



# THE CONTINUING EDUCATION REQUIREMENT: A WORK IN PROGRESS

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## Important New Developments

Note: This article is no longer descriptive of the State's required continuing education program as it is based on the provisions of an Administrative Code which were repealed in December 2003 by the State Board of Education and replaced by new requirements. The newly adopted regulations became effective on January 20, 2004. Highlights of *N.J.A.C. 6A:9-15.1 et seq.* and *16.2 et seq.*, the provisions of the new rules governing the state's required continuing education program, can be found on the "What's New" page of *The Negotiations Advisor Online*.

In spite of its recent adoption, additional changes to this new code are expected to occur relatively quickly as the State Board is scheduled to consider amendments in the early months of 2004. It is also anticipated that the Department will be sending out subsequent guidelines to further clarify its expectations under the new code. Further, as the Commissioner of Education has stated that "there will be an ongoing need to review and refine this code to assure it meets the needs of our educators, schools and students," this new code is still very much a work-in-progress.

Accordingly, to assure an accurate discussion of the new requirements, revisions to this article will be delayed pending the State Board's review and anticipated modifications of these new rules. New developments in this area, including notice of the completed revisions to this article, will continue to be posted on the "What's New" page of *The Advisor*.

Ongoing professional development has long been a well-established requirement of the teaching profession in many states. In New Jersey, however, the statewide requirement for continuing education of certified teachers was not adopted until May 1998, when the State Board of Education enacted a regulation requiring all teachers to complete 100 clock hours of approved continuing professional development every five years. The intent of the Code was to establish a consistent statewide, ongoing professional obligation for New Jersey's teachers. Yet, the provisions of the Code delegated the specific details of the requirement's implementation to an ongoing developmental process that inherently involves changes, clarification, and evolution. As such, the requirement will continue to be a "work in progress" for many years. It is therefore important that board members remain familiar with the provisions of the Code as well as the latest developments in this potentially volatile area of the State's expectation for teachers' professional development.

This article will delineate the provisions of the Continuing Education Code and the evolution of the requirement as of July 2002. Board members can remain alert to the latest developments in this area by visiting the NJSBA website at [www.njsba.org](http://www.njsba.org) and clicking on

the Continuing Education entry 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, *The Negotiations Advisor Update*, on the NJSBA website and available to school districts and subscribers to *The Negotiations Advisor*, will report any significant developments that affect school districts. 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 specific provisions of the code and its fundamental purpose: to establish a statewide system on ongoing professional development that will assist teachers to obtain, and maintain, the knowledge and skills essential to students' achievement of the state's Core Curriculum Content Standards.<sup>1</sup>

## The Provisions of the Continuing Education Code

New Jersey's plan for the required professional development of teachers is established and governed by

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<sup>1</sup> *N.J.A.C. 6:11-13.2.*

*N.J.A.C. 6:11-13.1 et seq.*, first adopted in May 1998. The key provisions of the rules define: the state's minimum requirement for continued education; the framework to develop the common standards that will guide the approval of continuing education programs; and the various levels of responsibilities for the implementation and monitoring of the requirement.

The specific language of these provisions establish the basic framework of the continuing education requirement but do not, in and of themselves, provide a clear blueprint for boards of education. A better understanding of the Department of Education's vision and intent for the implementation of the continued education requirement can be obtained by following the history of the Code's adoption as described in the comments printed in the *New Jersey Register*.<sup>2</sup> For example, the *Register* contains the responses of the Department of Education to public comments. Thus, the *Register* provides clarification of many aspects of the Code's provisions and the Department's intended purpose.

Additional and more recent clarification of the Department's intent and direction can be obtained from memos from the Commissioner of Education, and additional information posted on the Department of Education's website at [www.state.nj.us/education](http://www.state.nj.us/education), which includes a listing of answers to the most commonly asked questions raised by the continuing education requirement.

Until the Code is further clarified by formal opinions and case-law, both the *New Jersey Register* and the Department's website information are helpful to a better understanding of the Department's intent. To remain aware of the latest developments in the evolution of the Code, please contact your resources, including your NJSBA field service representative and the Labor Relations Department.

## The Continuing Education Requirement

The underlying purpose of New Jersey's new 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 "what, who, when and how" issues surrounding the requirement.

**What Is Involved** As of September 2000, 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,

developed in accordance with *N.J.A.C. 6:3-4.1 et seq.*, to meet the needs of the individual teacher in the context of his or her job.

