



North Carolina Association of Educators

## Career Status: It is about your right to due process

During the upcoming 2013 Legislative Session, NCAE is committed to working hard to ensure teachers' career status and due process rights are protected. A balanced approach must be taken so that the recruitment and retention of good teachers can be attracted and retained in the profession. Teachers don't have tenure in their employment. They can be dismissed and removed. Career status and due process rights provide the legal safeguard from unfair and illegal treatment and actions during the dismissal process. NCAE believes that every student deserves a quality teacher and that every educator should be afforded the opportunity to work in a professional environment. If an educator is having difficulty in the profession, NCAE believes he/she should have a fair opportunity to improve. NCAE fights to protect due process rights, career status and fairness for all teachers through the continuance of career status. NCAE is interested in quality instruction that leads to quality learning. Everyone, especially students, loses if a good teacher is forced out of work unfairly or illegally.

NCAE took the lead, working jointly with the North Carolina School Board's Association (NCSBA) and the North Carolina Association of School Administrators (NCASA) for passage of a new law (SB 466) that modifies career status. Our collective efforts resulted in a balanced approach that allows school systems to more effectively remove chronically, poor performing teachers without sacrificing "due process rights," "career status" and "fairness for all." The bill streamlines the timelines and process for the fair removal of chronically inadequately performing teachers after given a chance to improve deficiencies, either through a mandatory improvement plan, mentoring or participation in relevant staff development. NCAE will also fight to restore state funding for mentors so new teachers can receive initial guidance and assistance from their veteran peers during the first three years of teaching. Staff development funding must also be restored so all teachers can continue their professional growth.

The new law has not been put into effect. Therefore NCAE will work for passage of legislation during the 2013 session to ensure that all school-based administrators receive adequate training on implementing the changes in the modification of the career status law laid out in SB 466, which provides "fair" uniform and workable "due process" be implemented prior to dismissal. NCAE's proposed legislation will further direct the State Board of Education to report on the implementation of the new dismissal hearings process and the new evaluation process for teachers as required by S.L. 2011-348. The new evaluation instrument for teachers is designed to further identify and assist teachers in need of improvement. There should be a one-year moratorium on eliminating career status until SB 466 has been adequately and fully implemented statewide.

Your association has sought and gained bi-partisan agreement with leadership that career status is a "property right" that cannot be taken away. NCAE is committed to taking legal action, if necessary, to protect and save career status from being eliminated.