

Board was not bound to follow recommendation of chief school administrator regarding reemployment of teacher. *Rotondo v. Carlstadt-East Rutherford Regional High School Dist.*, Bergen County, 276 N.J.Super. 36, 647 A.2d 174 (A.D.1994).

Service as guidance counselor under educational services certification did not automatically entitle tenured guidance counselor to tenure in new position which fell under both educational services and administrative certificates; requirement of dual certification and service in position under particular certificate as basis for tenure under that certificate was not unreasonable, arbitrary or capricious. *Dennery v. Board of Educ. of Passaic County Regional High School Dist. No. 1, Passaic County*, 131 N.J. 626, 622 A.2d 858 (1993).

If newly created position is similar to tenure holder's abolished position but also requires additional or different responsibilities, newly created position is not considered substantially similar to former position for purposes of determining whether local board must extend tenure holder's tenure rights to new position. *Dennery v. Board of Educ. of Passaic County Regional High School Dist. No. 1, Passaic County*, 131 N.J. 626, 622 A.2d 858 (1993).

Evidence supported State Board of Education determination that school district had legitimate basis for restructuring guidance department so as to eliminate position of guidance counselor, which required education services certification, and to create new position of class supervisor, which required certification in both educational services and administration. *Dennery v. Board of Educ. of Passaic County Regional High School Dist. No. 1, Passaic County*, 131 N.J. 626, 622 A.2d 858 (1993).

Where newly created position of class supervisor required performance of additional duties apart from those performed by tenured guidance counselor, guidance counselor, who had acquired tenure in her position under educational services certificate, was not entitled to tenure rights to newly created position which required certification under both educational services and administration. *Dennery v. Board of Educ. of Passaic County Regional High School Dist. No. 1, Passaic County*, 131 N.J. 626, 622 A.2d 858 (1993).

Former superintendent's tenure protection extended to any assistant superintendent assignment within scope of his certificate. *Kaprow v. Board of Educ. of Berkeley Tp.*, 255 N.J.Super. 76, 604 A.2d 640 (A.D.1992), certification granted 130 N.J. 16, 611 A.2d 654, affirmed 131 N.J. 572, 622 A.2d 237.

Tenured supervisor was entitled to position of assistant principal over non-tenured supervisors on reduction in force. *Skowronski v. Jackson Board of Education*, 95 N.J.A.R.2d (EDU) 451.

Denial of application for provisional certificate as principal was not improper when based on failure to hold required master's degree. *Williams v. Department of Education*, 95 N.J.A.R.2d (EDU) 58.

Petitioner holding necessary certificate entitled to assistant superintendent position notwithstanding revocation of administrator's certificate. *Fischbach v. Bd. of Ed., North Bergen*, 7 N.J.A.R. 191 (1984), affirmed per curiam Dkt. No. A-5947-83 (App.Div.1984).

Tenure rights of elementary school principal not violated by transfer to position as secondary school principal; board's right of lateral transfer properly exercised as principal had tenure and sustained no salary reduction. *Stranzl v. Bd. of Ed., Paterson, Passaic Cty.*, 2 N.J.A.R. 16 (1980).

Local board policy setting first year administrator's salary at 20 percent over his teaching salary on promotion date valid; varying interpretation of policy as to date of salary determination proper. *Schell v. Bd. of Ed., Hazlet Twp., Monmouth Cty.*, 2 N.J.A.R. 116 (1980), affirmed per curiam Docket No. A-3837-79 (App.Div.1981).

Scope of principal certification. *DiNunzio v. Bd. of Ed., Pemberton, Burlington Cty.*, 1977 S.L.D. 843, 1979 S.L.D. 819.

Nature of supervisor's role and necessity of local board's knowledge of that role. *Wilson v. Bd. of Ed., New Brunswick, Middlesex Cty.*, 1977 S.L.D. 555.

Provision applied in tenure matter. *Boeshore v. Bd. of Ed., Tp. of N. Bergen, Hudson Cty.*, 1974 S.L.D. 804.

