

**CHAPTER 9**

**PROFESSIONAL LICENSURE AND STANDARDS**

**Authority**

N.J.S.A. 18A:1-1, 18A:4-15, 18A:6-34,  
18A:6-38, 18A:26-2.7, and 18A:26-10.

**Source and Effective Date**

R.2009 d.24, effective December 10, 2008.  
See: 40 N.J.R. 4856(a), 41 N.J.R. 128(a).

**Chapter Expiration Date**

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 9, Professional Licensure and Standards, expires on December 10, 2015. See: 43 N.J.R. 1203(a).

**Chapter Historical Note**

Chapter 9, Professional Licensure and Standards, was adopted as R.2004 d.28, effective January 20, 2004. See: 35 N.J.R. 4352(a), 36 N.J.R. 469(a).

Subchapter 7, Paraprofessional Approval, was repealed by R.2005 d.298, effective September 6, 2005. See: 37 N.J.R. 1982(a), 37 N.J.R. 3322(a).

Subchapter 7, Qualifying Academic Credentials, was adopted as new rules by R.2008 d.7, effective January 7, 2008. See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

Chapter 9, Professional Licensure and Standards, was readopted as R.2009 d.24, effective December 10, 2008. See: Source and Effective Date. See, also, section annotations.

Subchapter 18, Pilot Programs for Mathematics and Science Certifications, was adopted as special new rules by R.2009 d.238, effective June 30, 2009. See: 41 N.J.R. 2984(a). Subchapter 18, Pilot Programs for Mathematics and Science Certifications, expired on January 4, 2011.

Subchapter 18, Alternate-Route Programs for Mathematics and Science Certification, was adopted as special adopted new rules by R.2012 d.168, effective September 14, 2012. See: 44 N.J.R. 2392(a). Subchapter 18, Alternate-Route Programs for Mathematics and Science Certification, expired on May 9, 2013.

Subchapter 15, Required Professional Development for Teachers, was renamed Required Professional Development for Teachers and School Leaders; and Subchapter 16, Required Professional Development for School Leaders, was repealed and Subchapter 16, Other Alternate-Route Programs for Documented Areas of Teacher Shortage, was adopted as new rules by R.2013 d.091, effective July 1, 2013. See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. SCOPE AND PURPOSE**

- 6A:9-1.1 Scope
- 6A:9-1.2 Purpose

**SUBCHAPTER 2. DEFINITIONS**

- 6A:9-2.1 Definitions

**SUBCHAPTER 3. PROFESSIONAL STANDARDS FOR TEACHERS AND SCHOOL LEADERS**

- 6A:9-3.1 Purpose
- 6A:9-3.2 Scope
- 6A:9-3.3 Professional standards for teachers
- 6A:9-3.4 Professional standards for school leaders

**SUBCHAPTER 4. STATE BOARD OF EXAMINERS**

- 6A:9-4.1 General
- 6A:9-4.2 Powers and duties

**SUBCHAPTER 5. GENERAL CERTIFICATION POLICIES**

- 6A:9-5.1 Certificate required
- 6A:9-5.2 Certificates—general
- 6A:9-5.3 Interstate contracts
- 6A:9-5.4 Fees
- 6A:9-5.5 Assignment of titles
- 6A:9-5.6 Citizenship requirement
- 6A:9-5.7 Minimum degree and age requirement
- 6A:9-5.8 Examination in physiology, hygiene, and substance abuse issues requirement
- 6A:9-5.9 Certification of veterans
- 6A:9-5.10 Validation of college degrees and college professional preparation
- 6A:9-5.11 Recognition of advanced standing in a college
- 6A:9-5.12 Course information
- 6A:9-5.13 Equivalency of work taken in other countries
- 6A:9-5.14 Exchange teachers
- 6A:9-5.15 Issuance of a certificate
- 6A:9-5.16 Replacement of lost certificates
- 6A:9-5.17 Persons employed to coach or serving as coach for interscholastic swimming and/or diving programs
- 6A:9-5.18 Athletics personnel
- 6A:9-5.19 Instruction in educational technology, computers, and other digital tools
- 6A:9-5.20 through 6A:9-5.22 (Reserved)

**SUBCHAPTER 6. TYPES OF CERTIFICATES**

- 6A:9-6.1 Standard certificate
- 6A:9-6.2 Provisional certificate
- 6A:9-6.3 Emergency certificate
- 6A:9-6.4 Certificate of eligibility
- 6A:9-6.5 Substitute credential
- 6A:9-6.6 Limited certificate for foreign teachers

**SUBCHAPTER 7. QUALIFYING ACADEMIC CREDENTIALS**

- 6A:9-7.1 Definition; procedure
- 6A:9-7.2 Requirements

**SUBCHAPTER 8. REQUIREMENTS FOR INSTRUCTIONAL CERTIFICATE**

- 6A:9-8.1 Requirements for certificates of eligibility
- 6A:9-8.2 Requirements for the provisional certificate
- 6A:9-8.3 Requirements for provisional teacher program
- 6A:9-8.4 Requirements for district mentoring program
- 6A:9-8.5 Requirements for nonpublic school training programs
- 6A:9-8.6 Evaluation of provisional teachers
- 6A:9-8.7 Recommendation for certification of provisional teachers
- 6A:9-8.8 Requirements for the standard certificate
- 6A:9-8.9 Requirements for interstate reciprocity
- 6A:9-8.10 Mentoring and evaluation by approved agencies

**SUBCHAPTER 9. INSTRUCTIONAL CERTIFICATES**

- 6A:9-9.1 Authorizations—general
- 6A:9-9.2 Endorsements and authorizations

**SUBCHAPTER 10. STANDARDS FOR NEW JERSEY EDUCATOR PREPARATION PROGRAMS IN HIGHER EDUCATION**

- 6A:9-10.1 Requirements and standards for the approval of professional education programs preparing educational personnel
- 6A:9-10.2 Curriculum for teacher preparation programs

- 6A:9-10.3 Supervision of practicum students
- 6A:9-10.4 Post-baccalaureate and graduate-level teacher preparation programs

**SUBCHAPTER 11. EXCEPTIONS TO REQUIREMENTS FOR THE INSTRUCTIONAL CERTIFICATE**

- 6A:9-11.1 Preschool through grade three certification requirements
- 6A:9-11.2 Career and technical education certification requirements
- 6A:9-11.3 Special education
- 6A:9-11.4 Bilingual/bicultural education
- 6A:9-11.5 English as a second language
- 6A:9-11.6 Driver education
- 6A:9-11.7 Military science
- 6A:9-11.8 Health and physical education
- 6A:9-11.9 Physical science
- 6A:9-11.10 World languages
- 6A:9-11.11 Elementary school with subject matter specialization
- 6A:9-11.12 Swimming and water safety
- 6A:9-11.13 Technology education
- 6A:9-11.14 Art
- 6A:9-11.15 Speech arts and dramatics
- 6A:9-11.16 Social studies
- 6A:9-11.17 Family and consumer sciences
- 6A:9-11.18 Teacher of Supplemental Instruction in Reading and Mathematics, Grades K-8
- 6A:9-11.19 Requirements for the charter school certificate of eligibility
- 6A:9-11.20 Individuals enrolled in degree programs prior to January 7, 2008
- 6A:9-11.21 Requirements for interstate reciprocity

**SUBCHAPTER 12. REQUIREMENTS FOR ADMINISTRATIVE CERTIFICATION**

- 6A:9-12.1 Use of requirements
- 6A:9-12.2 College degrees
- 6A:9-12.3 Authorization
- 6A:9-12.4 School administrator
- 6A:9-12.5 Principal
- 6A:9-12.6 Supervisor
- 6A:9-12.7 School business administrator
- 6A:9-12.8 Requirements for interstate reciprocity

**SUBCHAPTER 13. REQUIREMENTS FOR EDUCATIONAL SERVICES CERTIFICATION**

- 6A:9-13.1 Qualifications/general provisions
- 6A:9-13.2 Student assistance coordinator
- 6A:9-13.3 School nurse
- 6A:9-13.4 School nurse/non-instructional
- 6A:9-13.5 School social worker
- 6A:9-13.6 Speech-language specialist
- 6A:9-13.7 Director of school counseling services
- 6A:9-13.8 School counselor
- 6A:9-13.9 School psychologist
- 6A:9-13.10 Learning disabilities teacher-consultant
- 6A:9-13.11 School occupational therapist
- 6A:9-13.12 School physical therapist
- 6A:9-13.13 Reading specialist
- 6A:9-13.14 School library media specialist
- 6A:9-13.15 Associate school library media specialist
- 6A:9-13.16 School orientation and mobility specialist
- 6A:9-13.17 School athletic trainer
- 6A:9-13.18 Educational interpreter
- 6A:9-13.19 Cooperative education coordinator—hazardous occupations
- 6A:9-13.20 Cooperative education coordinator

- 6A:9-13.21 Requirements for interstate reciprocity
- 6A:9-13.22 (Reserved)

**SUBCHAPTER 14. ACTING ADMINISTRATORS**

- 6A:9-14.1 General provisions

**SUBCHAPTER 15. REQUIRED PROFESSIONAL DEVELOPMENT FOR TEACHERS AND SCHOOL LEADERS**

- 6A:9-15.1 General provisions
- 6A:9-15.2 Definition of professional development
- 6A:9-15.3 Standards for professional learning
- 6A:9-15.4 Requirements for individual teacher professional development planning and implementation
- 6A:9-15.5 Requirements for school-level professional development planning and implementation
- 6A:9-15.6 Requirements for district-level professional development planning and implementation
- 6A:9-15.7 Implementation of the professional development requirement for school leaders
- 6A:9-15.8 Requirements for school leader professional development in ethics, law and governance
- 6A:9-15.9 Monitoring and assistance
- 6A:9-15.10 State Committee on Professional Learning

**SUBCHAPTER 16. OTHER ALTERNATE-ROUTE PROGRAMS FOR DOCUMENTED AREAS OF TEACHER SHORTAGE**

- 6A:9-16.1 Purpose
- 6A:9-16.2 Authorizations
- 6A:9-16.3 Program requirements

**SUBCHAPTER 17. STATE BOARD OF EXAMINERS' PROCEEDINGS**

- 6A:9-17.1 Certificate holder
- 6A:9-17.2 Conduct barring candidate from certification
- 6A:9-17.3 Candidates to provide information regarding criminal history
- 6A:9-17.4 District reporting responsibility
- 6A:9-17.5 Grounds for revocation and suspension of certification
- 6A:9-17.6 Revocation or suspension of certificates
- 6A:9-17.7 Procedures for revoking or suspending a certificate
- 6A:9-17.8 Revoked and suspended certificates
- 6A:9-17.9 Suspension of certificates for failure to give notice of intention to resign
- 6A:9-17.10 Application for certification after revocation
- 6A:9-17.11 Relinquishment of certificate without order to show cause
- 6A:9-17.12 Voluntary surrender of certificates and endorsements
- 6A:9-17.13 Substitution of alternate education and/or experience
- 6A:9-17.14 Public discussion of alternative education and/or experience
- 6A:9-17.15 Rendering of decisions on applications for substitution
- 6A:9-17.16 Substitution of alternative education and/or experience prohibited
- 6A:9-17.17 Appeal of certification decision of the Office
- 6A:9-17.18 Appeal of "disapproved" or "insufficient" recommendations for standard certification
- 6A:9-17.19 Motions
- 6A:9-17.20 Motions for reconsideration
- 6A:9-17.21 Motions for stay
- 6A:9-17.22 Briefs and exceptions
- 6A:9-17.23 Appeal of Board of Examiners decisions

**SUBCHAPTER 18. (RESERVED)**

## SUBCHAPTER 1. SCOPE AND PURPOSE

**6A:9-1.1 Scope**

This chapter sets forth the rules governing the preparation, licensure, and professional development of educators required by their positions to be certified. It also contains rules governing the approval of educator preparation programs and the content of such programs. Finally, it contains the rules delineating the organization of, powers of, duties of, and proceedings before the State Board of Examiners.

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Inserted a comma following "licensure" and following "duties of", and deleted "those" preceding "educators".

**6A:9-1.2 Purpose**

(a) The purpose of this chapter is to establish a licensure system based on professional standards for pre-service preparation, certification, and professional development that continuously serves to improve the quality of instruction for New Jersey's children to equip them to work and succeed in an ever-changing and increasingly complex global economy.

(b) A standards-based, rigorous system of licensure, designed to support improved student achievement of the Core Curriculum Content Standards (CCCS) will serve to improve the quality of the New Jersey educator workforce and to improve student performance.

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (a), inserted a comma following "certification" and substituted "to equip them" for "so that they are equipped"; and in (b), inserted "(CCCS)".

## SUBCHAPTER 2. DEFINITIONS

**6A:9-2.1 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Accepted cohort of candidates" means the group of candidates accepted into all professional educator preparation programs leading to State certification within each New Jersey institution of higher learning.

"Accreditation" means an institution that has a professional education unit and has completed successfully a review process by a national professional organization recognized by the Council on Higher Education Accreditation and approved by the Commissioner. The institution must meet State, professional and institutional standards as determined by a review of its individual programs and overall capacity to prepare education professionals. This review is substantiated through a site visit to the institution by a team of education professionals trained to assess educator preparation programs.

"Agency" means a Department-approved international agency that recruits foreign teachers for New Jersey school districts in subject areas that the State Board has defined as having a critical shortage.

"ALJ" means an administrative law judge assigned by the Director of the Office of Administrative Law to preside over contested cases pursuant to N.J.S.A. 52:14F-1 et seq.

"Alternate route" means a non-traditional teacher preparation program.

"Approved agency" shall mean an entity which is approved by the State and provides services to nonpublic school students in accordance with N.J.S.A. 18A:46A-1 et seq.

"Approved program" means a Department-approved planned program of professional preparation for educators at an institution of higher education.

"Authorization" means any requirement, other than a teaching certificate, established by the State or Federal government or by a profession that allows an individual to engage in the practice of that profession.

"Board of Examiners" means the New Jersey State Board of Examiners.

"CCCS" means the Core Curriculum Content Standards pursuant to N.J.A.C. 6A:8.

"Career and technical education" means organized educational activities that offer a sequence of courses (which may include structured learning experiences) providing students with the rigorous academic and technical knowledge and skills required to prepare for postsecondary education or training and for careers in emerging and established professions; that may lead to technical skill proficiency, a credential, a certificate, or a degree; and that include competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills, and occupation-specific skills, and knowledge of all aspects of an industry, including entrepreneurship.

"Career and technical education professional education program" means a training program that includes the essential knowledge and skills regarding the delivery of career and technical education programs that is provided to all novice career and technical education teachers as part of their State-approved district training programs during the first year of teaching in New Jersey.

"Career cluster" means one of the vocational-technical program areas recognized nationally and by the New Jersey Department of Education.

"Certificate" means one of three types of credentials, instructional, educational services and administrative, that the Board of Examiners issues which permits an individual to serve as a teaching staff member. The Board of Examiners will issue a separate endorsement for each subject area that

falls under a specific type of certificate. The endorsement shall be considered part of that certificate.

“Certificate of advanced study in educational administration and supervision” means a postmasters college or university program, minimum of 24 graduate semester-hour credits, that prepares school leaders with the knowledge, skills and dispositions to be an effective school leader. The program results in out-of-State certification as a principal or superintendent and in a Certificate of Advanced Study in School Leadership from the college or university.

“Certificate of Eligibility” (CE) means a credential with lifetime validity issued to persons who have completed degree, academic study and applicable test requirements for certification. The CE permits the applicant to seek and accept employment in positions requiring certification.

“Certificate of Eligibility with Advanced Standing” (CEAS) means a credential with lifetime validity issued to persons who have completed degree, academic study, applicable test requirements and traditional professional preparation programs for certification. The CEAS permits the applicant to seek and accept employment in positions requiring certification.

“Charter school alternate route” means a three-tiered certification program, including qualification for a certificate of eligibility, issuance of a provisional certificate upon employment, and final recommendation by the principal upon one year of successful completion of teaching at the charter school. Charter school certificates may only be used for employment in charter schools and do not satisfy the requirements for employment in traditional public schools.

“Charter school certificate of eligibility” or “CSCE” means a credential with lifetime validity issued to a person who has a bachelor’s degree and has satisfied applicable test requirements for certification. The CSCE permits the applicant to seek and accept employment at charter schools in positions requiring certification. The CSCE may only be used for employment in charter schools and does not satisfy the requirements for employment in traditional public schools.

“Charter school provisional certificate” means a two-year certificate issued to novice teacher candidates who have been hired by a charter school but who have not yet met the requirements for standard certification. Charter school provisional certificates are issued to novice instructional staff who are employed at a charter school, may only be used for employment in charter schools, may be renewed once at the discretion of the employing school, and do not satisfy the requirements for obtaining employment in traditional public schools.

“Charter school standard certificate” means a permanent certificate issued to a person who has met all charter school certification requirements. This certificate may only be used for employment in charter schools and does not satisfy the requirements for employment in traditional public schools.

“Coherent sequence of courses” means a sequence of at least 30 semester-hour credits of college level coursework in a subject field that includes study at the introductory, intermediate and advanced levels.

“Commissioner” means the Commissioner of Education or the Commissioner’s designee.

“Consortium” means a joint sponsorship between one or more public school districts and a college or university providing formal instruction to provisional teachers.

“Cooperative education experience” means a paid structured learning experience in which students who are enrolled in an approved career and technical education program are placed into employment which is appropriate for the approved program, and through written cooperative arrangements between a school and employers, students receive instruction, including required academic courses and approved programs, by alternation of study in school and at the employment site.

“Department” means the New Jersey State Department of Education.

“District boards of education” means all providers of publicly-funded preschool, elementary, secondary, and adult high school education programs, including county vocational school districts, educational services commissions, jointure commissions, charter schools, regional day schools, adult high schools, county special services school districts, the Marie H. Katzenbach School for the Deaf, the Department of Human Services, the Department of Corrections, the Juvenile Justice Commission, and approved private schools for the disabled whose staff hold appropriate certificates.

“Dual content major” means any college major that combines two of the Core Curriculum Content Standards.

“Early Childhood Program Expectations” means the standards set forth in N.J.A.C. 6A:8-2.1(a)3.

“Education preparation program” means a program approved by the Commissioner to prepare individuals for educator certification.

“Educational technology” means the implementation of technology as an integral part of the instructional process across all curriculum areas that supports a learner centered environment.

“Endorsement” means the specific subject area in which a certificate holder is authorized to serve.

“Executive county superintendent” means an executive county superintendent of schools pursuant to N.J.S.A. 18A:7-1.

“Field experience” means a course designed to permit preservice students to engage in observation of teachers in a classroom setting and to assume some level of teaching responsibility that shall take place prior to the culminating student teaching experience.

“Formal instruction” means a Department-approved planned program of professional preparation for holders of certificates of eligibility which is located at a regional training center site operated by a school district, school district consortium or institution of higher education.

“Full-time teaching” means the equivalent of 900 clock-hours of teaching per year.

“GPA” means grade point average.

“IEP” means an individualized education program. It is a written plan developed at a meeting pursuant to N.J.A.C. 6A:14-2.3 which sets forth present levels of performance, measurable annual goals and short-term objectives or benchmarks and describes an integrated, sequential program of individually designed instructional activities and related services necessary for a student with disabilities to achieve the stated goals and objectives. This plan shall establish the rationale for the student’s educational placement, serve as the basis for program implementation and comply with the mandates set forth in N.J.A.C. 6A:14.

“Interdisciplinary major” means any college major that combines two or more academic, scientific or artistic disciplines, permitting students to explore an area of interest from several perspectives.

“Liberal arts major” means any college major such as philosophy, history, literature, sociology or world language that is intended primarily to provide general knowledge and to develop an individual’s general intellectual capacities to reason and evaluate, as opposed to professional or vocational skills.

“Mentor teacher” means a New Jersey certified experienced teacher who is assigned to provide support and guidance to a novice teacher.

“NASDTEC” means the National Association of State Directors of Teacher Education and Certification.

“NCATE” means the National Council for the Accreditation of Teacher Education. NCATE is a national professional accrediting body for educator preparation.

“Nonpublic school” means an elementary or secondary school within the State, other than a public school, offering education for grades kindergarten through 12, or any combination thereof, wherein any child may legally fulfill compulsory school attendance requirements and which complies with the requirements of Title VI of the Civil Rights Act of 1964 (P.L. 88-352). For purposes of this chapter, preschools licensed by the Division of Youth and Family Services that are not under contract to provide services to Abbott districts shall be considered nonpublic schools.

“North American Industry Classification System (NAICS) code” is an economic classification system based on groups

of goods and services that use similar or identical production processes.

“Novice teacher” means any full-time or part-time teacher who has not completed one year of full-time teaching under a valid State teaching certificate.

“OAL” means the Office of Administrative Law established pursuant to N.J.S.A. 52:14F-1 et seq.

“Office” means the office within the Department that is assigned to provide staff support to the State Board of Examiners in the exercise of its statutory and regulatory responsibilities.

“Official transcript” means either a paper or electronic transcript certified as official by the originating, regionally-accredited institution of higher education or a Department-recognized foreign credentialing agency.

“Paraprofessional” means a school aide or classroom aide who assists appropriately certified personnel with the supervision of pupil activities.

“Practicum” means a course of study designed especially for the preparation of educational services candidates that involves the practical application of previously studied theory under the supervision of college/university faculty. As part of the practicum, candidates write diagnostic and instructional reports.

“Professional Development Committee” means the local committee established by the district board of education pursuant to N.J.A.C. 6A:9-15.3(d) to plan and implement local district professional development programs.

“Professional development standards” means the standards that govern the creation and review of district professional development plans and guide teachers in the selection of professional development activities.

“Professional Standards for School Leaders” means the knowledge, skills and dispositions that all new school administrators must acquire and describes what all school administrators should know and be able to do. See N.J.A.C. 6A:9-3.4.

“Professional Standards for Teachers” means the knowledge, skills and dispositions that all new teachers must acquire and describes what all teachers should know and be able to do. See N.J.A.C. 6A:9-3.3.

“Program approval” means State authorization of an educator preparation program or its sponsoring organization to endorse and recommend program completers for certification.

“Progress toward completion” means that the emergency certified teaching staff member must demonstrate before renewal of the emergency certificate that he/she has completed the share of study needed per year to earn full certification within the years allowed for certificate renewal. The required

“share of study” shall be equal to the number of credits remaining for full certification divided by the maximum number of years the specific certificate can be renewed. A minimum of six credits must be completed each year.

“Provisional certificate” means a two-year certificate issued to candidates who have met the requirements for initial employment but who have not yet met the requirements for standard certification. Provisional certificates are issued to newly-employed instructional, administrator, and educational services staff who are employed as part of a State-approved district training program or residency leading to standard certification. Provisional certificates are also issued to initially-employed educational services staff who have at least one year, but less than three years, of successful full time experience or the equivalent in another state under that state’s standard certificates.

“Provisional Teacher Program” means the school-based training and evaluation program provided to all novice teachers during the first year of teaching in New Jersey.

“Provisional teaching year” means a year of full-time teaching under provisional certification required of all novice teachers before they can be approved for standard teacher certification.

“Regionally accredited college or university” means an institution of higher education accredited by one of the following regional accreditation associations:

1. Middle States Association of Colleges and Schools;
2. New England Association of Schools and Colleges;
3. North Central Association of Colleges and Schools;
4. Northwest Association of School and Colleges;
5. Southern Association of Colleges and Schools; and
6. Western Association of School and Colleges.

“Science major” means a college major in any of the physical or natural sciences.

“School leader” means an administrator whose position requires possession of a school administrator, principal, or supervisor endorsement.

“Secretary” means the Secretary of the New Jersey State Board of Examiners.

“Standard certificate” means a permanent certificate issued to a person who has met all certification requirements.

“State Board” means the New Jersey State Board of Education.

“Structured learning experience (SLE)” means experiential, supervised, in-depth learning experiences that are designed to offer students the opportunity to more fully explore career interests within one or more of the career clusters, as de-

scribed in N.J.A.C. 6A:8-3.2, Career education and counseling. SLEs are designed as rigorous activities that are integrated into the curriculum and that provide students with opportunities to: demonstrate and apply a high level of academic attainment; develop career goals; and develop personal/social goals.

“Support resource program” means an educational program in which the primary instructional responsibility for the student shall be the regular classroom teacher with input from the special education teacher. The special education teacher shall provide modifications to the instructional strategies or testing procedures necessary in accordance with the student’s IEP. A support resource program provided in the student’s regular class shall be at the same time and in the same activities as the rest of the class.

“TEAC” means the Teacher Education Accreditation Council. TEAC is a national professional accrediting body for educator preparation.

“Teaching staff member” means a member of the professional staff of any district or regional board of education, or any board of education of a county vocational school district, holding office, position or employment of such character that the qualifications for such office, position or employment require him or her to hold a valid and effective standard, provisional or emergency certificate, appropriate to his or her office, position or employment issued by the State Board of Examiners and includes a school nurse and a school athletic trainer.

“Technology discipline major” means any college major that concentrates on the application of scientific principles to solve problems. Majors including, but not limited to, engineering, computer science, information technology, design technology, aviation technology, military technology, or industrial technology are acceptable technology discipline majors.

“Technology education” means instruction by a teacher holding the Technology Education endorsement and covering New Jersey Core Curriculum Content Standard (NJCCCS) 8.2 and the International Technology Education Association (ITEA) standards. The ITEA standards are published in “Standards for Technological Literacy,” © ITEA, incorporated herein by reference, as amended and supplemented and are available at <http://www.iteaconnect.org/TAA/PDFs/xstnd.pdf>. The ITEA standards recognize the increasing reliance of modern society on a range of technologies, stress the incorporation of technological study into all aspects of the curriculum, and promote experiential learning about technology development, use, maintenance, and impact on the individual, environment, economy, and society as a whole. Examples of the topics that can be taught under NJCCCS 8.2 and the ITEA standards include, but are not limited to, the nature of technology; technology and society, engineering and technological design; abilities for a technological world; energy and power; information and communication; and

transportation, manufacturing and construction technologies. A technology education endorsement does not provide an endorsement to teach educational technology and/or computer and information skills.

“Traditional route” means an approved collegiate teacher preparation program.

Amended by R.2004 d.306, effective August 2, 2004.

See: 36 N.J.R. 1636(a), 36 N.J.R. 3526(a).

Rewrote “Vocational-technical education”.

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

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

Added “Technology discipline major”.

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

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

Added definition “Formal Instruction” and substituted “valid” for “standard” in definition of “Novice teacher”.

Amended by R.2006 d.315, effective September 5, 2006.

See: 38 N.J.R. 2253(a), 38 N.J.R. 3530(b).

In definition “IEP”, updated the N.J.A.C. reference in the first sentence.

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

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

Added definitions “Certificate of advanced study in educational administration and supervision” and “Official transcript”.

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

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

Added definitions “Approved agency”, “Career and technical education”, “Cooperative education experience”, “Educational technology”, “Executive county superintendent”, “North American Industry Classification System (NAICS) code”, “Structural learning experience (SLE)” and “Technology education”; deleted definitions “County superintendent”, “SLE” and “Vocational-technical education”; in definition “District boards of education”, substituted “school districts” for “schools” following “vocational”; rewrote definition “Provisional certificate”; in definition “Teaching staff member”, inserted “district” following “vocational school” and deleted a comma following “qualifications”.

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Added definitions “Charter school alternate route”, “Charter school certificate of eligibility” or “CSCE”, “Charter school provisional certificate” and “Charter school standard certificate”.

Amended by R.2014 d.112, effective July 7, 2014.

See: 45 N.J.R. 2072(a), 46 N.J.R. 1634(a).

Added definition “Accepted cohort of candidates”.

#### Case Notes

Initial Decision (2008 N.J. AGEN LEXIS 118) adopted, which concluded that petitioner, an acknowledged recipient of a bona fide bachelor’s degree, failed to demonstrate any entitlement to receive credit for or approval of certification as a Teacher of the Handicapped by a preponderance of the credible evidence, where his undergraduate GPA was deficient by the standards in place at the time of his initial application as well as at the time of the review of his completed course of study. Moreover, petitioner failed to take the appropriate matriculated course work at a single college as part of an approved post-baccalaureate program but instead attended four separate college-level institutions in order to meet this obligation, resulting in no realistic way that the board of examiners could collate the course selections at each of the individual schools and factor in an appropriate GPA. *Maslin v. N.J. Dep’t of Educ., Office of State Bd. of Examiners, OAL Dkt. No. EDU 2689-06, Commissioner’s Decision (April 8, 2008).*

## SUBCHAPTER 3. PROFESSIONAL STANDARDS FOR TEACHERS AND SCHOOL LEADERS

### 6A:9-3.1 Purpose

(a) The Professional Standards for Teachers identify the knowledge, skills and dispositions that teachers need to practice responsibly.

(b) The Professional Standards for School Leaders identify the knowledge, skills and dispositions that school leaders need to practice responsibly.

(c) The Professional Standards for Teachers and the Professional Standards for School Leaders set forth in N.J.A.C. 6A:9-3.3 and 3.4 shall be used in the accreditation of preparation programs, recommendation of candidates for certification, induction, educator evaluation, and the approval of professional development.

(d) The level of mastery of the professional standards for teachers and school leaders shall be on a continuum from pre-service and novice through veteran educator.

Amended by R.2014 d.073, effective May 5, 2014.

See: 45 N.J.R. 2524(a), 46 N.J.R. 761(a).

In (c), inserted “, induction, educator evaluation,”.

### 6A:9-3.2 Scope

(a) The Professional Standards for Teachers shall apply to all educators who hold an instructional certificate.

(b) The Professional Standards for School Leaders shall apply to all administrators who hold a supervisor, principal or school administrator endorsement.

### 6A:9-3.3 Professional standards for teachers

(a) Teacher preparation, district induction, professional development programs, and the school district teacher evaluation system shall align with the standards in (a)1 through 11 below. The standards are grouped into the following four domains: The Learner and Learning (Standards One, Two, and Three); Content Knowledge (Standards Four and Five); Instructional Practice (Standards Six, Seven, and Eight); and Professional Responsibility (Standards Nine, Ten, and Eleven). The elements of each standard are divided into three categories: Performances, Essential Knowledge, and Critical Dispositions.

1. Standard One: Learner Development. The teacher understands how learners grow and develop, recognizing that patterns of learning and development vary individually within and across the cognitive, linguistic, social, emotional, and physical areas, and designs and implements developmentally appropriate and challenging learning experiences.

## i. Performances:

(1) The teacher regularly assesses individual and group performance in order to design and modify instruction to meet learners' needs in each area of development (cognitive, linguistic, social, emotional, and physical) and scaffolds the next level of development;

(2) The teacher creates developmentally appropriate instruction that takes into account individual learners' strengths, interests, and needs and that enables each learner to advance and accelerate his or her learning; and

(3) The teacher collaborates with families, communities, colleagues, and other professionals to promote learner growth and development.

## ii. Essential Knowledge:

(1) The teacher understands how learning occurs—how learners construct knowledge, acquire skills, and develop disciplined thinking processes—and knows how to use instructional strategies that promote student learning;

(2) The teacher understands that each learner's cognitive, linguistic, social, emotional, and physical development influences learning and knows how to make instructional decisions that build on learners' strengths and needs;

(3) The teacher identifies readiness for learning, and understands how development in any one area may affect performance in others; and

(4) The teacher understands the role and impact of language and culture in learning and knows how to modify instruction to make language comprehensible and instruction relevant, accessible, and challenging.

## iii. Critical Dispositions:

(1) The teacher respects learners' differing strengths and needs and is committed to using this information to further each learner's development;

(2) The teacher is committed to using learners' strengths as a basis for growth, and their misconceptions as opportunities for learning;

(3) The teacher takes responsibility for promoting learners' growth and development; and

(4) The teacher values the input and contributions of families, colleagues, and other professionals in understanding and supporting each learner's development.

2. Standard Two: Learning Differences. The teacher uses understanding of individual differences and diverse cultures and communities to ensure inclusive learning

environments that enable each learner to meet high standards.

## i. Performances:

(1) The teacher designs, adapts, and delivers instruction to address each student's diverse learning strengths and needs and creates opportunities for students to demonstrate their learning in different ways;

(2) The teacher makes appropriate and timely provisions (for example, pacing for individual rates of growth, task demands, communication, assessment, and response modes) for individual students with particular learning differences or needs;

(3) The teacher designs instruction to build on learners' prior knowledge and experiences, allowing learners to accelerate as they demonstrate their understandings;

(4) The teacher brings multiple perspectives to the discussion of content, including attention to learners' personal, family, and community experiences and cultural norms;

(5) The teacher incorporates tools of language development into planning and instruction, including strategies for making content accessible to English language learners and for evaluating and supporting their development of English proficiency; and

(6) The teacher accesses resources, supports, and specialized assistance and services to meet particular learning differences or needs and participates in the design and implementation of the IEP, where appropriate, through curriculum planning and curricular and instructional modifications, adaptations, and specialized strategies and techniques, including the use of assistive technology.

## ii. Essential Knowledge:

(1) The teacher utilizes resources related to educational strategies for instruction and methods of teaching to accommodate individual differences and to employ positive behavioral intervention techniques for students with autism and other developmental disabilities;

(2) The teacher understands and identifies differences in approaches to learning and performance and knows how to design instruction that uses each learner's strengths to promote growth;

(3) The teacher understands students with exceptional needs, including those associated with disabilities and giftedness, and knows how to use strategies and resources to address these needs;

(4) The teacher knows about second language acquisition processes and knows how to incorporate

instructional strategies and resources to support language acquisition;

(5) The teacher understands that learners bring assets for learning based on their individual experiences, abilities, talents, prior learning, and peer and social group interactions, as well as language, culture, family, and community values; and

(6) The teacher knows how to access information about the values of diverse cultures and communities and how to incorporate learners' experiences, cultures, and community resources into instruction.

iii. Critical Dispositions:

(1) The teacher believes that all learners can achieve at high levels and persists in helping each learner reach his or her full potential;

(2) The teacher respects learners as individuals with differing personal and family backgrounds and various skills, abilities, perspectives, talents, and interests;

(3) The teacher makes learners feel valued and helps them learn to value each other; and

(4) The teacher values diverse languages, dialects, and cultures and seeks to integrate them into his or her instructional practice to engage students in learning.

3. Standard Three: Learning Environments. The teacher works with others to create environments that support individual and collaborative learning, and that encourage positive social interaction, active engagement in learning, and self motivation.

i. Performances:

(1) The teacher collaborates with learners, families, and colleagues to build a safe, positive learning climate of openness, mutual respect, support, and inquiry;

(2) The teacher develops learning experiences that engage learners in collaborative and self-directed learning and that extend learner interaction with ideas and people locally and globally;

(3) The teacher collaborates with learners and colleagues to develop shared values and expectations for respectful interactions, rigorous academic discussions, and individual and group responsibility for quality work;

(4) The teacher manages the learning environment to actively and equitably engage learners by organizing, allocating, and coordinating the resources of time, space, and learners' attention;

(5) The teacher uses a variety of methods to engage learners in evaluating the learning environ-

ment and collaborates with learners to make appropriate adjustments;

(6) The teacher communicates verbally and nonverbally in ways that demonstrate respect for and responsiveness to the cultural backgrounds and differing perspectives learners bring to the learning environment;

(7) The teacher promotes responsible learner use of interactive technologies to extend the possibilities for learning locally and globally; and

(8) The teacher intentionally builds learner capacity to collaborate in face-to-face and virtual environments through applying effective interpersonal communication skills.

ii. Essential Knowledge:

(1) The teacher understands the relationship between motivation and engagement and knows how to design learning experiences using strategies that build learner self-direction and ownership of learning;

(2) The teacher knows how to help learners work productively and cooperatively with each other to achieve learning goals;

(3) The teacher knows how to collaborate with learners to establish and monitor elements of a safe and productive learning environment including norms, expectations, routines, and organizational structures;

(4) The teacher understands how learner diversity can affect communication and knows how to communicate effectively in differing environments;

(5) The teacher knows how to use technologies and how to guide learners to apply them in appropriate, safe, and effective ways; and

(6) The teacher understands the relationship among harassment, intimidation, bullying, violence, and suicide and knows how and when to intervene.

iii. Critical Dispositions:

(1) The teacher is committed to working with learners, colleagues, families, and communities to establish positive and supportive learning environments;

(2) The teacher values the role of learners in promoting each other's learning and recognizes the importance of peer relationships in establishing a climate of learning;

(3) The teacher is committed to supporting learners as they participate in decision-making, engage in exploration and invention, work collaboratively and independently, and engage in purposeful learning; and

(4) The teacher seeks to foster respectful communication among all members of the learning community.

