall provide that principal or vice-principal with written notice of the alleged areas of inefficiency specifying the nature thereto, and provide at least 90 days in which to correct or overcome the areas of inefficiency.

(b) A principal or vice-principal who is given notice of the inefficiency pursuant to (a) above shall have at least one evaluation conducted after the expiration of the time period given to correct or overcome the areas of inefficiency. That evaluation shall include an assessment of the employee's performance with respect to correcting areas of inefficiency.

(c) After review of an evaluation performed pursuant to (b) above, the State district superintendent shall notify the principal or vice-principal if all the inefficiencies have been corrected or, in the alternative, which of the inefficiencies have not been corrected.

(d) In the event that certain charges of inefficiency have not been corrected, the affected employee shall have an opportunity to respond within 15 days of the receipt of said notification of inefficiency by filing a statement of evidence under oath in opposition to those charges.

(e) Upon receipt of such written statement of evidence under oath or upon expiration of the allotted 15-day time

period, the State district superintendent shall determine within 45 days whether there is probable cause to credit the evidence in support of the charges and that such charges, if credited, are sufficient to warrant a dismissal. If the State district superintendent determines that dismissal is not warranted, he or she shall notify the principal or vice-principal that he or she shall be retained. The notification shall be in writing and shall be given no later than 15 days after the expiration of the 45 day period noted in this subsection.

(f) In the event the State district superintendent finds that such probable cause exists and that the charges, if credited, are sufficient to warrant a dismissal, then the State district superintendent shall file such written charges and the required certificate of determination with the Commissioner together with proof of service upon the employee. The format of the certificate shall be as set forth in N.J.A.C. 6:24-5.2 except that the State district superintendent shall act as the board of education in all respects.

(g) No tenured building principal or vice-principal shall be dismissed on grounds other than incapacity or unbecoming conduct prior to the completion of an assessment cycle of not less than 12 months. An assessment cycle in a State-operated school district shall begin on the date the State district superintendent establishes the assessment unit or the effective date of these rules, whichever is later.

(h) Unless otherwise provided by statute, dismissals of a tenured building principal or vice-principal shall be conducted in accordance with the procedures in N.J.S.A. 18A:6-10, 11, 13, 14, 16, 17 and 18A:7A-45d except that the State district superintendent shall act as the board of education in all respects.

Amended by R.1999 d.297, effective September 7, 1999.
See: 31 N.J.R. 1411(a), 31 N.J.R. 2641(a).

Inserted references to vice-principals throughout.

SUBCHAPTER 2. CRITERIA FOR EVALUATION OF BUILDING PRINCIPALS AND VICE- PRINCIPALS IN STATE-OPERATED SCHOOL DISTRICTS

6:7-2.1 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings:

“Assessment of Pupil Progress” means a system of evaluating pupil performance in school programs.

“Community Relationships” means the interaction of school personnel with parents and other residents.

“Curriculum/Program” means the sum total of all programs of study in the school.

“School Climate” means the physical and social environment of the school.

“Staff Development” means a planned program that ensures the continual growth of school staff.

“Supervision of Instruction” means a process of assessment of the professional staff.

6:7-2.2 Criteria for evaluation of building principals and vice-principals in State-operated school districts

(a) An evaluation shall include, but not be limited to, an examination of the performance of the principal or vice-principal based on the following criteria within the identified areas of school building leadership/management established pursuant to N.J.S.A. 18A:7A-45a:

1. Curriculum/Program: The principal or vice-principal exhibits consistent and effective leadership in curriculum and program by directing efforts to meet students' academic needs.

2. Supervision of Instruction: The principal or vice-principal exhibits consistent and effective leadership in the supervision of instruction by demonstrating that the observation of teaching and learning is a major priority.

3. Staff Development: The principal or vice-principal exhibits consistent and effective leadership in promoting staff development by utilizing time, human and material resources to construct a quality program.

4. Assessment of Pupil Progress: The principal or vice-principal exhibits consistent and effective leadership in establishing and maintaining an assessment program that measures individual and group achievement.

5. Community Relationships: The principal or vice-principal exhibits consistent and effective leadership in community relationships by successfully communicating school programs and priorities to the community and by demonstrating an understanding of the importance of community involvement; and

6. School Climate: The principal or vice-principal exhibits consistent and effective leadership in creating a positive learning environment.

(b) The areas in (a) above shall not be read to limit the State district superintendent's examination of the performance of the principal or vice-principal. The State district superintendent may examine other areas of leadership and management that are generally accepted to be the responsibility of the school building principal or vice-principal.

Amended by R.1994 d.616, effective December 19, 1994.
See: 26 N.J.R. 3524(b), 26 N.J.R. 5010(b).

Amended by R.1999 d.297, effective September 7, 1999.
See: 31 N.J.R. 1411(a), 31 N.J.R. 2641(a).

Inserted references to vice-principals throughout

Case Notes

Non-retention of individuals as supervisors in connection with reorganization of state-operated school district was not discriminatory. Somerset Hills School, Inc. v. Ellis and King, State Department of Education, 95 N.J.A.R.2d (EDU) 1.

Challenge to valuation methodology for principals in state-operated district; jurisdiction. Jersey City Administrators and Supervisors Association v. State Operated School District of the City, 92 N.J.A.R.2d (EDU) 150.