

Excellence in Public Schools Act

DRAFT

Excellence in Public Schools Act

- ▶ Changes in the North Carolina Tenure Law
- ▶ Contractual changes for teachers in North Carolina

Excellence in Public Schools Act

- ▶ The Act phases in significant changes to the laws applicable to non-certified employees, teachers, and administrators—with a prevailing theme of erosion of employment protections/rights.
- ▶ The laws change from the 2013–2014 school year (Phase I), to the 2014–2018 school years (Phase II), and finally from July 1, 2018 and beyond (Phase III).
- ▶ The most sweeping change is that teachers may no longer be awarded career status and the incremental elimination of career status for teachers who have already been awarded career status.
- ▶ The provisions of the law will require revisions to Board policies, new contracts, and changes to employment practices.
- ▶ *The most significant immediate step is that during the 2013–2014 school year, school districts must identify the top twenty-five (25%) of all teachers with three (3) consecutive years of service, based on performance/ evaluations, in order to offer these teachers a four-year contract.*

Phase I

During the 2013-14 school year

- › The Superintendent shall select twenty-five percent (25%) of "teachers" that meet specific criteria to recommend to the Board of Education to receive a four (4) year contract.

**FOR THIS SELECTION PROCESS,
HOW DOES THE GENERAL ASSEMBLY DEFINE
"TEACHERS"?**

- › "Teachers" as defined in the new law (G.S. 115C-325.1) (6)
- › Classroom teachers only?
- › Does this include instructional support personnel (i.e., audiologist, guidance counselors, social workers, school psychologists, media coordinators, CTE teachers)?
- › Opinion requested from the Attorney General, awaiting response.

**WHICH "TEACHERS"
ARE ELIGIBLE?**

- › "Teachers" employed by the LEA for at least 3 consecutive years (includes probationary teachers).
- › "Teachers" who are effective as demonstrated by their proficiency on the teacher evaluation instrument.

Phase I Contracts

› Unless these teachers were offered and accepted a four-year contract pursuant to the twenty-five (25%) percent provision noted above, the teachers may only receive one-year contracts. As stated in Section 9.6.(f) of the Act - "All teachers who have not been granted career status prior to the 2013-2014 school year shall be offered only one-year contracts, except for qualifying teachers offered a four-year contract as provided in subsection (g) of this section [the 25% provision], until the 2018-2019 school year."

The 4-Year Contract

- › 4-Year Contract
- › \$500 annual pay raise for each year of the contract.
- › \$500 annual (cumulative) pay raise =
\$5,000 total over the next 4 years.

Financial Implication

Example:

- 2013-14 Teacher's base pay (10 years of experience) = \$35,000.
 - › Teacher is offered and accepts 4-year contract.
 - 2014-15: \$35,000 + \$500 = \$35,500
 - 2015-16: \$35,500 + \$1,000 = \$36,500
 - 2016-17: \$36,500 + \$1,500 = \$38,000
 - 2017-18: \$38,000 + \$2,000 = \$40,000
- Total: \$ 5,000 Raise

TIMELINE for WCPSS

- ▶ September 1, 2013 - June 30, 2014
 - Gather input from BOE, SLT, WCDPAP, NCAE
 - Determine methodology for identification of the 25%
 - Communicate plan to principals/teachers
 - Create contract for the 25%
 - Offer/acceptance of 4-year contract by this group
- ▶ 4-year contract offers must be made and accepted no later than June 30, 2014
- ▶ 4-year contract term: July 1, 2014 - June 30, 2018

Stipulations Of Acceptance

- ▶ Any teacher who accepts a 4-year contract:
 - Voluntarily relinquishes career status or any claim of career status.

Contract Options For Teachers

- 1) Career Status Teachers: Who are not offered 4-year contracts in June 2014 -- or reject a 4-year contract -- retain career status under the existing law until July 1, 2018
- 2) Non-Career Status Teachers: Who did not attain career status prior to 2013-14 and are not chosen for 4-year contracts in June 2014 are only eligible to receive one-year contracts until July 1, 2018, and are subject to new teacher employment provisions.

Identifying The Eligible Employees

Beginning September 1, 2013 to June 30, 2014, career status teachers and probationary teachers may be offered a four-year contract effective at the start of the 2014-2015 school year if all of the following apply:

- › The teacher has three (3) consecutive years of service;
- › The teacher has shown effectiveness as demonstrated by proficiency on the teacher evaluation instrument;
- › The teacher is selected by the Board of Education following the recommendation from the Superintendent, based on performance and evaluations (Note: only 25% of teachers with at least 3 consecutive years of service may be selected); and
- › The contract offer is accepted no later than June 30, 2014.

Identifying The Eligible Employees

- › Section 9.6(g) of the Act provides that beginning September 1, 2013, superintendents must review the performance and evaluations of all teachers who have been employed by the board of education for at least three consecutive years.
- › Based on this review, the superintendent must identify and recommend to the board twenty-five percent (25%) of those teachers who have been employed by the board for at least three consecutive years to be offered four-year contracts. These contracts will be effective beginning with the 2014-2015 school year.

PROCESS

- › The Superintendent shall recommend 25% of the eligible teachers to the BOE.
- › The BOE must review the teachers recommended by the Superintendent.
 - BOE can accept each candidate OR choose an alternative
 - The total number of teachers offered 4-year contracts must equal 25% of teachers employed in the LEA.

Points To Consider

- › Recognize the nature of the teacher evaluation instrument involves some subjectivity and there is a potential lack of inter-rater reliability.
- › Need to avoid any action that appears "arbitrary" or "capricious."
- › Good policy decisions require forethought and a big picture perspective.

CALCULATING THE 25%

25% is based on the number of eligible teachers employed in the LEA as of September 1, 2013.

"Teachers" w/3 years = 7,386 (25%) = 1,846
All certified w/ 3years = 8,432 (25%) = 2,108

Phase II Contracts 2014-2018

- › All teachers hired will be placed on 1 year renewable contracts.
- › All teachers who are not part of the 25% are placed on 1 year renewable contracts.

Phase III

July 1, 2018:

- New teacher employment system (without career status) applies to all teachers.

- Career status teachers:
 - Lose career status
 - Can only be employed under renewable contracts.

- Ability to offer 1, 2 or 4 year contracts

The Timeline

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