#### 6:11-9.4 School administrator

(a) Each candidate for the provisional certificate as a school administrator shall be required to:

1. Hold a master's degree or its equivalent from an accredited institution in one of the recognized fields of leadership or management, such as educational administration, public administration, business administration, leadership or management science. Study shall be completed, either within the master's program or in addition to it, in each of the following topics:

- i. Leadership and human resource management;
- ii. Communications;
- iii. Quantitative decision-making;
- iv. Finance; and
- v. Law;

2. Pass a State written examination of knowledge that is acquired through study of the topics listed in (a)1i through v above, and that is most directly related to the functions of superintendents as defined in N.J.A.C. 6:11-9.3(a);

3. Undergo an assessment of performance, conducted by State-approved assessors, through structured exercises that simulate the duties of superintendents, and authorize the release of the written results of this assessment to potential employers; and

4. Obtain an offer of employment in a position requiring the School Administrator endorsement in a district that has reviewed the candidate's assessment report.

(b) Each candidate for the standard certificate as school administrator shall be required to:

1. Possess a provisional certificate pursuant to (a) above; and

2. Complete a one-year State-approved district residency program while employed under provisional certification. The residency program shall:

- i. Be conducted in accordance with a standard agreement issued by the State Department of Education and entered into by the Department, the employing school district, the candidate and the residency mentor;

- ii. Be administered by a State-appointed mentor who is an experienced administrator who has completed a State-approved orientation and training program, and who shall supervise and verify completion of all required experiences and training by the candidate;

- iii. Include a pre-residency training component that shall be completed before the candidate assumes full

responsibility for the duties of his or her position. The pre-residency phase shall provide no fewer than 300 clock hours of structured exposures to important aspects of school administration. The State Department of Education shall, at the recommendation of the mentor and the employing district board of education, prescribe the content of each pre-residency. Such prescription shall be based upon the candidate's background experiences and shall be specified in the standard written agreement pursuant to (b)2i above. For candidates who lack practical teaching competency, the 300 hours of structured exposures to important aspects of school administration shall consist of teaching and teaching-related experiences. The pre-residency shall take place in a functioning district environment;

iv. Provide approximately 135 clock hours of training and instruction in the areas of district planning and policy formulation; board of education operations and relations; district financial, legal and business operations; management of district operations; school facilities; labor relations and collective bargaining; collegial management, participatory decision-making and professional governance; government and community relations; school law; supervision of districtwide programs of curriculum, instruction and student services; and the roles, supervision and evaluation of central office staff and school principals. Of the required 135 clock hours of formal instruction, 45 hours shall be completed during the pre-residency phase; and

v. Provide the mentor, candidate and school district with opportunities to propose modifications to the standard residency agreement for approval by the State Department of Education.

(c) Each candidate for the school administrator standard certificate shall be evaluated formally by the mentor on at least three occasions for purposes of certification. The first two evaluations shall be conducted mainly for diagnostic purposes. The final evaluation shall be the basis for issuance of the candidate's standard certificate. All evaluations shall be conducted in accord with State criteria and reported on State-developed forms. The mentor shall discuss each evaluation with the candidate, and the mentor and candidate shall sign each report as evidence of such discussion. Upon completion of each evaluation, the report shall be sent to the Secretary of the State Board of Examiners; the final evaluation shall be accompanied by the recommendation for certification pursuant to (d) below.

(d) Each mentor shall form an advisory panel of practicing educators and shall convene this panel on at least three occasions for purposes of reviewing the resident's progress and soliciting advice concerning the certification of the resident. The State Department of Education shall approve the composition of the advisory panel. The mentor may seek the informal input of the employing district board of education concerning the standard certification of the resident.

(e) The mentor shall meet with the resident superintendent at least once a week during the pre-residency phase and at least once a month during the residency. The mentor shall be available on a regular basis to provide assistance or advice upon request of the resident superintendent. The State Department of Education may require resident superintendents to pay fees to cover the cost of the training and mentoring services that will qualify them for certification and employment. The State Department of Education shall report annually to the State Board of Education all training fees charged to residents.

(f) Standard certification of school administrator certificate candidates shall be approved or disapproved pursuant to the following procedures:

1. Before the end of the residency year, the mentor shall submit to the Division of Teacher Preparation and Certification a comprehensive evaluation report on the candidate's performance using State-approval criteria and forms.

2. This final report shall include one of the following certification recommendations:

- i. Approved: Recommends issuance of a standard certificate;

- ii. Insufficient: Recommends that a standard certificate not be issued but that the candidate be allowed to continue the residency or seek admission to an additional residency for one additional year; or

- iii. Disapproved: Recommends that a standard certificate not be issued and that the candidate be prevented from continuing or re-entering a residency.