4. Standard Four: Content Knowledge. The teacher understands the central concepts, tools of inquiry, and structures of the discipline(s) he or she teaches, particularly as they relate to the Common Core Standards and the New Jersey Core Curriculum Content Standards and creates learning experiences that make these aspects of the discipline accessible and meaningful for learners to assure mastery of the content.

i. Performances:

(1) The teacher effectively uses multiple representations and explanations that capture key ideas in the discipline, guide learners through learning progressions, and promote each learner's achievement of content standards;

(2) The teacher engages students in learning experiences in the discipline(s) that encourage learners to understand, question, and analyze ideas from diverse perspectives so that they master the content;

(3) The teacher engages learners in applying methods of inquiry and standards of evidence used in the discipline;

(4) The teacher stimulates learner reflection on prior content knowledge, links new concepts to familiar concepts, and makes connections to learners' experiences;

(5) The teacher recognizes learner misconceptions in a discipline that interfere with learning, and creates experiences to build accurate conceptual understanding;

(6) The teacher evaluates and modifies instructional resources and curriculum materials for their comprehensiveness, accuracy for representing particular concepts in the discipline, and appropriateness for his or her learners;

(7) The teacher uses supplementary resources and technologies effectively to ensure accessibility and relevance for all learners;

(8) The teacher creates opportunities for students to learn, practice, and master academic language in their content; and

(9) The teacher accesses school and/or district-based resources to evaluate the learner's content knowledge.

ii. Essential Knowledge:

(1) The teacher understands major concepts, assumptions, debates, processes of inquiry, and ways of knowing that are central to the discipline(s) he or she teaches;

(2) The teacher understands common misconceptions in learning the discipline and how to guide learners to accurate conceptual understanding;

(3) The teacher knows and uses the academic language of the discipline and knows how to make it accessible to learners;

(4) The teacher knows how to integrate culturally relevant content to build on learners' background knowledge;

(5) The teacher has a deep knowledge of student content standards and learning progressions in the discipline(s) he or she teaches;

(6) The teacher understands that literacy skills and processes are applicable in all content areas and help students to develop the knowledge, skills, and dispositions that enable them to construct meaning and make sense of the world through reading, writing, listening, speaking, and viewing; and

(7) The teacher understands the concepts inherent in numeracy to enable students to represent physical events, work with data, reason, communicate mathematically, and make connections within their respective content areas in order to solve problems.

iii. Critical Dispositions:

(1) The teacher realizes that content knowledge is not a fixed body of facts but is complex, culturally situated, and ever evolving. He or she keeps abreast of new ideas and understandings in the field;

(2) The teacher appreciates multiple perspectives within the discipline and facilitates learners' critical analysis of these perspectives;

(3) The teacher recognizes the potential of bias in his or her representation of the discipline and seeks to appropriately address problems of bias;

(4) The teacher is committed to work toward each learner's mastery of disciplinary content and skills; and

(5) The teacher shows enthusiasm for the discipline(s) they teach and is committed to making connections to everyday life.

5. Standard Five: Application of Content. The teacher understands how to connect concepts and use differing perspectives to engage learners in critical thinking, creativity, and collaborative problem solving related to authentic local and global issues.

## i. Performances:

(1) The teacher develops and implements projects that guide learners in analyzing the complexities of an issue or question using perspectives from varied disciplines and cross-disciplinary skills (for example, a water quality study that draws upon biology and chemistry to look at factual information and social studies to examine policy implications);

(2) The teacher engages learners in applying content knowledge to real world problems through the lens of interdisciplinary themes (for example, financial literacy and environmental literacy);

(3) The teacher facilitates learners' use of current tools and resources to maximize content learning in varied contexts;

(4) The teacher engages learners in questioning and challenging assumptions and approaches in order to foster innovation and problem solving in local and global contexts;

(5) The teacher develops learners' communication skills in disciplinary and interdisciplinary contexts by creating meaningful opportunities to employ a variety of forms of communication that address varied audiences and purposes;

(6) The teacher engages learners in generating and evaluating new ideas and novel approaches, seeking inventive solutions to problems, and developing original work;

(7) The teacher facilitates learners' ability to develop diverse social and cultural perspectives that expand their understanding of local and global issues and create novel approaches to solving problems; and

(8) The teacher develops and implements supports for learner literacy development across content areas.

## ii. Essential Knowledge:

(1) The teacher understands the ways of knowing in his or her discipline, how it relates to other disciplinary approaches to inquiry, and the strengths and limitations of each approach in addressing problems, issues, and concerns.

(2) The teacher understands how current interdisciplinary themes (for example, civic literacy, health literacy, global awareness) connect to the core subjects and knows how to weave those themes into meaningful learning experiences;

(3) The teacher understands the demands of accessing and managing information as well as how to evaluate issues of ethics and quality related to information and its use;

(4) The teacher understands how to use digital and interactive technologies for efficiently and effectively achieving specific learning goals;

(5) The teacher understands critical thinking processes and knows how to help learners develop high level questioning skills to promote their independent learning;

(6) The teacher understands communication modes and skills as vehicles for learning (for example, information gathering and processing) across disciplines as well as vehicles for expressing learning;

(7) The teacher understands creative thinking processes and how to engage learners in producing original work; and

(8) The teacher knows where and how to access resources to build global awareness and understanding, and how to integrate them into the curriculum.

## iii. Critical Dispositions:

(1) The teacher is constantly exploring how to use disciplinary knowledge as a lens to address local and global issues;

(2) The teacher values knowledge outside his or her own content area and how such knowledge enhances student learning; and

(3) The teacher values flexible learning environments that encourage learner exploration, discovery, and expression across content areas.

6. Standard Six: Assessment. The teacher understands and uses multiple methods of assessment to engage learners in examining their own growth, to monitor learner progress, and to guide the teacher's and learner's decision-making.

## i. Performances:

(1) The teacher balances the use of formative and summative assessment as appropriate to support, verify, and document learning;

(2) The teacher designs assessments that match learning objectives with assessment methods and minimizes sources of bias that can distort assessment results;

(3) The teacher works independently and collaboratively to examine test and other performance data to understand each learner's progress and to guide planning;

(4) The teacher engages learners in understanding and identifying quality work and provides them with effective descriptive feedback to guide their progress toward that work;

(5) The teacher engages learners in multiple ways of demonstrating knowledge and skill as part of the assessment process;

(6) The teacher models and structures processes that guide learners in examining their own thinking and learning as well as the performance of others;

(7) The teacher effectively uses multiple and appropriate types of assessment data to identify each student's learning needs and to develop differentiated learning experiences;

(8) The teacher prepares all learners for the demands of particular assessment formats and makes appropriate accommodations in assessments or testing conditions, especially for learners with disabilities and language learning needs; and

(9) The teacher continually seeks appropriate ways to employ technology to support assessment practice both to engage learners more fully and to assess and address learner needs.

ii. Essential Knowledge:

(1) The teacher understands the differences between formative and summative applications of assessment and knows how and when to use each;

(2) The teacher understands the range of types and multiple purposes of assessment and how to design, adapt, or select appropriate assessments to address specific learning goals and individual differences, and to minimize sources of bias;

(3) The teacher knows how to analyze assessment data to understand patterns and gaps in learning, to guide planning and instruction, and to provide meaningful feedback to all learners;

(4) The teacher knows when and how to engage learners in analyzing their own assessment results and in helping to set goals for their own learning;

(5) The teacher understands the positive impact of effective descriptive feedback for learners and knows a variety of strategies for communicating this feedback;

(6) The teacher knows when and how to evaluate and report learner progress against standards; and

(7) The teacher understands how to prepare learners for assessments and how to make accommodations in assessments and testing conditions, especially for learners with disabilities and language learning needs.

iii. Critical Dispositions:

(1) The teacher is committed to engaging learners actively in assessment processes and to developing

each learner's capacity to review and communicate about their own progress and learning;

(2) The teacher takes responsibility for aligning instruction and assessment with learning goals;

(3) The teacher is committed to providing timely and effective descriptive feedback to learners on their progress;

(4) The teacher is committed to using multiple types of assessment processes to support, verify, and document learning;

(5) The teacher is committed to making accommodations in assessments and testing conditions, especially for learners with disabilities and language learning needs; and

(6) The teacher is committed to the ethical use of various assessments and assessment data to identify learner strengths and needs to promote learner growth.

7. Standard Seven: Planning for Instruction. The teacher plans instruction that supports every student in meeting rigorous learning goals by drawing upon knowledge of content areas, curriculum, cross-disciplinary skills, and pedagogy, as well as knowledge of learners and the community context.

i. Performances:

(1) The teacher individually and collaboratively selects and creates learning experiences that are appropriate for curriculum goals and content standards, and are relevant to learners;

(2) The teacher plans how to achieve each student's learning goals, choosing appropriate strategies and accommodations, resources, and materials to differentiate instruction for individuals and groups of learners;

(3) The teacher develops appropriate sequencing of learning experiences and provides multiple ways to demonstrate knowledge and skill;

(4) The teacher plans for instruction based on formative and summative assessment data, prior learner knowledge, and learner interest;

(5) The teacher plans collaboratively with professionals who have specialized expertise (for example, special educators, related service providers, language learning specialists, librarians, and media specialists) to design and jointly deliver, as appropriate, learning experiences to meet unique learning needs; and

(6) The teacher evaluates plans in relation to short- and long-range goals and systematically adjusts plans to meet each student's learning needs and enhance learning.

## ii. Essential Knowledge:

(1) The teacher understands content and content standards and how these are organized in the curriculum;

(2) The teacher understands how integrating cross-disciplinary skills in instruction engages learners purposefully in applying content knowledge;

(3) The teacher understands learning theory, human development, cultural diversity, and individual differences and how these impact ongoing planning;

(4) The teacher understands the strengths and needs of individual learners and how to plan instruction that is responsive to these strengths and needs;

(5) The teacher knows a range of evidence-based instructional strategies, resources, and technological tools, including assistive technologies, and how to use them effectively to plan instruction that meets diverse learning needs;

(6) The teacher knows when and how to adjust plans based on assessment information and learner responses; and

(7) The teacher knows when and how to access resources and collaborate with others to support student learning (for example, special educators, related service providers, language learner specialists, librarians, media specialists, and community organizations).

## iii. Critical Dispositions:

(1) The teacher respects learners' diverse strengths and needs and is committed to using this information to plan effective instruction;

(2) The teacher values planning as a collegial activity that takes into consideration the input of learners, colleagues, families, and the larger community;

(3) The teacher takes professional responsibility to use short- and long-term planning as a means of assuring student learning; and

(4) The teacher believes that plans must always be open to adjustment and revision based on learner needs and changing circumstances.

8. Standard Eight: Instructional Strategies. The teacher understands and uses a variety of instructional strategies to encourage learners to develop deep understanding of content areas and their connections, and to build skills to apply knowledge in meaningful ways.

## i. Performances:

(1) The teacher uses appropriate strategies and resources to adapt instruction to the needs of individuals and groups of learners;

(2) The teacher continuously monitors student learning, engages learners in assessing their progress, and adjusts instruction in response to student learning needs;

(3) The teacher collaborates with learners to design and implement relevant learning experiences, identify their strengths, and access family and community resources to develop their areas of interest;

(4) The teacher varies his or her role in the instructional process (for example, instructor, facilitator, coach, and audience) in relation to the content and purposes of instruction and the needs of learners;

(5) The teacher provides multiple models and representations of concepts and skills with opportunities for learners to demonstrate their knowledge through a variety of products and performances;

(6) The teacher engages all learners in developing higher order questioning skills and meta-cognitive processes;

(7) The teacher engages learners in using a range of learning skills and technology tools to access, interpret, evaluate, and apply information;

(8) The teacher uses a variety of instructional strategies to support and expand learners' communication through speaking, listening, reading, writing, and other modes; and

(9) The teacher asks questions to stimulate discussion that serves different purposes (for example, probing for learner understanding, helping learners articulate their ideas and thinking processes, stimulating curiosity, and helping learners to question).

## ii. Essential Knowledge:

(1) The teacher understands the cognitive processes associated with various kinds of learning (for example, critical and creative thinking, problem framing and problem solving, invention, and memorization and recall) and how these processes can be stimulated;

(2) The teacher knows how to apply a range of developmentally, culturally, and linguistically appropriate instructional strategies to achieve learning goals;

(3) The teacher knows when and how to use appropriate strategies to differentiate instruction and engage all learners in complex thinking and meaningful tasks;

(4) The teacher understands how multiple forms of communication (oral, written, nonverbal, digital, and visual) convey ideas, foster self-expression, and build relationships;

(5) The teacher knows how to use a wide variety of resources, including human and technological, to engage students in learning; and

(6) The teacher understands how content and skill development can be supported by media and technology and knows how to evaluate these resources for quality, accuracy, and effectiveness.

iii. Critical Dispositions:

(1) The teacher is committed to deepening awareness and understanding the strengths and needs of diverse learners when planning and adjusting instruction;

(2) The teacher values the variety of ways people communicate and encourages learners to develop and use multiple forms of communication;

(3) The teacher is committed to exploring how the use of new and emerging technologies can support and promote student learning; and

(4) The teacher values flexibility and reciprocity in the teaching process as necessary for adapting instruction to learner responses, ideas, and needs.

9. Standard Nine: Professional Learning. The teacher engages in ongoing individual and collaborative professional learning designed to impact practice in ways that lead to improved learning for each student, using evidence of student achievement, action research, and best practice to expand a repertoire of skills, strategies, materials, assessments, and ideas to increase student learning.

i. Performances:

(1) The teacher engages in ongoing learning opportunities to develop knowledge and skills in order to provide all learners with engaging curriculum and learning experiences based on local and State standards;

(2) The teacher engages in meaningful and appropriate professional learning experiences aligned with his or her own needs and the needs of the learners, school, and system;

(3) Independently and in collaboration with colleagues, the teacher uses a variety of data (for example, systematic observation, information about learners, and research) to evaluate the outcomes of

teaching and learning and to adapt planning and practice; and

(4) The teacher actively seeks professional, community, and technological resources, within and outside the school, as supports for analysis, reflection, and problem-solving.

ii. Essential Knowledge:

(1) The teacher understands and knows how to use a variety of self-assessment and problem-solving strategies to analyze and reflect on his or her practice and to plan for adaptations/adjustments;

(2) The teacher knows how to use learner data to analyze practice and differentiate instruction accordingly; and

(3) The teacher knows how to build and implement a plan for professional growth directly aligned with his or her needs as a growing professional using feedback from teacher evaluations and observations, data on learner performance, and school- and system-wide priorities.

iii. Critical Dispositions:

(1) The teacher takes responsibility for student learning and uses ongoing analysis and reflection to improve planning and practice;

(2) The teacher is committed to deepening understanding of his or her own frames of reference (for example, culture, gender, language, abilities, and ways of knowing), the potential biases in these frames, and their impact on expectations for and relationships with learners and their families;

(3) The teacher sees himself or herself as a learner, continuously seeking opportunities to draw upon current education policy and research as sources of analysis and reflection to improve practice; and

(4) The teacher understands the expectations of the profession including codes of ethics, professional standards of practice, and relevant law and policy.

10. Standard Ten: Leadership and Collaboration. The teacher seeks appropriate leadership roles and opportunities to take responsibility for student learning, to collaborate with learners, families, colleagues, other school professionals, and community members to ensure learner growth, and to advance the profession.

i. Performances:

(1) The teacher takes an active role on the instructional team, giving and receiving feedback on practice, examining learner work, analyzing data from multiple sources, and sharing responsibility for decision-making and accountability for each student's learning;

(2) The teacher works with other school professionals to plan and jointly facilitate learning on how to meet diverse needs of learners;

(3) The teacher engages collaboratively in the schoolwide effort to build a shared vision and supportive culture, identify common goals, and monitor and evaluate progress toward those goals;

(4) The teacher works collaboratively with learners and their families to establish mutual expectations and ongoing communication to support learner development and achievement;

(5) Working with school colleagues, the teacher builds ongoing connections with community resources to enhance student learning and well-being;

(6) The teacher engages in professional learning, contributes to the knowledge and skill of others, and works collaboratively to advance professional practice;

(7) The teacher uses technological tools and a variety of communication strategies to build local and global learning communities that engage learners, families, and colleagues;

(8) The teacher uses and generates meaningful research on education issues and policies;

(9) The teacher seeks appropriate opportunities to model effective practice for colleagues, to lead professional learning activities, and to serve in other leadership roles;

(10) The teacher advocates to meet the needs of learners, to strengthen the learning environment, and to enact system change; and

(11) The teacher takes on leadership roles at the school, district, State, and/or national level and advocates for learners, the school, the community, and the profession.

ii. Essential Knowledge:

(1) The teacher understands schools as organizations within a historical, cultural, political, and social context and knows how to work with others across the system to support learners;

(2) The teacher understands that alignment of family, school, and community spheres of influence enhances student learning and that discontinuity in these spheres of influence interferes with learning;

(3) The teacher knows how to work with other adults and has developed skills in collaborative interaction appropriate for both face-to-face and virtual contexts; and

(4) The teacher knows how to contribute to a common culture that supports high expectations for student learning.

iii. Critical Dispositions:

(1) The teacher actively shares responsibility for shaping and supporting the mission of his or her school as one of advocacy for learners and accountability for their success;

(2) The teacher respects families' beliefs, norms, and expectations and seeks to work collaboratively with learners and families in setting and meeting challenging goals;

(3) The teacher takes initiative to grow and develop with colleagues through interactions that enhance practice and support student learning;

(4) The teacher takes responsibility for contributing to and advancing the profession; and

(5) The teacher embraces the challenge of continuous improvement and change.

11. Standard Eleven: Ethical Practice. The teachers acts in accordance with legal and ethical responsibilities and uses integrity and fairness to promote the success of all students.

i. Performances:

(1) The teacher reflects on his or her personal biases and accesses resources to deepen his or her own understanding of cultural, ethnic, gender, and learning differences to build stronger relationships and create more relevant learning experiences;

(2) The teacher advocates, models, and teaches safe, legal, and ethical use of information and technology including appropriate documentation of sources and respect for others in the use of social media;

(3) The teacher promotes aspects of students' well-being by exercising the highest level of professional judgment, and working cooperatively and productively with colleagues and parents to provide a safe, healthy, and emotionally protective learning environment;

(4) The teacher maintains the confidentiality of information concerning students obtained in the proper course of the educational process and dispenses such information only when prescribed or directed by Federal and/or State statutes or accepted professional practice;

(5) The teacher maintains professional relationships with students and colleagues;

(6) The teacher provides access to various points of view without deliberate distortion of subject matter; and

(7) The teacher fosters and maintains a school environment which protects students from sexually, physically, verbally, or emotionally harassing behavior by recognizing, understanding, and conducting themselves in a sound and professionally responsible manner.

ii. Essential Knowledge:

(1) The teacher understands how personal identity, worldview, and prior experience affect perceptions and expectations, and recognizes how they may bias behaviors and interactions with others;

(2) The teacher understands laws related to learners' rights and teacher responsibilities (for example, for educational equity, appropriate education for learners with disabilities, confidentiality, privacy, appropriate treatment of learners, reporting in situations related to possible child abuse, and responding to harassment, intimidation, bullying, and suicide);

(3) The teacher understands his or her professional responsibilities as reflected in constitutional provisions, statutes, regulations, policies, and collective negotiations agreements; and

(4) The teacher knows and understands strategies to foster professional and productive relationships with students and colleagues.

iii. Critical Dispositions:

(1) The teacher recognizes that an educator's actions reflect on the status and substance of the profession;

(2) The teacher upholds the highest standards of professional conduct both as a practitioner in the classroom and as an employee vested with the public trust;

(3) The teacher recognizes, respects, and upholds the dignity and worth of students as individual human beings, and therefore deals with them justly and considerately; and

(4) The teacher recognizes his or her obligation to the profession of teaching and does not engage in any conduct contrary to sound professional practice and/or applicable statutes, regulations, and policy.

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), added 3i(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)7i(1), deleted "and" from the end; in (a)7i(2), inserted "for instruction and methods of teaching"; substituted "for" for "to" following "techniques" and inserted "including students with autism and other developmental disabilities; and"; added (a)7i(3); in (a)7iii(3), inserted ";

through curriculum planning and curricular and instructional modifications, adaptations, and specialized strategies and techniques, including the use of assistive technology"; in (a)7iii(4), inserted "and inclusive educational practices and collaborative partnerships"; and added (a)11.  
Amended by R.2014 d.073, effective May 5, 2014.  
See: 45 N.J.R. 2524(a), 46 N.J.R. 761(a).

Rewrote the section.

Case Notes

Initial Decision (2008 N.J. AGEN 774) adopted, which determined that a fifth-grade teacher's performance, even after notice of the charges and assistance and opportunities to improve, was deficient and inefficient as charged so that the teacher should be dismissed and removed from employment. The teacher demonstrated a pattern of carelessness, a lack of dedication, and inefficiency in his teaching, failed to establish and maintain an orderly and supportive learning environment for his class, and continued to refuse and/or fail to efficiently comply with schedules, content, methods, and pacing, and to provide documentation prescribed for instruction and for evaluation of student performance pursuant to the New Jersey Professional Standards for Teachers, N.J.A.C. 6A:9-3.3, and the Core Curriculum Content Standards of N.J.A.C. 6A:8-1.1. In re Tenure Hearing of Jones, OAL Dkt. No. EDU 2152-07, 2008 N.J. AGEN LEXIS 1181, Final Decision (September 29, 2008).

6A:9-3.4 Professional standards for school leaders

(a) School leader preparation, district induction and professional development programs shall align their learning opportunities with the following standards:

1. Standard One: School administrators shall be educational leaders who promote the success of all students by facilitating the development, articulation, implementation and stewardship of a vision of learning that is shared and supported by the school community.

i. Administrators have knowledge and understanding of:

- (1) Learning goals in a pluralistic society;
- (2) The principles of developing and implementing strategic plans;
- (3) Systems theory;
- (4) Information sources, data collection and data analysis strategies;
- (5) Effective communication; and
- (6) Effective consensus-building and negotiation skills.

ii. Administrators believe in, value and are committed to:

- (1) The educability of all;
- (2) A school vision of high standards of learning;
- (3) Continuous school improvement;
- (4) The inclusion of all members of the school community;
- (5) Ensuring that students have the knowledge, skills and values needed to become successful adults;

(6) A willingness to continuously examine one's own assumptions, beliefs and practices; and

(7) Doing the work required for high levels of personal and organization performance.

iii. Administrators facilitate processes and engage in activities ensuring that:

(1) The vision and mission of the school are effectively communicated to staff, parents, students and community members;

(2) The vision and mission are communicated through the use of symbols, ceremonies, stories and similar activities;

(3) The core beliefs of the school vision are modeled for all stakeholders;

(4) The vision is developed with and among stakeholders;

(5) The contributions of school community members to the realization of the vision are recognized and celebrated;

(6) Progress toward the vision and mission is communicated to all stakeholders;

(7) The school community is involved in school improvement efforts;

(8) The vision shapes the educational programs, plans and actions;

(9) An implementation plan is developed in which objectives and strategies to achieve the vision and goals are clearly articulated;

(10) Assessment data related to student learning are used to develop the school vision and goals;

(11) Relevant demographic data pertaining to students and their families are used in developing the school mission and goals;

(12) Barriers to achieving the vision are identified, clarified and addressed;

(13) Needed resources are sought and obtained to support the implementation of the school mission and goals;

(14) Existing resources are used in support of the school vision and goals; and

(15) The vision, mission and implementation plans are regularly monitored, evaluated, and revised.

2. Standard Two: School administrators shall be educational leaders who promote the success of all students by advocating, nurturing, and sustaining a school culture and instructional program conducive to student learning and staff professional growth.

i. Administrators have knowledge and understanding of:

(1) Student growth and development;

(2) Applied learning theories;

(3) Applied motivational theories;

(4) Curriculum design, implementation, evaluation and refinement;

(5) Principles of effective instruction;

(6) Measurement, evaluation and assessment strategies;

(7) Diversity and its meaning for educational programs;

(8) Adult learning and professional development models;

(9) The change process for systems, organizations and individuals;

(10) The role of technology in promoting student learning and professional growth; and

(11) School cultures.

ii. Administrators believe in, value and are committed to:

(1) Student learning as the fundamental purpose of schooling;

(2) The proposition that all students can learn;

(3) The variety of ways in which students can learn;

(4) Life-long learning for self and others;

(5) Professional development as an integral part of school improvement;

(6) The benefits that diversity brings to the school community;

(7) A safe and supportive learning environment; and

(8) Preparing students to be contributing members of society.

iii. Administrators facilitate processes and engage in activities ensuring that:

(1) All individuals are treated with fairness, dignity and respect;

(2) Professional development promotes a focus on student learning consistent with the school vision and goals;

(3) Students and staff feel valued and important;

(4) The responsibilities and contributions of each individual are acknowledged;

(5) Barriers to student learning are identified, clarified and addressed;

(6) Diversity is considered in developing learning experiences;

(7) Life-long learning is encouraged and modeled;

(8) There is a culture of high expectations for self, student and staff performance;

(9) Technologies are used in teaching and learning;

(10) Student and staff accomplishments are recognized and celebrated;

(11) Multiple opportunities to learn are available to all students;

(12) The school is organized and aligned for success;

(13) Curricular, co-curricular and extra-curricular programs are designed, implemented, evaluated and refined;

(14) Curriculum decisions are based on research, expertise of teachers and the recommendations of learned societies;

(15) The school culture and climate are assessed on a regular basis;

(16) A variety of sources of information is used to make decisions;

(17) Student learning is assessed using a variety of techniques;

(18) Multiple sources of information regarding performance are used by staff and students;

(19) A variety of supervisory and evaluation models is employed; and

(20) Pupil personnel programs are developed to meet the needs of students and their families.

3. Standard Three: School administrators shall be educational leaders who promote the success of all students by ensuring management of the organization, operations and resources for a safe, efficient and effective learning environment.

i. Administrators have knowledge and understanding of:

(1) Theories and models of organizations and the principles of organizational development;

(2) Operational procedures at the school and district level;

(3) Principles and issues relating to school safety and security;

(4) Human resources management and development;

(5) Principles and issues relating to fiscal operations of school management;

(6) Principles and issues relating to school facilities and use of space;

(7) Legal issues impacting school operations; and

(8) Current technologies that support management functions.

ii. Administrators believe in, value and are committed to:

(1) Making management decisions to enhance learning and teaching;

(2) Taking risks to improve schools;

(3) Trusting people and their judgments;

(4) Accepting responsibility;

(5) High-quality standards, expectations and performances;

(6) Involving stakeholders in management processes; and

(7) A safe environment.

iii. Administrators facilitate processes and engage in activities ensuring that:

(1) Knowledge of learning, teaching and student development is used to inform management decisions;

(2) Operational procedures are designed and managed to maximize opportunities for successful learning;

(3) Emerging trends are recognized, studied and applied as appropriate;

(4) Operational plans and procedures to achieve the vision and goals of the school are in place;

(5) Collective bargaining and other contractual agreements related to the school are effectively managed;

(6) The school plant, equipment and support systems operate safely, efficiently and effectively;

(7) Time is managed to maximize attainment of organizational goals;

(8) Potential problems and opportunities are identified;

(9) Problems are confronted and resolved in a timely manner;

(10) Financial, human and material resources are aligned to the goals of schools;

(11) The school acts entrepreneurially to support continuous improvement;

(12) Organizational systems are regularly monitored and modified as needed;

(13) Stakeholders are involved in decisions affecting schools;

(14) Responsibility is shared to maximize ownership and accountability;

(15) Effective problem-framing and problem-solving skills are used;

(16) Effective conflict resolution skills are used;

(17) Effective group-process and consensus-building skills are used;

(18) Effective communication skills are used;

(19) A safe, clean and aesthetically pleasing school environment is created and maintained;

(20) Human resource functions support the attainment of school goals; and

(21) Confidentiality and privacy of school records are maintained.

4. Standard Four: School administrators shall be educational leaders who promote the success of all students by collaborating with families and community members, responding to diverse community interests and needs, and mobilizing community resources.

i. Administrators have knowledge and understanding of:

(1) Emerging issues and trends that potentially impact the school community;

(2) The conditions and dynamics of the diverse school community;

(3) Community resources;

(4) Community relations and marketing strategies and processes; and

(5) Successful models of school, family, business, community, government and higher education partnerships.

ii. Administrators believe in, value and are committed to:

(1) Schools operating as an integral part of the larger community;

(2) Collaboration and communication with families;

(3) Involvement of families and other stakeholders in school decision-making processes;

(4) The proposition that diversity enriches the school;

(5) Families as partners in the education of their children;

(6) The proposition that families have the best interests of their children in mind;

(7) Resources of the family and community needing to be brought to bear on the education of students; and

(8) An informed public.

iii. Administrators facilitate processes and engage in activities ensuring that:

(1) High visibility, active involvement and communication with the larger community is a priority;

(2) Relationships with community leaders are identified and nurtured;

(3) Information about family and community concerns, expectations and needs is used regularly;

(4) There is outreach to different business, religious, political and service agencies and organizations;

(5) Credence is given to individuals and groups whose values and opinions may conflict;

(6) The school and community serve one another as resources;

(7) Available community resources are secured to help the school solve problems and achieve goals;

(8) Partnerships are established with area businesses, institutions of higher education and community groups to strengthen programs and support school goals;

(9) Community youth family services are integrated with school programs;

(10) Community stakeholders are treated equitably;

(11) Diversity is recognized and valued;

(12) Effective media relations are developed and maintained;

(13) A comprehensive program of community relations is established;

(14) Public resources and funds are used appropriately and wisely;

(15) Community collaboration is modeled for staff; and

(16) Opportunities for staff to develop collaborative skills are provided.

5. Standard Five: School administrators shall be educational leaders who promote the success of all students by acting with integrity, fairness and in an ethical manner.

i. Administrators have knowledge and understanding of:

(1) The purpose of education and the role of leadership in modern society;

(2) Various ethical frameworks and perspectives on ethics;

(3) The values of the diverse school community;

(4) Professional codes of ethics; and

(5) The philosophy and history of education.

ii. Administrators believe in, value and are committed to:

(1) The ideal of the common good;

(2) The principles in the Bill of Rights;

(3) The right of every student to a free, quality education;

(4) Bringing ethical principles to the decision-making process;

(5) Subordinating one's own interest to the good of the school community;

(6) Accepting the consequences for upholding one's principles and actions;

(7) Using the influence of one's office constructively and productively in the service of all students and their families; and

(8) Development of a caring school community.

iii. Administrators facilitate processes and engage in activities ensuring that they:

(1) Examine personal and professional values;

(2) Demonstrate a personal and professional code of ethics;

(3) Demonstrate values, beliefs and attitudes that inspire others to higher levels of performance;

(4) Serve as role models;

(5) Accept responsibility for school operations;

(6) Consider the impact of their administrative practices on others;

(7) Use the influence of the office to enhance the educational program rather than for personal gain;

(8) Treat people fairly, equitably and with dignity and respect;

(9) Protect the rights and confidentiality of students and staff;

(10) Demonstrate appreciation for and sensitivity to the diversity in the school community;

(11) Recognize and respect the legitimate authority of others;

(12) Examine and consider the prevailing values of the diverse school community;

(13) Expect that others in the school community will demonstrate integrity and exercise ethical behavior;

(14) Open the school to public scrutiny;

(15) Fulfill legal and contractual obligations; and

(16) Apply laws and procedures fairly, wisely and considerately.

6. Standard Six: School administrators shall be educational leaders who promote the success of all students by

understanding, responding to and influencing the larger political, social, economic, legal and cultural context.

i. Administrators have knowledge and understanding of:

(1) Principles of representative governance that undergrid the system of American schools;

(2) The role of public education in developing and renewing a democratic society and an economically productive nation;

(3) The law as related to education and schooling;

(4) The political, social, cultural and economic systems and processes that impact schools;

(5) Models and strategies of change and conflict resolution as political, social, cultural and economic contexts of schooling;

(6) Global issues and forces affecting teaching and learning;

(7) The dynamics of policy development and advocacy under our democratic political system; and

(8) The importance of diversity and equity in a democratic society.

ii. Administrators believe in, value and are committed to:

(1) Education as a key to opportunity and social mobility;

(2) Recognizing a variety of ideas, values and cultures;

(3) Importance of a continuing dialogue with other decision makers affecting education;

(4) Actively participating in the political and policy-making context in the service of education; and

(5) Using legal systems to protect student rights and improve student opportunities.

iii. Administrators facilitate processes and engage in activities ensuring that:

(1) The environment in which schools operate is influenced on behalf of students and their families;

(2) Communication occurs among the school community concerning trends, issues and potential changes in the environment in which schools operate;

(3) There is ongoing dialogue with representatives of diverse community groups;

(4) The school community works within the framework of policies, laws and regulations enacted by local, State and Federal authorities;

(5) Public policy is shaped to provide quality education for students; and

(6) Lines of communication are developed with decision makers outside the school community.

#### SUBCHAPTER 4. STATE BOARD OF EXAMINERS

##### 6A:9-4.1 General

(a) There shall be a Board of Examiners, consisting of the Commissioner, ex officio, and one assistant commissioner of education, two presidents of State colleges, one executive county superintendent, one superintendent of schools of a Type I district, one superintendent of a Type II district, one high school principal, one elementary school principal, one librarian employed by the State or by one of its political subdivisions, one school business administrator and four teaching staff members other than a superintendent, principal, school business administrator or librarian, all of whom shall be appointed by the Commissioner with the approval of the State Board.

(b) The Assistant Commissioner shall be the chair of the Board of Examiners. The Director of the Office shall be the Secretary of the Board of Examiners.

(c) The chair of the Board of Examiners shall have the authority to appoint committees made up of less than a majority of the full Board of Examiners to assist in the conduct of the Board's duties.

(d) The Board of Examiners shall hold its annual organization meeting prior to October 1 of each year.

(e) The appointed members of the Board of Examiners shall hold office for two years, from September 15 of the year in which they are appointed. Vacancies on the Board of Examiners shall be filled for the unexpired term only.

Amended by R.2006 d.170, effective May 15, 2006.  
See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

Added (e).  
Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (a), substituted "executive county superintendent" for "county superintendent"; and in (c), substituted "in the conduct of the Board's duties" for "the Board of Examiners in the conduct of its duties".

##### 6A:9-4.2 Powers and duties

(a) The Board of Examiners shall issue appropriate certificates to teach or to administer, direct, or supervise, the teaching, instruction or educational guidance of pupils in public schools operated by district boards of education, and such other certificates as it shall be authorized to issue by law, based upon certified scholastic records, documented experience or upon examinations, and may revoke or suspend such certificates. The authority to issue certificates also includes the authority to refuse to issue a certificate under appropriate

circumstances as set forth in N.J.A.C. 6A:9-17.2. All actions taken by the Board of Examiners shall be taken pursuant to rules adopted by the State Board.

(b) The Board of Examiners may suspend or revoke certificates pursuant to N.J.A.C. 6A:9-17.5.

