

(b) Within 15 days following each evaluation, the evaluator pursuant to (a) above shall provide a copy of the evaluation to the provisional teacher.

(c) Mentor teachers shall not assess or evaluate the performance of provisional teachers. Interactions between provisional teachers and experienced mentor teachers are formative in nature and considered a matter of professional privilege. Mentor teachers shall not be compelled to offer testimony on the performance of provisional teachers.

Amended by R.2009 d.24, effective January 5, 2009.

See: 40 N.J.R. 4856(a), 41 N.J.R. 128(a).

In the introductory paragraph of (a), inserted the last sentence.

#### Case Notes

Initial Decision (2008 N.J. AGEN LEXIS 171) adopted, which rejected petitioner's contention that a board of education is limited in the number and timing of the evaluations that may be conducted of an alternate route teacher for purposes of evaluating whether to renew the teacher's employment; the regulations do not purport to limit a board of education's right and duty to conduct evaluations of its non-tenured teaching staff members. *El-Hewie v. Bd. of Educ. of Bergen County Vocational School Dist.*, OAL Dkt. No. EDU 7673-06, Commissioner's Decision (April 10, 2008).

Initial Decision (2008 N.J. AGEN LEXIS 171) adopted, which found that the failure to originally designate a formal mentor for an alternate route teacher was not grounds for reinstatement, and the credible evidence demonstrated substantial efforts on the part of the district to provide the teacher with assistance and mentoring; a board of education's failure to strictly comply with the evaluation or training program requirements is not grounds for the reinstatement of a provisional teacher whose employment is not renewed. *El-Hewie v. Bd. of Educ. of Bergen County Vocational School Dist.*, OAL Dkt. No. EDU 7673-06, Commissioner's Decision (April 10, 2008).

#### 6A:9-8.7 Recommendation for certification of provisional teachers

(a) Within 30 days after the conclusion of the State-approved district training program, the building principal shall submit the final evaluation directly to the Secretary that shall contain a recommendation regarding standard certification for each provisional teacher.

(b) The final evaluation for each provisional teacher shall include one of the following recommendations:

1. Approved: Recommends issuance of a standard certificate;
2. Insufficient: Recommends that a standard certificate not be issued but that the candidate be permitted to seek entry on one more occasion into a State-approved district training program. A second rating of "insufficient" shall be deemed a "disapproved" in accord with (b)3 below; or
3. Disapproved: Recommends that a standard certificate not be issued and that the candidate not be allowed to enter into another State-approved district training program.

(c) Candidates who receive a recommendation of "disapproved" or two recommendations of "insufficient" may petition the Board of Examiners for approval of additional

opportunities to seek provisional employment in districts other than those in which they received unfavorable recommendations pursuant to N.J.A.C. 6A:9-17.18.

Amended by R.2006 d.170, effective May 15, 2006.

See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

Added the last sentence to (b)2.

#### 6A:9-8.8 Requirements for the standard certificate

(a) Except as indicated in N.J.A.C. 6A:9-11, to be eligible for the standard certificate in any instructional area, the candidate shall:

1. Possess a provisional certificate pursuant to N.J.A.C. 6A:9-8.2; and
2. Successfully complete a State-approved district training program pursuant to N.J.A.C. 6A:9-8.3 and 8.4 while employed provisionally in a position requiring the appropriate instructional certificate.

(b) A candidate who holds a standard New Jersey instructional certificate shall be eligible for additional standard certificates if the candidate meets the requirements of N.J.A.C. 6A:9-8.1(a)1, 3 and 4 and 8.3(b)4. This provision does not apply to holders of the Teacher of Military Science endorsement.

(c) A candidate who has completed the requirements pursuant to N.J.A.C. 6A:9-8.1(b) and at least one year of appropriate teaching experience under a valid out-of-State license or certificate shall be eligible for a standard certificate upon completion of the test requirement. The out-of-State license or certificate shall be the equivalent of a New Jersey provisional or standard certificate.

(d) For a candidate who has completed the requirements pursuant to N.J.A.C. 6A:9-8.1(b) but has not met the GPA requirements pursuant to N.J.A.C. 6A:9-8.1(a)2, three years of successful teaching experience under a valid out-of-State certificate is necessary. Successful teaching experience will be demonstrated by the offer of contract renewal from the employing district or submission of satisfactory performance evaluations. The out-of-State license or certificate shall be the equivalent of a New Jersey provisional or standard certificate.

(e) A candidate who holds National Board for Professional Teacher Standards (NBPTS) certification and the corresponding out-of-State license or out-of-State certificate shall be eligible for the standard certificate in the NBPTS certificate field without additional requirements.

(f) A candidate who holds the Meritorious New Teacher Candidate (MNTC) designation and the corresponding out-of-State license or certificate shall be eligible for the standard certification in the MNTC designated field without additional requirements. The MNTC designation, offered through the American Association of Colleges for Teacher Education (AACTE), is designed to recognize and reward exceptionally well-prepared new teachers. Similar to National Board Certi-

fication, this designation is one of professional accomplishment for prospective teachers who excelled at every phase of preparation and demonstrated a deep commitment to high expectations for all children.