**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. 6:11-8 and 10*" who are employed by boards of education, charter schools, and non-public schools that require teaching licenses. In other words, the requirement applies to staff involved in instruction (including special education teachers and vocational teachers), but does not apply to staff whose positions' responsibilities require administrative certification.<sup>3</sup> The requirement also affects only holders of standard licenses, thus provisional teachers are not required to participate until they successfully complete the requirements to obtain a standard certification.

**When the Requirement Begins** The initial five-year cycle for teachers who were employed as of September 1, 2000 extends from September 2000 to September 2005. 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. The Department has advised that newly hired teachers begin their five-year cycle in the district upon their employment, but the continuing education credits earned in their prior districts can carry over to the new district.<sup>4</sup>

**How to Meet the Requirement** Teachers may satisfy their continued education requirement through a combination of various state-approved experiences, including: inservice programs; formal courses and conferences sponsored by colleges, district boards of education, professional associations, or other entities approved by the Commissioner of Education. To count towards the requirement, the training must meet the common state standards for continued education established by the Commissioner of Education. The Code also specifies that each actual hour of inservice training shall satisfy one hour of state-required continuing education. (*N.J.A.C. 6:11-13.2 (d)*) (For a further discussion of this issue, see the discussion on What Counts, later in this article.)

## The Process for Developing Standards

The Code provides a framework to develop the common standards that will be used "to assure that the required continuing education experiences are challenging and meaningful to teachers and relevant to the task of enabling students to achieve high academic standards."<sup>5</sup>

<sup>2</sup> 30 *N.J.R. 2079 et seq.*

<sup>3</sup> The Department has stated, however, that a future continuing education requirement for administrators and supervisors is under consideration.

<sup>4</sup> See "Frequently Asked Questions of the Professional Development Program" at [www.state.nj.us/njded/genfo/overview/faq\\_profdev.htm](http://www.state.nj.us/njded/genfo/overview/faq_profdev.htm).

<sup>5</sup> *N.J.A.C. 6:11-13.3 (b) 2.*

This framework involves an ongoing interaction between the state, counties and local districts which is designed to assure that “all teachers across the State have consistently high quality professional development and/or district inservice programs. The three-tiered oversight structure at the State, county and district level is intended to provide the appropriate level of involvement at each of these levels.”<sup>6</sup>

**At the State Level** The state’s participation in the setting of standards begins with the state’s 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 be required for continued education experiences to count towards the fulfillment of the professional development requirement. The PTSB’s recommendations are to include standards and criteria for the review and approval of inservice and other continuing education programs of local boards of education as well as programs offered by colleges, professional teaching associations and other nondistrict providers. The Code also requires the PTSB to recommend approval, or nonapproval, of all providers of professional development activities and maintain a statewide list of approved trainers for inservice.

In addition to recommending specific standards for the 100-hour continuing education program, the PTSB also has a future, independent role. The rules require the PTSB to establish and advocate, within five years of its initial meeting, broader standards of professional performance and conduct including nonmandated standards of effective and ethical practice.

**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 the inservice professional development programs of local districts. Such review and approval is to assure that local plans comply with the statewide standards established by the Commissioner upon the recommendation of the state’s PTSB.

**At the Local Level** The Code requires the establishment of a *Professional Development Committee* in every district. 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 procedures for the elections and appointments to the local committees are to comply with the standards or criteria developed by the PTSB and approved by the Commissioner. According to the *New Jersey Register*,<sup>7</sup> the Department of Education will work individually with those small districts that only have one administrator to assure that the proportional representation intended for local committees is maintained.

Local Professional Development Committees are charged with seeking input from parents, community members and local business leaders to assess district inservice needs and professional development opportunities. With that input, the committees will plan and implement professional development programs in accordance with the standards approved by the Commissioner. The Commissioner of Education has also advised local committees to consult with their boards of education before they submit their plans to the County Boards.<sup>8</sup>

The plans developed by local committees must then be presented to the County Professional Development Boards for their review and approval of the local plan, based on the statewide standards developed by the PTSB. According to the *New Jersey Register*, this review will assure that all district plans meet the rigorous statewide standards.<sup>9</sup> After the County Board’s approval, the local plan will be submitted to the local board for its review, approval or rejection.

According to the *New Jersey Register*,<sup>10</sup> a local board can disapprove a plan that has been approved at the county level. Under those circumstances, the rejected plan would be referred back to the local committee, who would revise the plan and resubmit it through the above process.

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<sup>6</sup> 30 N.J.R. 2080.

<sup>7</sup> 30 N.J.R. 2082.

<sup>8</sup> See, for example, Commissioner’s Memo to Chief School Administrators, September 5, 2000.

<sup>9</sup> 30 N.J.R. 2081.

<sup>10</sup> 30 N.J.R. 2081.