(c) In exercising its statutory and regulatory authority, the Board of Examiners and staff assigned to it may:

1. Examine credentials and issue certificates that qualify individuals to seek employment as teaching staff members in the public schools of the State of New Jersey;

2. Recommend and develop procedures that govern the certification of teaching staff members;

3. Coordinate, monitor and evaluate those aspects of college academic programs and those training programs of district boards of education that lead to educational certificates and recommend their periodic approval by the Commissioner;

4. Coordinate, monitor and evaluate the administration of tests and other assessments that are required for educational certification;

5. Maintain reciprocal agreements with other states and territories concerning the certification of educational practitioners;

6. Maintain and report data on the supply and quality of newly certified teaching staff members; and

7. Assist district boards of education in the employment of teaching staff members.

#### SUBCHAPTER 5. GENERAL CERTIFICATION POLICIES

##### 6A:9-5.1 Certificate required

(a) Pursuant to N.J.S.A. 18A:26-2, any person employed as a teaching staff member by a district board of education shall hold a valid and appropriate certificate.

(b) In addition to the requirements set forth in this subchapter for certification, the certificate holder shall obtain any license, certificate, or authorization that may be mandated by State or Federal law or by a licensing board for the individual to serve in a position. The district board of education that is considering employing the individual shall assure that the candidate holds all necessary licenses, certificates, or authorizations.

(c) The employing school district shall remove from the position any teaching staff member who fails to maintain the mandated license, certificate, or authorization as set forth in (b) above. Pursuant to N.J.A.C. 6A:9-17.4(a), the school

district also shall report to the Board of Examiners the names of these individuals.

(d) The Board of Examiners may consider revocation or suspension of the certificate of any individual who fails to maintain the license, certificate or authorization as required in (b) above.

Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (b), inserted a comma following the second occurrence of "certificate" and following "certificates", and deleted "in order" following "licensing board"; and in (c), substituted "school district" for "district" twice, and substituted "to the Board of Examiners the names of these individuals" for "the names of these individuals to the Board of Examiners".

#### Case Notes

Initial Decision (2009 N.J. AGEN LEXIS 10) adopted, which found that a school board's action in terminating a teacher without first filing tenure charges was appropriate where, as a result of settlement negotiations with the Commissioner, the teacher's certificate was suspended for a two-year period as a consequence of inappropriately enrolling his teacher's instructional aide in the Department's Alternate Route Program for teacher certification by forging his supervisor's signature on several forms on his aide's behalf; any teaching staff member who is not the holder of an appropriate certificate in full force and effect can be terminated without charge or trial. *Schailey v. Bd. of Educ. of Southern Reg'l High School Dist.*, OAL Dkt. No. EDU 2878-08, 2009 N.J. AGEN LEXIS 628, Final Decision (February 19, 2009).

Initial Decision (2008 N.J. AGEN LEXIS 26) adopted, which concluded that three teachers did not qualify for tenure status, because the time they served as teachers of bilingual/bicultural education under emergency/temporary endorsements could not count toward accrual of tenure in the position of teacher without their having subsequently obtained full certification in the same area of endorsement; thus, the Board was within its rights to terminate their employment. *Gerber v. Bd. of Educ. of New Brunswick*, OAL Dkt. Nos. EDU 06337-06, EDU 06406-06 and EDU 02191-07, 2008 N.J. AGEN LEXIS 635, Commissioner's Decision (March 14, 2008).

#### 6A:9-5.2 Certificates—general

(a) The Board of Examiners shall issue three categories of educational certificates: Instructional, Administrative and Educational Services.

(b) The chief school administrator of the employing district board of education shall require each newly employed or reassigned teaching staff member to exhibit an appropriate certificate before the teaching staff member assumes any responsibility for the performance of regulated duties. It shall be the chief school administrator's responsibility to ensure that the certificate is valid.

(c) The chief school administrator of each school district shall annually report the names and teaching assignments of all teaching staff members to the Department in a format prescribed by the Commissioner.

(d) Any contract or engagement of any teaching staff member shall cease and terminate whenever the employing district board of education receives written notice from the executive county superintendent, or otherwise ascertains, that such person is not, or has ceased to be, the holder of an

appropriate certificate required for such employment. A teaching staff member's employment shall cease notwithstanding that the term of employment pursuant to contract or engagement has not expired.

(e) If a properly notified district board of education fails to terminate the employment of an uncertified or improperly certified teaching staff member, the Commissioner may issue an order to show cause why that teaching staff member's per diem salary should not be withheld from the district board of education's State financial aid for each day the teaching staff member remains employed. If such district board of education fails to respond or show adequate cause within 20 days from the date of mailing of the order to show cause, the Commissioner may reduce State financial aid to such district board of education by the amount of the uncertified or improperly certified teaching staff member's per diem contract salary. The district board may show adequate cause either by exhibiting an appropriate certificate or by terminating the contract of the uncertified or improperly certified teaching staff member.

Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote (c); and in (d), inserted "executive".

#### Case Notes

Adopting Initial Decision's conclusion that Director of School Counseling Services endorsement (N.J.A.C. 6A:9-13.7), and formerly Director of Student Personnel Services endorsement, was required in order to hold a director-level position with district-wide supervisory responsibility over counseling services or guidance; since petitioner did not hold either endorsement, she did not accrue tenure status in her position as "Director of Student Services," which was an unrecognized title. Petitioner's position as Director of Student Services was not separately tenurable, and her Principal/Supervisor and School Administrator endorsements did not provide the necessary qualification (adopting with modification 2008 N.J. AGEN LEXIS 380). *Perri v. Bd. of Educ. of Belleville*, OAL Dkt. No. EDU 01395-07, 2008 N.J. AGEN LEXIS 1016, Final Decision (September 10, 2008).

Board of education was required by applicable law to eliminate its unrecognized position of "Director of Student Services." However, since the duties of the newly created supervisory position were identical to those of the abolished directorship, such duties—notwithstanding the title of the position—continued to fall substantially within the scope of the Director of School Counseling Services endorsement and could not be performed by staff without the requisite certification. Consequently, the Board either had to reform the duties of its new "Supervisor of Student Personnel Services/Guidance" position to be consistent with the lesser levels of responsibility appropriate to nonspecialized certification, or appropriately title and staff the position. *Perri v. Bd. of Educ. of Belleville*, OAL Dkt. No. EDU 01395-07, 2008 N.J. AGEN LEXIS 1016, Final Decision (September 10, 2008).

Adopting Initial Decision's conclusion that a tenured school social worker under an educational services certification, who also possessed certification as an elementary teacher but had never served as a teacher in the school district, and whose social worker position was eliminated through a reduction in force, did not have rights over a nontenured applicant to a teaching position; neither tenure nor seniority applied across certificates, and therefore petitioner only had rights with regard to positions within the educational services certification (adopting 2008 N.J. AGEN LEXIS 70, as supplemented). *Aiello v. Bd. of Educ. of Westwood Reg'l School Dist.*, OAL Dkt. No. EDU 7986-07, 2008 N.J. AGEN LEXIS 263, Commissioner's Decision (March 20, 2008).

Where petitioner was employed effective September 1, 2001 as a permanent substitute art teacher "until completion of her teaching certificate requirements at which time she will be given a permanent contract" and she obtained the appropriate certificate in March 2002, petitioner had not obtained tenure at the time she was dismissed from employment on Feb. 25, 2005 and thus was not improperly terminated; the first six months of petitioner's employment, during which she held only a substitute teacher's certificate, did not count towards the three-year tenure requirement of N.J.S.A. 18A:28-5 (adopting with clarification 2006 N.J. AGEN LEXIS 749). *Miller v. Bd. of Educ. of West Amwell*, OAL Dkt. No. EDU 4523-05S, Commissioner's Decision (November 16, 2006).

Although N.J.A.C. 6A:9-5.2(b) admonishes school administrators not to hire uncertified teachers, the district did not act inequitably towards a teacher denied tenure credit during the two months she served as a Practical Nursing (PN) instructor under a substitute certificate, as (1) the district credited the instructor with seniority for the five months after it appointed her to the position and before she received proper certification; (2) teaching PN was for the instructor's benefit so she could gain the geriatrics experience needed under new regulations for her position as a Nursing Assistant (NA) instructor, rather than be subject to termination; and (3) the instructor chose to continue teaching PN rather than return to teaching NA for which she was adequately certificated. *Kelly v. Bd. of Educ. of Middlesex County Vocations Technical School Dist.*, OAL Dkt. No. EDU 4588-01, Commissioner's Decision (November 9, 2006), *aff'd*, SB No. 45-06, 2007 N.J. AGEN LEXIS 548 (N.J. State Bd. of Educ. May 2, 2007).

### 6A:9-5.3 Interstate contracts

In accordance with the NASDTEC Interstate Contract, the Commissioner and the Secretary may enter into contracts with other states to allow reciprocity of teachers' credentials between New Jersey and other states.

### 6A:9-5.4 Fees

(a) The fee schedule in (b) below shall be in addition to any tuition and fees that institutions of higher education may charge for courses and credits offered in connection with State-approved training programs.

(b) The following nonrefundable fee schedule applies:

1. For each CE and CEAS, which includes the issuance of the provisional certificate and standard certificate—\$170.00;
2. For each emergency certificate—\$95.00;
3. For each substitute credential—\$125.00;
4. For each renewal of an emergency or provisional certificate—\$70.00;
5. For each duplicate copy of or name change on a certificate—\$60.00;
6. For each evaluation of credentials to determine eligibility to take a particular State certification examination or to obtain information concerning qualifications for certification—\$70.00;
7. For each standard certificate—\$95.00;
8. For each certificate that requires a test, a one-time test score service fee—\$20.00;

9. For each letter the Office sends in response to a candidate's written request verifying test scores that are no longer available from the testing company—\$25.00;

10. An application fee for a qualifying academic certificate pursuant to N.J.S.A. 18A:6-41 shall be \$30.00. If the candidate is not eligible, \$20.00 will be refunded;

11. Upon completion of a State-approved administrator residency program, a one-time administrative fee—\$200.00;

12. Upon completion of a State-approved alternate route formal instruction program for holders of an instructional CE, a one-time administrative fee—\$100.00; and

13. For each provisional educational services certificate—\$75.00.

(c) The State Board may establish in this section from time to time a fee schedule for services related to the issuance of certificates that includes, but is not limited to, fees charged by district boards of education to provisional teachers to pay for their training. This fee schedule shall be in addition to any tuition and fees charged by institutions of higher education for courses and credits offered in connection with State-approved training programs.

Amended by R.2005 d.110, effective April 4, 2005.  
See: 36 N.J.R. 5044(a), 37 N.J.R. 1060(a).

In (b), substituted "fee for a qualifying academic certificate" for "fee for an academic qualifying certificate" and amended the N.J.S.A. reference in 10.

Amended by R.2006 d.170, effective May 15, 2006.  
See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

Added (b)11 and made related stylistic changes in (b)9 and (b)10.  
Amended by R.2008 d.7, effective January 7, 2008.

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

In (b)1, substituted "\$170.00" for "\$150.00"; in (b)2 and (b)7, substituted "\$95.00" for "\$75.00"; in (b)3, substituted "\$125.00" for "\$75.00"; in (b)4 and (b)6, substituted "\$70.00" for "\$50.00"; in (b)5, substituted "\$60.00" for "\$40.00"; in (b)10, deleted "and" from the end; in (b)11, substituted a semicolon for the period at the end; and added (b)12 and (b)13.

### 6A:9-5.5 Assignment of titles

(a) Each district board of education shall assign to teaching staff members position titles that are recognized in these rules. To this end, the office shall maintain and make available to districts a list of approved job titles with corresponding certificates authorized for those job titles.

(b) If a district board of education determines that the use of an unrecognized position title is desirable, or if a previously established unrecognized title exists, the following procedures shall apply:

1. Prior to appointing a candidate, the district board of education shall submit to the executive county superintendent a written request for permission to use the proposed title. Such request shall include a detailed job description.

2. The executive county superintendent shall exercise his or her discretion regarding approval of the request and

determine the appropriate certification and title for the position.

(c) The executive county superintendent shall review annually all previously approved unrecognized position titles and determine whether such titles shall be continued for the next school year.

(d) Decisions rendered by executive county superintendents regarding titles and certificates for unrecognized positions shall be binding upon future seniority determinations on a case-by-case basis.

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), inserted the last sentence.

Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (a), substituted "to teaching staff members position titles" for "position titles to teaching staff members"; and in (b)1, (b)2, (c) and (d), inserted "executive".

#### Case Notes

Initial Decision (2009 N.J. AGEN LEXIS 625) adopted, which concluded that a laid-off former tenured teacher failed to show that the Board violated her tenure rights by its appointment of a non-tenured individual to the position of Isolated Classroom Experience (ICE) Monitor. Contrary to the teacher's argument, the position of ICE Monitor did not require an instructional certificate because no instruction took place in the ICE program and the position was, therefore, an "unrecognized title." *Macchia v. Bd. of Educ. of Bayonne*, OAL Dkt. No. EDU 5776-09, 2009 N.J. AGEN LEXIS 1014, Final Decision (October 8, 2009).

Initial Decision (2006 N.J. AGEN LEXIS 344) adopted, which concluded that a former athletic director failed to show that the Board violated his tenure, seniority and/or preferred eligibility rights by its appointment of a non-tenured individual to the position of Assistant Principal for Athletics and Student Activities; contrary to petitioner's contention, the position of Assistant Principal for Athletics and Student Activities was not an unrecognized position under N.J.A.C. 6A:9-5.5. A vacant assistant principal position existed when the Board created the new position, and petitioner failed to show that the duties of the position lacked the character necessary to require a principal endorsement. *McGriff v. Bd. of Educ. of Montclair*, OAL Dkt. No. EDU 10927-04, 2006 N.J. AGEN LEXIS 647, Commissioner's Decision (July 13, 2006).

"Position" in which tenure is acquired by virtue of service in an unrecognized position title is not limited by the unrecognized title; rather, it is well established that, pursuant to N.J.S.A. 18A:28-5, the position in which an individual achieves tenure is either one of those specifically enumerated in the statute or other employment for which a certificate is required, either Instructional, Educational Services or Administrative. In contrast, pursuant to N.J.A.C. 6A:9-5.5, seniority is limited to the unrecognized title. *Ciamillo v. Bd. of Educ. of Ridgefield*, OAL Dkt. No. EDU 1805-04; S.B. No. 38-05, 2006 N.J. AGEN LEXIS 134, State Board of Education Decision (N.J. January 4, 2006).

Adopting Initial Decision's conclusion that a tenured teacher who simultaneously served as a Subject Area Coordinator did not acquire tenure in the coordinator position; because the Subject Area Coordinator position was an unrecognized title under N.J.A.C. 6A:9-5.5, and because it did not require an additional certificate, the teacher serving in this position did not accrue tenure in a position other than that of teacher (adopting as modified 2005 N.J. AGEN LEXIS 664). *Manley v. Bd. of Educ. of Old Bridge Twp.*, OAL Dkt. No. EDU 10644-04, 2005 N.J. AGEN LEXIS 1053, Commissioner's Decision (December 19, 2005).

#### 6A:9-5.6 Citizenship requirement

(a) Except as set forth below, to be eligible for a certificate, the applicant must be a citizen of the United States.

1. Any citizen of another country who has declared his or her intention of becoming a United States citizen and who is otherwise qualified may, with the Commissioner's approval, be granted a teaching certificate for employment as a teacher by a district board of education as set forth in N.J.S.A. 18A:26-1. The certificate shall expire in five years. If the holder of the noncitizen certificate has not become a United States citizen within the initial five-year certification period, the certificate may be renewed for an additional five-year period upon demonstration that an application for citizenship is in process but has not yet been granted. When the certificate expires after the second five-year period, the certificate may be renewed for a third and final time upon demonstration that an application for citizenship continues to be in process and has been actively pursued by the applicant but has not yet been granted. The Board of Examiners may revoke any such certificate pursuant to N.J.S.A. 18A:26-8.1 if the Board is satisfied that the holder thereof has abandoned his or her efforts to become a United States citizen or has become disqualified for citizenship.

2. In accord with N.J.S.A. 18A:6-7, any citizen of another country who is employed as an exchange teacher by a district board of education pursuant to N.J.A.C. 6A:9-5.14 shall be exempt from the citizenship requirement. The teacher shall file a noncitizen oath to support the Constitution of the United States while so employed.

3. In accord with N.J.S.A. 18A:6-7, any citizen of another country who is eligible for a limited certificate for foreign teachers for employment by a public school district pursuant to N.J.A.C. 6A:9-6.6 shall be exempt from the citizenship requirement. The teacher shall file a noncitizen oath to support the Constitution of the United States while so employed.

4. In accord with N.J.S.A. 18A:26-1, a teacher of world languages who has been a resident of the United States for less than 10 years and who is not a citizen of the United States may be granted a teaching certificate and employed as a teacher by a district board of education. The teacher shall file a noncitizen oath to support the Constitution of the United States while so employed, as required by N.J.S.A. 18A:6-7. The teacher shall not be required to complete the affidavit of intent to become a United States citizen. The noncitizen certificate shall be issued for a period of time equivalent to the 10 years less the number of years that the teacher has been a resident of the United States. This period shall not exceed 10 years and shall not be renewed.

5. In accord with N.J.S.A. 18A:28-3, no teaching staff member shall acquire tenure unless he or she is, or until he or she shall become, a citizen of the United States.

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

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

Inserted "if the holder...be renewed again" in 1; and in 4, substituted "world" for "foreign" in the first sentence and inserted "The teacher shall...not be renewed".

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)1, inserted "upon demonstration that an application for citizenship is in process but has not yet been granted" and substituted "may be renewed for a third and final time upon demonstration that an application for citizenship continues to be in process and has been actively pursued by the applicant but has not yet been granted" for "shall not be renewed again".

Recodified from N.J.A.C. 6A:9-5.7 and amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (a)2, substituted "5.14" for "5.15"; and in (a)4, deleted the second occurrence of "the" preceding "number". Former N.J.A.C. 6A:9-5.6, Oath of allegiance required, repealed.

### 6A:9-5.7 Minimum degree and age requirement

Applicants for teaching certificates must be at least 18 years old, have graduated from an approved high school or have an equivalent education as determined by the Board of Examiners and have received a baccalaureate degree from a regionally accredited institution of higher education. The requirement of a baccalaureate degree shall not apply to applicants for career and technical education endorsements as set forth in N.J.A.C. 6A:9-11.2, for educational interpreter endorsements as set forth in N.J.A.C. 6A:9-13.18, or for military science endorsements as set forth in N.J.A.C. 6A:9-11.7.

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

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

Substituted "career and technical education" for "vocational".

Recodified from N.J.A.C. 6A:9-5.8 by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Former N.J.A.C. 6A:9-5.7, Citizenship requirement, recodified to N.J.A.C. 6A:9-5.6.

### 6A:9-5.8 Examination in physiology, hygiene, and substance abuse issues requirement

Candidates for instructional certificates shall pass an examination in physiology, hygiene, and substance abuse issues. Each New Jersey college offering an approved teacher preparation program shall design, administer, and evaluate this exam for students in its approved programs prior to submitting its applicants for certification. This exam may be course-related or may stand alone. The Department shall administer and evaluate a physiology and hygiene exam for alternate route and out-of-State applicants, and may also arrange with New Jersey colleges to test alternate route and out-of-State applicants.

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

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

Inserted the last three sentences.

Recodified from N.J.A.C. 6A:9-5.9 and amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Section was "Examination in physiology, hygiene and substance abuse issues requirement". Inserted a comma following the first occurrence of "hygiene" and the second occurrence of "applicants".

Former N.J.A.C. 6A:9-5.8, Minimum degree and age requirement, recodified to N.J.A.C. 6A:9-5.7.

### 6A:9-5.9 Certification of veterans

(a) Veterans who received an evaluation for certification before entering the military may continue under that evaluation, subject to the following provisions:

1. A request for reinstatement of the preservice status is made within a period of time equivalent to the length of the military service; and
2. A copy of an honorable discharge from the service is submitted.

(b) At the expiration of the time period equivalent to the length of military service, the veteran shall be subject to the rules in N.J.A.C. 6A:9-9 and 11 through 13.

Recodified from N.J.A.C. 6A:9-5.10 by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Former N.J.A.C. 6A:9-5.9, Examination in physiology, hygiene and substance abuse issues requirement, recodified to N.J.A.C. 6A:9-5.8.

### 6A:9-5.10 Validation of college degrees and college professional preparation

(a) A candidate for certification shall hold a bachelor's degree from a regionally accredited institution or foreign institution of higher education recognized by international accreditation agencies.

(b) Professional education preparation programs required for New Jersey certificates shall be accepted from:

1. A New Jersey college approved by the State Board for the preparation of teachers;
2. Out-of-State colleges approved by the state board, department of education, or department of higher education in the state in which the college is established and approved by the Department on the basis of reciprocal agreements; and
3. Regionally accredited two-year colleges provided that the courses are accepted toward meeting the requirements for certification by a college approved by the Department and such courses appear on the official transcript of a regionally accredited four-year college.

- i. No more than six semester-hour credits in professional education are completed on the two-year college level, except as provided for in N.J.A.C. 6A:9-13.18.

(c) Academic preparation for all instructional endorsements must appear on the transcript of a regionally accredited college or university. However, required academic preparation for 12 credits at the junior, senior or graduate level for all instructional endorsements must appear on the transcript of a regionally accredited four-year college or university. Except as provided for in N.J.A.C. 6A:9-13.18, academic preparation

for all administrative and educational services endorsements must appear on the transcript of a regionally accredited four-year college or university.

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

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

Added (c).

Amended by R.2010 d.294, effective December 20, 2010.

See: 42 N.J.R. 1654(a), 42 N.J.R. 3058(b).

In (c), substituted "Academic" for "Except as provided for in N.J.A.C. 6A:9-13.18, academic", inserted "instructional" in the first sentence, deleted "four-year" preceding the first occurrence of "college", and inserted the last two sentences.

Recodified from N.J.A.C. 6A:9-5.11 and amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote (b). Former N.J.A.C. 6A:9-5.10, Certification of veterans, recodified to N.J.A.C. 6A:9-5.9.

### 6A:9-5.11 Recognition of advanced standing in a college

(a) Advanced work completed in a secondary school, which is assigned college credit by the institution of higher education that the candidate attends, shall be counted toward meeting the requirements for certification.

(b) When a regionally accredited college or university grants advanced standing but does not award college credit for courses that were waived, the Department may accept the study that the college waived as college credit for purposes of certification.

Amended by R.2010 d.294, effective December 20, 2010.

See: 42 N.J.R. 1654(a), 42 N.J.R. 3058(b).

In (b), deleted "four-year" following "accredited".

Recodified from N.J.A.C. 6A:9-5.12 by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Former N.J.A.C. 6A:9-5.11, Validation of college degrees and college professional preparation, recodified to N.J.A.C. 6A:9-5.10.

### 6A:9-5.12 Course information

(a) Courses completed by correspondence or distance learning may be accepted for certification purposes only if they are completed through a regionally accredited college or university and appear on the official transcript of the college or university.

(b) Teaching a course in a regionally accredited college or university shall be deemed the equivalent of having presented the course on a college transcript. Evidence of such teaching must be submitted in the form of an original letter from the college president, dean or authorized designee.

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

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

Added "or authorized designee" to the end of (b) and made a related stylistic change.

Recodified from N.J.A.C. 6A:9-5.13 by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Former N.J.A.C. 6A:9-5.12, Recognition of advanced standing in a college, recodified to N.J.A.C. 6A:9-5.11.

### 6A:9-5.13 Equivalency of work taken in other countries

(a) An applicant for certification who has completed college-level study in a country other than the United States shall present an equivalency report of that study from a Department-approved credentials evaluation agency. The equivalency report shall include the following:

1. Studies equivalent to a bachelor's degree from a regionally accredited four-year college or university in the United States;
2. Course-by-course listing and the semester-hour equivalent of each area of college-level study; and
3. The GPA at the conclusion of the degree program.

Recodified from N.J.A.C. 6A:9-5.14 by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Former N.J.A.C. 6A:9-5.13, Course information, recodified to N.J.A.C. 6A:9-5.12.

### 6A:9-5.14 Exchange teachers

(a) A district board of education may employ a teacher from another state or country in exchange for one of its own teaching staff members for a period of up to one school year. The district board of education shall adopt a resolution stating that the exchange teacher is employed as a substitute teacher for that teaching staff member during that school year.

(b) If the exchange teacher is a foreign national, the teacher shall be required to file a non-citizen oath of allegiance with the district board of education as required by N.J.S.A. 18A:6-7 to the effect that he or she will support the Constitution of the United States during the period of his or her employment within the State.

(c) The district board of education shall request that the executive county superintendent issue a substitute credential to the exchange teacher. The 20-day limitation pursuant to N.J.A.C. 6A:9-6.5(c) shall not apply to the exchange teacher and the exchange teacher is authorized to serve as an exchange teacher for the period of his or her temporary service in the State.

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

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

In (c), inserted "executive" and deleted "county" preceding "substitute".

Recodified from N.J.A.C. 6A:9-5.15 and amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (a), inserted "of education" twice; and rewrote (c). Former N.J.A.C. 6A:9-5.14, Equivalency of work taken in other countries, recodified to N.J.A.C. 6A:9-5.13.

### 6A:9-5.15 Issuance of a certificate

(a) The Board of Examiners shall issue the appropriate certificate upon the candidate's completion of all certification requirements. The candidate shall be subject to all requirements in effect at the time the application is received in the Office. Requirements include, but are not limited to, course-

work, degree, tests, fees, GPA and all certificate rules pursuant to N.J.A.C. 6A:9-8, 11, 12, and 13. Applications shall be deemed filed with the Office when the application and all required supporting documentation has been received. The teacher shall maintain possession of the original certificate.

(b) If the candidate is not eligible for the certificate sought, the Office shall issue a written evaluation that identifies the deficiencies for certification.

(c) The Board of Examiners may refuse to issue a certificate to a candidate enrolled in a New Jersey or out-of-State approved program when the candidate fails to secure the recommendation of the preparing institution.

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

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

Inserted "The candidate shall . . . has been received" in (a).  
Recodified from N.J.A.C. 6A:9-5.16 by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Former N.J.A.C. 6A:9-5.15, Exchange teachers, recodified to N.J.A.C. 6A:9-5.14.

#### 6A:9-5.16 Replacement of lost certificates

To replace a lost certificate, the holder shall complete the appropriate application, provide a notarized statement of loss and submit the required fee.

Recodified from N.J.A.C. 6A:9-5.17 by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Former N.J.A.C. 6A:9-5.16, Issuance of a certificate, recodified to N.J.A.C. 6A:9-5.15.

#### 6A:9-5.17 Persons employed to coach or serving as coach for interscholastic swimming and/or diving programs

(a) Persons employed to coach or serving as coach for interscholastic swimming and/or diving programs shall:

1. Hold a New Jersey certification pursuant to the rules for hiring athletics personnel set forth in N.J.A.C. 6A:9-5.18(b); and
2. Meet the requirements for water safety training as set forth in N.J.A.C. 6A:9-11.12(a)2 through 4.

(b) The chief school administrator of the employing district board of education shall:

1. Annually notify the executive county superintendent of all persons employed to coach or serving as coach for interscholastic swimming and/or diving programs; and
2. Annually forward to the executive county superintendent copies of each valid American Red Cross or YMCA certificate required in (a)2 above for every person employed to coach or serving as coach for interscholastic swimming and/or diving programs.

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), inserted "instructional" following "New Jersey".

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

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

Section was "Persons assigned to coach swimming". Rewrote the introductory paragraph of (a); added (a)1 and (a)2; in (b)1 and (b)2, inserted "executive" and substituted "work with interscholastic swimming and/or diving programs" for "coach swimming and/or diving"; and in (b)2, substituted "(a)2" for "(a)".

Recodified from N.J.A.C. 6A:9-5.18 and amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Section was "Persons assigned to work with interscholastic swimming and/or diving programs". Rewrote the section. Former N.J.A.C. 6A:9-5.17, Replacement of lost certificates, recodified to N.J.A.C. 6A:9-5.16.

#### 6A:9-5.18 Athletics personnel

(a) Any teaching staff member in the employ of a district board of education shall be permitted to organize public school pupils for purposes of coaching or for conducting games, events or contests in physical education or athletics.

(b) School districts shall be permitted to employ any holder of either a New Jersey teaching certificate or a substitute credential pursuant to N.J.A.C. 6A:9-6.5 to work in the interscholastic athletic program provided that the position has been advertised. The 20-day limitation noted in N.J.A.C. 6A:9-6.5(b) shall not apply to such coaching situations.

Recodified from N.J.A.C. 6A:9-5.19 and amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (b), inserted "either", "or a substitute credential pursuant to N.J.A.C. 6A:9-6.5", and the last sentence from former (c); and deleted (c). Former N.J.A.C. 6A:9-5.18, Persons assigned to work with interscholastic swimming and/or diving programs, recodified to N.J.A.C. 6A:9-5.17.

Petition for Rulemaking.

See: 45 N.J.R. 2146(b), 2360(a).

#### Case Notes

In upholding a decision of the Commissioner of Education that a district board of education should have appointed a certain teacher as the girls' basketball coach at a certain high school, the interpretation of the State Board of Education of former N.J.A.C. 6:29-3.3 (now N.J.A.C. 6A:9-5.18) to impose an intra-district hiring requirement or preference relied on a strained construction of the word "employment"; such a construction of the regulation would effectively reimpose terms eliminated in the 1983 amendment without following the requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. *Krupp v. Bd. of Educ.*, 278 N.J. Super. 31, 650 A.2d 366, 1994 N.J. Super. LEXIS 488 (App.Div. 1994).

Former N.J.A.C. 6:29-3.3(a) and (b) (now N.J.A.C. 6A:9-5.18) on their face clearly allow local school boards to hire intra- or extra-district qualified, certified teachers, provided the coaching position is first advertised; no preference for intra-district employees appears in the regulations. In upholding a decision of the Commissioner of Education that a district board of education should have appointed a certain teacher as the girls' basketball coach at a certain high school, the State Board of Education erred in interpreting former N.J.A.C. 6:29-3.3 (now N.J.A.C. 6A:9-5.19) to impose an intra-district hiring requirement or preference. *Krupp v. Bd. of Educ.*, 278 N.J. Super. 31, 650 A.2d 366, 1994 N.J. Super. LEXIS 488 (App.Div. 1994).

Appointment of head basketball coach at a high school was vacated, where another candidate was the only candidate with a standard teaching certification and N.J.A.C. 6A:9-5.19 (now N.J.A.C. 6A:9-5.18) allows individuals with substitute teaching credentials to serve as athletic coaches only if there are no qualified and certified applicants. *Paterson East Side High School Parent/Alumni Committee v. State-Operated*

School Dist. of Paterson, OAL Dkt. No. EDU 11847-06, 2007 N.J. AGEN LEXIS 538, Commissioner's Decision (July 13, 2007).

In the context of New Jersey's liberal tradition concerning standing, a parent/alumni committee had sufficient interest under N.J.A.C. 6A:9-5.19 (now N.J.A.C. 6A:9-5.18) as taxpayers, as persons actively involved with the high school athletes, and as parents to challenge the hiring of a candidate as head basketball coach at a high school. *Paterson East Side High School Parent/Alumni Committee v. State-Operated School Dist. of Paterson*, OAL Dkt. No. EDU 11847-06, 2007 N.J. AGEN LEXIS 538, Commissioner's Decision (July 13, 2007).

#### 6A:9-5.19 Instruction in educational technology, computers, and other digital tools

(a) Every teacher shall demonstrate knowledge and understanding of computers and other educational technology resources and tools as defined by the Professional Standards for Teachers.

(b) Every teacher shall integrate into the classroom appropriate educational technology resources and digital tools related to the content area being taught.

(c) The school administrator may assign an individual to provide instruction in the use of educational technologies, computers, and other digital tools if the individual:

1. Demonstrates proficiency in the uses of educational technologies, computers, and other digital tools, and understands their common applications in an educational setting;
2. Demonstrates knowledge and understanding of the integration of such technologies and digital tools into the curriculum;
3. Demonstrates understanding of the legal and ethical issues surrounding the use of educational technologies and digital tools in PK-12 schools; and
4. Holds a CE, CEAS or standard certificate in an instructional field.

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

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

Section was "Computer literacy".

Recodified from N.J.A.C. 6A:9-5.20 and amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (a), deleted "New Jersey" preceding "Professional"; and in (c)1, inserted a comma following "tools". Former N.J.A.C. 6A:9-5.19, Athletics personnel, recodified to N.J.A.C. 6A:9-5.18.

#### 6A:9-5.20 (Reserved)

Recodified to N.J.A.C. 6A:9-5.19 by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Section was "Instruction in educational technology, computers, and other digital tools".

#### 6A:9-5.21 (Reserved)

Repealed by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Section was "Conditional certificate to teach a world language".

#### 6A:9-5.22 (Reserved)

New Rule, R.2005 d.110, effective April 4, 2005.

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

Repealed by R.2007 d.10, effective January 2, 2007.

See: 38 N.J.R. 3205(a), 39 N.J.R. 29(a).

Section was "Structured learning experiences/career orientation coordination".

### SUBCHAPTER 6. TYPES OF CERTIFICATES

#### 6A:9-6.1 Standard certificate

The standard certificate is a permanent certificate issued to candidates who have met all requirements for State certification.

#### 6A:9-6.2 Provisional certificate

The provisional certificate is a two-year certificate issued to candidates who have met requirements for initial employment as part of a State-approved school district training program or residency leading to standard certification. If the duration of the school district training program extends beyond the two-year period, the provisional certificate shall be renewed. The certificate is renewable for a maximum of one renewal. The provisional certificate is also issued to educational services applicants under N.J.A.C. 6A:9-13.1(b). Unless otherwise specified in N.J.A.C. 6A:9-13, educational services provisional certificates do not carry an obligation to complete a district training program or residency.

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

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

Inserted "school" twice before "district"; and substituted "one renewal" for "two renewals".

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

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

Inserted the last two sentences.

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Substituted "Unless otherwise specified in N.J.A.C. 6A:9-13, educational" for "Educational".

#### 6A:9-6.3 Emergency certificate

(a) An emergency certificate is a substandard certificate issued only to educational services certificate candidates who meet the requirements specified for each endorsement. An emergency certificate shall be issued at any time during the academic year. All emergency certificates shall expire on July 31 of each year regardless of issuance date.

(b) A district board of education may apply to the executive county superintendent for an emergency certificate for a candidate in authorized educational services areas if it can demonstrate its inability to locate a suitable certified candidate due to unforeseen shortages or other extenuating circumstances. The executive county superintendent may approve the application if he or she determines that there are no suitable certified candidates to fill the position.

(c) With the exception of the educational interpreter endorsement pursuant to N.J.A.C. 6A:9-13.18(e) and (f), the certificate is renewable annually up to a maximum of two times at the request of the school district and approval of the executive county superintendent. Renewal is predicated upon demonstration of progress toward successful completion of coursework and tests required for issuance of a CE, CEAS, or standard certificate. A candidate serving under an emergency certificate shall be employed under emergency certification for no more than a total of three years in any one educational services endorsement area regardless of the number of districts in which the candidate serves.

(d) An emergency certificate is valid for employment only in the district requesting the emergency certificate.

Amended by R.2006 d.170, effective May 15, 2006.  
See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

In (a), deleted "one-year" following "certificate is a" in the first sentence and added "An emergency certificate . . . of issuance date"; and rewrote the first sentence of (c).

Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (b) and (c), substituted "executive county" for "county" twice; in (b), substituted "he or she in" for "he/she"; and in (c), deleted "the speech-language specialist endorsement pursuant to N.J.A.C. 6A:9-13.6(e) and" preceding "the educational", substituted "N.J.A.C. 6A:9-13.18(e) and" for "N.J.A.C. 6A:9-13.18(d) through", and inserted a comma following "CEAS".