(g) A candidate who presents official evidence of the following requirements shall be eligible for a standard certificate:

1. Completion of requirements pursuant to N.J.A.C. 6A:9-8.1(a);
2. Completion of at least one year of appropriate, successful teaching experience under a valid out-of-State license or certificate;
3. Completion of an out-of-State non-traditional or alternate route teacher preparation program that is determined by the Department to be comparable to the State's school-based training and evaluation program provided to all New Jersey novice teachers; and
4. A valid standard certificate from the state in which (g)3 above was completed.

Amended by R.2006 d.170, effective May 15, 2006.

See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

In (b), inserted "and 8.3(b)4" at the end of first sentence and rewrote the second sentence; in (c), deleted the last two sentences; recodified (d) and (e) as (e) and (f), added (d), and changed internal reference.

Amended by R.2008 d.7, effective January 7, 2008.

See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

In (c) and (d), inserted the last sentence; added new (f); and recodified former (f) as (g).

Amended by R.2009 d.24, effective January 5, 2009.

See: 40 N.J.R. 4856(a), 41 N.J.R. 128(a).

In (g)4, substituted "(g)3" for "(f)3".

#### **6A:9-8.9 Mentoring and evaluation by approved agencies**

An approved agency and its designated staff shall be authorized to provide the services, evaluations, and recommendations specified within N.J.A.C. 6A:9-8.5 through 8.7 for provisional Teachers of Supplemental Instruction in Reading and Mathematics, Grades K-12 in their employ.

New Rule, R.2009 d.24, effective January 5, 2009.

See: 40 N.J.R. 4856(a), 41 N.J.R. 128(a).

### **SUBCHAPTER 9. INSTRUCTIONAL CERTIFICATES**

#### **6A:9-9.1 Authorizations—general**

(a) Each teaching endorsement is required for the corresponding teaching assignment.

1. Each endorsement is valid for grades preschool through 12, with the following exceptions:
  - i. The elementary school teacher endorsement is valid in grades kindergarten through five;

ii. The elementary school teacher with subject matter specialization endorsement is valid in grades five through eight;

iii. The Preschool through Grade three endorsement is valid in preschool through grade three; and

iv. The teacher of supplementary instruction in reading and mathematics, grades K-8 is valid in grades kindergarten through eight.

2. Teachers with English endorsements, who taught reading prior to February 1976, may continue to teach in the same assignment. Certified teachers employed by school districts using a whole school reform model pursuant to N.J.A.C. 6A:24-4 are authorized to teach reading in accord with the specifications of the model.

3. Teachers with elementary school endorsements that are valid in grades nursery through eight issued no later than March 1, 2008 may teach in grades nursery through eight in any employing school district. These teachers must demonstrate to the school district that they have content knowledge appropriate to the subject(s) taught. All elementary school teachers certified to teach in grades kindergarten through five after January 20, 2004 and hired to teach in grades six through eight must hold either the elementary school with subject matter specialization or the subject matter endorsement.

4. Teachers holding the teacher of the blind or partially sighted, teacher of the deaf or hard of hearing and/or the teacher of handicapped endorsements issued prior to September 1, 2008 may teach students with disabilities in grades preschool through grade 12 if they can demonstrate to the district content knowledge appropriate to the content and the content level to be taught.

5. Teachers holding endorsements that are no longer issued as of January 20, 2004 may continue to teach in the subject areas in which the teacher was authorized to teach under the former rules.

6. Holders of career and technical instructional endorsements issued prior to January 20, 2004 remain valid. These teachers are authorized to teach in the occupations for which they hold endorsements. A crosswalk of these former certificates that identifies under which of the new career clusters the teacher's certificate falls is available in the Office.

Amended by R.2005 d.110, effective April 4, 2005.

See: 36 N.J.R. 5044(a), 37 N.J.R. 1060(a).

In (a), rewrote 3 and substituted "issued prior to September 1, 2008 may teach students" for "issued prior to January 20, 2004 may continue to teach students" in 4.

Amended by R.2006 d.170, effective May 15, 2006.

See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

Rewrote (a)li; recodified (a)lii. as (a)liii.; added (a)lii; made a stylistic change in (a)liii.; in (a)3, substituted "no later than March 1, 2008" for "prior to September 1, 2007" and inserted "school" before "district" two times; and rewrote (a)4.

Amended by R.2009 d.24, effective January 5, 2009.

See: 40 N.J.R. 4856(a), 41 N.J.R. 128(a).

In (a)1ii, deleted “and” from the end; in (a)1iii, substituted “; and” for a period at the end; added (a)1iv; and in (a)6, substituted “career and technical” for “vocational-technical”.

### **6A:9-9.2 Endorsements and authorizations**

(a) The teaching endorsements and authorizations in (a)1 through 9 below are grouped within the relevant CCCS.

1. Visual and performing arts:

- i. Art: This endorsement authorizes the holder to teach art in all public schools;

- ii. Dance: This endorsement authorizes the holder to teach dance in all public schools;

- iii. Music: This endorsement authorizes the holder to teach vocal and instrumental music and related theory in all public schools;