## Monitoring Responsibilities

Declaring that the 100 hours of approved professional development is “legally binding,”<sup>11</sup> 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 employing 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. 6:11-13.4 (a)*). According to the *New Jersey Register*,<sup>12</sup> it is the “ultimate” responsibility of each individual teacher to take whatever steps are necessary in order to meet the requirement, including the payment of costs. However, the *Register* also notes that districts commonly pay or reimburse training costs and are funded by the state to do so. Presumably, this suggests that teachers would be assisted in covering the costs of meeting the requirements in accordance with their local district policies and negotiated contractual provisions.

**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.

**Monitoring Teachers’ Compliance:** The Department’s comments in the *Register*<sup>13</sup> indicate 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 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* notes 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.

**Monitoring Districts’ Compliance:** The Department’s role in reviewing local districts’ compliance with their continued education responsibilities is also clarified by the comments published in the *New Jersey Register*.<sup>14</sup> 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 of the district’s compliance with its responsibility to assist and support teachers’ efforts and 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.”

**The Local District** The ongoing, continuous responsibility to monitor teachers’ compliance with the continued education requirement is placed at the local district level. Comments in the *New Jersey Register*<sup>15</sup> indicate that the Department of Education intended the new requirement to be incorporated into local districts’ ongoing monitoring and supervision of staff and of the existing system of annual evaluation of staff performance.

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. 6:11-13.4 (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 and meets the needs of the individual teacher in the context of his or her job [N.J.A.C. 6:11-13.2 (b)];*
- *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 is inadequate [N.J.A.C. 6:11-13.4 (b)];*
- *the district administration shall take appropriate remedial action, 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. 6:11-13.5 (a). Note: The initially adopted provision required districts to take “corrective” action. One month later, the State Board changed the word to “remedial” to clarify and underscore its intent that local*

<sup>11</sup> *N.J.A.C. 6:11-13.4 (a)*.

<sup>12</sup> *30 N.J.R. 2081*.

<sup>13</sup> *30 N.J.R. 2080*.

<sup>14</sup> *30 N.J.R. 2080*.

<sup>15</sup> *30 N.J.R. 2080*.

districts engage in evaluative, and not disciplinary, supervision of the requirement.];

- *the district administration shall provide recognition of each teacher's fulfillment of the requirement* [N.J.A.C. 6:11-13.5 (a)2];
- *the district administration, following the first five-year cycle, shall be required to report annually to the Department of Education all instances of noncompliance and a description of actions taken to address them* [N.J.A.C. 6:11-13.5 (a)2]; and
- *the district shall participate in a self-evaluation program, initiated under the direction of each County Professional Development Board and coordinated by the county superintendent, to assure a constant dialogue between and among all those with a stake in the professional development and inservice for teachers* [N.J.A.C. 6:11-13.5 (a)4].

These specific local monitoring obligations define boards' roles in implementing the continuing education requirement on a local level. They also define boards' rights and responsibilities under the Code. These issues are discussed fully in *The Negotiations Advisor* article "The Board's Role in Implementing the Continuing Education Requirement."

### Summary

The provisions of the Continuing Education Code establish the framework for the evolution of the state's expectation of a system of ongoing professional development for teachers. Yet, neither the specific definition of the state standards nor the activities that would count towards the 100 hours were included in the Code's provisions. Further, a workable time frame for the development and implementation of the continuing education requirement also needed definition and clarification.

Since the spring of 2000, the PTSB has been working on developing recommendations for the Commissioner's considerations. These recommendations have established parameters and procedures that have guided the implementation of the 100-hour requirement. These guidelines, which answered many questions surrounding the immediate implementation of the 100-hour requirement, are summarized below.

## Evolving Guidelines for Implementation: 2000-2001 and 2001-2002 School Years

While the Code establishes the broad framework of the continuing education requirements, it delegates the details of implementation to the PTSB. During its first year, the PTSB addressed and resolved many issues concerning the immediate implementation of the continu-

ing education requirement. The direction recommended by the PTSB, and approved by the Commissioner of Education, began with the adoption of the state's standards, and subsequently involved a definition of the first year as a "Developmental Year" as well as the delineations of what activities would count towards the 100-hour requirement.

### The State's Standards

In late January 2000, the Commissioner announced the approval of the PTSB's recommended professional development standards. The state's standards consist of 12 major philosophical statements delineating a conceptual framework for an effective, high quality program of professional development. For example, these include such expectations that professional development plans will 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.