#### Case Notes

Initial Decision (2006 N.J. AGEN LEXIS 172) adopted, which concluded that both the weight of the evidence and the doctrine of estoppel supported a decision in favor of a private, non-profit school for the disabled, in its appeal from a determination that salaries and benefit costs for nine of the school's teachers were required to be disallowed due to the teachers' alleged failure to obtain emergency certification (decided under former rules). *Search Day Program, Inc. v. N.J. Dep't of Educ.*, OAL Dkt. No. EDU 8569-04, 2006 N.J. AGEN LEXIS 574, Commissioner's Decision (June 2, 2006).

#### 6A:9-6.4 Certificate of eligibility

(a) A certificate of eligibility (CE) is a certificate with lifetime validity that the Board of Examiners may issue to candidates who meet degree, academic and applicable test requirements.

(b) A certificate of eligibility with advanced standing (CEAS) is a certificate with lifetime validity that the Board of Examiners may issue to candidates who meet degree, academic and test requirements and complete a State-approved college professional education preparation program.

(c) The CE or CEAS authorizes the holder to seek employment. A holder of a CE or CEAS shall not assume responsibility for a job assignment until the holder has been issued a provisional certificate.

#### Case Notes

Board of Education was entitled to summary decision in its favor of claims by a teacher that the Board's failure to renew his employment violated tenure rights that he claimed to have gained as a full-time teacher of Italian because, notwithstanding his claimed linguistic competency in Italian, his failure to satisfy the requirements of N.J.A.C.

6A:9-11.10(a) until September 2009 meant that he did not accrue tenure credit for school years prior to September 2009. Moreover, because the services he rendered subsequent to September 2009 were under a Certificate of Eligibility per N.J.A.C. 6A:9-6.4 rather than a Provisional Certificate or a Standard Certificate, such employment did not count towards tenure as a matter of law. *Girimonte v. Kearny Bd. of Educ.*, OAL Dkt. No. EDU 08682-12, 2013 N.J. AGEN LEXIS 17, Initial Decision (January 11, 2013).

Petitioner, who served as a Content Supervisor in the area of Science but held only a Certificate of Eligibility (CE) for Principal/Supervisor, did not obtain tenure and therefore was not improperly terminated; not only is proper certification necessary for tenure pursuant to N.J.S.A. 18A:28-4, but also petitioner was never legally qualified to hold the position of supervisor. *Nelson v. Bd. of Educ. of Plainfield*, OAL Dkt. No. EDU 11414-07, 2008 N.J. AGEN LEXIS 1013, Commissioner's Decision (April 18, 2008).

Any candidate seeking employment as a public school supervisor but lacking the specified higher-level administrative endorsement is required by law to hold standard supervisory certification; no mechanism exists for acquisition of supervisory certification on a CE or provisional basis, nor can the principal endorsement be obtained through provisional employment as a supervisor. *Nelson v. Bd. of Educ. of Plainfield*, OAL Dkt. No. EDU 11414-07, 2008 N.J. AGEN LEXIS 1013, Commissioner's Decision (April 18, 2008).

#### 6A:9-6.5 Substitute credential

(a) The substitute credential is intended only for persons acting temporarily in replacement of a fully certified and regularly employed classroom teacher when the supply of properly certified teachers is inadequate to staff the school.

1. Nothing in this section shall preclude the use of a private contractor by a school district to secure a substitute teacher appropriate under this subchapter.

(b) Pursuant to N.J.S.A. 18A:6-38, the Board of Examiners shall issue substitute credentials and may revoke them in accord with N.J.A.C. 6A:9-17.5 through 17.7. Under the authority of the Board of Examiners, the executive county superintendent in the county in which the candidate applies shall review the documentation that the candidate provides in accord with (c) below and determine the candidate's eligibility for the substitute credential. If the executive county superintendent determines that the candidate meets the criteria, the executive county superintendent shall issue the candidate a substitute credential that may be used in any county of the State.

(c) A candidate or his or her designee shall apply for a substitute credential to the executive county superintendent through the school district or its designee. The school district or its designee shall submit the candidate's application, official transcripts, signed and notarized oath of allegiance, academic credentials, and appropriate fee pursuant to N.J.A.C. 6A:9-5.4(b)3 to the executive county superintendent for review and approval. The candidate must sign the application and oath of allegiance, and an authorized school district representative must endorse the application. The executive county superintendent may issue a substitute credential to candidates who do not hold standard New Jersey certificates but who can present a minimum of 60 semester-hour credits completed at a regionally accredited college or

university. The holder of the substitute credential pursuant to this subsection may serve for no more than a total of 20 instructional days in the same position in one school district during the school year. Upon written application by the employing school district to the executive county superintendent and for good cause shown, the executive county superintendent may extend the service in a single position to a total of 40 instructional days. The application for the extension in time to serve in a single position shall be filed prior to the 15th day of the substitute's service in the position.

(d) The executive county superintendent shall not issue a substitute credential until the candidate submits a criminal history qualification letter from the Department, unless the school district's chief school administrator can demonstrate to the Commissioner that special circumstances exist that justify the emergent employment of a substitute in accordance with N.J.S.A. 18A:6-7.1c.

(e) The substitute credential is valid for a five-year period from the date of issuance and may be renewed within six months prior to its expiration.

(f) Holders of a CE or CEAS issued by the Board of Examiners may serve as a substitute teacher in areas authorized by their credentials for a total of 60 instructional days in the same position in one school district during the school year. Holders of an instructional CE or CEAS are not required to have a substitute credential for this service.

(g) Holders of an instructional CE or CEAS issued by the Board of Examiners may also serve as a substitute teacher in areas outside the scope of their credentials for no more than a total of 20 instructional days in the same position in one school district during the school year. Upon written application to the executive county superintendent and for good cause shown, the executive county superintendent may extend the service in a single position to a total of 40 instructional days. The application for the extension in time to serve in a single position shall be filed prior to the 15th day of the substitute's service in the position. Holders of a CE or CEAS are not required to have a substitute credential for this service.

(h) Holders of a standard New Jersey instructional certificate may serve as a substitute teacher in areas outside the scope of their endorsements for a period of 40 instructional days in the same position in one school district during the school year. Holders of standard certificates are not required to have a substitute credential for this service. This subsection does not apply to the holder of a standard certificate with a career and technical education endorsement.

(i) The executive county superintendent may issue a career and technical education substitute credential to a candidate who presents two years of full-time work experience within the past five years in the appropriate career cluster in lieu of 60 semester-hour college credits. The work experience shall be documented by an experience statement from an employer or presentation of a valid occupational

license. The career and technical education substitute credential is required to serve as a substitute teacher for specific career and technical education skills. The holder of a career and technical education substitute credential may serve no more than a total of 20 instructional days in the same position in one school district during the school year. Upon written application to the executive county superintendent and for good cause shown, the executive county superintendent may extend the service in a single position to a total of 40 instructional days. The application for the extension of time to serve in a single position shall be filed prior to the 15th day of the substitute's service in the position. The holder of a career and technical CE or CEAS is also authorized to serve as a career and technical education substitute teacher for a total of 60 instructional days within the scope of their endorsements in the same position in one school district during the school year and do not require a substitute credential for this service. Holders of standard career and technical education endorsements do not require a substitute credential to teach within the scope of their endorsements.

(j) The executive county superintendent may issue a substitute credential to serve as a substitute school nurse/non-instructional to the holder of a valid New Jersey registered professional nurse license.

(k) The executive county superintendent may issue a substitute credential to serve as a substitute educational interpreter to candidates with a high school diploma or GED and who have completed the Educational Interpreter Performance Assessment (EIPA) with a minimum score of three. The 20-day limitation pursuant to (c) above shall not apply to such educational interpreters as substitute educational interpreters may serve for up to one academic year.

(l) The holder of a substitute credential is authorized to serve as an athletic coach in the district pursuant to N.J.A.C. 6A:9-5.18(c). The 20-day limitation pursuant to (c) above shall not apply to such coaching situations as coaches may serve for up to one academic year.

(m) A district board of education employing a teacher from another state or another country as an exchange teacher in accord with N.J.A.C. 6A:9-5.14(c) shall request that the executive county superintendent issue a substitute credential to the exchange teacher pursuant to N.J.A.C. 6A:9-5.14(c). The 20-day limitation shall not apply to the exchange teacher's temporary service as the exchange teacher may serve for up to one year pursuant to N.J.A.C. 6A:9-5.14.

(n) Persons holding administrative and educational services certificates may serve as teaching substitutes for no more than a total of 20 instructional days in the same position in one school district during the school year. Holders of an administrative or educational services certificate are not required to have a substitute credential for this service. Upon written application to the executive county superintendent and for good cause shown, the executive county superintendent may extend the service in a single position to 40

instructional days. The application for the extension in time to serve in a single position shall be filed prior to the 15th day of the substitute's service in the position.

Amended by R.2005 d.110, effective April 4, 2005.  
See: 36 N.J.R. 5044(a), 37 N.J.R. 1060(a).

Rewrote (c).

Amended by R.2006 d.170, effective May 15, 2006.  
See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

In (d), inserted "instructional" following "period of 60"; recodified (j) and (k) as (k) and (l), added (j); and in (l), inserted "Controversies and Disputes" at the end.

Amended by R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

Section was "County substitute credential". Rewrote the section.  
Amended by R.2009 d.24, effective January 5, 2009.  
See: 40 N.J.R. 4856(a), 41 N.J.R. 128(a).

In (f), inserted the second through fourth sentences; in (g), substituted "career and technical education" for "vocational-technical"; and in (h), inserted "executive" preceding "county superintendent" three times and substituted "career and technical" and "career and technical education" for "vocational" and "vocational-technical" throughout.

Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote the section.

#### Case Notes

Board of education was directed to submit the position of permanent substitute assigned to the in-school suspension program to the County Superintendent for determination of the certification, if any, necessary to hold it; the board had determined that a tenured teacher with an instructional certificate, who had lost her position due to a reduction in force, was not entitled to be placed in the permanent substitute position over a non-tenured applicant since the position did not call for any instruction to be given. A finding of "no instruction" does not, in itself, necessarily end the inquiry as to whether a position is of such character as to require the individual holding it to possess full certification (rejecting in part 2008 N.J. AGEN LEXIS 831). *Macchia v. Bd. of Educ. of Bayonne*, OAL Dkt. No. EDU 1396-08, 2008 N.J. AGEN LEXIS 1092, Final Decision (December 5, 2008).

While it is clearly permissible for a board of education to retain the holder of a county substitute credential as a permanent employee assigned to report daily for the purpose of filling in for absent teachers on a daily or weekly basis, the credential cannot be used for regular or long-term assignment to duties requiring full certification. *Macchia v. Bd. of Educ. of Bayonne*, OAL Dkt. No. EDU 1396-08, 2008 N.J. AGEN LEXIS 1092, Final Decision (December 5, 2008).

#### 6A:9-6.6 Limited certificate for foreign teachers

(a) Pursuant to N.J.S.A. 18A:26-1 and 18A:26-8.1, a limited certificate for foreign teachers is a non-renewable certificate issued to citizens of other countries and is valid for three years. Certificate issuance is contingent upon the candidate's enrollment in a Department-approved international agency and completion of the requirements in (d) below.

(b) Prior to hiring a foreign teacher, the district board of education shall:

1. Demonstrate to the executive county superintendent its inability to locate a suitable certified teacher;
2. Submit to the executive county superintendent the candidate's application and supporting documentation; and
3. Maintain all documentation of its effort to employ a suitable certified teacher.

(c) To be eligible for the limited certificate for foreign teachers, a candidate shall submit evidence of the following:

1. Completion of a degree that is equivalent to a United States bachelor's degree as determined by a Department-approved foreign credentials evaluation service;

2. Completion of an academic major in the subject to be taught. Candidates hired to teach world languages are exempt from this requirement. The teacher may teach his or her native language upon demonstration of oral language proficiency as certified by the agency;

3. Achievement of the GPA pursuant to N.J.A.C. 6A:9-8.1(a)2;

4. Completion of the Department-identified State test requirement appropriate to the subject to be taught within the first six months of employment. Except for those teachers who teach advanced-level world language courses, world language teachers are exempt from this requirement;

5. Completion of a college teacher preparation program in the teacher's home country as certified by a Department-approved foreign credentials evaluation service;

6. Certification by the agency verifying the foreign teacher's valid authorization to teach in his or her home country;

7. Certification by the agency verifying that the teacher has completed a minimum of three years of successful full-time teaching experience in the subject area to be taught. World language teachers must present evidence of three years of successful full-time teaching experience in any subject; and

8. Completion of a Department-approved nationally recognized test assessing the ability to speak, read and write the English language fluently.

(d) A foreign teacher hired prior to January 2003 and employed as of January 20, 2004, in a school district through an approved agency may be issued a limited certificate for foreign teachers without meeting the requirements in (c) above. The certificate shall expire when the certificate holder's visa expires.

(e) The candidate shall sign a notarized non-citizen oath to support the Constitution of the United States.

(f) Agencies seeking to operate foreign teacher placement programs in New Jersey shall obtain Department approval. The agency shall provide the following:

1. Evidence of U.S. State Department authorization to sponsor J-1 visas;

2. A description of the program including orientation materials and procedures, references from other State agencies and demonstration of prior experience in foreign teacher recruitment and placement; and

3. A description of the process by which the agency determines the foreign teacher's U.S. bachelor degree equivalency, college teacher preparation equivalency, authorization to teach, oral language proficiency and successful teaching experience.

(g) Agencies shall provide assistance to school districts and foreign teachers with all aspects of the teacher placement process including, but not limited to:

1. Recruitment and screening of qualified foreign teachers;
2. Orientation to prepare foreign teachers for their teaching assignments and daily life in the school community;
3. Orientation for school districts to prepare them to host foreign teachers;
4. Enrollment of foreign teachers in a health and accident insurance coverage plan that meets the requirements of the U.S. State Department for obtaining the J-1 visa;
5. Assignment of foreign teachers to instruct within their respective disciplines and provision of an ongoing monitoring and support system;
6. Replacement of any teacher whose performance is not satisfactory as determined by the employing school district pursuant to the terms of the contract; and
7. Determination of responsibility for payment of the program costs. The school district, the foreign teacher, and the agency shall determine who shall incur the costs of sponsoring the foreign teacher pursuant to a contract signed by all parties. To maintain Department approval, the agency shall provide the Department with a current fee schedule outlining anticipated costs for participation in the program.

(h) An agency shall be subject to a review for renewal of its Department approval every three years. If, at any time during the agency's operation in New Jersey, the Department determines that it has failed to meet the outlined criteria, the agency shall cease operations in the State upon Department notification.

(i) A limited certificate for foreign teachers may be revoked or suspended in accord with N.J.A.C. 6A:9-17.5.

Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).  
Rewrote the section.

## SUBCHAPTER 7. QUALIFYING ACADEMIC CREDENTIALS

### 6A:9-7.1 Definition; procedure

(a) "Qualifying Academic Certificate" (QAC) means a certificate issued by the Commissioner of Education to applicants for mortuary science and chiropractic licenses. The

QAC is issued to those individuals regulated by licensing authorities under the supervision of the New Jersey Division of Consumer Affairs, and certifies that the applicants have completed their preliminary academic education.

(b) Applicants for the QAC shall submit official transcripts to the Commissioner of Education as evidence they have completed the preliminary academic education required for the issuance of the certificate.

(c) In accord with N.J.A.C. 6A:9-5.4(b), applicants for the QAC shall submit a certified check or money order payable to the Commissioner of Education with their application.

### 6A:9-7.2 Requirements

Each applicant for a mortuary science or chiropractic license shall satisfy preliminary academic education criteria as required by the respective licensing authorities under the supervision of the New Jersey Division of Consumer Affairs.

## SUBCHAPTER 8. REQUIREMENTS FOR INSTRUCTIONAL CERTIFICATE

### 6A:9-8.1 Requirements for certificates of eligibility

(a) Except as indicated in N.J.A.C. 6A:9-11 and (b) below, to be eligible for a CE in instructional areas, the candidate shall:

1. Hold a bachelor's or an advanced degree from a regionally accredited college or university;
2. Achieve a cumulative GPA of at least 3.00 when a GPA of 4.00 equals an A grade for students graduating on or after September 1, 2016, in a baccalaureate degree program, higher degree program, or a State-approved post-baccalaureate certification program with a minimum of 13 semester-hour credits. Candidates whose college transcripts demonstrate completion of all requirements for graduation prior to September 1 in any year, but whose baccalaureate or higher degree was conferred between September 1 and December 31 of the same year, shall be deemed to have graduated prior to September 1 of the same year. The following exceptions apply:
  - i. Students graduating before September 1, 2016, shall achieve a cumulative GPA of at least 2.75 when a GPA of 4.00 equals an A in a baccalaureate degree program, higher degree program, or a Commissioner-approved post-baccalaureate certification program with a minimum of 13 semester-hour credits.
  - ii. A candidate may have a cumulative GPA lower than 3.00 but equal to or higher than a 2.75 if the candidate is sponsored by a provisional training program prior to applying for a CE, so long as the candidate is employed when he or she participates in the provisional training program. Candidates sponsored for the purpose

of meeting the exception set forth in this subparagraph shall make up no more than 10 percent of a provisional training program's annual accepted candidates.

iii. A candidate who graduates on or after September 1, 2016, with a GPA that is below 3.00, but at least 2.75 when a GPA of 4.00 equals an A grade, and whose score in the appropriate State test of subject matter knowledge exceeds the passing score by 10 percent or more shall meet the requirements of (a)2 above. This alternative requirement to (a)2 above shall not be construed as a waiver to N.J.A.C. 6A:9-17.16.

3. After September 1, 2015, achieve a minimum score established by the Department on a Commissioner-approved assessment of basic reading, writing, and mathematics skills, or score at least 1660 combined critical reading, writing, and mathematics on the SAT, at least a 23 on the ACT, or at least a 4.0 on the analytical writing section and a combined score of 310 on the quantitative and verbal sections of the GRE;

4. Effective October 31, 2009, one of the following requirements shall be satisfied for subject-area endorsements:

i. Complete an undergraduate major in the subject area as documented by an official transcript from a regionally accredited four-year college or university;

ii. Hold a graduate degree in the subject area; or

iii. Complete at least 30 credits in a coherent sequence of courses appropriate to the subject area as documented by an official transcript from a regionally accredited college or university, at least 12 semester-hour credits of which must be at the advanced level of study, including junior-, senior-, or graduate-level study as documented by the official transcript of a four-year, regionally accredited college or university;

5. Effective October 31, 2009, demonstrate knowledge of basic pedagogical skills, including, but not limited to, classroom management, lesson planning, introduction to the CCCS and Professional Standards for Teachers, and assessment of pupil progress as documented through successful completion of a minimum of 24 hours of study offered through a Department-authorized provider or through equivalent coursework documented on a transcript from a regionally accredited college or university;

6. Pass the appropriate State test of subject matter knowledge. However, if a candidate's score on the appropriate State test of subject matter knowledge falls below the passing score by five percent or less, but the candidate has a GPA of 3.50 or higher, when a GPA of 4.00 equals an A grade, he or she shall meet the requirement to pass the appropriate State test of subject matter knowledge. This alternative requirement shall not be construed as a waiver to N.J.A.C. 6A:9-17.16; and

7. Pass an examination in physiology, hygiene and substance abuse issues pursuant to N.J.A.C. 6A:9-5.8.

(b) Effective October 31, 2009, the candidate shall satisfy the following requirements to be eligible for the elementary school (K-6) endorsement:

1. Hold a bachelor's or an advanced degree from a regionally accredited college or university;

2. Meet the GPA or its exceptions pursuant to (a)2 above;

3. Complete a liberal arts, science, dual-content, or interdisciplinary academic major or a minimum of 60 semester-hour credits in liberal arts and/or science, as documented on a transcript from a regionally accredited college or university;

4. Demonstrate knowledge of basic pedagogical skills, including, but not limited to, classroom management, lesson planning, introduction to New Jersey's CCCS and Professional Standards for Teachers, and assessment of pupil progress, as documented through successful completion of a minimum of 24 hours of study offered through a Department-authorized provider or through equivalent coursework documented on a transcript from a regionally accredited college or university;

5. Pass the appropriate State test of subject matter knowledge;

6. Pass an examination in physiology, hygiene, and substance abuse issues pursuant to N.J.A.C. 6A:9-5.9; and

7. After September 1, 2015, achieve a minimum score established by the Department on a Commissioner-approved test of basic reading, writing, and mathematics skills, or score at least 1660 combined critical reading, writing, and mathematics on the SAT, at least a 23 on the ACT, or at least a 4.0 on the analytical writing section and a combined score of 310 on the quantitative and verbal sections of the GRE.

(c) Except as indicated in N.J.A.C. 6A:9-11, to be eligible for a CEAS in instructional fields, the candidate shall meet the requirements in (a) above and complete one of the following programs of teacher preparation:

1. A New Jersey college program, graduate or undergraduate, approved by the Department for the preparation of teachers pursuant to N.J.A.C. 6A:9-10;

2. A college preparation program included in the interstate certification reciprocity system of NASDTEC;

3. An out-of-State teacher education program approved by NCATE, TEAC or any other national professional education accreditation body recognized by the Council on Higher Education Accreditation approved by the Commissioner;

4. A teacher education program approved for certification by the Department in one of the states party to the NASDTEC Interstate Contract, provided the program was completed on or after January 1, 1964 and the state in which the program is located would issue the candidate a comparable endorsement; or

5. An out-of-State college teacher education program approved by the department of education in the state in which the program is located.

(d) The teacher preparation programs listed in (c)1 through 5 above shall culminate in college supervised student teaching.

(e) A candidate who has graduated from a regionally accredited college or university that does not award grades and does not calculate GPAs shall be exempt from the requirements in (a)2 above.

1. Upon application, the candidate shall provide the Office with an original registrar's letter from the college or university bearing the college or university seal and clarifying the institution's policy regarding GPAs.

2. The candidate shall satisfy all other requirements for certification, without exception.

(f) Any student matriculated in an approved in-State or out-of-State teacher education program prior to October 31, 2009, shall not be subject to (a)4 and 5 and (b) above if he or she graduated on or before January 31, 2013.

(g) The GPA requirement and its exceptions listed in (a) above shall apply to all relevant provisions in N.J.A.C. 6A:9-9.8 and 9.11. Exceptions to the requirements for a CE or CEAS shall not include exceptions to the GPA requirement.

Amended by R.2004 d.416, effective November 1, 2004.  
See: 36 N.J.R. 3237(a), 36 N.J.R. 4927(b).

Added (d) and (e).

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)3, added the second sentence in the introductory paragraph and added i.

Amended by R.2006 d.170, effective May 15, 2006.  
See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

Made two stylistic changes in (a)2; deleted "who graduates on or after September 1, 2004"; and added (f) and (g).

Amended by R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

In (a)2, inserted the last sentence; and in (a)3, inserted "a major in the subject area or".

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 "and (b) below"; in (a)2, substituted "in any year" for the second occurrence of "2004" and "of that same year" for the fourth and last occurrences of "2004", and deleted the third occurrence of "2004"; in (a)3, substituted "Until October 30, 2009, for" for "For"; added new (a)4; recodified former (a)4 and (a)5 as (a)6 and (a)7; added new (b); recodified former (b) through (f) as (c) through (g); deleted former (g); and added (h).

Amended by R.2010 d.294, effective December 20, 2010.  
See: 42 N.J.R. 1654(a), 42 N.J.R. 3058(b).

Deleted (a)3; recodified (a)4 through (a)7 as (a)3 through (a)6; rewrote the introductory paragraph of (a)3; in (a)3i, inserted "as documented by the official transcript of a regionally accredited four-year

college or university"; in (a)3iii, inserted "as documented by the official transcript of a regionally accredited college or university" and "as documented by the official transcript of a four-year, regionally accredited college or university", and deleted a comma following "senior"; in (a)4, deleted a comma following "Standards" and ", four-year" following "accredited"; in the introductory paragraph of (b), inserted a comma following "2009"; in (b)3, deleted "four-year" following "accredited"; and in (b)4, deleted a comma following "standards" and ", four-year" following "accredited".

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote the section.

Administrative correction.

See: 45 N.J.R. 2033(a).

Amended by R.2014 d.112, effective July 7, 2014.

See: 45 N.J.R. 2072(a), 46 N.J.R. 1634(a).

Rewrote the section.

#### Case Notes

Board's decision to deny petitioner's application for certification was not arbitrary, capricious, or unreasonable where the Board properly exercised its discretion to deny certification in the absence of a recommendation for certification from a preparing institution and was under no obligation to issue a certificate to the petitioner absent a recommendation from a preparing institution; petitioner did not complete a State-approved post-baccalaureate program, nor did she obtain a recommendation from an accredited institution. *Glennon v. N.J. State Bd. of Examiners*, OAL Dkt. No. EDU 7419-07, 2009 N.J. AGEN LEXIS 745, Final Decision (September 18, 2009).

Initial Decision (2008 N.J. AGEN LEXIS 118) adopted, which concluded that petitioner, an acknowledged recipient of a bona fide bachelor's degree, failed to demonstrate any entitlement to receive credit for or approval of certification as a Teacher of the Handicapped by a preponderance of the credible evidence, where his undergraduate GPA was deficient by the standards in place at the time of his initial application as well as at the time of the review of his completed course of study. Moreover, petitioner failed to take the appropriate matriculated course work at a single college as part of an approved post-baccalaureate program but instead attended four separate college-level institutions in order to meet this obligation, resulting in no realistic way that the board of examiners could collate the course selections at each of the individual schools and factor in an appropriate GPA. *Maslin v. N.J. Dep't of Educ., Office of State Bd. of Examiners*, OAL Dkt. No. EDU 2689-06, Commissioner's Decision (April 8, 2008).

#### 6A:9-8.2 Requirements for the provisional certificate

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

1. Hold a CE or CEAS in the endorsement area required for the teaching assignment;

2. Obtain and accept an offer of employment in a position that requires instructional certification; and

3. Be registered in the provisional teacher program upon employment and in accordance with N.J.A.C. 6A:9-8.3.

(b) The effective date of provisional certificate issuance is the date on which the holder of a CE or CEAS begins employment with the district board of education in a certificated position in accordance with N.J.S.A. 18A:26-2 and 18A:27-4a.

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

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

In (a)1, deleted "and" from the end; in (a)2, substituted "; and" for the period at the end; and added (a)3 and (b).

Amended by R.2014 d.073, effective May 5, 2014.

See: 45 N.J.R. 2524(a), 46 N.J.R. 761(a).

In (a)3, substituted "the provisional teacher" for "a State-approved district training".

### 6A:9-8.3 Requirements for provisional teacher program

(a) Holders of a CE or CEAS shall receive ongoing support through the district mentoring program as described in N.J.A.C. 6A:9-8.4.

(b) The principal or an appropriately certified school administrative designee shall observe and formally evaluate the provisional teacher with a CE or CEAS in accordance with N.J.A.C. 6A:9-8.6 and 8.7.

(c) In addition to (a) and (b) above, each holder of a CE shall be provided essential knowledge and skills through the following training:

1. Except for (c)2 and 3 below, a minimum of 200 hours of formal instruction in professional education aligned with the Professional Standards for Teachers shall be completed by the provisional teacher concurrently with the requirements of (a) and (b) above.

2. For provisional teachers who are holders of a career and technical education CE, a minimum of 200 hours of formal instruction in a State-approved career and technical education professional education program that is aligned with the Professional Standards for Teachers and that includes the essential knowledge and skills regarding the delivery of career and technical education programs shall be completed concurrently with the requirements of (a) and (b) above.

3. For provisional teachers who are holders of an elementary school (K-6 and N-8) CE, a minimum of 290 hours of formal instruction over two years in a State-approved program of formal instruction that is aligned with the Professional Standards for Teachers shall be completed. This instruction must include a minimum of 45 hours of study in the teaching of language arts/literacy at the K-6 level and a minimum of 45 hours of study in teaching mathematics at the K-6 level. Provisional teachers holding an elementary school (K-6 or N-8) CE may be exempted from completing 45 hours of study in the teaching of language arts/literacy at the K-6 level, as well as from completing 45 hours of study in the teaching of mathematics at the K-6 level if:

i. For each area of study, they have completed 45 hours of study in that area as documented by a Department-approved provider or through equivalent coursework on the transcript of a regionally accredited college or university; or

ii. For each area of study, they document the equivalent of at least one year of successful experience as a full-time teacher during which the subject area is regularly taught, among the other subjects for which a K-6 teacher would be responsible. This experience must

take place within the three years prior to receiving their CE and documented by submitting a completed, original form provided by the Office.

(d) School districts or consortia of school districts, in conjunction with a college or university, shall provide formal instruction to the provisional teachers they employ pursuant to (c)3 above. The school district or consortium shall submit a written plan for the Department's approval. If joint sponsorship with a college or university cannot be achieved, the Department may authorize the school district or consortium to provide the formal instruction independently or in joint sponsorship with a non-collegiate entity. The school district or consortium's written plan shall include documentation of its efforts to secure college or university participation.

(e) School districts unable to provide formal instruction to provisional teachers in their employ shall provide access to formal instruction through a network of Department-authorized providers.

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

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

Rewrote the first, second and last sentences in (b)1.

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

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

In (a), substituted "holder of a CE or CEAS" for "provisional teacher"; in (b)1, inserted "or 90 hours", substituted "in preparation for" for "shall take place prior to the time at which", "to take" for "takes" and "professional support and instruction" for "pre-professional support, instruction and clinical experiences and study"; in (b)2, inserted "or proportionally longer if the provisional teacher holds a part-time teaching position"; in (b)3, substituted "administrative designee" for "administrator"; in (b)4, substituted "A minimum of" for "Approximately" and updated the N.J.A.C. reference; in (d), substituted "providers" for "regional training centers"; and deleted (e).

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

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

Deleted former (b)1; recodified former (b)2 through (b)4 as (b)1 through (b)3; in (b)3, substituted "Except for (b)4 and 5 below, a" for "A" and updated the N.J.A.C. reference; and added (b)4 and (b)5.

Administrative correction.

See: 42 N.J.R. 936(a).

Amended by R.2010 d.294, effective December 20, 2010.

See: 42 N.J.R. 1654(a), 42 N.J.R. 3058(b).

In (b)5i, deleted "four-year" following "accredited".

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote the section.

Amended by R.2014 d.073, effective May 5, 2014.

See: 45 N.J.R. 2524(a), 46 N.J.R. 761(a).

Section was "Requirements for State-approved district training programs". Rewrote the section.

### 6A:9-8.4 Requirements for district mentoring program

(a) All school districts shall develop a district mentoring program to provide nontenured teachers, including novice provisional teachers, with an induction to the teaching profession and to the school district community through differentiated supports based on the teachers' individual needs and to help them become effective professionals.

(b) The goals of the district mentoring program shall be to enhance teacher knowledge of, and strategies related to, the CCCS to facilitate student achievement and growth; identify

exemplary teaching skills and educational practices necessary to acquire and maintain excellence in teaching; and assist first-year teachers in the performance of their duties and adjustment to the challenges of teaching.

(c) All district boards of education that employ nontenured teachers shall determine how each nontenured teacher in his or her first year of employment shall be provided with the following supports:

1. Comprehensive induction to school district policies and procedures, including, but not limited to, introduction to school district curricula, student assessment policies, and training on the school district's evaluation rubric, including

setting and assessing student learning through student growth objectives;

2. Individualized supports and activities, which are assigned at the school district's discretion, aligned with the New Jersey Professional Standards for Teachers at N.J.A.C. 6A:9-3.3, the New Jersey Professional Development Standards at N.J.A.C. 6A:9-15.2(d), and the school district's Commissioner-approved teaching practice instrument, and are guided by:

- i. The nontenured teachers' degree of preparation and experience;

ii. The nontenured teacher's professional development plan developed within 30 instructional days of the beginning of the teaching assignment pursuant to N.J.A.C. 6A:9-15.2;

iii. Areas of focus within the district mentoring plan; and

iv. Goals within the professional development plans of the school district and school as described in N.J.A.C. 6A:9-15.5 and 15.6; and

3. One-to-one mentoring, which is required for each novice provisional teacher as set forth in (d) below.

(d) In addition to the requirements in (c) above, all school district boards of education shall provide an individual mentor to work one-to-one with a novice provisional teacher and ensure:

1. Each novice provisional teacher is assigned an individual mentor at the beginning of the contracted teaching assignment;

2. The mentor teacher provides observation and feedback, opportunities for the novice teacher to observe effective practice, and confidential guidance and support in accordance with the New Jersey Professional Standards for Teachers, and guides the teacher in a self-assessment on the school district's Commissioner-approved teaching practice instrument;

3. The one-to-one mentoring includes planned, in-person contact time between the mentor teacher and the novice provisional teacher holding a CE or CEAS over the course of the school year, or proportionally longer if the novice provisional teacher holds a part-time teaching assignment;

4. The mentor teacher and the novice provisional teacher holding a CEAS meet at least once per week for the first four weeks of the teaching assignment;

5. The mentor teacher and the novice provisional teacher holding a CE meet at least once per week for the first eight weeks of the teaching assignment; additionally, the one-to-one mentoring shall support the novice teacher in achieving the curricular objectives of the formal instructional program in which the novice provisional teacher holding a CE is enrolled; and

6. All contact time between the mentor teacher and the novice provisional teacher shall be recorded in a log, developed as part of the district mentoring plan, submitted to the chief school administrator, or designee, and maintained within the school district.

(e) The chief school administrator shall oversee the mentor selection process and ensure the individual mentor of a novice provisional teacher meets the following minimum requirements:

1. Holds a teacher certification and, when possible, is certified in the subject area in which the novice provisional teacher is working;

2. Has at least three years of experience and has taught full-time for at least two years within the last five years;

3. Does not serve as the mentee's direct supervisor nor conduct evaluations of teachers;

4. Demonstrates a record of success in the classroom. Beginning in the 2014-2015 school year, all mentor teacher applicants shall have received a summative rating of effective or highly effective on the most recent summative evaluation. If a mentor teacher applicant has not yet received a summative evaluation rating for school year 2012-2013 by the start of the 2014-2015 school year, then the mentor applicant shall have demonstrated a record of success in the classroom as measured by a rating of effective or highly effective on the district's Commissioner-approved practice instrument;

5. Understands the social and workplace norms of the school district and the community it serves;

6. Understands the resources and opportunities available in the school district and is able to act as a referral source to the novice provisional teacher; and

7. Completes a comprehensive mentor training program with a curriculum that includes, at a minimum, training on the school district's teaching evaluation rubric and practice instrument, Professional Standards for Teachers, Common Core State Standards, classroom observation skills, facilitating adult learning, and leading reflective conversations about teaching practice.

(f) The chief school administrator shall develop a district mentoring plan, which describes the logistics for district mentoring program implementation and describes the school district's responsibilities pursuant to this section.

1. The chief school administrator shall submit the district mentoring plan to the district board of education for review of its fiscal impact.

2. The chief school administrator shall share the district mentoring plan with each school improvement panel, which shall oversee the school-level implementation of the district mentoring plan and shall communicate the plan to all nontenured teachers and their mentors.

3. The chief school administrator shall review the plan annually and revise it as necessary based on feedback from mentor logs, each school improvement panel, and data on teacher and student performance.

4. The chief school administrator annually shall certify to the Department through a statement of assurance that the school district is meeting the requirements for the district mentoring program as set forth in this section.

(g) All novice provisional teachers whose positions require possession of instructional certificates in accordance with N.J.S.A. 18A:26-2 and N.J.A.C. 6A:9-5.1 shall comply with the requirements of the district mentoring program.

(h) District boards of education shall be responsible for budgeting State funds appropriated for the novice teacher mentoring program.

1. Subject to the availability of funds, the Department shall appropriate State funds based on the number of novice teachers employed each year by a given district board of education.

2. District boards of education shall ensure State funds appropriated for this program shall supplement, and not supplant, Federal, State, or local funds already devoted to planning and implementing a novice teacher mentor program.

3. District boards of education shall ensure State funds shall be used for one or more of the following:

- i. Stipends for mentor teachers;
- ii. The costs associated with release time;
- iii. Substitutes for mentor and novice teachers; and
- iv. Professional development and training activities related to the program.