3. Mentors act as agents of the State Board of Examiners in formulating their certification recommendations. Those recommendations shall not be subject to review or approval by local boards of education.

4. Candidates who receive a recommendation of "approved" shall be issued a standard certificate.

5. The mentor shall provide the candidate with a copy of the candidate's written evaluation report and recommendation before submitting it to the Division of Teacher Preparation and Certification.

6. If the candidate disagrees with the mentor's recommendation, the candidate may, within 15 days of receipt of the evaluation report and certification recommendation, submit to the mentor written materials documenting the reasons why the candidate believes standard certification should be awarded or a recommendation of insufficient granted. The mentor shall forward all such documentation to the Division of Teacher Preparation and Certification along with the written evaluation report and recommendation for certification. The candidate may contest the unfavorable recommendation pursuant to N.J.A.C. 6:11-3.30.

(g) Candidates who receive a recommendation of "disapproved" or two or more recommendations of "insufficient" may petition to the State Board of Examiners for approval of additional opportunities to seek provisional employment in districts other than those in which they received unfavorable recommendations. The candidate shall be responsible for demonstrating why he or she would be likely to succeed if granted the requested opportunity. Disapproval of any candidate's request by the State Board of Examiners may be appealed to the Commissioner of Education.

(h) The requirements listed in (a) and (b) above are effective September 1, 1992. The requirements shall not apply to persons who earn the school administrator endorsement before that date.

(i) Persons who are enrolled in formal State-approved New Jersey college preparation programs prior to September 1, 1992 shall be permitted until September 1, 1997 to attain standard certification by completing the college program in which they are enrolled.

New Rule, R.1990 d.510, effective October 15, 1990.  
See: 22 N.J.R. 1873(a), 22 N.J.R. 3240(a).

#### Case Notes

Amendment providing that tenure in any administrative or supervisory position shall accrue only by employment in that administrative or supervisory position and shall not extend to any other administrative or supervisory function applied retroactively. *Nelson v. Board of Educ. of Tp. of Old Bridge*, 148 N.J. 358, 689 A.2d 1342 (1997).

### 6:11-9.5 Principal

(a) Each candidate for the provisional certificate as a principal shall:

1. Hold a master's degree or its equivalent from an accredited institution in one of the recognized fields of leadership or management, such as educational administration, public administration, business administration, leadership or management science. Study shall be completed, either within the master's program or in addition to it, in each of the following topics which represent those areas of management that are directly related to education and the principalship. Degree programs may provide study in other areas at the discretion of the sponsoring institution and its faculties;

- i. Leadership and human resource management;
- ii. Communications;
- iii. Quantitative decision-making; and
- iv. Finance and law.

2. Pass a State-administered examination of knowledge in the areas of leadership and human resource management, communication, quantitative decision-making, finance and law. Within these five topical areas, the examination shall assess leadership and management pro-

ficiencies that are validated as being most directly relevant to education and the essential duties of school principals;

3. Undergo an assessment of performance, conducted by State-approved assessors through structured exercises which simulate the duties of school principals, and authorize the release of written results to employing districts and schools. In particular, there shall be a formal assessment of each candidate's ability to lead and supervise instruction and curriculum. The State Department of Education shall, with appropriate professional input, develop and validate the criteria, instruments and procedures for conducting such assessments; and

4. Obtain an offer of employment in a position requiring the principal endorsement in a school or district that has agreed formally to sponsor the residency.

(b) Each candidate for the standard certificate as a principal shall:

1. Possess a provisional certificate pursuant to (a) above;
2. Complete a State-approved residency program pursuant to (c) below while employed provisionally in a position requiring the principal endorsement.

(c) The principal residency is a training program conducted under the direction of a State-approved mentor and the sponsorship of the public school district or nonpublic school that employs the certificate candidate.

1. In order to enter a residency program, the certification candidate shall:

- i. Possess a provisional certificate pursuant to (a) above; and
- ii. Obtain an offer of employment in a position requiring the principal endorsement in a district or school which has reviewed the candidate's assessment report and has agreed formally to sponsor the residency.