Each broad area is supplemented by specific descriptors that illustrate and clarify the general categories. The standards are characterized as a "common set of beliefs" that mark successful professional development plans. While it is understood that not every standard needs to be addressed by every plan, it is expected that individuals' and districts' professional development plans will incorporate and be consistent with the state's standards. The complete text of the standards are available on the Department's website in a document titled "Standards for Required Professional Development for Teachers: A New Vision."

### A Developmental Year

To assure a smooth transition and an opportunity to develop appropriate local continuing education plans, the PTSB declared that the 2000-2001 school year would be a "Developmental Year." During this first year, local districts' Professional Development Committees were to give the County Boards assurances that their local approaches would comply with the state's approved standards for professional development. The actual development of a comprehensive local plan that contained specified components, such as the district's vision for professional development and district-specific activities based on identified local needs, would occur in the fall. Those plans were to be submitted for the County Board's review and approval process, and subsequently to the local board of education in accordance with a defined time frame. These

formal plans, however, would not go into effect until the 2001-2002 school year.

Therefore, during the first year of the continuing education requirements, teachers pursued activities contained in their PIPs that could count towards their required 100 hours. Local committees and County Boards were immersed during the fall and winter months with developing, reviewing and approving professional development plans that would formally go into effect September 1, 2001. Local boards of education were required to announce their decision to approve or reject the local plan submitted by their local committees by March 30, 2001.

During this time, the PTSB also addressed the issue of the panel of providers of programs that could count towards the requirement. The Department established a registry for providers and, as of August 2001, the PTSB determined that providers would not receive approval or disapproval but would be designated as “registered providers.”

The 2000-2001 school year was also marked by the development and adoption of a definition and clarification of what activities would count towards the 100-hour requirement.

### **What Counts Towards the 100 Hours**

In October 2000, the Commissioner issued additional information to clarify and supplement the Code’s broad direction that the 100 hours could be fulfilled through a variety of activities. A significant aspect in implementing the continuing education requirement, the “Framework for What Counts” first establishes that only activities that conform to the professional development standards, and *that are clearly outlined in an educator’s PIPs*, can be credited toward the required hours of professional development.

The list of “What Counts” expands upon the provisions of the Code. The Code states that coursework, seminars and workshops offered by approved providers can count towards the 100 hours. The Code also specifies that each hour spent in those activities will count as one hour of continuing education. The “What Counts” document adds the following general categories of professional activities and defines the number of hours spent in those activities that can be credited towards the requirement:

- Courses, seminars and other activities required for the maintenance of licenses or certificates issued by professional organizations or other registered providers. In instances where the same course must be taken twice within the five-year period, the hours will count only once toward the 100-hour requirement.
- Action research, study, development and other activities related to curriculum writing that focus on the Core Curriculum Content Standards;
- Activities that “serve the profession,” including, but not limited to grant writing and other professional activities. *Seventy-five hours out of the 100 required hours* can be accrued for these activities in any five-

year period. Additional limitations are also placed on the number of hours that can be accrued for certain professional activities. For example:

*mentoring a provisional teacher:* one hour of credit for each week of supervision;

*service on professional boards or committees:* not to exceed 10 hours in any one year;

*teaching a course or workshop:* one hour for every hour spent in delivery, and two hours of preparation time for each hour of delivery time. The teaching/presenting of the same or of a similar workshop will count only once during a five-year cycle.

- Independent professional studies such as study groups, sabbaticals, fellowships, textbook review and portfolio developments that are pursued by a teacher in accordance with established procedures.

However, to count towards the required professional development hours *these activities must be specified in individual teachers’ PIPs*.

### **The Importance of PIPs**

Boards initially had strong negative reactions to the “What Counts” document. The inclusion of additional activities, particularly those “that serve the profession,” was generally seen as a further dilution of a continuing education requirement that had already been weakened by its lack of connection to teacher recertification. However, boards cannot lose track of the inherent control that is held by school management: none of these activities can count if they are not included in the teachers’ PIPs. Essentially, this means that the administration has approved the activity as related, and beneficial, to the teacher’s continued and ongoing professional development.

***The Development of PIPs*** The development and contents of PIPs quickly emerged as one of the earliest, most controversial, and disputed area of the new continuing education requirement. Teachers and their organization quickly assumed that the continuing education activities that were required to be included in teachers’ PIPs would be self-determined by each individual teacher. However, boards of education and superintendents interpreted the Code as requiring that the process for developing PIPs that had been in place since the late 1970s would continue to apply to the inclusion of continuing education activities. The Commissioner of Education quickly stepped in to resolve the issue.

