



“Political Update” Local Leader Advisory

New Jersey Education Association

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Recent political developments affecting NJEA members

1. Sen. Sweeney’s pension/benefit reform agenda:

On Jan. 25, Senate President Steve Sweeney issued a statement announcing his intention to seek “swift action” on a package of changes to pensions and benefits. While no specific bills have yet been introduced, we expect that to happen quickly, perhaps as early as next week.

The statement provides an outline of what to expect: *“Among the concepts... the Senate must revisit include*

- *rolling-back a nine-percent increase legislatively enacted in 2001 which resulted in a significant increase in the pension fund’s unfunded liability,*
- *increasing the number of ‘high salary’ years used to calculate pension benefits from the average of three years to the average of at least five years,*
- *requiring all part-time employees to enroll into a defined contribution plan instead of the pension system and*
- *allowing all current non-vested public employees to opt into a defined contribution retirement plan.”*

NJEA has a long history of fighting for and protecting the integrity and security of our members’ pensions and benefits. We intend to do so as this round of proposals is considered and debated. Our overriding objective is to protect the security of our members’ pensions and benefits. We must not allow an unstable, unsustainable system to threaten the pensions and benefits of all members. We will be reviewing all of the specific proposals as they become available, and we are exploring additional reform options in order to determine what steps are possible and/or necessary in order to create a better, more secure system for all of our members. We may not agree with every proposed reform, and we may choose to fight any or all of the proposals. Ultimately, however, we must be part of a common-sense, proactive approach to securing the pensions and benefits our members rely on in their retirement years.

2. Gov. Christie’s education transition report

Last Friday, the Christie administration released a number of reports from its transition team. Of greatest interest to our members were two reports. One dealt with pensions and benefits. Many of those issues are addressed above. The other dealt with educational issues. That report touched on a number of hot-button issues, from collective bargaining to tenure to vouchers, and beyond. **It is important to remember that these reports are recommendations, not law or policy.** However, we expect that the administration will move to enact many of the

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recommendations, and individual legislators may also move to introduce legislation based on the recommendations. We are preparing to act accordingly.

Following is a summary of the most critical proposals raised in the reports, as well as NJEA's initial response.

Collective Bargaining

The report recommends that the state impose a salary freeze on school employees in 2010-2011, that the collective bargaining law be rolled back to again give boards the right to impose a settlement and that the state attempt to use regional, rather than local, salary guides.

NJEA remains firmly committed to the principle of collective bargaining. Negotiated contracts are legally binding and cannot be unilaterally changed by either the local board of education or the state. All parties to a contract must honor its terms and conditions. NJEA believes that contract imposition is antithetical to the process of collective bargaining and we oppose changing the collective bargaining law to allow that practice. Collective bargaining, including for salary guides, should continue to take place at the local level.

Tenure

The report recommends lengthening the probationary period prior to tenure from three years to five years and streamlining the tenure dismissal process.

NJEA firmly maintains that tenure is a necessary due-process requirement which protects teachers from arbitrary, capricious or politically motivated firings. The current three-year probationary period, in which a teacher does not earn tenure protection until the first day of the fourth year of employment, provides sufficient time for administrators to evaluate new teachers and determine whether tenure should be granted.

Vouchers/School Choice

The report recommends that the administration support the so-called "scholarship" voucher program which has been introduced, and defeated, previously in the legislature.

NJEA remains firmly opposed to using public funds to subsidize private school tuition costs. The proposed voucher bill would divert up to \$360 million from the state treasury during the trial period alone. Public funds should be used to support accountable public schools, not to subsidize private, for-profit or sectarian schools.

Charter Schools

The report recommends expansion of New Jersey's charter school program by immediately opening 5-10 new charter schools for the 2010-2011 school year, and by making certain entities eligible to open multiple charter schools. It also recommends rescinding the charters of several low-performing charter schools.

NJEA is not opposed to high quality public charter schools as one component of an innovative, progressive system of public education. Charter schools should be held to very high standards. However, rushing the application process in order to meet an unrealistically short timeline of opening 5-10 new charter schools this year would not allow for adequate review by the Department of Education and planning by the charter school operator. That is not the way to maintain high standards.

Other issues

The transition team's education report deals with a number of other issues, including regionalization and shared services and removing or reducing some of the regulations currently governing public schools. It also delves into areas including teacher evaluation, standardized testing, certification, special education, professional development and NJEA Convention attendance.

Each of these areas is important to our members and our schools and each will be studied in depth. It is our belief right now that most of these issues, if they are raised, will come later, after some of the other issues addressed earlier in this communication. NJEA will continue to prepare for these issues, and will monitor their development so that we are prepared to participate productively when discussions occur.

3. Gov. Christie's executive order regarding "pay-to-play"

On his first full day in office, Gov. Christie issued a series of executive orders. Of the most interest to NJEA and its members was one which attempts to bring unions under the state's pay-to-play restrictions.

NJEA's attorneys are reviewing the order to determine if it is applicable to NJEA. While we are awaiting a final opinion, it appears likely that the executive order will not be able to prevent NJEA and its members from exercising our rights to engage in the political process.

We will pursue any necessary action to ensure our members' rights are protected with regard to this issue.