4. If no State funds are available to pay the costs of mentoring fees, candidates who are required to complete a provisional year of teaching to obtain standard certification shall be responsible for payment of mentoring fees during the provisional year. The employing school district may pay the cost of mentoring fees.

(i) The administrative office of each school district shall oversee the payment of mentors. Payment shall not be conferred directly from provisional novice teacher to mentor.

Amended by R.2004 d.306, effective August 2, 2004.

See: 36 N.J.R. 1636(a), 36 N.J.R. 3526(a).

Rewrote (a); in (d), added (1) in Ii, substituted "The mentor teacher applicant" for "The teacher" at the beginning of ii through ix.

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); substituted "rigorous mentoring shall be" for "rigorous one-year mentoring is" in (b)1; added (c)1ix and made related stylistic changes; recodified (c)3 as (c)4, added (c)3; deleted "or retired teacher or administrator" in (d)1i; and deleted (d)1i(1).

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

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

In the introductory paragraph of (a), inserted the second sentence; added new (b)2; recodified former (b)2 through (b)4 as (b)3 through (b)5; in (b)3, inserted "over the course of 30 weeks or proportionally longer if the novice teacher holds a part-time teaching assignment"; in (c)2, inserted "initial"; rewrote (c)4; and added (c)5.

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote the section.

Amended by R.2014 d.073, effective May 5, 2014.

See: 45 N.J.R. 2524(a), 46 N.J.R. 761(a).

Section was "Requirements for local mentor plan". Rewrote the section.

### 6A:9-8.5 Requirements for nonpublic school training programs

(a) Nonpublic schools may choose to participate in the training provided for first-year novice teachers pursuant to N.J.A.C. 6A:9-8.3 if they meet the following requirements:

1. Prior to enrolling any candidate in a teacher training program, the individual with the authority to execute binding documents on behalf of the nonpublic school shall

enter into a written agreement with the Department agreeing to comply with all requirements pursuant to N.J.A.C. 6A:9-8.4(b) and (d);

2. A teacher on staff in a non-administrative, non-supervisory capacity who holds a standard New Jersey instructional certificate shall be assigned as mentor;

3. The school is accredited by an accrediting agency accepted by the Department; and

4. The candidate is employed as a classroom teacher in a position that would require an appropriate instructional certificate in a public school.

### 6A:9-8.6 Evaluation of provisional teachers

(a) An appropriately certified principal or administrative designee authorized to supervise instructional staff shall observe and evaluate the provisional teacher three times during the first year of mentoring for purposes of certification. All performance evaluations shall be aligned with the Professional Standards for Teachers as defined in N.J.A.C. 6A:9-3.3 and reported on State-developed forms. Performance evaluations for career and technical education teachers shall also include career and technical education knowledge and skills.

(b) Each teacher shall be observed as described in this section, at least three times during each school year but not less than once during each semester, and the observation shall occur after the provisional teacher assumes full responsibility of a classroom.

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

(d) 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.

Amended by R.2014 d.073, effective May 5, 2014.

See: 45 N.J.R. 2524(a), 46 N.J.R. 761(a).

In the introductory paragraph of (a), deleted "building" preceding "principal"; deleted (a)1 through (a)3; added new (b); and recodified former (b) through (c) as (c) through (d).

### 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 directly to the Secretary the final evaluation.

(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.  
Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (a), inserted "directly to the Secretary" preceding "the final" and deleted "directly to the Secretary that shall contain a recommendation regarding standard certification for each provisional teacher" following "evaluation".

#### 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)3. This provision does not apply to holders of the Teacher of Military Science endorsement.

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

(d) 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 Certification, 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.

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".

Amended by R.2009 d.365, effective December 7, 2009.

See: 41 N.J.R. 2529(a), 41 N.J.R. 4433(d).

Added (h).

Amended by R.2011 d.053, effective February 7, 2011.

See: 42 N.J.R. 1947(a), 43 N.J.R. 282(b).

Deleted former (c), (d), (g) and (h); and recodified former (e) and (f) as (c) and (d).

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (b), substituted "3, and 4 and 8.3(b)3" for "3 and 4 and 8.3(b)4"; and in (c), deleted "out-of-State" preceding the first occurrence of "certificate".

#### 6A:9-8.9 Requirements for interstate reciprocity

(a) Notwithstanding any other provision of this subchapter, any applicant for instructional certification who presents a valid instructional certificate issued by any other state shall, upon payment of the appropriate fee, be issued a New Jersey instructional certificate for the equivalent and currently-issued New Jersey grade-level or subject endorsement and certificate level covered by this subchapter, that is, a New Jersey CE, CEAS, or standard certificate. If there is no equivalent current New Jersey endorsement, then the provisions of N.J.A.C. 6A:9-8.1 through 8.8 shall apply to the applicant. There are two limitations to this rule:

1. If New Jersey has an equivalent endorsement with required subject matter test for the applicant's endorsement, the applicant shall have passed a state subject-matter test to receive his or her out-of-State endorsement or else must pass the appropriate New Jersey subject-matter test; and

2. Candidates who have not taught successfully for three years under their out-of-State certificate shall be required to meet the New Jersey GPA requirement. Successful teaching experience shall be documented by a letter of experience from the applicant's supervisor or authorized district representative.

New Rule, R.2011 d.053, effective February 7, 2011.

See: 42 N.J.R. 1947(a), 43 N.J.R. 282(b).

Former N.J.A.C. 6A:9-8.9, Mentoring and evaluation by approved agencies, recodified to N.J.A.C. 6A:9-8.10.

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (a), substituted "grade-level" for "grade level" and "CE, CEAS," for "certificate of eligibility, certificate of eligibility with advanced standing,"; and in (a)1, substituted "subject-matter" for the second occurrence of "subject matter".

#### 6A:9-8.10 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-8 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).

Recodified from N.J.A.C. 6A:9-8.9 by R.2011 d.053, effective February 7, 2011.

See: 42 N.J.R. 1947(a), 43 N.J.R. 282(b).

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Substituted "K-8" for "K-12".

### 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 six. Any holder of the former teacher of elementary school grades K-5 endorsement now shall be authorized to teach kindergarten through grade six;

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.

3. Teachers with elementary school endorsements 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, subject to the qualification for teaching three- and four-year-old children in N.J.A.C. 6A:9-11.1(h). 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 on the Department's website.

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)1i; recodified (a)1ii. as (a)1iii.; added (a)1ii; made a stylistic change in (a)1iii.; 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".

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote the section.

**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;

iv. **Speech arts and dramatics:** This endorsement authorizes the holder to teach speech arts and dramatics in all public schools; and

v. **Theater:** This endorsement authorizes the holder to teach theater in all public schools.

**2. Comprehensive health and physical education:**

i. **Health education:** This endorsement authorizes the holder to teach health education in all public schools;

ii. **Health and physical education:** This endorsement authorizes the holder to teach health and physical education in all public schools;

iii. **Physical education:** This endorsement authorizes the holder to teach physical education in all public schools; and

iv. **Swimming and water safety instructor:** This endorsement authorizes the holder to teach swimming, diving and water safety in all public schools.

**3. Language arts literacy:**

i. **English:** This endorsement authorizes the holder to teach English in all public schools;

ii. **English as a Second Language:** This endorsement authorizes the holder to teach English as a second language in all public schools; and

iii. **Reading:** This endorsement authorizes the holder to teach reading in all public schools.

**4. Mathematics:**

i. **Mathematics:** This endorsement authorizes the holder to teach mathematics in all public schools.

**5. Science:**

i. **Biological science:** This endorsement authorizes the holder to teach biological, environmental and general science in all public schools. Biological science includes botany, anatomy and physiology, zoology and biology;

ii. **Chemistry:** This endorsement authorizes the holder to teach chemistry, environmental and general science in all public schools;

iii. **Earth science:** This endorsement authorizes the holder to teach earth, environmental and general science in all public schools. Earth science includes astronomy, geology, meteorology, oceanography, physical geography and space science;

iv. **Physical science:** This endorsement authorizes the holder to teach physical, environmental and general science in all public schools. Physical science includes physics, chemistry, and earth and space sciences other than geography; and

v. **Physics:** This endorsement authorizes the holder to teach physics, environmental and general science in all public schools.

**6. Social studies:**

i. **Psychology:** This endorsement authorizes the holder to teach psychology in all public schools; and

ii. **Social studies:** This endorsement authorizes the holder to teach social studies in all public schools. Social studies includes American history, European history, world history, government, political science, sociology, geography, anthropology and economics.

**7. World languages:** This endorsement authorizes the holder to teach one of the following designated world languages in all public schools:

i. American Sign Language;

ii. Chinese;

iii. French;

iv. German;

v. Greek;

vi. Hebrew;

vii. Italian;

viii. Japanese;

ix. Latin;

x. Portuguese;

xi. Russian;

xii. Spanish;

xiii. Hindi;

xiv. Arabic;

xv. Korean; or

xvii. Other world languages.

**8. Technological literacy:**

i. **Computer and information literacy:** There is no separate endorsement for educational technology and tools or for computer and information literacy except where career and technical endorsements occur for the related career clusters and career education and for consumer, family and life skills (see N.J.A.C. 6A:9-5.19) The CCCS require that teachers integrate the use of computer and information technology into their instruction; and

ii. **Technology education.** This endorsement authorizes the holder to teach technology education in all public schools with the exception of approved vocational programs. Technology education includes content aligned with the CCCS and the Standards for Technology Literacy published by the International Technology Education Association, Copyright 2000, incorporated herein by reference, available at <http://www.iteea.org/TAA/PDFs/xstnd.pdf>. Examples of the topics that can be taught under this endorsement include: the nature of technology; technology and society; engineering and technological design; abilities for a technological world; energy and power; information and communication; and transportation, manufacturing, and construction technologies.

9. 21st century life and careers, and career and technical education:

i. **Business education/business-related technologies:** Endorsements in these content fields authorize the holder to teach business education and business-related technologies in all public schools.

(1) **Comprehensive business:** This endorsement authorizes the holder to teach accounting, banking and insurance, business computer applications, business law, business communications, business mathematics, economics and finance, entrepreneurship; international business; keyboarding; business management; business organization, marketing; office administration/office systems technology; and exploration in business related careers.

(2) **Business: accounting:** This endorsement authorizes the holder to teach accounting, bookkeeping, finance and investment, business mathematics and exploration of related careers.

(3) **Business: finance/economics/law:** This endorsement authorizes the holder to teach finance and investment, economics, law, banking and insurance, business mathematics, business communications; business management, business organization and exploration of related careers.

(4) **Business: keyboarding and data entry:** This endorsement authorizes the holder to teach keyboarding, computer data entry, word processing and exploration of related careers.

(5) **Business: computer applications and business-related information technology:** This endorsement authorizes the holder to teach business-related software applications, safety and security policies pertaining to computer use, emerging hardware and operating systems, file management, legal issues related to computer use, and exploration of related business occupations.

(6) **Business: office administration/office systems technology:** This endorsement authorizes the holder to teach office organization, word processing, speed writing, business communication, office and administrative support practices and procedures, keyboarding, data entry and exploration of related business occupations.

(7) **Marketing education:** This endorsement authorizes the holder to teach marketing occupations including sales, advertising and retailing, global marketing, entrepreneurship and exploration of related business occupations.

ii. **Family and consumer sciences.** This endorsement authorizes the holder to teach family and consumer sciences in all public schools.

(1) **Comprehensive family and consumer sciences:** This endorsement authorizes the holder to teach family and consumer sciences. Family and consumer sciences includes: family economics and resource management; family relations and human development including child care and development and parenting education; housing and environment including interior design; nutrition, health and food management and preparation; textiles and apparel design, construction and merchandising; and exploration in family and consumer sciences related occupations.

(2) **Family and consumer sciences: Child and family development:** This endorsement authorizes the holder to teach family relations and human development – including parenting education and child care and development and operating a nursery school in a high school classroom environment, developing skills needed to deal with crisis in families, handling children with special needs, and managing family economics and resources – and to provide career related instruction.

(3) **Family and consumer sciences: Foods, nutrition and food science:** This endorsement authorizes the holder to teach nutrition, individual and family food preparation, food science, managing time and resources related to food preparation, and exploration of careers in foods and nutrition related occupations.

(4) **Family and consumer sciences: Apparel, textiles and interiors:** This endorsement authorizes the holder to teach textiles and apparel design, construc-

tion and merchandising, interior design; managing time and resources related to apparel construction and interior design; and exploration of careers in apparel, textiles, and interior design.

iii. Agriculture, food, and natural resources: This endorsement authorizes the holder to teach agribusiness systems, animal systems, environmental service systems, natural resource systems, plant systems, and power, structural and technical systems and related technologies in all public schools.

iv. Career cluster endorsements: These endorsements authorize the holder to teach approved career and technical education programs in all public schools in accord with N.J.A.C. 6A:9-11.2. The holder of a standard career and technical education endorsement who has completed the study requirements in N.J.A.C. 6A:9-13.19(b)2i and ii, or 13.20(b)2i or ii, is also authorized to place and supervise career and technical education students in school-sponsored cooperative education experiences in the occupation in which the holder is certified as part of a career and technical education program.

v. Driver education: This endorsement authorizes the holder to teach driver education in all public schools.

(b) The teaching endorsements below authorize the holder to teach specific populations, subjects, ages, and/or grade levels:

1. Bilingual/bicultural education: This endorsement authorizes the holder to teach bilingual/bicultural education in all public schools.

2. Elementary school: This endorsement authorizes the holder to:

i. Serve as an elementary school teacher in grades kindergarten through six in all public schools;

ii. Teach language arts literacy, mathematics, science, computer and information literacy, and social studies full-time, integrating educational technology where appropriate in grades kindergarten through six;

iii. Teach world languages full-time in grades kindergarten through six pursuant to N.J.A.C. 6A:9-11.10;

iv. Teach all remaining subjects no more than one-half of the daily instructional assignment; and

v. Teach reading, writing, arithmetic, and spelling, for basic-skills purposes only, in grades six through 12.

3. Elementary school with subject matter specialization: This endorsement authorizes the holder to:

i. Teach the specialty subjects on the face of the certificate full-time in grades five through eight in all public schools. This endorsement does not permit the

holder to teach the subject matter specialization in grades nine through 12;

ii. Teach all CCCS subjects in kindergarten through grade six pursuant to (b)2 above; and

iii. Teach reading, writing, arithmetic, and spelling, for basic-skills purposes only, in grades six through 12.

4. Preschool through grade three: This endorsement authorizes the holder to:

i. Teach preschool through grade three in public schools and to teach public school students in approved settings providing early childhood education;

ii. Teach language arts literacy, mathematics, science, computer and information literacy, and social studies full-time, integrating educational technology where appropriate in grades preschool through three;

iii. Teach world languages full-time in grades preschool through three pursuant to N.J.A.C. 6A:9-11.10; and

iv. Teach all remaining subjects in grades preschool through three no more than one-half of the daily instructional assignment.

5. Teacher of supplemental instruction in reading and mathematics, grades K-8: This endorsement authorizes the holder to provide supplemental, pull-out instruction in reading and mathematics for students in kindergarten through grade eight. During their provisional teaching period, teachers holding this endorsement:

i. May not be assigned to more than two schools; and

ii. Must conduct all teaching in a formal classroom environment with a minimum of eight students that approximates the experiences that novice teachers are expected to have, including, but not limited to, lesson planning, effective classroom management, instructional strategies, and incorporation of the CCCS.

6. Special education: These endorsements authorize the holder to teach special education to one of the designated populations listed in (b)6i through iv below. In addition to the content area(s) or grade level(s) that the teachers' content and/or grade-level endorsements authorize, the holder of a special education endorsement also may provide consultative services and supportive resource programs, including modification and adaptation of curriculum and instruction to students with disabilities in general education programs in grades preschool through 12.

i. Blind or visually impaired: This endorsement authorizes the holder to teach blind or visually impaired students;

ii. Deaf or hard of hearing for oral/aural communication: This endorsement authorizes the holder to teach deaf or hard-of-hearing students using oral/aural communication strategies;

iii. Deaf or hard of hearing for sign language communication: This endorsement authorizes the holder to teach deaf or hard-of-hearing students using sign language communication strategies; and

iv. Students with disabilities: This endorsement authorizes the holder to teach students classified with disabilities with the exception of those identified in (b)5i through iii above.

Amended by R.2004 d.306, effective August 2, 2004.  
See: 36 N.J.R. 1636(a), 36 N.J.R. 3526(a).

In (a), inserted "with the exception of approved vocational programs" at the end of 1i, rewrote the first sentence in 8i, added new i and ii and recodified former i and ii as iii and iv in 9.

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), inserted "office administration/office systems technology;" in 9i; in (c), added the last sentence.

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)8i; deleted last sentence from (a)9i; added (a)9i(1) through (7), deleted last sentence from (a)9ii; added (a)9ii(1) through (4); added (a)9v; rewrote (b)2ii; recodified (b)2iii as (b)2v, added (b)2iii and iv; made a stylistic change in (b)2v; rewrote (b)4; and added (b)4i-(b)4iv.

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)1i, (a)1ii, (a)1iv and (a)1v, deleted "with the exception of approved vocational programs" from the end; added new (a)8i, recodified former (a)8i as (a)8ii; added new (a)9iii; recodified former (a)9iii through (a)9v as (a)9iv through (a)9vi; rewrote (a)9iv; in (b)2ii and (b)4ii, inserted "computer and information literacy," and "integrating educational technology where appropriate"; added new (b)5; recodified former (b)5 as (b)6; and deleted (c).

Petition for Rulemaking.

See: 42 N.J.R. 956(b), 1252(a), 1911(b).

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote the section.

#### Case Notes

Initial Decision (2008 N.J. AGEN 859) adopted, which concluded that a board of education properly terminated a teacher of Russian and appointed a non-tenured teacher to teach courses previously assigned to the Russian teacher. Although the Russian teacher was a tenured teaching staff member, the teacher's endorsement of Teacher of Production, Personal or Service Occupations: Food Production did not qualify her to be appointed to the Family and Consumer Science—Foods course position over a non-tenured staff member pursuant to N.J.A.C. 6A:9-9.2(a)(9)(ii) since the Family and Consumer Sciences position to which the Russian teacher sought appointment required an instructional certificate with an endorsement for Family and Consumer Sciences. *Suchanek v. Bd. of Educ. of Ramapo Indian Hills Reg'l High School Dist.*, OAL Dkt. No. EDU 11576-07, 2008 N.J. AGEN LEXIS 1099, Final Decision (November 18, 2008).

## SUBCHAPTER 10. STANDARDS FOR NEW JERSEY EDUCATOR PREPARATION PROGRAMS IN HIGHER EDUCATION

### 6A:9-10.1 Requirements and standards for the approval of professional education programs preparing educational personnel

(a) The Department shall establish a three-tiered system of program approval to include program approval committees, a

State Program Approval Council, and final approval through the Department as follows:

1. The Department shall appoint program approval committees for each certificate area to recommend appropriate action regarding the addition of a new or substantially revised certification program to the State Program Approval Council based on documents and evidence of meeting program standards as specified in this subchapter.

i. The program approval committees shall be comprised of three members representing higher education and K-12 school districts who have expertise in the certification program under review.

2. The Commissioner shall appoint a State Program Approval Council comprised of 11 members, including six higher education representatives and five P-12 practitioners.

i. The Council shall advise the Commissioner on matters pertaining to higher education teacher, administrator, and educational service personnel preparation quality issues;

ii. The Council shall coordinate the peer review program approval process for initial and substantially revised programs and the periodic review of programs;

iii. The Council shall review program information required for the periodic review of programs and recommend appropriate action regarding the program's status; and

iv. The Council shall make final recommendations regarding approval of programs to the Department.

3. Based on the recommendation of the State Program Approval Council, the Department shall take appropriate action regarding program approval.

(b) The Department shall approve all professional educator preparation programs leading to State certification in New Jersey institutions of higher education. The scope of program approval shall include programs from institutions chartered in the State, as well as programs that have a physical presence in New Jersey and are run by out-of-State institutions that are approved by the New Jersey Secretary of Higher Education. Program approval shall be based on the following criteria:

1. Compliance with State professional standards for teachers and school leaders as established in N.J.A.C. 6A:9-3.3 and 3.4;

2. Compliance with State content-specific professional standards by licensure area that will be implemented by the Department for its review of new or substantially revised programs;

3. Program documentation for the initial review and approval of all new or substantially revised programs shall include, but not be limited to:

- i. A summary of the proposed program;
- ii. The program framework and guiding principles;
- iii. Program alignment to the professional content standards;
- iv. Description of the field experiences;
- v. Description of student performance assessments and evidence of program outcomes;
- vi. Program faculty resumes; and
- vii. Course syllabi and program curriculum;

4. The following documentation shall be reviewed by the State Program Approval Council and be used for the periodic review and approval for continuation of all preparation programs in conjunction with the institution's national accreditation:

- i. Data on candidates' performance on program based assessments at program completion;
- ii. Numbers of educator candidates prepared in critical shortage areas and from diverse backgrounds;
- iii. Placement and retention rates;
- iv. Data on candidates' performance at the end of the provisional period;
- v. Praxis scores and pass rates;
- vi. Follow-up survey of graduates and employers; and
- vii. Where relevant, P-12 student achievement data;

5. Accreditation by a national accrediting body recognized by the Council on Higher Education Accreditation and approved by the Commissioner; and

6. Compliance with requirements in (c) below.

(c) Higher education institutions that prepare educators shall be required to have programs approved as follows:

1. All new or revised educator programs must secure initial approval from the Department prior to implementation;
2. All educator programs must undergo a periodic program review every seven years at least six months prior to the national accreditation process;
3. All programs must obtain accreditation through the National Council for the Accreditation of Teacher Education, the Teacher Education Accreditation Council, or any other national professional education accreditation body recognized by the Council on Higher Education Accreditation or the Commissioner.

- i. Institutions of higher education preparing professional educators that fail to obtain national accreditation

shall forfeit State approval to offer professional educator preparation programs leading to certification.

- ii. The State shall withdraw approval for any institution of higher education preparing professional educators that fails to meet the conditions in (c)3i above.

(d) Formal admission to teacher preparation programs shall be reviewed by colleges and universities at the beginning of the junior year and shall be granted only if:

1. The average cumulative GPA of the accepted cohort of candidates as of September 1, 2015, is at least 3.00 when a grade point of 4.00 equals an A grade for the first two years of college and each accepted individual candidate shall achieve at least a 2.75. Candidates admitted prior to September 1, 2015, shall have maintained an individual cumulative GPA of at least 2.50 when a grade point of 4.00 equals an A grade for the first two years of college. Institutions may require higher minimum GPAs for entry into teacher preparation programs;

2. The accepted candidates achieved acceptable levels of proficiency in the use of the English language, both oral and written, and mathematics. Students with deficiencies in these areas upon admission to college shall be required to demonstrate proficiency through an oral or written assessment by the beginning of the junior year. As of September 1, 2015, all accepted candidates shall have achieved a minimum score established by the Department on a Commissioner-approved test of basic reading, writing, and mathematics skills, or score at least a 1660 combined critical reading, writing, and mathematics on the SAT, at least a 23 on the ACT, or at least a 4.0 on the analytical writing section and a combined score of 310 on the quantitative and verbal sections of the GRE; and

3. The accepted candidates demonstrated aptitude for the profession of teaching through successful completion of an appropriate practical experience in an elementary or secondary school.

(e) The college or university faculty shall evaluate each student at the end of the semester prior to student teaching. The faculty evaluation shall be based on a comprehensive assessment of relevant indicators that include:

1. An individual cumulative GPA of at least 3.00 when a grade point of 4.00 equals an A grade; and

2. Acceptable levels of teaching proficiency in junior field experience as indicated by the evaluation reports of college and school faculty. Such evaluations shall be communicated to the student and shall be included in the student's permanent file.

(f) Colleges and universities shall assure that only students who have met the requirements in (d) above be assigned to student teaching.

(g) Colleges and universities shall recommend for certification to the Department only students who have completed the State-approved certification program and have:

1. Completed all requirements as described in N.J.A.C. 6A:9-8.1(a) and (c). Colleges and universities are not required to apply exceptions outlined in N.J.A.C. 6A:9-8.1(a)2i, iii, or iv, but may do so at their discretion;

2. Demonstrated continued competence, aptitude, motivation, and potential for outstanding success in teaching as indicated by assessments of student teaching performance by college/university and school supervisors. Such assessments shall be communicated to the student and shall be a part of the student's file; and

3. For students who graduate after September 1, 2016, passed a Commissioner-approved performance-based assessment of teaching.

(h) At the request of the Department, institutions shall submit teacher preparation program data at a program level.

(i) All requirements shall be applied equitably and in a non-discriminatory manner to all students, including transfer students. All admissions and retention processes shall be consistent with State and institutional affirmative action policies and goals.

(j) Colleges and universities shall develop appropriate procedures for placing on probation and dismissing from the program students who fall below minimum requirements before graduation, and shall incorporate into the procedures methods for appeals by students.

(k) Colleges and universities shall make recommendations for issuance of a CEAS for students completing an approved teacher preparation program.

(l) Colleges and universities shall inform the Department when a student has successfully completed the approved program and is being recommended to the Department for issuance of the CEAS by the Board of Examiners provided the student has passed a State test pursuant to N.J.A.C. 6A:9-8.1(a)4. Colleges and universities shall have up to one year from the date of completion of the approved program to recommend a student to the Department for issuance of a certificate.

(m) Colleges and universities shall align their programs with the Professional Standards for Teachers.

(n) With the exception of special education approved programs, colleges and universities shall inform the Department of students who have matriculated in programs approved prior to January 20, 2004. Students who matriculated as juniors in fall 2004 and spring 2005 shall have completed all requirements at N.J.A.C. 6:11-7 by September 1, 2007. Candidates who did not complete all requirements at N.J.A.C. 6:11-7 by September 1, 2007, shall fulfill the requirements at N.J.A.C. 6A:9-10.

(o) Colleges and universities shall inform the Department of students who matriculated in special education programs approved prior to January 20, 2004. This includes students who matriculated as freshman in fall 2003. Candidates who did not complete all requirements at N.J.A.C. 6:11-7 by September 1, 2008, shall fulfill the requirements at N.J.A.C. 6A:9-10. These teachers shall be considered novice teachers and shall be required to complete a year of formal mentoring.

(p) Requirements in (d) through (g) above shall be considered minimum requirements. Colleges and universities may require higher GPAs and higher levels of proficiency for program admission, student teaching, and recommendation for certification.

Amended by R.2005 d.110, effective April 4, 2005.  
See: 36 N.J.R. 5044(a), 37 N.J.R. 1060(a).

In (l), rewrote the first sentence; added (m).  
Amended by R.2006 d.170, effective May 15, 2006.  
See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

In (a), substituted "Department" for "State Board" and added "approved by the State Board" to the end; added the last sentences in (j) and (m); and added (n).

Amended by R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

In (a)1, deleted "and" from the end; in (a)2, substituted "; and" for a period at the end; and added (a)3.

Amended by R.2009 d.24, effective January 5, 2009.  
See: 40 N.J.R. 4856(a), 41 N.J.R. 128(a).

Rewrote the section.  
Administrative correction.  
See: 45 N.J.R. 1909(b).

Amended by R.2014 d.112, effective July 7, 2014.  
See: 45 N.J.R. 2072(a), 46 N.J.R. 1634(a).

Rewrote the section.

#### Case Notes

In petitioner's appeal from a denial of an instructional certification with endorsements in elementary and special education, the Commissioner and the Department of Education lacked jurisdiction over the college that declined to recommend her for certification; the college could not be ordered to recommend petitioner for certification because there was no statute, regulation, or case law to support such an action and, additionally, petitioner failed to show that the college acted in bad faith where she never satisfied the requirements for enrollment in the college. *Glennon v. N.J. State Bd. of Examiners*, OAL Dkt. No. EDU 7419-07, 2009 N.J. AGEN LEXIS 745, Final Decision (September 18, 2009).

#### 6A:9-10.2 Curriculum for teacher preparation programs

(a) The preparation program for all instructional certificates shall include the provisions in (a)1 through 5 below. In addition, those candidates seeking the preschool through grade three endorsement shall comply with the requirements in (b) below, and candidates seeking special education endorsements shall comply with requirements in (c), (d), (e) or (f) below.

1. A minimum of 60 semester credit hours of general education including electives. General education courses shall be distributed among the arts, humanities, mathematics, science, technology and the social sciences. There must be some study in each area. Study in technology may

include topics such as educational technology and tools, the history of technology and the sociological impact of technological advancement which would contribute to the general technological literacy of students. The purpose of general education is to develop the prospective teacher as an educated person rather than to provide professional preparation. This component of the program shall exclude courses that are clearly professional or career and technical in nature;

2. A major in the arts, humanities, social sciences, mathematics, science or technology disciplines;

3. A minimum of 90 credits of the total program distributed among general education and the academic major;

4. A sequence of courses devoted to professional preparation. Study must be devoted to the behavioral/social sciences, the teaching of literacy and numeracy, educating linguistically diverse and special education students, and, effective May 31, 2010, integrating educational technology and tools into the curriculum and classroom. Some of these areas may be included in the professional or liberal arts components of the program consistent with (a)1 above. The professional component of the undergraduate program shall be aligned with the Professional Standards for Teachers as specified in N.J.A.C. 6A:9-3.3 and shall provide students, normally beginning in the sophomore year, with practical experiences in an elementary, middle or secondary school setting. These opportunities shall increase in intensity and duration as the student advances through the program and culminate with a student teaching experience; and

5. A student teaching experience. School districts have a responsibility, as part of the continuum of professional education and development, for accepting and placing student teachers. This shall be the equivalent of a full-time experience of one semester's duration and shall be included within the professional component. The student teacher shall be under the direct and continuous personal supervision of an appropriately certified cooperating teacher. A State-approved Master of Arts in Teaching (MAT) program must ensure that its graduates have completed one of the following:

- i. A student teaching experience through the MAT program;
- ii. A student teaching experience through a State-approved teacher preparation program;
- iii. A standard State instructional certificate; or
- iv. One-year of successful teaching experience under a valid out-of-State license or certificate.

(b) The preparation program for the Preschool through Grade 3 endorsement also shall include the following:

1. A minimum of 13 semester hour credits of instruction in areas listed in N.J.A.C. 6A:9-11.1(e). The professional component of the undergraduate program shall,

beginning in the sophomore year, provide students with practical experience in a preschool or kindergarten setting and in a first, second or third grade setting. These opportunities shall increase in intensity and duration as the student advances through the program and culminate with an early childhood education student teaching experience; and

2. The student teaching experience shall be in an early childhood education setting.

(c) The preparation program for the Students with Disabilities endorsement also shall include the following:

1. A range of 21 to 27 semester hour credits of instruction in areas listed in N.J.A.C. 6A:9-11.3(e)2. The professional component of the undergraduate program shall, beginning in the sophomore year, provide students with practical experiences in a special education setting. These opportunities shall increase in intensity and duration as the student advances through the program and culminate with a special education student teaching experience; and

2. The student teaching experience shall include a special education component.

(d) The preparation program for the Deaf or Hard of Hearing with Oral/Aural Communication endorsement also shall include the following:

1. A range of 21 to 27 semester hour credits of instruction in areas listed in N.J.A.C. 6A:9-11.3(g)2. The professional component of the undergraduate program shall, beginning in the sophomore year, provide students with practical experiences in a special education setting. These opportunities shall increase in intensity and duration as the student advances through the program and culminate with a special education student teaching experience; and

2. The student teaching experience shall include a special education component.

(e) The preparation program for the Blind or Visually Impaired endorsement also shall include the following:

1. A range of 21 to 27 semester hour credits of instruction in areas listed in N.J.A.C. 6A:9-11.3(f)2. The professional component of the undergraduate program shall, beginning in the sophomore year, provide students with practical experiences in a special education setting. These opportunities shall increase in intensity and duration as the student advances through the program and culminate with a special education student teaching experience; and

2. The student teaching experience shall include a special education component.

(f) The preparation program for the Deaf or Hard of Hearing endorsement with sign language also shall include the following:

1. A range of 21 to 27 semester hour credits of instruction in areas listed in N.J.A.C. 6A:9-11.3(h)2. The professional component of the undergraduate program shall, beginning in the sophomore year, provide students with practical experiences in a special education setting. These opportunities shall increase in intensity and duration as the student advances through the program and culminate with a special education student teaching experience; and

2. The student teaching experience shall include a special education component.

(g) Colleges/universities may develop dual certification programs that incorporate the requirements listed in (a) and either (b), (c), (d), (e), or (f) above. Requirements may be completed through integrated study across the curriculum. When appropriate, coursework may serve to fulfill one or more of the curriculum requirements listed in (a) through (f) above. Candidates shall be certified in the both endorsement areas.

Amended by R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

In the introductory paragraph of (a), inserted a comma following "(b) below"; in (a)4, substituted "A sequence of courses" for "No more than 30 semester hour credits of instruction" and inserted ", middle"; in the introductory paragraph of (a)5, inserted the last sentence; and added (a)5i through (a)5iv.

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)1, substituted "educational technology and tools" for "computer literacy" and "career and technical" for "vocational-technical"; in (a)4, deleted "and" preceding "educating" and inserted ", and, effective May 31, 2010, integrating educational technology and tools into the curriculum and classroom"; and in (a)5, inserted the second sentence.

### 6A:9-10.3 Supervision of practicum students

(a) Collegiate faculty assigned to supervise students shall:

1. Have had experience supervising, consulting or otherwise working in an elementary and/or secondary school in contact with classroom teachers within the previous two years for all instructional certificate programs with the exception of the preschool endorsement; for preschool programs, the supervisor shall have had experience supervising, consulting or otherwise working in an early childhood setting; and

2. Be full-time faculty members or part-time faculty with demonstrated expertise in the field they are supervising.

(b) Collegiate supervisors of student teachers shall be assigned supervisory loads that permit observation of each student once every other week.

(c) District faculty assigned to supervise teacher candidates shall:

1. Be approved by the principal and district office with input from the teacher candidate's preparing institution of higher education;

2. Have a minimum of three years of teaching experience, including one within the district;

3. Possess a standard instructional certificate;

4. Have appropriate certification that coincides with the area of instruction for which the candidate is being prepared; and

5. Be a full-time district faculty member with demonstrated expertise in the field of mentoring/supervision.

(d) District cooperating teachers shall provide continuous supervision and weekly conferences to assist teacher candidates in professional development. For purposes of this subsection, "cooperating teacher" means a practicing certified experienced teacher who is assigned responsibility for the instruction, supervision and assessment of teacher candidates during clinical field experiences.

(e) Institutions of higher education preparing teachers shall make available to the cooperating teachers professional development opportunities and experiences that increase cooperating teachers' expertise in the field.

### 6A:9-10.4 Post-baccalaureate and graduate-level teacher preparation programs

(a) A teacher preparation program at a post-baccalaureate or graduate level that leads to a recommendation for a CEAS in instructional fields pursuant to N.J.A.C. 6A:9-8.1 and 11 shall require its students to meet the following requirements:

1. Hold a bachelor's degree from a regionally accredited college or university;

2. Complete all requirements as described in N.J.A.C. 6A:9-8.1(a) and (c). Colleges and universities are not required to apply exceptions outlined in N.J.A.C. 6A:9-8.1(a)2i, iii, or iv, but may do so at their discretion;

3. Present an undergraduate major or 30 semester hour credits in a coherent sequence of courses in the subject teaching field from a regionally accredited college or university. Candidates completing preschool and elementary school teacher preparation programs must present a major in liberal arts, science, dual content or interdisciplinary academic majors or 60 semester hour credits in liberal arts or science;

4. Demonstrate continued competence, aptitude, motivation, and potential for outstanding success in teaching as indicated by assessments of student teaching performance by college and school supervisors. Such assessments shall be communicated to the student and shall be a part of the student's file;

5. Complete a student teaching experience in an early childhood, elementary, or secondary setting; and

6. For students who graduate after September 1, 2016, pass a Commissioner-approved performance-based assessment of teaching.