*The Commissioner’s Memos:* In April and May 2000, the Commissioner issued memos that reaffirmed the administration’s central role in controlling the development of teachers’ PIPs. The Commissioner’s first memo indicated that PIPs, under the Continuing Education Code, were to be developed in accordance with the well-

established procedures of *N.J.A.C.* 6:3-4.1 through 4.3, the code adopted in 1979 that prescribes the procedures for the supervision, observation and evaluation of teaching staff members.

Citing the evaluation code's provisions, the memo stated that the process for developing the PIP should be "a collegial one in which the supervisor and the teacher develop the content." The Commissioner further noted that the evaluation code does not create a requirement that individual staff members must agree to the objectives contained in the PIP and stated:

*It is important to note that in cases where there is disagreement about the content of the teacher's professional development in the PIP, and administrator may need, and has the right, to require specific activities for the teacher.*

In the second memo on the topic, the Commissioner also reaffirmed that:

*When there is a disagreement about the content of the PIP, it is advised that the supervisor discuss the specific reasons with the teacher. Relevant regulations and recent case law are clear that when there is a disagreement about the content of the PIP, the supervisor may specify the content as a last resort.*

The Commissioner's memos clearly established that, other than requiring the inclusion of continuing education activities into the PIP, the new code did not affect the process for developing and implementing professional improvement plans. This approach was further affirmed in a recent Commissioner's decision.

*A Commissioner's Decision:* In *Kinnelon Education Association v. Board of Education of the Borough of Kinnelon* (\_\_\_ SLD \_\_\_, issued May 18, 2001), the Commissioner resolved a dispute where the Association claimed that the Board's policy permitting the inclusion of district and building goals in teachers' PIPs unduly and illegally circumscribed the role of the teaching staff members in the development of their PIPs. The Commissioner ruled against the Association's position.

In this case, the Commissioner held that the inclusion of school-wide and grade-wide objectives in the PIPs did not prohibit teachers from developing additional professional growth objectives. In contrast to the situation in *Education Association of Passaic v. Board of Education of the City of Passaic* (Commissioner's Decision No. 126-99, issued April 26, 1999), the Commissioner found that teachers in this district were not required to choose a predetermined professional topic from a restricted list of items. Rather, in this situation, the teachers were not prohibited from developing their own additional growth objectives. The Commissioner stressed that

*recognition of school or district-wide goals in the development of a PIP is certainly not*

*prohibited; indeed, such recognition may well shape perceptions of deficiency, or desirable professional development, with regard to individual staff members. However, while school or district-wide goals and objectives may be infused into a PIP through their relationship to individually developed action and activity plans, they may not be substituted for these, nor serve to foreclose other aspects of need and development.*

However, the Commissioner also held that PIPs are required to explicitly delineate the district's, as well as the teacher's, responsibilities in implementing the PIP. Accordingly, the Commissioner directed the district to include this aspect in its PIP format.

**Implications for Boards of Education** The reaffirmed importance of PIPs in the process of continuing education emphasizes boards' roles and responsibilities to set direction and educational policies for their districts. *Boards should not get involved in the daily implementation of the requirement, nor should they in any way become engaged in the development of individual teachers' PIPs.* However, boards can and should develop policies governing their districts' evaluation process, including the development of PIPs. (For a full discussion of the board's role in implementing the continuing education requirement, please see *The Negotiations Advisor* article "The Board's Role in Implementing the Continuing Education Requirement.")

Boards must also recognize that PIPs, as currently defined by the Code and clarified by the Commissioner's guidance and decisions, are the cornerstone of boards' ability to assure that their teachers' continuing education meets their districts' goals for professional improvement and students' achievements. Thus, boards need to be alert to, and ready to resist, the possibility of proposed changes to the PIP format that would shift the existing balance that is beneficial to districts' ability to manage professional development.

## What's Next?

It is expected that the continuing education requirement will continue to evolve. For example, the controversial issue of PIPs will continue to be a topic of discussion, possible litigation, and proposed modifications. In addition, the status of providers, the evaluation of both the presenters and the substance of the activities provided, an assessment of the process used to approve local professional development plans, and the result of continuing education on student learning will all be issues addressed in the near future.

The direction taken by the PTSB and the Commissioner of Education on these, and other still unanticipated, aspects of the required 100 hours may result in many changes and modifications in the continued education requirement. Changes in the requirements will also affect

boards' obligation to implement the continuing education requirement on the local level. These changes are also likely to affect boards' roles as well as their rights and obligations under the Continuing Education Code that are discussed in *The Negotiations Advisor* article "The Board's Role in Implementing the Continuing Education Requirement."

New developments will be posted on the NJSBA website ([www.njsba.org](http://www.njsba.org)) as they occur. In addition, these changes will be summarized in the 2002-2003 Update to *The Negotiations Advisor*.