

ASSEMBLY, No. 412

STATE OF NEW JERSEY

217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

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District 14 (Mercer and Middlesex)

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District 29 (Essex)

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District 14 (Mercer and Middlesex)

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Assemblymen Diegnan, Giblin and Assemblywoman Mosquera

SYNOPSIS

Makes various changes to tenure of faculty and other professional staff at State and county colleges.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 6/17/2016)

1 AN ACT concerning tenure at State and county colleges and
2 amending P.L.1973, c.163 and P.L.2013, c.235.

3

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

6

7 1. Section 2 of P.L.1973, c.163 (C.18A:60-7) is amended to
8 read as follows:

9 2. As used in this act, the following words and phrases shall
10 have the following meaning:

11 a. "Academic rank" at a county college means instructor,
12 assistant professor, associate professor, and professor, and at a State
13 college means lecturer, instructional specialist, clinical specialist,
14 instructor, assistant professor, associate professor, and professor.

15 b. "Faculty member" means any full-time member of the
16 teaching staff appointed with academic rank. Other full-time
17 professional persons shall be considered faculty members if they
18 concurrently hold academic rank.

19 (cf: P.L.1994, c.48, s.73)

20

21 2. Section 9 of P.L.1973, c.163 (18A:60-14) is amended to read
22 as follows:

23 9. Members of the professional staff not holding faculty rank
24 may be appointed by a board of trustees for 1-year terms; provided,
25 however, that after employment in a college for 5 consecutive
26 academic years or for the equivalent of 5 academic years within a
27 period of any 6 consecutive academic years, such employees **[may]**
28 shall be offered contracts of no more than 5 years in length. During
29 the period of such contracts, such employees shall be subject to
30 dismissal only in the manner prescribed by subarticle B of article 2
31 of chapter 6 of Title 18A of the New Jersey Statutes, and must be
32 notified by the president not later than 1 year prior to the expiration
33 of such contracts of the renewal or nonrenewal of the contract.

34 (cf: P.L.1979, c.21, s.1)

35

36 3. Section 2 of P.L.2013, c.235 (C.18A:60-16) is amended to
37 read as follows:

38 2. a. Faculty members at a State college shall be under tenure
39 in their academic rank, but not in any administrative position,
40 during good behavior, efficiency and satisfactory professional
41 performance, as evidenced by formal evaluation and shall not be
42 dismissed or reduced in compensation except for inefficiency,
43 unsatisfactory professional performance, incapacity or other just
44 cause and then only in the manner prescribed by subarticle B of

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 article 2 of chapter 6 of Title 18A of the New Jersey Statutes, after
2 employment in such college or by such board of trustees for

- 3 (1) 6 consecutive calendar years; or
4 (2) 6 consecutive academic years, together with employment at
5 the beginning of the next academic year; or
6 (3) the equivalent of more than 6 academic years within a period
7 of any 7 consecutive academic years.

8 b. The board of trustees may, upon the hiring of a new faculty
9 member, grant tenure to the member if he was previously under
10 tenure at an accredited four-year institution of higher education. A
11 State college shall develop procedures regarding the granting of
12 tenure upon hiring to a new faculty member who was previously
13 under tenure at an accredited four-year institution that are consistent
14 with decisions for tenure at the State college, and shall include
15 faculty members in the development of the procedures. The number
16 of new faculty members receiving tenure upon hire in an academic
17 year shall be limited to 15% of the total number of new full-time
18 tenure-track faculty members hired at the institution in the prior
19 academic year or one faculty member, whichever is greater.

20 A State college shall not grant faculty tenure upon hire to a
21 person hired for an administrative position.

22 (cf: P.L.2013, c.235, s.2)

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24 4. This act shall take effect immediately.

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STATEMENT

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29 This bill amends “The State and County College Tenure Act,”
30 P.L.1973, c.163 (C.18A:60-6 et seq.) to: (1) confer academic rank
31 at State colleges on three new titles; and (2) require that members of
32 the professional staff under certain situations be offered contracts of
33 no more than five years in length. The bill also amends P.L.2013,
34 c.235 to provide that a State college may not grant faculty tenure
35 upon hire to a person hired for an administrative position.

36 Under current law, a faculty member is defined as any full-time
37 member of the teaching staff appointed with academic rank. The
38 titles that receive academic rank currently are: instructor, assistant
39 professor, associate professor, and professor. This bill would
40 convey academic rank at State colleges on the additional titles of
41 lecturer, instructional specialist, and clinical specialist. Employees
42 with these titles would then be eligible for tenure.

43 State law provides that members of the professional staff not
44 holding faculty rank, who are employed in a college for five
45 consecutive academic years or for the equivalent of five academic
46 years within a period of any six consecutive academic years, may be
47 offered contracts of no more than five years in length. During this
48 period, the professional staff member receives contractual tenure.

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1 This bill would require colleges to offer contracts of no more than
2 five years to eligible members of the professional staff who are
3 employed for the requisite number of years.

4 Under current law, a State college may grant tenure upon hire to
5 a new faculty member if he was previously under tenure at an
6 accredited four-year institution of higher education. This bill
7 provides that faculty tenure upon hire may not be granted to a
8 person hired for an administrative position.