Amended by R.2014 d.112, effective July 7, 2014.  
See: 45 N.J.R. 2072(a), 46 N.J.R. 1634(a).  
Rewrote (a).

## SUBCHAPTER 11. EXCEPTIONS TO REQUIREMENTS FOR THE INSTRUCTIONAL CERTIFICATE

### 6A:9-11.1 Preschool through grade three certification requirements

(a) To be eligible for the preschool through grade three CE, the candidate shall:

1. Hold a bachelor's or higher degree from a regionally accredited college or university;
2. Meet the GPA requirements or its exceptions and pass the basic skills assessment pursuant to N.J.A.C. 6A:9-8.1(a)2 and 3;
3. Complete a liberal arts, science, dual content or interdisciplinary academic major or a minimum of 60 semester hour credits in liberal arts and/or science;
4. Effective September 1, 2009, demonstrate knowledge of basic pedagogy skills appropriate to preschool education, including, but not limited to, classroom management, teacher-child interaction, preschool curricula, New Jersey's preschool early learning standards and CCCS, and developmentally appropriate assessment through successful completion of a minimum of 24 hours of study offered through a State-approved provider or through equivalent coursework as documented on the transcript of a regionally accredited college or university;
5. Pass an appropriate State test; and
6. Pass an examination in physiology, hygiene and substance abuse issues pursuant to N.J.A.C. 6A:9-5.8.

(b) To be eligible for the preschool through grade three CEAS, a candidate shall meet the requirements in (a) above with the exception of (a)4 above. In addition, an eligible candidate shall complete one of the following teacher preparation programs:

1. A New Jersey college program, graduate or undergraduate, approved by the Department for the preparation of early childhood education teachers;
2. A college early childhood education program included in the NASDTEC interstate contract;
3. An out-of-State early childhood education program approved by NCATE;
4. An early childhood education program approved for certification by the state department of education in one of

the states party to the NASDTEC Interstate Contract, provided the program was completed on or after January 1, 1964 and the state in which the program is located would issue the candidate a comparable endorsement; or

5. An out-of-State early childhood education program not approved by NASDTEC or NCATE but approved by the department of education in the state in which the program is located.

(c) For issuance of a provisional certificate, a candidate must:

1. Hold a preschool through grade three CE or CEAS;
2. Obtain and accept an offer of employment in a position that requires preschool through grade three certification; and
3. Be registered in a State-approved school district training program upon employment and in accordance with N.J.A.C. 6A:9-8.3.

(d) No person shall be employed under provisional certification for more than a total of four years in a position requiring certification as a teacher of preschool through grade three.

(e) While teaching under a provisional preschool through grade three endorsement, the candidate shall participate in a State-approved school district training program, which shall comply with the requirements in N.J.A.C. 6A:9-8.3 except for N.J.A.C. 6A:9-8.3(b)3 and (c).

(f) Provisional teachers holding a preschool through grade three CE shall earn a minimum of 200 hours or 13 semester-hour credits of preschool through grade three pedagogy at a Department-approved New Jersey college or university program. Instruction shall include:

1. Child development and learning, including studies designed to foster understanding of the dynamic continuum of development and learning in children from birth through age eight. Required topics are cognitive and linguistic factors that affect learning and development; the creation of a climate that fosters and nurtures diversity and equity for all children, including those who are limited English proficient and those with special needs and which addresses multiple intelligences and diverse learning styles; the integration of play; and language and literacy across the curriculum;
2. Understanding family and community, including studies designed to foster an understanding of the significant roles of families and communities. Required topics are the recognition of children at risk; the establishment of linkages with community resources to support families; the recognition and acceptance of diverse family units, including family participation on the educational team; the impact of children's homes, communities, health and cultural experiences on development and learning; and comprehension of social, historical, political, legal and philo-

sophical constructs that impact upon children, families and communities; and

3. Curriculum and assessment, including studies designed to foster an understanding of the importance of implementing developmentally appropriate principles and practices. Required topics include the CCCS and early childhood expectations; responsiveness to cultural and linguistic differences with an equitable and individualized focus; activities designed to foster intellectual stimulation through play; implementation of developmentally appropriate techniques of guidance and group management to create a safe classroom environment; and assessment that is multidimensional, ongoing and performance based.

(g) The following are requirements for the standard certificate:

1. Candidates shall possess a provisional certificate pursuant to (c) above and complete a State-approved training program pursuant to (d) above; or

2. Candidates shall complete a State-approved college early childhood teacher preparation program in another state, fulfill the test requirement, and present evidence of a minimum of one year of successful early childhood teaching experience under a valid out-of-State early childhood education certificate/license.

(h) A teacher holding a standard elementary school endorsement valid in grades nursery through eight issued no later than March 1, 2008, with the equivalent of two academic years of full-time experience teaching three- and four-year-olds under the certificate may teach children in preschool in a public school or Department of Human Services facility. The teaching experience must be in a position that would require the preschool through grade three endorsement. It shall be the responsibility of the public school district and Department of Human Services facility to maintain a copy of documentation that supports the preschool teaching experience for each teacher affected by this subsection.

(i) A teacher holding a standard New Jersey nursery school endorsement authorizes the holder to teach in preschool and kindergarten in all public school districts pursuant to N.J.A.C. 6A:9-9.2(b)4.

(j) Except as indicated in N.J.A.C. 6A:9-11.2 and 11.7, holders of other standard instructional teaching certificates may obtain a standard teacher of preschool through grade three endorsement upon completion of the academic and test requirements listed in (a) above and a minimum of 13 semester-hour credits in areas listed in (f) above. Except as indicated in N.J.A.C. 6A:9-11.2 and 11.7, holders of other instructional CEASs may obtain a teacher of preschool through grade three CEAS upon completion of the academic and test requirements listed in (a) above and a minimum of 13 semester-hour credits in areas listed in (f) above.

(k) Holders of a standard instructional certificate with a preschool through grade three endorsement shall be issued

additional instructional endorsements where they meet the requirements at N.J.A.C. 6A:9-8.1(a)1, 3 and 4 and 8.3(b)4.

(l) A candidate who has graduated from a regionally accredited college or university that does not award grades and does not calculate GPAs shall be exempt from the requirements in (a)2 above. Upon application, the candidate shall provide the Office with an original registrar's letter from the college or university bearing the college or university seal and clarifying the institution's policy regarding GPAs. The candidate shall satisfy all other requirements for certification, without exception.

Amended by R.2004 d.416, effective November 1, 2004.  
See: 36 N.J.R. 3237(a), 36 N.J.R. 4927(b).

Added (j) and (k).  
Amended by R.2005 d.110, effective April 4, 2005.  
See: 36 N.J.R. 5044(a), 37 N.J.R. 1060(a).

Rewrote (g).  
Amended by R.2006 d.170, effective May 15, 2006.  
See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

Recodified (d)-(g) as (e)-(h) and (h)-(k) as (j)-(m); added (d); in (f), substituted "preschool through grade three pedagogy" for "formal instruction"; in (g)2, substituted "early childhood" and "early childhood education" for "preschool"; added (i); in (k), added "at N.J.A.C. 6A:9-8.1(a)1, 3 and 4 and 8.3(b)4" at the end; in (m), deleted "on or after September 1, 2004" following "A candidate who graduates"; and added (n).

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)1, substituted "three" for "3" and deleted "and" from the end; in (c)2, substituted "three" for "3" and ";" and "for a period at the end; added (c)3; and in (j), inserted "standard", substituted "three" for "3" and "(f)" for "(e)" in the first sentence, and inserted the last sentence.  
Amended by R.2009 d.24, effective January 5, 2009.  
See: 40 N.J.R. 4856(a), 41 N.J.R. 128(a).

Section was "Preschool through grade 3 certification requirements". Added (a)4; recodified former (a)4 and (a)5 as (a)5 and (a)6; and in the introductory paragraph of (b), substituted "three" for "3" and inserted the last sentence.

Amended by R.2010 d.294, effective December 20, 2010.  
See: 42 N.J.R. 1654(a), 42 N.J.R. 3058(b).

In (a)4, deleted a comma following "content standards" and "four-year" following "accredited", and substituted "State-approved" for "state-approved".

Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote the section.  
Amended by R.2014 d.112, effective July 7, 2014.  
See: 45 N.J.R. 2072(a), 46 N.J.R. 1634(a).

Rewrote (a)2; in the introductory paragraph of (b), substituted "shall" for "must" twice, and substituted a colon for a period at the end; in (c)3 and (e), inserted "school"; in (e), substituted "which" for ". The State-approved district training program"; deleted former (l) and (m), and recodified (n) as (l).

## 6A:9-11.2 Career and technical education certification requirements

(a) Career and technical education endorsements authorize the holder to teach career and technical education programs in all public schools. Specific career and technical education endorsements are based on the candidate's Department-approved employment or self-employment experience, bachelor's degree, and/or associate degree. Endorsements are organized under the following career clusters and are listed on the Department's website:

1. Agriculture, Food and Natural Resources: Endorsements are authorized under this career cluster for career and technical education programs that prepare students for careers related to the production, processing, marketing distribution, financing and development of agricultural commodities and resources including food, fiber, wood products, natural resources, horticulture and other plant and animal products and resources.

2. Architecture and Construction: Endorsements are authorized under this career cluster for career and technical education programs that prepare students for careers related to the designing, planning, managing, building and maintaining the built environment.

3. Arts, Audio/Video Technology and Communications: Endorsements are authorized under this career cluster for career and technical education programs that prepare students for careers related to the designing, producing, exhibiting, performing, writing and publishing multimedia content including visual and performing arts and design, journalism and entertainment services.

4. Business, Management and Administrative: Endorsements are authorized under this career cluster for career and technical education programs that prepare students for careers related to the planning, organizing, directing, and evaluating business functions essential to efficient and productive business operations.

5. Education and Training: Endorsements are authorized under this career cluster for career and technical education programs that prepare students for careers related to the planning, management and provision of education and training services, and related learning support services.

6. Finance: Endorsements are authorized under this career cluster for career and technical education programs that prepare students for careers related to services for financial and investment planning, banking, insurance and business financial management.

7. Government and Public Administration: Endorsements are authorized under this career cluster for career and technical education programs that prepare students for careers related to governance, national security, foreign service, revenue and taxation, regulation and management and administration at the local, state and Federal levels.

8. Health Science: Endorsements are authorized under this career cluster for career and technical education programs that prepare students for careers related to the planning, management and provision of therapeutic services, diagnostic services, support services and biotechnology research and development.

9. Hospitality and Tourism: Endorsements are authorized under this career cluster for career and technical education programs that prepare students for careers related to the management, marketing and operations of

restaurants and other food services, lodging, attractions, recreation events and travel related services.

10. Human Services: Endorsements are authorized under this career cluster for career and technical education programs that prepare students for careers related to families and human needs.

11. Information Technology: Endorsements are authorized under this career cluster for career and technical education programs that prepare students for careers related to the designing, developing, supporting and managing hardware, software, multimedia and systems integration services.

12. Law, Public Safety, Corrections and Security: Endorsements are authorized under this career cluster for career and technical education programs that prepare students for careers related to the planning, management and provision of legal, public safety, protective services and homeland security, including professional and technical support services.

13. Manufacturing: Endorsements are authorized under this career cluster for career and technical education programs that prepare students for careers related to the planning, management and performance of materials processing into intermediate or final products and related professional and technical support activities such as production planning and control, maintenance and manufacturing/process engineering.

14. Marketing: Endorsements are authorized under this career cluster for career and technical education programs that prepare students for careers related to the planning, management, and performance of marketing activities to reach organizational objectives.

15. Science, Technology, Engineering and Mathematics: Endorsements are authorized under this career cluster for career and technical education programs that prepare students for careers related to the planning, management and provision of scientific research and professional and technical services including laboratory and testing services, and research and development services.

16. Transportation, Distribution and Logistics: Endorsements are authorized under this career cluster for career and technical education programs that prepare students for careers related to the planning, management and movement of people, materials and goods by road, pipeline, air, rail and water and related professional and technical support services such as transportation infrastructure planning and management, logistics services, mobile equipment and facility maintenance.

(b) Districts seeking to establish a new career and technical education program for which a career and technical education endorsement does not currently exist may submit a request to the Department to establish a new career and technical education endorsement.

(c) Candidates for career and technical education instructional endorsements must complete the requirements in this subsection.

1. To be eligible for the CE, the candidate shall:

i. For experienced-based endorsements: All candidates for an experienced-based endorsement shall pass an examination in physiology, hygiene, and substance abuse issues pursuant to N.J.A.C. 6A:9-5.8. If the candidate seeks an endorsement in a regulated occupation for which a State-issued occupational license, certificate, or registration is required for employment in or practice of the occupation, the candidate shall also hold the State-issued occupational license, certificate, or registration. The employing district shall recommend for approval the candidate's experience pursuant to criteria and procedures established by the Department in this subsection. Candidates shall meet one of the following requirements:

(1) Employment experience: The candidate shall present a minimum of four years of Department-approved and documented employment experience, which will be equivalent to 8,000 hours of employment. The employment experience must be acquired within 10 years of the endorsement application and must be verified by the applicant's employer(s).

(A) Teaching experience in the occupation cannot be used as a substitute for the required four years of occupational experience; however, the Department may consider teaching experience in an apprenticeship training program registered with the United States Department of Labor or equivalent state agency as evidence of eligible employment experience.

(B) Industry credentials will be identified by the Department, in consultation with experts from education and business, which may be considered equivalent to the employment experience requirement in this subsection.

(2) Self-employment: The candidate shall present a notarized letter from a tax preparer and/or an attorney verifying the following:

(A) The candidate has filed State and/or Federal taxes for the self-employment using a Federal U.S. Census North American Industry Classification System (NAICS) that is appropriate for the endorsement; and

(B) The candidate's self-employment experience meets the minimum of four years of employment experience, which will be equivalent to 8,000 hours of employment, within 10 years of the certificate application.

(3) Military experience: Candidates shall present a Military Discharge certificate (DD-214) indicating military qualifications and occupational training received to determine the extent of credit to be applied toward satisfying the employment experience requirements pursuant to (c)1i(1) above.

ii. For degree-based endorsements using a baccalaureate degree or higher: The candidate shall possess a four-year degree or higher in a Department-approved subject area for the endorsement and shall complete at least 30 credits in a coherent sequence of courses in the subject area from a regionally accredited college or university. The candidate shall pass an examination in physiology, hygiene, and substance abuse issues pursuant to N.J.A.C. 6A:9-5.8. If the candidate seeks an endorsement in a regulated occupation for which a State-issued occupational license, certificate, or registration is required for employment in or practice of the occupation, the candidate shall also hold the State-issued occupational license, certificate, or registration.

(1) Candidates with a four-year degree or higher who graduate on or after September 1, 2016, with a GPA that is below 3.00 in a four-year degree program, but at least 2.50 when a GPA of 4.00 equals an A grade, and for whom no State-endorsed test is available, may meet the requirements of (c)1ii above by submitting evidence of a minimum of two years (4,000 hours) of full-time employment or equivalent part-time employment pursuant to (c)1i(1) above.

iii. For degree-based endorsements using an associate degree: The candidate shall possess a two-year degree in a Department-approved subject area for the endorsement and shall complete at least 30 credits in a coherent sequence of courses in the subject area from a regionally accredited college or university. The candidate shall also submit evidence of a minimum of two years of eligible employment, which will be equivalent to 4,000 hours of employment, pursuant to (c)1i(1) above. The candidate shall pass an examination in physiology, hygiene, and substance abuse issues pursuant to N.J.A.C. 6A:9-5.8. If the candidate seeks an endorsement in a regulated occupation for which a State-issued occupational license, certificate, or registration is required for employment in or practice of the occupation, the candidate shall also hold the State-issued occupational license, certificate, or registration.

(1) Candidates using an associate's level degree who do not meet the GPA requirements identified under (c)1ii(1) above, and for whom no State-endorsed test is available, are required to apply for a certificate as per the requirements of (c)1i above.

2. To be eligible for the CEAS, the candidate shall:

i. Hold a bachelor's or an advanced degree from a regionally accredited college or university;

ii. Complete at least 30 credits in a coherent sequence of courses appropriate to the endorsement. At least 12 semester-hour credits must be at the advanced level of study, including the junior, senior, or graduate level study. All coursework must appear on the transcript of a regionally accredited college or university;

iii. Pass the appropriate State test of subject matter knowledge. A candidate who graduates with a GPA that is 3.50 or higher, when a GPA of 4.00 equals an A grade, but whose score in the appropriate State test of subject matter knowledge falls below the passing score by no more than five percent will meet the requirements of (c)1ii above. This alternative requirement to (c)1ii above should not be construed as a waiver to N.J.A.C. 6A:9-17.16;

iv. A candidate who graduates on or after September 1, 2016, with a GPA that is below 3.00, but at least 2.75 when a GPA of 4.00 equals an A grade, and whose score in the appropriate State test of subject matter knowledge exceeds the passing score by 10 percent or more will meet the requirements of (c)1ii above. This alternative requirement to (c)1ii above should not be construed as a waiver to N.J.A.C. 6A:9-17.16;

v. Pass an examination in physiology, hygiene, and substance abuse issues pursuant to N.J.A.C. 6A:9-5.8; and

vi. Complete one of the following programs of teacher preparation that culminates in student teaching:

(1) A New Jersey college program, graduate or undergraduate, approved by the Department for the preparation of teachers pursuant to N.J.A.C. 6A:9-10;

(2) A college preparation program included in the interstate certification reciprocity system of NASDTEC;

(3) An out-of-State teacher education program approved by NCATE, TEAC or any other national professional education accreditation body recognized by the Council on Higher Education Accreditation approved by the Commissioner;

(4) A teacher education program approved for certification by the Department in one of the states party to the NASDTEC Interstate Contract, provided the program was completed on or after January 1, 1964 and the state in which the program is located would issue the candidate a comparable endorsement; or

(5) An out-of-State college teacher education program approved by the department of education in the state in which the program is located.

3. To be eligible for the provisional certificate, the candidate shall:

i. Hold a CE or CEAS in the endorsement area required for the teaching assignment;

ii. Obtain and accept an offer of employment in a position that requires the endorsement that the candidate holds; and

iii. Be registered in a State-approved district training program for career and technical education provisional teachers, including provisional business, family and consumer science, and agriculture teachers, upon employment and in accordance with N.J.A.C. 6A:9-8.3.

4. While teaching under the provisional certificate, the candidate shall participate in a State-approved district training program. The State-approved district training program shall comply with the requirements of N.J.A.C. 6A:9-8.3. Any school district that employs a novice teacher who has not yet passed basic-skills tests required in (c)5i below shall provide ongoing support through the novice teacher's supervisor to ensure that the novice teacher's students receive appropriate feedback on basic skills for their class work. The school district shall also provide ongoing support to prepare the novice teacher to pass the basic-skills tests.

5. To be eligible for the standard certificate, the candidate shall satisfy one of the following:

i. Possess a provisional certificate pursuant to N.J.A.C. 6A:9-8.2, complete a State-approved training program pursuant to N.J.A.C. 6A:9-8.3 and 8.4, and pass a State-approved test of basic skills in reading, writing, and mathematics prior to renewal of the provisional certificate or, if a renewal is not required, prior to approval for the standard certificate; or

ii. Complete a State-approved college teacher preparation program in another state, that meets the requirements of (c)2 above, and have a minimum of one year of successful teaching experience under a valid out-of-State certificate/license.

(d) Holders of standard instructional certificates with other endorsements, except as indicated in N.J.A.C. 6A:9-11.1 and 11.7, may obtain a career and technical education endorsement upon completion of the experience requirement or the academic major and test requirement.

(e) Holders of vocational-technical instructional endorsements issued prior to January 20, 2004, remain valid. These teachers are authorized to teach in the career and technical education programs 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 on the Department's website.

(f) A candidate who has graduated from a regionally accredited college or university that does not award grades and does not calculate GPAs shall be exempt from the requirements in (c)1i(2) above. Upon application, the candidate

shall provide the Office with an original registrar's letter from the college or university bearing the college or university seal and clarifying the institution's policy regarding GPAs. The candidate shall satisfy all other requirements for certification, without exception.

Amended by R.2004 d.416, effective November 1, 2004.  
See: 36 N.J.R. 3237(a), 36 N.J.R. 4927(b).

Added (g) and (h).

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

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

Deleted "on or after September 1, 2004" following "graduates" in (h); and added (i).

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

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

Rewrote (c)1i; in (c)1ii, substituted "an associate's," for the first occurrence of "a" and inserted the second sentence; in (c)3i, deleted "and" from the end; in (c)3ii, substituted "; and" for a period at the end; and added (c)3iii.

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

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

Section was "Vocational-technical education certification requirements". Rewrote the section.

Amended by R.2010 d.294, effective December 20, 2010.

See: 42 N.J.R. 1654(a), 42 N.J.R. 3058(b).

In (c)2ii, deleted "four-year" following "accredited".

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote the section.

Amended by R.2014 d.112, effective July 7, 2014.

See: 45 N.J.R. 2072(a), 46 N.J.R. 1634(a).

In (c)1iii(1) and (c)2iv, substituted "2016" for "2004" and "3.00" for "2.75", in (c)1iii, substituted "associate;" for "associate's level"; and in (c)2iv, substituted "2.75" for "2.50".

### 6A:9-11.3 Special education

(a) The following are special education endorsements and authorizations:

1. Teacher of students with disabilities: This endorsement authorizes teaching students with disabilities.
2. Teacher of the blind or visually impaired: This endorsement authorizes teaching blind or visually impaired students.
3. Teacher of the deaf or hard-of-hearing for oral/aural communication: This endorsement authorizes teaching deaf or hard-of-hearing students using oral/aural communication strategies.
4. Teacher of the deaf or hard-of-hearing for sign language communication: This endorsement authorizes teaching deaf or hard-of-hearing students using sign language communication strategies.
5. Holders of special education endorsements as set forth in (a)1 through 4 above also may provide consultative services and supportive resource programs, including supplemental instruction, modification and adaptation of curriculum and instruction to students with disabilities in

general education programs in grades preschool through 12.

(b) To be eligible for a CE in special education, the candidate shall:

1. Possess or be eligible for a standard or provisional New Jersey instructional certificate with an endorsement appropriate to the subject or grade level to be taught; and
2. For the deaf or hard of hearing for sign language communication endorsement, achieve an intermediate or higher score on the Sign Communication Proficiency Interview (SCPI).

(c) To be eligible for the CEAS in special education, the candidate who has met the requirements in (b)1 above shall complete one of the programs of teacher preparation set forth in (c)1 through 5 below. In addition to the CEAS in special education, candidates for the deaf or hard of hearing with sign language communication endorsement must achieve an intermediate or higher score on the SCPI.

1. A program, graduate or undergraduate, for the preparation of special education teachers at a regionally accredited college or university;
2. A special education college preparation program included in the interstate certification reciprocity system of NASDTEC;
3. An out-of-State special education teacher education program approved by NCATE;
4. A special education teacher education program approved for certification by the state department of education in one of the states party to the NASDTEC Interstate Contract, provided the program was completed on or after January 1, 1964, and the state in which the program is located would issue the candidate a comparable certificate; or
5. An out-of-State special education teacher preparation program approved by the department of education in the state in which the program is located.

(d) For issuance of a provisional certificate a candidate must:

1. Hold a CE or CEAS in the special education endorsement area and the instructional endorsement required for the teaching assignment;
2. Obtain and accept an offer of employment in a position that requires special education certification;
3. Be registered in a State-approved district training program upon employment and in accordance with N.J.A.C. 6A:9-8.3; and

4. For holders of a special education CE, be enrolled in a program at a regionally accredited college or university that includes a range of 21 to 27 credit hours in the topics listed in (e), (f), (g), or (h) below.

(e) Except as provided in (f), (g), and (h) below, while teaching under a provisional certificate with a students with disabilities endorsement, the candidate shall complete:

1. An approved district training program pursuant to N.J.A.C. 6A:9-8.3 and 8.4 concurrently with or followed by the requirement in (e)2 below. The requirements of N.J.A.C. 6A:9-8.3 and 8.4 shall not apply to holders of standard instructional certificates if previously completed; and

2. A program at a regionally accredited college or university that includes a range of 21 to 27 credit hours of formal instruction in the following topics:

- i. Philosophical, historical and legal foundations of special education;
- ii. Characteristics of students with disabilities;
- iii. Standardized and functional assessment;
- iv. Strategies for the development of literacy;
- v. Curriculum planning, learning environments, modifications and materials for students with disabilities;
- vi. Inclusive education practices, positive behavioral supports, communication and collaborative partnerships;
- vii. Assistive technology; and
- viii. Transition planning, program development and agencies available for students with disabilities.

(f) While teaching under a provisional certificate with a blind or visually impaired endorsement, the candidate shall complete:

1. An approved district training program pursuant to N.J.A.C. 6A:9-8.3 and 8.4 concurrently with or followed by the requirement in (f)2 below. The requirements of N.J.A.C. 6A:9-8.3 and 8.4 shall not apply to holders of standard instructional certificates if previously completed; and

2. A program at a regionally accredited college or university that includes a range of 21 to 27 credit hours of formal instruction in the following topics:

- i. Philosophical, historical and legal issues in the education of students who are blind/visually impaired;
- ii. Anatomy, physiology and characteristics of students who are blind/visually impaired;
- iii. Standardized and functional assessment of students who are blind/visually impaired;

iv. Strategies and materials for developing literacy and numeracy skills in students who are blind or visually impaired including Braille and Nemeth codes;

v. Curriculum planning, learning environments, modifications and materials for students who are blind/visually impaired;

vi. Inclusive education practices, positive behavioral supports, communication and collaborative partnerships;

vii. Assistive technology and augmentative communication systems for students who are blind or visually impaired;

viii. Orientation and mobility concepts and techniques; and

ix. Transition planning, program services and agencies available for students who are blind/visually impaired.

(g) While teaching under a provisional certificate with a deaf or hard of hearing with oral/aural communication endorsement, the candidate shall complete:

1. An approved district training program pursuant to N.J.A.C. 6A:9-8.3 and 8.4 concurrently with or followed by the requirement in (g)2 below. The requirements of N.J.A.C. 6A:9-8.3 and 8.4 shall not apply to holders of standard instructional certificates if previously completed; and

2. A program at a regionally accredited college or university that includes a range of 21 to 27 credit hours of formal instruction in the following topics:

- i. Philosophical, historical and legal issues in the education of students who are deaf/hard of hearing;
- ii. Characteristics of students who are deaf/hard of hearing;
- iii. Standardized and functional assessment of students who are deaf/hard of hearing;
- iv. Strategies for the development of language and literacy of students who are deaf/hard of hearing;
- v. Curriculum planning, learning environments, modifications and materials for students who are deaf/hard of hearing;
- vi. Inclusive education practices, positive behavioral supports, communication and collaborative partnerships;
- vii. Speech, applied audiology, assistive listening devices and assistive technology;
- viii. American Sign Language, deaf culture and communication philosophies; and
- ix. Transition planning, program services and agencies available for students who are deaf/hard of hearing.

(h) While teaching under a provisional certificate with a deaf or hard of hearing with sign language communication endorsement, the candidate shall complete:

1. An approved district training program pursuant to N.J.A.C. 6A:9-8.3 and 8.4 concurrently with or followed by the requirement in (h)2 below. The requirements of N.J.A.C. 6A:9-8.3 and 8.4 shall not apply to holders of standard instructional certificates if previously completed; and

2. A program at a regionally accredited college or university that includes a range of 21 to 27 credit hours of formal instruction in the following topics:

i. Philosophical, historical and legal issues in the education of students who are deaf/hard of hearing;

ii. Characteristics of students who are deaf/hard of hearing;

iii. Standardized and functional assessment of students who are deaf/hard of hearing;

iv. Strategies for the development of language and literacy of students who are deaf/hard of hearing;

v. Curriculum planning, learning environments, modifications, and materials for students who are deaf/hard of hearing;

vi. Inclusive education practices, positive behavioral supports, communication and collaborative partnerships;

vii. Speech, applied audiology, assistive listening devices, and assistive technology;

viii. American Sign Language, deaf culture and communication philosophies; and

ix. Transition planning, program services and agencies available for students who are deaf/hard of hearing.

(i) Holders of a CEAS in special education pursuant to (c) above are not required to complete (e)2, (f)2, (g)2 or (h)2 above.

(j) Holders of a CEAS in students with disabilities are not required to complete (e)2 above. Holders of a CEAS in blind or partially sighted are not required to complete (f)2 above. Holders of a CEAS in deaf or hard of hearing with oral/aural communication are not required to complete (g)2 above. Holders of a CEAS in deaf or hard of hearing with sign language communication are not required to complete (h)2 above.

(k) No person shall be employed under provisional certification for more than six years in a position requiring certification as a special education teacher.

(l) The special education pedagogy shall be completed at a regionally accredited four-year college or university.

(m) To be eligible for the standard certificate with an endorsement in special education, the candidate shall:

1. Possess a provisional certificate pursuant to (d) above, complete a State-approved training program pursuant to (e), (f), (g) or (h) above while employed provisionally in a position requiring the relevant special education endorsement and hold a standard New Jersey instructional certificate; or

2. Complete a State-approved college special education preparation program in another state, complete the New Jersey test requirement, have a minimum of one year of successful teaching experience under a valid out-of-State certificate/license, and hold a New Jersey instructional endorsement.

(n) With the exception of military science and experience-based vocational endorsements, candidates who hold a standard New Jersey instructional certificate shall be issued the appropriate standard special education endorsement upon completion of a Department-approved college special education program. Holders of the military science and experience-based vocational endorsements shall complete all the requirements in (b) above and a Department-approved special education program to be eligible for a standard special education endorsement. Holders of the standard preschool through grade three endorsements shall be issued the appropriate standard special education endorsement upon completion of a Department-approved college special education program.

(o) Holders of standard certificates with special education endorsements shall be issued additional instructional certificates when they meet the requirements for a CE pursuant to N.J.A.C. 6A:9-8.1(a).

(p) Except as indicated in N.J.A.C. 6A:9-11.2 and 11.7, holders of a standard Teacher of the Handicapped certificate may obtain additional instructional endorsements upon completion of the academic and test requirements listed in N.J.A.C. 6A:9-8.1 and upon presentation of an original letter from a school official documenting a minimum of one year of experience teaching special education students under a Teacher of the Handicapped endorsement.

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

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

In (g) and (h), substituted "Speech, applied audiology" for "Applied audiology" in 2vii; in (n), deleted "the test requirement and" preceding "a Department-approved college special education program".

Amended by R.2006 d.93, effective March 6, 2006.

See: 37 N.J.R. 4107(a), 38 N.J.R. 1317(a).

In (p) and (q), changed the deadline date from January 20, 2006 to August 31, 2006.

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

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

Deleted "as defined in the student's IEP" at the end of (b)1; substituted "four" for "five" in (k); in (n), deleted " , preschool through grade 3" twice and added the last sentence; and added (r).

Amended by R.2006 d.299, effective August 21, 2006.

See: 38 N.J.R. 1498(a), 38 N.J.R. 3299(a).

In (b)1, inserted "and" following "IEP"; deleted (b)2; and recodified former (b)3 as present (b)2.

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

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

In (d)1, deleted "and" from the end; in (d)2, substituted a semicolon for a period at the end; added (d)3 and (d)4; rewrote (e)1, (f)1, (g)1 and (h)1; in (k), substituted "six" for "four"; and added (s).

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote the section.

#### 6A:9-11.4 Bilingual/bicultural education

(a) To be eligible for the bilingual/bicultural CE, the candidate shall:

1. Possess a CE, CEAS or standard New Jersey instructional certificate with an appropriate endorsement to the subject or grade level to be taught; and
2. Pass a Department-approved, nationally recognized test of oral and written proficiency in both English and the target language.

(b) To be eligible for the bilingual/bicultural CEAS, the candidate shall complete the requirements in (a) above and a Department-approved college program for the preparation of teachers of bilingual/bicultural education.

(c) To be eligible for a provisional certificate, a candidate shall:

1. Possess a CE or a CEAS in bilingual/bicultural education and an instructional certificate with an endorsement appropriate to the subject or grade level to be taught;
2. Obtain an offer of employment in a position that requires certification as teacher of bilingual/bicultural education; and
3. Be registered in a State-approved district training program upon employment in accordance with N.J.A.C. 6A:9-8.3.

(d) No person shall be employed under provisional certification for more than four years in a position requiring certification as a teacher of bilingual/bicultural education.

(e) While teaching under provisional certification, a candidate with a bilingual/bicultural education CE shall complete:

1. A State-approved district training program pursuant to N.J.A.C. 6A:9-8.3 and 8.4 concurrently with or followed by the requirements of (e)2 below. The requirements of N.J.A.C. 6A:9-8.3 and 8.4 shall not apply to holders of standard instructional certificates if previously completed; and
2. A Department-approved New Jersey college program that includes 12 credit hours of formal instruction in the following topics:
  - i. Linguistics;
  - ii. Language acquisition;
  - iii. Developing literacy skills for the second language learner;

iv. Methods of teaching content in bilingual education; and

v. Theory and practice of teaching bilingual education.

(f) While teaching under provisional certification, a candidate with a bilingual/bicultural education CEAS shall complete a State-approved district training program.

(g) While teaching under provisional certification, a candidate with a CEAS in the subject or grade level to be taught bilingually shall complete (e)1 and 2 above.

(h) To be eligible for a standard certificate, a candidate shall:

1. Hold a standard New Jersey instructional certificate with an endorsement appropriate to the subject or grade level to be taught, hold a provisional certificate pursuant to (c) above and complete the requirements in (e) above while employed provisionally in a position requiring the bilingual endorsement; or

2. Complete a State-approved college bilingual/bicultural education preparation program in another state, hold a standard New Jersey instructional certificate with an endorsement appropriate to the subject or grade level to be taught bilingually, complete the oral and written language proficiency test in both English and the target language, and have a minimum of one year of successful teaching experience under a valid out-of-State certificate/license.

(i) With the exception of the military science and experience-based vocational endorsements, candidates who hold a standard New Jersey instructional certificate with an endorsement appropriate to subject or grade level to be taught bilingually shall be issued the standard bilingual/bicultural education endorsement upon completion of the oral and written language proficiency test in English and the target language and a State-approved bilingual education program. Holders of the military science and experience-based vocational endorsements must complete all requirements in (b) above and a Department-approved college bilingual/bicultural program to be eligible for standard bilingual/bicultural education certification.

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

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

Added (j) and (k).

Amended by R.2006 d.93, effective March 6, 2006.

See: 37 N.J.R. 4107(a), 38 N.J.R. 1317(a).

In (j) and (k), changed the deadline date from January 20, 2006 to August 31, 2006.

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)1; and deleted ", preschool through grade 3" twice in (i).

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

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

In (a)2, substituted "a Department-approved, nationally recognized test of" for "an" and deleted "test" following "proficiency"; in (c)1, deleted "and" from the end; in (c)2, substituted "; and" for a period at the end; added (c)3; and rewrote (e)1.

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (e)2, inserted "New Jersey" preceding "college"; in (i), substituted "State-approved" for "state-approved"; and deleted former (j) through (k).

### 6A:9-11.5 English as a second language

(a) To be eligible for the English as a second language (ESL) CE, the candidate shall:

1. Hold a bachelor's or higher degree from a regionally accredited college or university;
2. Meet the GPA and requirements or its exceptions and pass the basic skills assessment pursuant to N.J.A.C. 6A:9-8.1(a)2 and 3;
3. Pass a Department-approved, nationally recognized test of oral and written English language proficiency; and
4. Pass an examination in physiology, hygiene, and substance abuse issues pursuant to N.J.A.C. 6A:9-5.8.

(b) To be eligible for the ESL CEAS, the candidate shall complete the requirements in (a) above and a Department-approved college program for the preparation of ESL teachers.

