

EDUCATION ASSOCIATION OF	:	
PASSAIC,	:	
	:	
PETITIONER,	:	
	:	
V.	:	COMMISSIONER OF EDUCATION
	:	
BOARD OF EDUCATION OF THE CITY OF	:	DECISION
PASSAIC, PASSAIC COUNTY,	:	
	:	
RESPONDENT.	:	
	:	
_____	:	

SYNOPSIS

In this consolidated matter, petitioning Education Association of Passaic alleged certain practices of Board of Education regarding the development of Professional Improvement Plans (PIPs), topics and forms for teaching staff members are in violation of *N.J.A.C. 6:3-4.3(f)3* and *(h)3* because staff must choose PIP topics from a predetermined list of seven to eight topics and the plans do not include a statement of the school district’s responsibilities in regard to the implementation of the PIPs.

ALJ concluded contested Professional Improvement Plan practices are not in compliance with *N.J.A.C. 6:3-4.3(f)3* because they unduly circumscribe the role of the teaching staff member in the development of an individual PIP. ALJ further concluded that the PIP forms are not in compliance with *N.J.A.C. 6:3-4.3(h)3* because the PIP forms do not include space for a written statement of the district’s responsibilities for implementing the PIP as required by that regulation. ALJ ordered Board (1) to cease providing a predetermined list of topics for PIPs, (2) to develop PIPs based upon the individual teaching staff member’s areas of performance strengths and needs for improvement, and (3) to include in all PIPs the responsibilities of the school district for implementing the PIPs.

Commissioner adopted initial decision as the final decision in the matter.

OAL DKT. NOS. EDU 1081-98 and EDU 1517-98
AGENCY DKT. NOS. 456-11/97 and 493-12/97

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The record and initial decision rendered in this consolidated matter by the Office of Administrative Law have been reviewed. No exceptions were filed by the parties.

Upon review of the record and initial decision issued by the Office of Administrative Law, the Commissioner adopts as his own the recommended order of the Administrative Law Judge as set forth in the initial decision. *

IT IS SO ORDERED.

COMMISSIONER OF EDUCATION

April 26, 1999

* This decision, as the Commissioner's final determination in the instant matter, may be appealed to the State Board of Education pursuant to *N.J.S.A. 18A:6-27 et seq.* and *N.J.A.C. 6:2-1.1 et seq.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.