2. The requirements for State-approval of residency programs are as follows:

- i. The State Department of Education shall issue a standard agreement detailing the experiences and requirements of the residency. This agreement shall be entered into by the Department, the sponsoring district, the residency mentor, and the candidate before the residency may be initiated.

- ii. Sponsoring districts and mentors may propose modifications to the standard residency agreement in order to accommodate the backgrounds and special training needs of individual candidates.

- iii. No residency program may be undertaken without a valid agreement.

3. Each State-approved residency shall provide training in two phases:

i. Pre-residency experiences of no fewer than 30 days nor more than 60 days duration. This phase shall emphasize professional experiences and training in the areas of instruction/supervision and curriculum/evaluation. The pre-residency phase must be completed before the candidate assumes full responsibility on a provisional basis for a principalship, vice-principalship or other position requiring the principal endorsement. The Department shall, at the recommendation of the mentor and the district superintendent, prescribe the content of each new principal's pre-residency. Such prescription shall be based upon a review of each candidate's assessment reports, background experiences and other information gathered by the mentor and superintendent. The content of each pre-residency shall be specified in the standardized written agreement to be signed by the mentor, the district superintendent, the principal candidate, and approved by the Department.

(1) For candidates who possess practical teaching competencies but lack practical management competencies, the pre-residency shall consist of management and management-related experiences in the amount of 300 clock hours.

(2) For candidates who possess practical management competencies but lack practical teaching competencies, the pre-residency shall consist of teaching and teaching-related experiences in the amount of 300 clock hours. As a means of obtaining these experiences, the candidate shall be assigned to classroom to teach under a supervising teacher. This assignment shall be similar in format to student teaching and its purpose shall be to provide the candidate with those practical teaching competencies which are essential to lead and manage a school.

(3) For candidates who lack practical competency in both teaching and management, the pre-residency shall be extended until the candidate completes all required experiences in both teaching and management.

(4) For candidates who possess practical competency in both teaching and management, the mentor and district superintendent may request and the Department may prescribe a waiver of the pre-residency.

(5) For candidates who possess partial competence in practical aspects of teaching and/or management, the mentor and district superintendent may request and the Department may prescribe other variations to the pre-residencies described in (b)3i(1) through (4) above.

(6) No candidate shall be certified provisionally or permitted to assume a position that requires the principal endorsement until he or she has successfully completed the pre-residency.

ii. Residency experiences which shall be completed while the candidate is serving as a principal or vice principal. The residency phase shall provide professional experiences and training in the areas of instruction/supervision, curriculum/evaluation, pupil personnel, personnel management, community relations, student relations, facilities management, finance, school law, and technical administrative skills. The Department, with appropriate professional input, shall design standard training exercises which all candidates shall complete in each of these topical areas. The mentor and the district superintendent shall, at the start of the residency, submit to the Department a written supplementary recommendation concerning any standard exercises that should be waived and any additional teaching or other special experiences, if any, that the individual candidate should complete before achieving standard certification. Such recommendations shall be submitted on State-developed forms and shall take into account strengths and weaknesses identified in the candidate's assessment reports and backgrounds. The Department shall direct the candidate to complete any such special experiences as appropriate.

iii. Unless candidates' assessment reports indicate an extraordinary circumstance with respect to teaching competencies, those with less than a year of teaching in their backgrounds shall be involved in teaching and teaching-related experiences on a regular basis for no less than one year and up to the two years maximum duration of the residency. The maximum two-year residency teaching requirement applies to those candidates who have no teaching experience in their backgrounds. Teaching on a regular basis in the residency means teaching one class period per day on a continuous basis. Teaching-related experiences means those activities that normally are associated with teaching a class on a continuous basis, such as planning lessons, grading papers, filling out report cards and meeting with parents. Each residency program shall assure that the resident acquires sufficient familiarity with the teaching process to lead and manage in the school setting. Each residency agreement entered pursuant to (b)2 above shall include in its prescription appropriate amounts and types of classroom teaching and teaching-related experiences in both the pre-residency and residency phases. The nature and amount of such experiences shall be determined in consideration of the resident's prior experiences and shall be accorded an appropriate place among other important training needs and priorities identified for the individual resident. The residency shall provide at least one experience in an elementary school and at least one experience in a secondary school. The residency phase shall be completed in no less than one year nor more than two years.