(c) To be eligible for a provisional certificate, the candidate shall:

1. Possess an ESL CE or CEAS;
2. Obtain an offer of employment in a position that requires ESL certification; and
3. Be registered in a State-approved district training program upon employment in accordance with N.J.A.C. 6A:9-8.3.

(d) No person shall be employed under a provisional certificate for more than four years in a position requiring ESL certification.

(e) While teaching under provisional certification, the candidate shall complete:

1. A State-approved training program pursuant to N.J.A.C. 6A:9-8.3 and 8.4 concurrently with or followed by the requirements of (e)2 below. The requirements of N.J.A.C. 6A:9-8.3 and 8.4 shall not apply to holders of standard instructional certificates if previously completed; and
2. A Department-approved New Jersey college program that includes a range of 15 to 21 credit hours of formal instruction in the topics in (e)2i through vii below. This requirement shall not apply to provisional teachers who hold a CEAS pursuant to N.J.A.C. 6A:9-8.1(b).
  - i. The historical and cultural backgrounds of limited English proficient students;
  - ii. Linguistics;

iii. Language acquisition;

iv. The structure of American English;

v. Developing literacy skills for the second language learner;

vi. Methods of teaching ESL including teaching English through content; and

vii. Theory and practice of teaching ESL.

(f) To be eligible for a standard certificate with an ESL endorsement, the candidate shall:

1. Hold a provisional certificate pursuant to (c) above and complete requirements in (e) above while employed provisionally in a position requiring the ESL endorsement; or

2. Complete a State-approved college ESL preparation program in another state, complete the oral and written language proficiency test in English, and have a minimum of one year of successful teaching experience under a valid out-of-State certificate/license.

(g) With the exception of the military science, preschool through grade three, and experience-based vocational endorsements, candidates who hold a standard New Jersey instructional certificate shall be issued the standard ESL endorsement upon successful completion of the oral and written language proficiency test in English and a Department-approved college ESL program. A candidate who holds a standard New Jersey preschool through grade three or experience-based vocational endorsement shall be eligible for the ESL endorsement if the candidate meets the requirements of N.J.A.C. 6A:9-8.1(a)1 and 8.3(b)3 upon successful completion of the oral and written language proficiency test in English and a Department-approved college ESL program. This provision does not apply to holders of the Teacher of Military Science endorsement.

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

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

In (g), deleted "with an appropriate endorsement" following "New Jersey instructional certificate" and inserted "successful" preceding "completion of the oral and written language proficiency test"; added (h) and (i).

Amended by R.2006 d.93, effective March 6, 2006.

See: 37 N.J.R. 4107(a), 38 N.J.R. 1317(a).

In (h) and (i), changed the deadline date from January 20, 2006 to August 31, 2006.

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

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

Substituted "four" for "five" in (d); and added the last sentence in (g).

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

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

In (a)3, substituted "a Department-approved, nationally recognized test of" for "an" and deleted "test" following "proficiency"; in (c)1, deleted "and" from the end; in (c)2, substituted "; and" for a period at the end; added (c)3; and rewrote (e)1 and (e)2.

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (a)4, inserted a comma following "hygiene" and substituted "6A:9-5.8" for "6A:9-5.9"; in (e)2, inserted "New Jersey"; in (g), substituted "three" for "3" and "8.3(b)3" for "8.3(b)4" throughout; and deleted (h) through (i).

Amended by R.2014 d.112, effective July 7, 2014.  
See: 45 N.J.R. 2072(a), 46 N.J.R. 1634(a).  
Rewrote (a)2.

### 6A:9-11.6 Driver education

(a) To be eligible for the CEAS or standard certificate with a driver education endorsement, the candidate shall:

1. Hold a CEAS or standard New Jersey instructional endorsement in health or in health and physical education;
2. Hold a valid New Jersey or out-of-State driver's license. Candidates shall submit an official driving record/abstract from the state in which they are currently licensed to demonstrate the possession of a valid driver's license;
3. Document three consecutive years of automobile driving experience immediately prior to application by submitting a notarized statement; and
4. Complete a course in driver education at a regionally accredited college or university.

(b) Pursuant to N.J.S.A. 18A:26-2, holders of a driving instructor license issued by the New Jersey Motor Vehicle Commission who do not hold the driver education endorsement issued by the Department may provide only behind-the-wheel driver education in public schools, and shall not provide classroom instruction in driver education.

Amended by R.2005 d.110, effective April 4, 2005.  
See: 36 N.J.R. 5044(a), 37 N.J.R. 1060(a).

In (b), substituted "New Jersey Motor Vehicle Commission" for "New Jersey Division of Motor Vehicles".

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

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

In the introductory paragraph of (a) and in (a)1, inserted "CEAS or".

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)1, substituted "endorsement in health or in health and physical education" for "certificate".

Amended by R.2010 d.294, effective December 20, 2010.

See: 42 N.J.R. 1654(a), 42 N.J.R. 3058(b).

In (a)4, deleted "four-year" following "accredited".

### 6A:9-11.7 Military science

(a) To be eligible for the standard certificate with a military science endorsement, the candidate shall:

1. Document 20 years of military service; and
2. Hold valid certification authorizing employment as a military science instructor from the branch of service in which the candidate served.

(b) To retain this endorsement, the holder must maintain the military employment authorization as set forth in (a)2 above. It is the school district's responsibility to ensure that the military science teacher maintains valid military certification pursuant to N.J.A.C. 6A:9-5.1(b).

(c) Holders of this endorsement shall not use it as the basis for obtaining additional endorsements. Holders may obtain

additional endorsements by meeting applicable requirements outlined in this chapter.

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (b), inserted "school".

### 6A:9-11.8 Health and physical education

(a) In addition to the requirements in N.J.A.C. 6A:9-8.1, to be eligible for the CE, CEAS or standard certificate with a health and physical education endorsement, the candidate shall complete one of the following:

1. A 30-credit coherent sequence of courses in health and a minimum of 15 credits in physical education. The study of individual, dual and team sports must be included in the physical education credits; or
2. A 30-credit coherent sequence of courses in physical education and a minimum of 15 credits in health. The study of individual, dual and team sports must be included in the physical education credits.

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), added the second sentences in 1 and 2.

### 6A:9-11.9 Physical science

(a) In addition to the requirements in N.J.A.C. 6A:9-8.1, the candidate shall do the following to be eligible for the CE, CEAS, or standard certificate with a physical science endorsement:

1. A 30-credit coherent sequence of courses in physics and a minimum of 15 credits in chemistry; or
2. A 30-credit coherent sequence of courses in chemistry and a minimum of 15 credits in physics.

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In the introductory paragraph of (a), inserted "the candidate shall do the following" and a comma following "CEAS", and deleted ", the candidate shall complete one of the following" from the end.

### 6A:9-11.10 World languages

(a) In addition to the requirements in N.J.A.C. 6A:9-8.1, to be eligible for the CE, CEAS or standard certificate with a world language endorsement, the candidate shall:

1. Possess linguistic competency in the designated world language as demonstrated on a Department-approved, nationally recognized test of oral language proficiency for spoken language, reading/writing proficiency for classical languages or receptive/expressive proficiency for American Sign Language; and
2. Complete a minimum of three semester-hour credits in second language acquisition theory and related methodologies offered by a regionally accredited college or university within 12 months of initial assignment. No CEAS

or standard world languages certificate shall be issued until this requirement is completed.

(b) Elementary school teachers, preschool through grade three teachers and nursery school teachers who teach world languages more than half-time and complete the requirements in (a) above shall be authorized to teach world languages in the grade levels authorized by their endorsement. Elementary school teachers, preschool through grade three teachers and nursery school teachers who teach world languages half-time or less shall be authorized to teach world languages in the grade levels authorized by their endorsement upon demonstrating linguistic competency in the designated world language as demonstrated on a Department-approved, nationally recognized test of oral language proficiency for spoken language or receptive/expressive proficiency for American Sign Language.

(c) A candidate who matriculated and enrolled in classes in a world language teacher preparation program no later than spring semester 2005 and who met the requirements outlined in N.J.A.C. 6A:9-8.1(b) and completed the program by September 1, 2007, shall not be required to complete the linguistic competency requirement outlined in (a)1 above.

1. A candidate who meets the requirements in this section but applies to the Office after March 1, 2008, shall be required to complete the linguistic competency requirement.

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), inserted "within 12 months of initial assignment" following "four-year college or university" in 2; rewrote (b).  
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 (a)2; rewrote (b); and added (c).  
Amended by R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

Rewrote (b).  
Amended by R.2010 d.294, effective December 20, 2010.  
See: 42 N.J.R. 1654(a), 42 N.J.R. 3058(b).

In (a)2, deleted "four-year" following "accredited".  
Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote (c).

#### Case Notes

Board of Education was entitled to summary decision in its favor of claims by a teacher that the Board's failure to renew his employment violated tenure rights that he claimed to have gained as a full-time teacher of Italian because, notwithstanding his claimed linguistic competency in Italian, his failure to satisfy the requirements of N.J.A.C. 6A:9-11.10(a) until September 2009 meant that he did not accrue tenure credit for school years prior to September 2009. Moreover, because the services he rendered subsequent to September 2009 were under a Certificate of Eligibility per N.J.A.C. 6A:9-6.4 rather than a Provisional Certificate or a Standard Certificate, such employment did not count towards tenure as a matter of law. *Girimonte v. Kearny Bd. of Educ.*, OAL Dkt. No. EDU 08682-12, 2013 N.J. AGEN LEXIS 17, Initial Decision (January 11, 2013).

#### 6A:9-11.11 Elementary school with subject matter specialization

(a) To be eligible for the elementary school with subject matter specialization endorsement, the candidate shall:

1. Hold a CE or CEAS with an elementary school or preschool through grade 12 subject-matter endorsement in accord with the requirements of N.J.A.C. 6A:9-8.1 or hold a standard certificate with an elementary school or preschool through grade 12 subject-matter endorsement in accord with the requirements of N.J.A.C. 6A:9-8.8;

2. Complete a course in child and early adolescent development as aligned with standard two of the Professional Standards for Teachers, N.J.A.C. 6A:9-3.3(a)2. Holders of the CE must complete this study before issuance of the standard certificate;

3. Complete 15 semester-hour credits in any one of the following CCCS subject fields:

- i. Language arts literacy;
- ii. Mathematics;
- iii. Science;
- iv. Social studies; or
- v. A single world language; and

4. Pass the appropriate State test in the content area.

(b) To be eligible for the CE, CEAS or standard elementary school with subject matter specialization with a world languages endorsement, the candidate shall, in addition to (a) above:

1. Possess linguistic competency in the designated world language as demonstrated on a Department-approved, nationally recognized test of oral language proficiency for spoken language, reading/writing proficiency for classical languages or receptive/expressive proficiency for American Sign Language; and

2. Complete a minimum of three semester-hour credits in second language acquisition theory and related methodologies offered by a regionally accredited four-year college or university within 12 months of initial assignment. No CEAS or standard elementary school with specialization in a world language certificate shall be issued until this requirement is completed.

(c) Holders of this endorsement may be eligible for additional elementary school with subject matter specialization endorsements in the CCCS subject fields identified in (a)3i through v upon completion of the requirements of (a)3 and 4 and (b) above for each area of specialization requested.

Amended by R.2004 d.306, effective August 2, 2004.  
See: 36 N.J.R. 1636(a), 36 N.J.R. 3526(a).

Rewrote the section.

Amended by R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

In (a)2, substituted "a course" for the first occurrence of "study"; added new (b); and recodified former (b) as (c).

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)2, substituted "child and early adolescent development" for "the characteristics of young adolescents".

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote (a); and in (c), inserted "and (b)".

#### 6A:9-11.12 Swimming and water safety

(a) To be eligible for the swimming and water safety endorsement, candidates shall hold:

1. A standard New Jersey instructional certificate;
2. A valid Cardiopulmonary Resuscitation for Professional Rescuer Certificate issued by the American Red Cross or the YMCA;
3. A valid Lifeguard Certificate issued by the American Red Cross or YMCA; and
4. A valid Water Safety Instructor Certificate issued by the American Red Cross or the YMCA.

(b) The chief school administrator of the employing district board of education shall:

1. Annually notify the executive county superintendent of all teachers assigned to teach swimming and/or diving; and
2. Annually forward to the executive county superintendent copies of each valid American Red Cross or YMCA certificate identified in (a)2 through 4 above for every person assigned to teach swimming and/or diving.

(c) Any person otherwise qualified to serve as a substitute under this chapter shall be required to hold all of the safety certificates in (b) above to serve as a substitute for a swimming and water safety teacher.

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), inserted "standard" preceding "New Jersey" in 1. Petition for Rulemaking.

See: 40 N.J.R. 212(a), 891(a).

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (b)1, inserted "executive"; in (b)2, substituted "Annually forward to the executive" for "Forward to the"; and added (c). Petition for Rulemaking.

See: 45 N.J.R. 2146(b), 2360(a).

#### 6A:9-11.13 Technology education

(a) The technology education endorsement established in N.J.A.C. 6A:9-9.2(a)8 is required to teach technology education in all public schools. Technology education includes content aligned with the CCCS and the standards for technology literacy published by the International Technology Education Association.

(b) In addition to the requirements established in N.J.A.C. 6A:9-8.1, to be eligible for the CE, CEAS, or standard certificate with a technology education endorsement, the candidate shall complete study in:

1. The nature of technology or technology and society;
2. Technological design;
3. The use of tools and materials and safety related to using tools and materials; and
4. Three of the following seven technologies:
  - i. Medical;
  - ii. Agricultural and related biotechnologies;
  - iii. Energy and power;
  - iv. Information and communication;
  - v. Transportation;
  - vi. Manufacturing; and/or
  - vii. Construction.

(c) Holders of New Jersey industrial arts endorsements or their equivalent who are employed in a school district prior to April 23, 2004 teaching technology education as defined in (a) above shall be issued the technology education endorsement upon application to the Office.

(d) Holders of New Jersey industrial arts endorsements or their equivalent who do not meet the requirements in (c) above shall be eligible for the technology education endorsement upon completion of the State test requirement and submission of an application to the Office.

Amended by R.2004 d.306, effective August 2, 2004.

See: 36 N.J.R. 1636(a), 36 N.J.R. 3526(a).

In (c), inserted "with the exception of (d) below" in the introductory paragraph; added (d).

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) through (c); and deleted (d).

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

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

Recodified the last sentence of (a) as new (b); recodified former (b) and (c) as (c) and (d); rewrote (b); and in (d), substituted "(c)" for "(b)".

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote (b).

#### 6A:9-11.14 Art

(a) In addition to the requirements in N.J.A.C. 6A:9-8.1, to be eligible for the CE, CEAS or standard certificate with an art endorsement, the candidate shall complete the following:

1. The candidate shall present studio experience in each of the following required areas of study:
  - i. Drawing;
  - ii. Painting; and
  - iii. Sculpture and/or ceramics.

(b) Candidates who have completed a major in fine arts are exempt from the requirements set forth in (a) above.

New Rule, R.2008 d.7, effective January 7, 2008.

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

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (b), substituted "fine arts" for "Fine Arts".

**6A:9-11.15 Speech arts and dramatics**

(a) In addition to the requirements in N.J.A.C. 6A:9-8.1, to be eligible for the CE, CEAS or standard certificate with a speech arts and dramatics endorsement, the candidate shall complete one of the following:

1. A 30-credit coherent sequence of courses in speech arts and a minimum of 15 credits in theater; or
2. A 30-credit coherent sequence of courses in theater and a minimum of 15 credits in speech arts.

New Rule, R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

**6A:9-11.16 Social studies**

In addition to the requirements in N.J.A.C. 6A:9-8.1, to be eligible for the CE, CEAS or standard certificate with a social studies endorsement, the candidate shall complete a minimum of 15 semester hour credits in history to include a minimum of one course in American History and one course in World History.

New Rule, R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

**6A:9-11.17 Family and consumer sciences**

(a) In addition to the requirements in N.J.A.C. 6A:9-8.1, to be eligible for the CE, CEAS or standard certificate with a comprehensive family and consumer sciences endorsement, the candidate shall complete study in the following required areas:

1. Child and family development and care/human development, and related careers;
2. Food preparation, nutrition and food science, and related careers;
3. Apparel/construction, textiles, interiors/housing and environments, and related careers; and
4. Personal and family financial/resource management, and related careers.

New Rule, R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

**6A:9-11.18 Teacher of Supplemental Instruction in Reading and Mathematics, Grades K-8**

(a) To be eligible for a CE in Teacher of Supplemental Instruction in Reading and Mathematics, Grades K-8, an applicant must complete all of the requirements for a CE as Teacher of Elementary School K-6, at N.J.A.C. 6A:9-8.1(b).

(b) To be eligible for a CEAS as Teacher of Supplemental Instruction in Reading and Mathematics, Grades K-8, the candidate shall:

1. Meet the requirements in (a) above;

2. Complete one of the teacher preparation program alternatives culminating in student teaching appropriate to Elementary Teacher K-6 as designated in N.J.A.C. 6A:9-8.1; and

3. Meet the GPA and test-score requirements designated in N.J.A.C. 6A:9-8.1.

(c) For issuance of a provisional certificate, a candidate must:

1. Hold a CE or CEAS in Teacher of Supplemental Instruction in Reading and Mathematics, Grades K-8;

2. Obtain and accept an offer of employment in a position that requires this certification; and

3. Be registered in a State-approved district training program upon employment and in accordance with N.J.A.C. 6A:9-8.3.

(d) Any public school district, nonpublic school, or approved agency using public funds to directly employ and supervise a teacher with this endorsement must develop a mentoring plan and assign a qualified mentor to any provisionally-certified teacher in accordance with N.J.A.C. 6A:9-8.4 for public school districts and with N.J.A.C. 6A:9-8.5 for nonpublic schools and approved agencies.

(e) While being mentored under the provisional certificate, a teacher holding this endorsement:

1. May not be assigned to more than two schools; and

2. Must conduct all teaching in a formal classroom environment with a minimum of eight students that approximates the experiences that novice teachers are expected to have, including, but not limited to, lesson planning, effective classroom management, instructional strategies, and incorporation of the CCCS and the content-based professional standards for K-6 instruction.

(f) While teaching under a provisional endorsement, the teacher shall participate in a State-approved district training program appropriate to holders of the K-6 endorsement. The State-approved district training program shall comply with the requirements in either N.J.A.C. 6A:9-8.3 or 8.5, as appropriate.

(g) No person shall be employed under provisional certification for more than a total of four years in a position requiring certification as a Teacher of Supplemental Instruction in Reading and Mathematics, Grades K-8.

(h) The standard certificate for Teacher of Supplemental Instruction in Reading and Mathematics, Grades K-8 shall be awarded upon successful completion of the candidate's provisional teacher program, including regional training center study, if required, as designated in N.J.A.C. 6A:9-8.8.

(i) Holders of the standard certificate for Teacher of Supplemental Instruction in Reading and Mathematics,

Grades K-8 shall not be eligible for other standard instructional certificate endorsements under N.J.A.C. 6A:9-8.8(b) until they first complete all requirements for one other standard instructional certificate endorsement, including provisional teacher program, and, if necessary, any regional training center requirements. Upon receipt of this second standard instructional endorsement, holders of the standard certificate for Teacher of Supplemental Instruction in Reading and Mathematics, Grades K-8 shall then be eligible for additional standard instructional endorsements under N.J.A.C. 6A:9-8.8(b).

New Rule, R.2009 d.24, effective January 5, 2009.  
See: 40 N.J.R. 4856(a), 41 N.J.R. 128(a).

Former N.J.A.C. 6A:9-11.18, Individuals enrolled in degree programs prior to January 7, 2008, recodified to N.J.A.C. 6A:9-11.19.  
Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote the section.

### **6A:9-11.19 Requirements for the charter school certificate of eligibility**

(a) All endorsements authorized in the section may only be used for employment in charter schools and do not satisfy the requirements for employment in traditional public schools.

(b) Except as indicated in N.J.A.C. 6A:9-11.1 through 11.5, 11.12, and 11.18, the candidate shall do the following to be eligible for a CSCE with instructional endorsements:

1. Hold a bachelor's or an advanced degree from a regionally accredited college or university;
2. Meet the GPA requirements or its exceptions and pass the basic skills assessment pursuant to N.J.A.C. 6A:9-8.1(a)2 and 3; and
3. Pass the appropriate State test of subject-matter knowledge.

(c) Except as indicated in N.J.A.C. 6A:9-11.1 through 11.5, 11.7, 11.12, and 11.18, a candidate shall do the following to be eligible for a charter school provisional certificate:

1. Hold a CSCE in the endorsement area required for the teaching assignment; and
2. Obtain and accept an offer of employment in a position that requires instructional certification.

(d) Except as indicated in N.J.A.C. 6A:9-11.1 through 11.5, 11.7, 11.12, and 11.18, the candidate shall do the following to be eligible for the charter school standard certificate in any instructional area:

1. Possess a provisional charter school certificate pursuant to N.J.A.C. 6A:9-2; and
2. Successfully complete at least one school year at the charter school while employed provisionally in a position requiring the appropriate instructional certificate. The

charter school shall provide written recommendation for the issuance of a standard charter school certificate.

New Rule, R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Former N.J.A.C. 6A:9-11.19, Individuals enrolled in degree programs prior to January 7, 2008, recodified to N.J.A.C. 6A:9-11.20.

Amended by R.2014 d.112, effective July 7, 2014.

See: 45 N.J.R. 2072(a), 46 N.J.R. 1634(a).

Rewrote (b)2.

### **6A:9-11.20 Individuals enrolled in degree programs prior to January 7, 2008**

A candidate who matriculates and enrolls in a State-approved teacher preparation program in accordance with the applicable subsection of N.J.A.C. 6A:9-11.13 through 11.17, on or after January 7, 2009, shall be required to complete all requirements of the applicable subsection above effective as of January 7, 2008. A candidate who is matriculated and enrolled in an out-of-State approved teacher preparation program in accordance with the applicable section of N.J.A.C. 6A:9-11.13 through 11.17, prior to January 7, 2009, and applied to the Office for certification no later than January 7, 2010, shall complete all requirements under former N.J.A.C. 6A:9-8.1, as effective January 6, 2008. A candidate who did not apply to the Office for certification by January 7, 2010, shall fulfill the applicable requirements under N.J.A.C. 6A:9-11.13 through 11.17 in this section.

New Rule, R.2008 d.7, effective January 7, 2008.

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

Recodified from N.J.A.C. 6A:9-11.18 and amended by R.2009 d.24, effective January 5, 2009.

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

Substituted "an out-of-State approved teacher preparation program" for "a State-approved degree program".

Recodified from N.J.A.C. 6A:9-11.19 and amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Substituted "applied" for "applies" and "did" for "does", and inserted a comma following "2010". Former N.J.A.C. 6A:9-11.20, Requirements for interstate reciprocity, recodified to N.J.A.C. 6A:9-11.21.

### **6A:9-11.21 Requirements for interstate reciprocity**

(a) Notwithstanding any other provision of this subchapter, any applicant for instructional certification who presents a valid instructional certificate issued by any other state shall, upon payment of the appropriate fee, be issued a New Jersey instructional certificate for the equivalent and currently-issued New Jersey grade-level or subject endorsement and certificate level covered by this subchapter, that is, a New Jersey CE, CEAS, or standard certificate. If there is no equivalent current New Jersey endorsement, then the provisions of N.J.A.C. 6A:9-11.1 through 11.18 shall apply to the applicant. There are three limitations to this rule:

1. If New Jersey has an equivalent endorsement with required subject matter test for the applicant's endorsement, the applicant shall have passed a state subject matter test to receive his or her out-of-State endorsement or else must pass the appropriate New Jersey subject matter test;

2. Candidates who have not taught successfully for three years under their out-of-State certificate shall be required to meet the New Jersey GPA requirement. Successful teaching experience shall be documented by a letter of experience from the applicant's supervisor or authorized district representative; and

3. Applicants for the swimming and water safety certificate must meet all requirements specified in N.J.A.C. 6A:9-11.12.

New Rule, R.2011 d.053, effective February 7, 2011.

See: 42 N.J.R. 1947(a), 43 N.J.R. 282(b).

Recodified from N.J.A.C. 6A:9-11.20 and amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In the introductory paragraph of (a), substituted "grade-level" for "grade level" and "CE, CEAS" for "certificate of eligibility, certificate of eligibility with advanced standing".

## SUBCHAPTER 12. REQUIREMENTS FOR ADMINISTRATIVE CERTIFICATION

### 6A:9-12.1 Use of requirements

(a) These requirements will be used by the Department as the basis for the following:

1. Approving college preparation programs for administrative and supervisory personnel;
2. Approving non-traditional programs offered by service providers for administrative and supervisory personnel;
3. Evaluating the eligibility of candidates for administrative or supervisory certification; and
4. Defining the nature and extent of experience used in development of residencies required of administrative candidates for certification.

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

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

Added new (a)2; and recodified former (a)2 and (a)3 as (a)3 and (a)4.

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote (a); and deleted former (b).

### 6A:9-12.2 College degrees

All candidates for administrative and supervisory certification, except as indicated in N.J.A.C. 6A:9-12.7, must hold a master's or higher degree from a regionally accredited college or university.

### 6A:9-12.3 Authorization

(a) The school administrator endorsement is required for any position that involves services as a district-level administrative officer. Such positions shall include superintendent, assistant superintendent, and director. Holders of this endorsement are authorized to provide educational leadership by directing the formulation of districtwide goals, plans, policies, and budgets, by recommending their approval by the district board of education and by directing their districtwide implementation. Holders of this endorsement are authorized to recommend all staff appointments and other personnel actions, such as terminations, suspensions, and compensation, including the appointment of school business administrators, for approval by the district board of education. Holders of this endorsement are authorized to direct district operations and programs, and to supervise and evaluate building administrators and central office staff, including school business administrators. They are also authorized to oversee the administration and supervision of school-level operations, staff, and programs.

(b) The principal endorsement is required for any position that involves service as an administrative officer of a school or other comparable unit within a school or school district. Such positions shall include assistant superintendent for curriculum and instruction, principal, assistant principal, vice-principal, and director. The holder of a standard principal endorsement is also authorized to serve in the position of supervisor. Holders of this endorsement are authorized to provide educational leadership by directing the formulation of goals, plans, policies, budgets, and personnel actions of the school or other comparable unit, and recommending them to the chief district administrator, and by directing their implementation in the school or other comparable unit. Holders of this endorsement also are authorized to direct and supervise all school operations and programs, to evaluate school staff, including teaching staff members, and to direct the activities of school-level supervisors.

(c) The supervisor endorsement is required for both supervisors of instruction and athletic directors who do not hold a standard principal's endorsement. The supervisor shall be defined as any school officer who is charged with authority and responsibility for the continuing direction and guidance of the work of instructional personnel. This endorsement also authorizes appointment as an assistant superintendent in charge of curriculum and/or instruction.

(d) The school business administrator endorsement is required for the chief financial officer of a district. Such positions shall include assistant superintendent for business,

school business administrator, and assistant school business administrator. Holders of this endorsement are authorized to perform duties at the school district level in the areas of financial budget planning and administration, financial accounting and reporting, insurance/risk administration, and purchasing. Holders of this endorsement may also engage in facilities planning, construction and maintenance, personnel administration, administration of transportation and food services, and central data processing management.

Amended by R.2009 d.24, effective January 5, 2009.  
See: 40 N.J.R. 4856(a), 41 N.J.R. 128(a).

In (b), inserted the third sentence; and in (d), substituted a comma for "and" following the second occurrence of "business" and inserted ", and assistant school business administrator".

Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (a), substituted "districtwide" for "district-wide" twice, and inserted a comma following "policies", "suspensions" and "staff"; in (b) and (d), inserted "school" preceding "district"; in (b), inserted a comma following "vice-principal", "budgets" and "members"; and in (d), inserted a comma following the first occurrence of "business" and following the second occurrence of "administration".

#### Case Notes

Any candidate seeking employment as a public school supervisor but lacking the specified higher-level administrative endorsement is required by law to hold standard supervisory certification; no mechanism exists for acquisition of supervisory certification on a CE or provisional basis, nor can the principal endorsement be obtained through provisional employment as a supervisor. *Nelson v. Bd. of Educ. of Plainfield*, OAL Dkt. No. EDU 11414-07, 2008 N.J. AGEN LEXIS 1013, Commissioner's Decision (April 18, 2008).

Petitioner, who served as a Content Supervisor in the area of Science but held only a Certificate of Eligibility (CE) for Principal/Supervisor, did not obtain tenure and therefore was not improperly terminated; not only is proper certification necessary for tenure pursuant to N.J.S.A. 18A:28-4, but also petitioner was never legally qualified to hold the position of supervisor. *Nelson v. Bd. of Educ. of Plainfield*, OAL Dkt. No. EDU 11414-07, 2008 N.J. AGEN LEXIS 1013, Commissioner's Decision (April 18, 2008).

In matters of law governing educational certification, it is the regulations promulgated by the State Board of Education pursuant to the Administrative Procedure Act, not the paper certificate issued by the Department of Education, that control. *Nelson v. Bd. of Educ. of Plainfield*, OAL Dkt. No. EDU 11414-07, 2008 N.J. AGEN LEXIS 1013, Commissioner's Decision (April 18, 2008).

Initial Decision (2006 N.J. AGEN LEXIS 373) adopted, which concluded that a tenured former Assistant Superintendent, terminated as a result of a reduction in force, was entitled to appointment to the position of District Director of Elementary Education because the essential duties of the two positions were substantially similar. *Kaprow v. Bd. of Educ. of Berkeley Twp.*, OAL Dkt. No. EDU 8887-04, 2006 N.J. AGEN LEXIS 932, Commissioner's Decision (August 2, 2006).

Initial Decision (2006 N.J. AGEN LEXIS 344) adopted, which concluded that a former athletic director failed to show that the Board violated his tenure, seniority and/or preferred eligibility rights by its appointment of a non-tenured individual to the position of Assistant Principal for Athletics and Student Activities; contrary to petitioner's contention, the position of Assistant Principal for Athletics and Student Activities was not an unrecognized position under N.J.A.C. 6A:9-5.5. A vacant assistant principal position existed when the Board created the new position, and petitioner failed to show that the duties of the position lacked the character necessary to require a principal endorsement. *McGriff v. Bd. of Educ. of Montclair*, OAL Dkt. No. EDU 10927-04, 2006 N.J. AGEN LEXIS 647, Commissioner's Decision (July 13, 2006).

Initial Decision (2006 N.J. AGEN LEXIS 344) adopted, which concluded that pursuant to the express terms of N.J.S.A. 18A:28-5, a former athletic director could not transfer the tenure he acquired as a supervisor under his supervisor endorsement to the separately tenurable position of assistant principal in which he had accrued no work experience and which required a different endorsement. *McGriff v. Bd. of Educ. of Montclair*, OAL Dkt. No. EDU 10927-04, 2006 N.J. AGEN LEXIS 647, Commissioner's Decision (July 13, 2006).

Although the courts have permitted an individual to claim eligibility to a new position based on tenure in another position when the two positions are "substantially identical," a mere overlap of responsibilities does not mean two positions are equivalent for tenure purposes. If a newly-created position is similar to a tenure holder's abolished position but also requires additional duties, the newly-created position is not considered to be substantially similar to the former position. *McGriff v. Bd. of Educ. of Montclair*, OAL Dkt. No. EDU 10927-04, 2006 N.J. AGEN LEXIS 647, Commissioner's Decision (July 13, 2006).

Initial Decision (2006 N.J. AGEN LEXIS 344) adopted, which concluded that a former athletic director failed to show that the Board violated his tenure, seniority and/or preferred eligibility rights by its appointment of a non-tenured individual to the position of Assistant Principal for Athletics and Student Activities; the two positions were not equivalent for tenure purposes, as the job of assistant principal required many responsibilities outside the realm of athletics. *McGriff v. Bd. of Educ. of Montclair*, OAL Dkt. No. EDU 10927-04, 2006 N.J. AGEN LEXIS 647, Commissioner's Decision (July 13, 2006).

#### 6A:9-12.4 School administrator

(a) To be eligible for the school administrator CE, the candidate shall:

##### 1. Complete one of the following:

i. Hold a master's or higher degree from a regionally accredited college or university in educational leadership, in curriculum and instruction, or in one of the recognized fields of leadership or management;

ii. Hold a master's degree from a regionally accredited college or university and complete a post-master's program resulting in a certificate of advanced study in educational administration and supervision;

iii. Hold a master's degree from a regionally accredited college or university and complete a post-master's program in a coherent sequence of 30 semester-hour credits as they appear on the institution's transcript. The study must be completed at one institution in fields outlined in (a)1i above;

iv. Hold a master's degree from a regionally accredited college or university and complete a State-approved certification program in educational leadership offered by providers approved by the Department pursuant to N.J.A.C. 6A:9-12.5(j)2 and (k)2; or

v. Hold a master's degree in educational leadership from an NCATE- or TEAC-approved program at an out-of-State college or university;

2. Complete a minimum of 30 graduate credits either within the master's program or in addition to it, in the following quality components of preparation to promote student learning as set forth in N.J.A.C. 6A:9-3.4(a)1

through 6. Candidates shall be promoting the success of every student by:

i. Facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by all stakeholders;

ii. Advocating, nurturing, and sustaining a school culture and instructional program conducive to student learning and staff professional growth;

iii. Ensuring management of the organization, operation, and resources for a safe, efficient, and effective learning environment;

iv. Collaborating with faculty and community members, responding to diverse community interests and needs, and mobilizing community resources;

v. Acting with integrity, fairness, and in an ethical manner; and

vi. Understanding, responding to, and influencing the political, social, economic, legal, and cultural context;

3. Complete a 150-hour internship in educational leadership aligned to the professional standards for school leaders in N.J.A.C. 6A:9-3.4 and in accordance with the roles and responsibilities as a school administrator, independent of other course requirements. This internship must either appear on the transcript of a four-year regionally accredited college or university or must be certified by a Department-approved program for preparing school administrators;

4. Pass a State-approved examination of knowledge that is acquired through study of the topics listed in (a)2 above, aligned with the Professional Standards for School Leaders and that is most directly related to the functions of superintendents as defined in N.J.A.C. 6A:9-12.3(a); and

5. Complete five years of successful educational experience in a public or nonpublic school, a public or nonpublic school district, or a regionally accredited higher educational setting in New Jersey or out-of-State.

(b) A candidate who matriculates and enrolls in a State-approved educational leadership preparation program on or after September 1, 2008, shall be required to complete all requirements of (a) above effective as of January 7, 2008. A candidate who matriculated and enrolled in a State-approved educational leadership preparation program prior to September 1, 2008, and applied to the Office no later than December 31, 2011, shall complete all requirements under former N.J.A.C. 6A:9-12.4, as effective January 6, 2008. A candidate who did not apply to the Office by December 31, 2011, shall fulfill the requirements in this section.

(c) To be eligible for a provisional school administrator's endorsement, the candidate shall:

1. Hold a school administrator CE; and

2. Obtain and accept an offer of employment in a position requiring the school administrator certificate in a public school district that has agreed formally to sponsor the residency.

(d) To be eligible for the standard administrative certificate with a school administrator endorsement, the candidate shall:

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

2. Complete a one- to two-year State-approved residency program while employed under provisional certification in a public school district. However, the Commissioner is authorized to reduce or remove the residency based on the prior experience of the candidate. The residency program shall:

i. Take place in a functioning public school district environment or may take place in an approved alternate site that serves public school students;

ii. Require the candidate to develop a thorough understanding of the CCCS; the Professional Standards for Teachers as defined in N.J.A.C. 6A:9-3.3; and the Professional Standards for School Leaders as defined in N.J.A.C. 6A:9-3.4. Candidates shall demonstrate that understanding through activities illustrating the promotion of excellence in teaching and learning, and by providing educational leadership to the district;

iii. Be conducted in accordance with a standard agreement issued by the Department and entered into by the Department, the employing school district, the candidate and the residency mentor. No residency program may be undertaken without a valid agreement;

iv. Be administered by a State-approved mentor, an experienced administrator who has completed a State-approved orientation and who shall supervise and verify completion of all required experiences and training by the candidate. The mentor and the school district shall, at the start of the residency, submit to the Department a written recommendation on State-developed forms concerning any areas of professional experience that should be waived and any additional teaching or other special experiences, if any, that the individual candidate should complete before achieving standard certification. Department review and subsequent approval shall consider the candidate's past work experience and recommended standards-based performance goals during residency, and shall be specified in the standard written agreement; and

v. Provide professional experiences, training and instruction as defined in the Professional Standards for School Leaders and in the areas of school district planning and policy formulation; district board of education operations and relations; supervision of districtwide programs of curriculum, instruction, and student services; collegial management, participatory decision-

making, and professional governance; the roles, supervision, and evaluation of central office staff and school principals; district financial, legal, and business operations; management of district operations; school facilities; labor relations and collective bargaining; government and community relations; and school law.

(e) Each candidate for the standard administrative certificate with a school administrator endorsement 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 performance evaluations shall be aligned with the Professional Standards for School Leaders as defined in N.J.A.C. 6A:9-3.4 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 Department; the final evaluation shall be accompanied by the recommendation for certification pursuant to (h) below.

(f) 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 candidate. The mentor may seek the informal input of the employing district board of education concerning the standard certification of the candidate.

(g) The mentor shall meet with the resident superintendent 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 Department 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.

(h) Standard certification for school administrator endorsement candidates shall be approved or disapproved pursuant to the following procedures:

1. Before the end of the residency period, the mentor shall submit to the Department a comprehensive evaluation report on the candidate's performance pursuant to (d) above.

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 Board of Examiners in formulating their certification recommendations. Those recommendations shall not be subject to review or approval by district 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 Department.

6. If the candidate disagrees with the mentor's recommendation, the candidate may appeal the recommendation pursuant to N.J.A.C. 6A:9-17.18.

- (i) Candidates who receive a recommendation of "disapproved" or two or more 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. 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 Board of Examiners may be appealed to the Commissioner pursuant to N.J.A.C. 6A:9-17.18(b).

- (j) An experienced New Jersey principal who holds a master's degree or higher in a field other than those outlined in (a)1 above, may satisfy the degree requirement by meeting the requirements in (a)4 above and upon presentation of the following:

1. A valid, standard New Jersey principal endorsement; and

2. Official documentation of five years of successful full-time experience as a principal or assistant superintendent of curriculum and instruction in a New Jersey public school or in an approved alternate site that serves public school students.

- (k) Other provisions of this chapter notwithstanding, the Board of Examiners shall issue a CE, a provisional certificate, and a standard certificate for school administrator to a candidate for appointment as chief school administrator in school districts in which the State appoints the chief school administrator under the following conditions:

1. The Commissioner shall direct the Board of Examiners to issue a CE to the candidate if he or she:

- i. Possesses a bachelor's or higher degree from a regionally-accredited four-year college or university;

- ii. Has sufficient management and executive leadership experience in a public or private organization as determined by the Commissioner to allow the

candidate to successfully administer the State district. The candidate will document his or her experience in alignment with the Professional Standards for School Leaders in N.J.A.C. 6A:9-3.4, and the Commissioner will align his or her review of the candidate's documented experience to the standards. The Commissioner will base his or her judgment of the candidate's relevant experience upon this review; and

iii. Passes a criminal history review prior to issuance of the CE.

2. The Board of Examiners shall issue a provisional certificate to the candidate meeting the criteria in (k)1 above upon appointment by the State Board of the candidate as State district superintendent pursuant to N.J.S.A. 18A:7A-35.

3. The Board of Examiners shall issue a standard certificate to the candidate if the candidate:

i. Has successfully completed a residency per (d) through (h) above;

ii. Has successfully passed two formative performance reviews and one summative performance review by the Department on a schedule to be set by the Department. The performance reviews shall be based in part upon a portfolio prepared by the candidate that documents his or her experience in the superintendent position as aligned to the Professional Standards for School Leaders in N.J.A.C. 6A:9-3.4; and

iii. Has passed a Department-approved assessment for school administrators.

(l) Other provisions of this chapter notwithstanding, there is hereby established a five-year pilot program under which the Board of Examiners shall issue a CE, a provisional certificate, and a standard certificate for school administrator to a successful candidate for appointment as chief school administrator under the following conditions:

1. Such certifications may be issued and appointments may be made in a school district that is listed as a district in need of improvement on the Department's Annual Yearly Progress report as of July 13, 2011.

2. School districts satisfying the criteria in (n)1 above may request permission from the Commissioner to recruit candidates for chief school administrator according to the criteria in (n)3 below.

3. The Commissioner shall direct the Board of Examiners to issue a CE to the candidate if he or she:

i. Possesses a bachelor's or higher degree from a regionally-accredited four-year college or university;

ii. Has sufficient management and executive leadership experience in a public or private organization as determined by the Commissioner to allow the candidate to successfully administer the State district. The candi-

date will document his or her experience in alignment with the Professional Standards for School Leaders in N.J.A.C. 6A:9-3.4, and the Commissioner will align his or her review of the candidate's documented experience to the standards. The Commissioner will base his or her judgment of the candidate's relevant experience upon this review; and

iii. Passes a criminal history review prior to issuance of the CE.

4. The Board of Examiners shall issue a provisional certificate to the candidate meeting the criteria in (l)3 above upon hiring a chief school administrator pursuant to N.J.S.A. 18A:17-15.

5. The Board of Examiners shall issue a standard certificate to the candidate if he or she:

i. Has successfully completed a residency per (d) through (h) above;

ii. Has successfully passed two formative performance reviews and one summative performance review by the Department on a schedule to be set by the Department. The performance reviews shall be based in part upon a portfolio prepared by the candidate that documents his or her experience in the superintendent position as aligned to the Professional Standards for School Leaders in N.J.A.C. 6A:9-3.4; and

iii. Has passed a Department-approved assessment for school administrators aligned to the Professional Standards for School Leaders in N.J.A.C. 6A:9-3.4.

6. The Department will develop and conduct an evaluation for the pilot program and present an evaluation report to the State Board. In doing so, the Department may make use of outside evaluation specialists. In its conclusions, the Department will recommend whether to continue and, if so, whether to amend the pilot program as a permanent alternate route to certification.

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

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

Added (k).

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

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

Substituted "N.J.A.C. 6A:9-12.5(j)2" for "N.J.A.C. 6A:9-12.5(i)2" in (a)liv.

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

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

Rewrote the section.

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

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

In (b), substituted "state-approved" for "State-approved" twice; added new (c); recodified former (c) through (l) as (d) through (m); in (f), substituted "(i)" for "(h)"; and in (i)1, substituted "(e)" for "(d)".

Amended by R.2011 d.053, effective February 7, 2011.

See: 42 N.J.R. 1947(a), 43 N.J.R. 282(b).

Deleted former (k); and recodified former (l) and (m) as (k) and (l).

Amended by R.2011 d.226, effective August 15, 2011.

See: 43 N.J.R. 767(a), 43 N.J.R. 2176(a).

Added (m) and (n).

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote the section.

**6A:9-12.5 Principal**

(a) To be eligible for the principal CE, the candidate shall:

1. Complete one of the following:

i. Hold a master's or higher degree from a regionally accredited college or university in educational leadership, in curriculum and instruction, or in one of the recognized fields of leadership or management;

ii. Hold a master's degree from a regionally accredited college or university and complete a post-master's program resulting in a CEAS in educational administration and supervision;

iii. Hold a master's degree from a regionally accredited college or university and complete a post-master's program in a coherent sequence of 30 semester-hour credits as they appear on the candidate's transcript. The study must be completed at one institution in fields outlined in (a)1i above; or

iv. Hold a master's degree from an appropriate NCATE- or TEAC-approved program in educational leadership from an out-of-State college or university;

2. Complete a minimum of 30 graduate credits, either within the master's program or in addition to it, in the following quality components of preparation to promote student learning as set forth in N.J.A.C. 6A:9-3.4(a)1 through 6. Candidates shall be promoting the success of every student by:

i. Facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by all stakeholders;

ii. Advocating, nurturing, and sustaining a school culture and instructional program conducive to student learning and staff professional growth;

iii. Ensuring management of the organization, operation, and resources for a safe, efficient, and effective learning environment;

iv. Collaborating with faculty and community members, responding to diverse community interests and needs, and mobilizing community resources;

v. Acting with integrity, fairness, and in an ethical manner; and

vi. Understanding, responding to, and influencing the political, social, economic, legal, and cultural context;

3. Complete a 300-hour internship in educational leadership aligned to the professional standards for school leaders in N.J.A.C. 6A:9-3.4 and in accordance with the roles and responsibilities as a principal, independent of other course requirements. This internship must either appear on the transcript of a four-year regionally accredited

college or university or be certified by a Department-approved program for preparing school principals;

4. Pass a State-approved examination of knowledge that is acquired through study of the topics listed in (a)2 above and that is most directly related to the functions of principals as defined in N.J.A.C. 6A:9-12.3(b); and

5. Provide documentation evidencing completion of five years of successful educational experience under a valid provisional or standard New Jersey or equivalent out-of-State certificate.

(b) A candidate who matriculates and enrolls in a State-approved educational leadership preparation program on or after September 1, 2008, shall be required to complete all requirements of (a) above effective as of January 7, 2008. A candidate who matriculated and enrolled in classes in a State-approved educational leadership preparation program prior to September 1, 2008, and applied to the Office no later than December 31, 2011, shall complete all requirements under former N.J.A.C. 6A:9-12.5, as effective January 6, 2008. A candidate who did not apply to the Office by December 31, 2011, shall fulfill the requirements in this section.

(c) To be eligible for a provisional principal certificate, the candidate shall:

1. Hold a principal CE; and

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

(d) To be eligible for the standard administrative certificate with a principal endorsement, the candidate shall:

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

2. Complete a two-year State-approved residency program while employed under provisional principal certification in a school or school district. However, the Commissioner is authorized to reduce or remove the residency based on the prior experience of the candidate. The residency program shall:

i. Require the candidate to develop a thorough understanding of the CCCS; the Professional Standards for Teachers as defined in N.J.A.C. 6A:9-3.3; and the Professional Standards for School Leaders as defined in N.J.A.C. 6A:9-3.4. Candidates shall demonstrate that understanding through activities illustrating the promotion of excellence in teaching and learning and providing educational leadership to the school community;

ii. Be conducted in accordance with a standard agreement issued by the Department and entered into by the Department, the employing school district, the can-

didate and the residency mentor. No residency program may be undertaken without a valid agreement;

iii. Be administered by a State-approved mentor, an experienced principal who has completed a State-approved training program implemented by a State-approved provider, and who shall supervise and verify completion of all required experiences and training by the candidate. The mentor and the school district superintendent shall, at the start of the residency, submit to the Department a written recommendation on State-developed forms concerning any areas of professional experience that should be waived and any additional teaching or other special experiences, if any, that the individual candidate should complete before achieving standard certification. Department review and subsequent approval shall consider the candidate's past work experience and recommended standards-based performance goals during residency, and shall be specified in the standard written agreement; and

iv. Provide professional experiences, training, and instruction as defined in the Professional Standards for School Leaders and in the areas of curriculum leadership; supervision of instruction; pupil personnel services; personnel management; community relations; student relations; facilities management; school finance; school law; and technical administrative skills.

(e) Each candidate for the standard administrative certificate with a principal endorsement shall be evaluated formally by the mentor on at least six occasions for purposes of certification. The first five evaluations shall be conducted mainly for diagnostic purposes. The final evaluation shall be the basis for issuance of the candidate's standard certificate. All performance evaluations shall be aligned with the Professional Standards for School Leaders as defined in N.J.A.C. 6A:9-3.4 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 Department; the final evaluation shall be accompanied by the recommendation for certification pursuant to (h) below.

(f) 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 candidate.

(g) The mentor shall meet with the principal candidate 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 candidate. The Department may require candidates to pay fees to cover the cost of the training and mentoring services that will qualify them for certification and employment.

(h) Standard certification of principal candidates shall be approved or disapproved pursuant to the following procedures:

1. Before the end of the residency period, the mentor shall submit to the Department a comprehensive evaluation report on the candidate's performance pursuant to (e) above.

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 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 Department.

6. If the candidate disagrees with the mentor's recommendation, the candidate may appeal the recommendation pursuant to N.J.A.C. 6A:9-17.18.

(i) A candidate who receives a recommendation of "disapproved" or two or more 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 he or she 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 Board of Examiners may be appealed to the Commissioner pursuant to N.J.A.C. 6A:9-17.18(b).

(j) Each candidate who holds a valid New Jersey or out-of-State supervisor endorsement and a master's degree or higher in a field other than one required in (a)1 above will be eligible for a principal CE upon presenting the following:

1. Official documentation of five years of successful full-time experience as a supervisor of an instructional area or department related to the CCCS under a valid New Jersey or out-of-State supervisor certificate;

2. Official documentation evidencing completion of a New Jersey State-approved certification program in educational leadership offered by providers approved by the Department. This program shall include, but not be limited to:

i. Preparation for educational leadership through experiences related to the performance-based Professional Standards for School Leaders and the CCCS;

ii. Two hundred twenty-five clock hours of formal instruction in quality components of preparation to promote student learning as set forth in N.J.A.C. 6A:9-3.4(a)1 through 6 and delineated in (a)2i through vi above; and

iii. A district internship consisting of a minimum of 300 hours providing professional experiences in school administration; and

3. Official documentation evidencing passage of a State-approved examination of knowledge that is acquired through study of the topics listed in (a)2 above, aligned with the Professional Standards for School Leaders, and that is most directly related to the functions of principals as defined in N.J.A.C. 6A:9-12.3(b).

(k) Each candidate who holds a valid New Jersey or out-of-State supervisor endorsement and a master's degree or higher in a field other than one required in (a)1 above, but has zero to five years supervisory experience, will be eligible for a principal CE upon presenting the following:

1. Official documentation of five years of successful full-time teaching experience under a valid New Jersey or out-of-State teaching certificate;

2. Official documentation evidencing completion of a New Jersey State-approved certification program in educational leadership offered by providers approved by the Department. This program is pursuant to (j)2 above with the following exceptions: the program is a minimum of 275 clock hours plus a 300-hour internship;

3. Official documentation evidencing passage of a State-approved examination of knowledge that is acquired through study of the topics listed in (a)2 above, aligned with the Professional Standards for School Leaders, and that is most directly related to the functions of principals as defined in N.J.A.C. 6A:9-12.3(b).

(l) Each candidate who can provide documentation of at least five years of successful full-time teaching experience under a valid New Jersey or out-of-State teaching certificate and a master's degree or higher in a field other than one required in (a)1 above will be eligible for a principal CE upon presenting the following:

1. Official documentation evidencing completion of a New Jersey State-approved certification program in educational leadership offered by providers approved by the Department. This program is pursuant to (j)2 above

with the following exceptions: the program is a minimum of 350 clock hours plus a 300-hour internship;

2. Official documentation evidencing passage of a State-approved examination of knowledge that is acquired through study of the topics listed in (a)2 above, aligned with the Professional Standards for School Leaders, and that is most directly related to the functions of principals as defined in N.J.A.C. 6A:9-12.3(b).

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

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

Added (m).

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

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

In (d), substituted "six" for "three" in the first sentence and "five" for "two" in the second sentence; inserted "or out-of-State" in (j), (j)1 and (k); and inserted "under a valid New Jersey or out-of-State teaching certificate" in (k)1 and (l).

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

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

Rewrote the section.

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

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

In (b), substituted "state-approved" for "State-approved"; added new (c); recodified former (c) through (n) as (d) through (o); in (f), substituted "(j)" for "(h)"; in (i)1, substituted "(f)" for "(e)"; in (m)2, substituted "(l)2" for "(k)2"; and in (n)1, substituted "(l)2" for "(k)2".

Amended by R.2011 d.053, effective February 7, 2011.

See: 42 N.J.R. 1947(a), 43 N.J.R. 282(b).

Deleted former (k); and recodified former (l) through (o) as (k) through (n).

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote the section.

#### Case Notes

New Jersey State Board of Examiners appropriately denied an applicant's request that the Office of Licensure and Credentials accept an extension on a deadline of an application for a Principal Certificate of Eligibility. The regulatory provision in N.J.A.C. 6A:9-12.5(b) did not provide for an extension of that deadline. *Hutchinson v. N.J. State Bd. of Exam'rs*, OAL Dkt. No. EDU 16373-12, 2013 N.J. AGEN LEXIS 73, Initial Decision (April 5, 2013).

#### 6A:9-12.6 Supervisor

(a) To be eligible for the standard administrative certificate with a supervisor endorsement, a candidate shall be required to:

1. Hold a master's or higher degree from a regionally accredited college or university;

2. Successfully complete one of the following:

i. A college curriculum approved by the Department as the basis for issuing this endorsement;

ii. Twelve graduate-level semester-hour credits to include the following:

(1) Three credits in general principles of instructional staff supervision in grades preschool through 12;

(2) Three credits in general principles of curriculum design and development for grades preschool through 12;

(3) Three elective credits in curriculum design and development; and

(4) Three elective credits in instructional staff supervision and/or curriculum design and development; or

iii. A State-approved training program implemented by a State-approved provider as the basis for issuing this certificate; and

3. Hold a standard New Jersey instructional or educational services certificate or its out-of-State equivalent, and complete three years of successful, full-time teaching and/or educational services experience. Teaching and/or educational services experience completed in a New Jersey public school must have been under an appropriate New Jersey certificate.

Amended by R.2004 d.306, effective August 2, 2004.

See: 36 N.J.R. 1636(a), 36 N.J.R. 3526(a).

In (a)2ii, deleted "in particular grade levels, or in specific subject fields" at the end of the third sentence.

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 2ii.

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

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

Made a stylistic change in (a)2i; added (a)2iii; and rewrote (a)3.

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (a)2i, deleted "of Education" following "Department"; in (a)2ii, deleted a comma following "graduate-level"; in (a)2ii(1) and (a)2ii(4), inserted "instructional"; in (a)2ii(2), (a)2ii(3), and (a)2ii(4), inserted "design and"; and deleted (b).

#### Case Notes

New Jersey State Board of Examiners appropriately denied a Supervisor Certificate under N.J.A.C. 6A:9-12.6(a) after concluding that the applicant failed to meet her burden of establishing a one-to-one correspondence of experience to the extensive licensing deficiencies pursuant to N.J.A.C. 6A:9-17.13. Although she worked at a day care center for a number of years, she failed to demonstrate how that experience was equivalent to her lack of a New Jersey standard certificate, her lack of nine required graduate-level course credits, and her lack of three years of successful, full-time teaching. *Hutchinson v. N.J. State Bd. of Exam'rs*, OAL Dkt. No. EDU 16373-12, 2013 N.J. AGEN LEXIS 73, Initial Decision (April 5, 2013).

Any candidate seeking employment as a public school supervisor but lacking the specified higher-level administrative endorsement is required by law to hold standard supervisory certification; no mechanism exists for acquisition of supervisory certification on a CE or provisional basis, nor can the principal endorsement be obtained through provisional employment as a supervisor. *Nelson v. Bd. of Educ. of Plainfield*, OAL Dkt. No. EDU 11414-07, 2008 N.J. AGEN LEXIS 1013, Commissioner's Decision (April 18, 2008).

#### 6A:9-12.7 School business administrator

(a) To be eligible for the school business administrator CE, the candidate shall:

1. Hold a master's degree or higher degree from a regionally accredited college or university or be in possession of a certified public accountant license; and

2. Complete at least 18 credits of graduate or undergraduate study in the following areas:

i. Economics;

ii. Law;

iii. Accounting;

iv. Organizational theory;

v. Management or administration; and

vi. Finance.

(b) To be eligible for a provisional administrative certificate with a school business administrator endorsement, the candidate shall:

1. Hold a school business administrator CE; and

2. Obtain and accept an offer of employment in a position that requires the school business administrator endorsement in a public school district or an approved private school for the disabled that has agreed formally to sponsor the residency.

(c) To be eligible for the standard administrative certificate with a school business administrator endorsement, the candidate shall:

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

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

i. Take place in a functioning public school district environment or in an approved private school for the disabled, and will require the candidate to develop a thorough understanding of the CCCS; the Professional Standards for Teachers as defined in N.J.A.C. 6A:9-3.3; and the Professional Standards for School Leaders as defined in N.J.A.C. 6A:9-3.4. Candidates shall demonstrate that understanding by providing support for the educational goals of the school district or an approved private school for the disabled;

ii. Be conducted in accordance with a standard agreement issued by the Department and entered into by the Department, the employing school district or approved private school for the disabled, the candidate, and the residency mentor. No residency program may be undertaken without a valid agreement;

iii. Be administered by a State-appointed mentor, an experienced school business administrator who has completed a State-approved orientation and who shall supervise and verify completion of all required experi-

ences and training by the candidate. The mentor and the school district superintendent or administrator of an approved private school for the disabled shall, at the start of the residency, submit to the Department a written recommendation on State-developed forms concerning any areas of professional experience that should be waived and any additional teaching or other special experiences, if any, that the individual candidate should complete before achieving standard certification. Department review and subsequent approval shall consider the candidate's past work experience and recommended professional experiences during residency which shall be specified in the standard written agreement; and

iv. Provide professional experiences, training, and 145 clock hours of formal instruction in the areas of standards listed in (c)2i above; school plant planning, construction and maintenance; school financial and legal practices including budget planning and administration and double entry accounting (GAAP); pupil transportation; labor relations and personnel; insurance/risk administration; and food service administration.

(d) Each candidate for the standard administrative certificate with an endorsement for school business administrator 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 based on the candidate's performance in areas of authorization defined in N.J.A.C. 6A:9-12.3(d) 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 Department; the final evaluation shall be accompanied by the recommendation for certification pursuant to (g) below.

(e) 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 candidate. The mentor may seek the informal input of the employing district board of education concerning the standard certification of the candidate.

(f) The mentor shall meet with the resident school business administrator 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 school business administrator. The Department may require resident school business administrators to pay fees to cover the cost of the training and mentoring services that will qualify them for certification and employment.

(g) Standard certification of school business 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 Department a comprehensive evaluation report on the candidate's performance pursuant to N.J.A.C. N.J.A.C. 6A:9-12.5(c).

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 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 Department.

6. If the candidate disagrees with the mentor's recommendation, the candidate may appeal the recommendation pursuant to N.J.A.C. 6A:9-17.18.

(h) A candidate who receives a recommendation of "disapproved" or two or more recommendations of "insufficient" may petition the Board of Examiners for approval of additional opportunities to seek provisional employment in school districts or approved private schools for the disabled other than those in which he or she 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 Board of Examiners may be appealed to the Commissioner pursuant to N.J.A.C. 6A:9-17.18(b).

(i) The requirements listed in (a) through (h) above shall not apply to persons who hold standard administrative certificates with the following endorsements issued before September 1, 1991: school business administrator, assistant superintendent for business, or assistant executive superintendent with specialization in business administration. Holders of those endorsements shall be entitled prospectively to apply for all positions in the general category of business administration.

(j) Board secretaries who lack certification but were assigned prior to September 1, 1991, to perform business administration functions as described in N.J.A.C. 6A:11-

12.3(d) shall be permitted to retain indefinitely their positions in the districts in which they were employed prior to September 1, 1991.

(k) The requirements listed in (a)1 above shall not apply to persons who hold a standard administrative certificate or CE with a school business administrator endorsement.

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote the section.

#### Case Notes

Claim on the part of a former school business administrator that the non-renewal of his employment violated N.J.A.C. 6A:9-12.7, which sets forth requirements related to certificates for school business administrators, lacked merit because the regulation placed obligations on candidates for such a certificate and on residency program participants including mentors, but did not impose any specific obligation on a school or school district. That being the case, the board's non-renewal of the administrator's contract did not violate N.J.A.C. 6A:9-12.7. *Jones v. Bd. of Trs. of the Barack Obama Green Charter High School*, OAL Dkt. No. EDU 13722-11, 2013 N.J. AGEN LEXIS 41, Initial Decision (February 27, 2013).

#### 6A:9-12.8 Requirements for interstate reciprocity

(a) Notwithstanding any other provision of this subchapter, any applicant for administrative certification who presents a valid administrative certificate issued by any other state shall, upon payment of the appropriate fee, be issued a New Jersey administrative certificate of eligibility for the equivalent New Jersey endorsements for school administrator, principal, or school business administrator, or shall be issued the equivalent New Jersey standard supervisor endorsement. If there is no equivalent current New Jersey endorsement, then the provisions of N.J.A.C. 6A:9-12.1 through 12.7 shall apply to the candidate. There is one limitation to this rule:

1. If New Jersey has an equivalent endorsement with required subject matter test for the applicant's endorsement, the applicant shall have passed a state subject matter test to receive his or her out-of-State endorsement or else must pass the appropriate New Jersey subject matter test. This limitation shall not apply if the applicant has five years of experience in good standing under the out-of-State certificate. Experience in good standing shall be documented by a letter of experience from the applicant's supervisor or authorized district representative.

New Rule, R.2011 d.053, effective February 7, 2011.

See: 42 N.J.R. 1947(a), 43 N.J.R. 282(b).

### SUBCHAPTER 13. REQUIREMENTS FOR EDUCATIONAL SERVICES CERTIFICATION

#### 6A:9-13.1 Qualifications/general provisions

(a) To be eligible for educational services certification, the candidate shall hold the appropriate degree and complete Department-required test(s) and one of the following:

1. A Department-approved educational services program at a New Jersey college or university;

2. An appropriate NCATE-approved educational services program at an out-of-State college or university;

3. Three years of successful full-time experience, or the equivalent in the appropriate field in another state under that state's standard certificate authorizing such service. The candidate shall hold a currently valid standard certificate from that state in the appropriate field. The experience shall occur in the seven years immediately prior to the application for the New Jersey educational services certificate; or

4. All requirements for individual educational services endorsements pursuant to N.J.A.C. 6A:9-13.3 through 13.22 as determined through a formal credentials evaluation completed by the Office.

(b) Holders of educational services certificates are authorized to serve in grades preschool through 12.

(c) Holders of educational services certificates that are no longer issued after January 20, 2004 may continue to serve in the service areas in which the teaching staff member was authorized to serve under the former rules.

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

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

Rewrote (a)3; added new (b); and recodified former (b) through (e) as (c) through (f).

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Deleted former (b), recodified former (c) and (d) as new (b) and (c), and deleted (e) and (f).

#### 6A:9-13.2 Student assistance coordinator

(a) The student assistance coordinator endorsement authorizes the holder to perform the functions of a student assistance coordinator (SAC) in grades preschool through 12. The position of SAC shall be separate and distinct from any other employment position in the school. The functions of the SAC may include:

1. Assisting with the in-service training of school staff concerning substance abuse and related issues and with the school district program to combat substance abuse;

2. Serving as an information resource for substance abuse prevention, curriculum development and instruction;

3. Assisting the district in revising and implementing substance abuse and related policies and procedures;

4. Developing and administering substance abuse and related intervention services in the school district;

5. Providing counseling and referral services to students regarding substance abuse and related problems; and

6. Cooperating with community service providers or other officials in the rendering of substance abuse and related treatment services.

(b) To be eligible for the SAC CE, the candidate shall present one of the following:

1. A bachelor's or higher degree from a regionally accredited college or university, a valid New Jersey or out-of-State standard certificate as school psychologist, school social worker, school counselor, director of school counseling services or school nurse and evidence of graduate study in area (c)2i through iv below. These candidates are exempt from (c)2ix below;

2. A bachelor's or higher degree from a regionally accredited college or university and a valid Licensed Clinical Alcohol and Drug Counselor credential issued by the New Jersey Alcohol and Drug Counselor Committee of the Marriage and Family Board and evidence of graduate study in areas (c)2iii and vi through viii below. These candidates are exempt from (c)2ix below; or

3. A bachelor's or higher degree from a regionally accredited college or university and a valid Certified Prevention Specialist credential issued by the Addiction Professionals Certification Board of New Jersey and evidence of graduate study in areas (c)2iv, v, vii and viii below. These candidates are exempt from (c)2ix below.

(c) To be eligible for the SAC CEAS, the candidate shall:

1. Hold a standard instructional certificate; a school psychologist, school social worker, school counselor, director of school counseling services, or school nurse endorsement; a valid Licensed Clinical Alcohol and Drug Counselor credential issued by the New Jersey Alcohol and Drug Counselor Committee of the Marriage and Family Board; a valid Certified Prevention Specialist credential issued by the Addiction Professionals Certification Board of New Jersey; or a master's or higher degree from a regionally accredited college or university; and

2. Complete a Department-approved graduate program with a range of 21 to 27 semester-hour credits to include study in the following required areas:

i. Fundamentals of drug and alcohol abuse and dependency and related problems;

ii. Child and adolescent development, including research-based risk, protective and resiliency factors for students at risk for school failure;

iii. Curriculum planning, implementation and staff development in chemical health education;

iv. Coordination and delivery of intervention and referral services in a school setting, including multi-disciplinary intervention teams;

v. Assessment and counseling of drug and alcohol affected students and their families;

vi. Coordination of research-based prevention program services in school and community settings;

vii. School culture and the dynamics of policy and program development;

viii. School law as it relates to substance abuse and related problems; and

ix. A college-supervised SAC practicum.

(d) To be eligible for a provisional educational services certificate with a SAC endorsement, the candidate shall:

1. Possess a SAC CE or CEAS; and

2. Obtain an offer of employment in a position that requires the SAC certificate.

(e) To be eligible for a standard educational services certificate with a SAC endorsement, the candidate shall:

1. Possess a provisional educational services certificate with a SAC endorsement pursuant to (d) above;

2. Complete a Department-approved graduate program pursuant to (c) above; and

3. Complete a six-month State-approved school residency while employed full-time under a provisional educational services certificate with a SAC endorsement. If employed half-time, the residency period shall be 12 months. The residency program shall be conducted under the direction of a State-approved residency supervisor who shall hold standard New Jersey supervisor, principal or school administrator certification. The residency program shall:

i. Operate in accordance with a residency agreement issued by the Department and entered into by the Department, the employing school, the candidate and the State-approved residency supervisor; and

ii. Consist of a supervised residency that includes professional experiences in chemical health curriculum planning, implementation and staff development, development and coordination of substance abuse intervention and referral services, development and coordination of prevention program services, and the development of school drug and alcohol policies and procedures.

(f) The State-approved residency supervisor shall have primary responsibility to assure that the candidate receives appropriate training, support, practicum experiences and professional opportunities in the critical job responsibilities specified in the agreement and consistent with (a) above. The residency supervisor shall also evaluate and verify the completion of all required experiences according to the terms and conditions of the residency agreement.

(g) Upon completion of the residency period, the supervisor shall complete a comprehensive evaluation report on the candidate's performance based on the candidate's ability to complete the job duties pursuant to N.J.S.A. 18A:40A-18(c) and to implement the theoretical concepts pursuant to (c)2 above. The supervisor shall discuss the evaluation report with

the candidate, and the supervisor and candidate shall sign the report as evidence of such discussion. Upon completion of the evaluation, the evaluation shall be submitted to the Office. The evaluation on each candidate shall include one of the following recommendations:

1. **Approved:** Recommends issuance of a standard educational services certificate with a SAC endorsement;
2. **Insufficient:** Recommends that a standard educational services certificate with a SAC endorsement not be issued but that the candidate be allowed to continue the residency or seek admission to an additional residency. Except for those candidates who receive approval pursuant to N.J.A.C. 6A:9-17.18(d), a candidate who receives a second insufficient is precluded from continuing or re-entering a residency; or
3. **Disapproved:** Recommends that a standard educational services certificate with a SAC endorsement not be issued and that the candidate is precluded from continuing or re-entering a residency.

(h) If the candidate disagrees with the residency supervisor's recommendation, the candidate may appeal the recommendation pursuant to N.J.A.C. 6A:9-17.17.

(i) An emergency certificate is not available for SAC.

Amended by R.2005 d.110, effective April 4, 2005.  
See: 36 N.J.R. 5044(a), 37 N.J.R. 1060(a).

In (b), substituted "Clinical" for "certified" following "Licensed"; in (c), rewrote 1.

Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Section was "Substance awareness coordinator". In the introductory paragraph of (a), substituted "student assistance" for "substance awareness" twice, and in (a)1 and (a)4, inserted "school" preceding "district"; rewrote (c)1; in (c)2 and (d)2, substituted "program" for "curriculum"; and in (g)2, substituted "6A:9-17.18(d)" for "6A:9-17.17(d)".

#### Case Notes

Psychologist with experience in substance abuse counseling, who did not hold an educational services certificate with a substance awareness coordinator (SAC) endorsement, could perform the duties of counselor to high school students with drug or alcohol abuse problems. *Maren Bristol, v. Board of Education of the Northern Valley Regional High School District, Bergen County, 2004 WL 1853016, N.J. Adm., Jul 01, 2004, (NO. EDU 09053-03).*

#### 6A:9-13.3 School nurse

(a) The school nurse endorsement authorizes the holder to perform nursing services and to teach in areas related to health in public schools in grades preschool through 12.

(b) To be eligible for the standard educational services certificate with a school nurse endorsement, a candidate shall hold or complete the following professional licenses, degrees, certifications and training:

1. A current New Jersey registered professional nurse license issued by the New Jersey State Board of Nursing;

2. A bachelor's degree from a regionally accredited college or university;

3. A current Cardiopulmonary Resuscitation (CPR) and Automated External Defibrillators (AED) certification as issued by the American Heart Association, the American Red Cross, the National Safety Council, or other entities determined by the Department of Health to comply with the American Heart Association's CPR guidelines; and

4. Complete training in airway management and in the use of nebulizers and inhalers consistent with nationally recognized standards, including, but not limited to, those of the National Institutes of Health and the American Academy of Allergy, Asthma and Immunology.

(c) The candidate shall also complete either a Department-approved college curriculum for the preparation of school nurses or a program of studies, minimum of 21 semester-hour credits, that includes study in the following topics:

1. A minimum of six semester-hour credits in school nursing, including school health services, physical assessments, organization and administration of the school health program and clinical experience in a school nurse office;

2. Health assessment

3. Special education and/or learning disabilities;

4. Methods of teaching health in grades preschool through grade 12 including curriculum development;

5. Public health including such areas as public health nursing, community health problems and communicable disease control;

6. Guidance and counseling; and

7. School law including legal aspects of school nursing.

(d) During the initial three years of employment under this endorsement, the holder of a school nurse endorsement must engage in a minimum of 20 hours of professional development in each of the following: human growth and development; substance abuse and dependency; and human and intercultural relations. The professional development requirements shall be incorporated into each endorsement holder's professional development plan pursuant to N.J.A.C. 6A:9-15.

(e) An emergency certificate is not available for this endorsement.

Amended by R.2004 d.306, effective August 2, 2004.  
See: 36 N.J.R. 1636(a), 36 N.J.R. 3526(a).

In (b), inserted "educational services" following "To be eligible for the standard" and "with a school nurse endorsement," preceding "a candidate shall hold" in the first sentence of the introductory paragraph, and inserted "urban" following "inter-group relations, and" and substituted "rural" for "inner-city" in lvii.

Amended by R.2006 d.170, effective May 15, 2006.  
See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

Added last sentence to (b); deleted (b)1; recodified existing i-viii as 1-8 and redesignated ix and x as 9 and 10 and made a stylistic change; deleted 2; and added 11.

Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).  
Rewrote the section.

#### Case Notes

Certified school nurse is not required to be in a school building or complex at all times during which a non-certified nurse is regularly scheduled to perform duties supplementing the services provided by the certified school nurse. *Ramsey Teachers Ass'n v. Board of Educ. of Ramsey*, 382 N.J. Super. 241, 888 A.2d 499, 2006 N.J. Super. LEXIS 2 (App.Div. 2006).

#### 6A:9-13.4 School nurse/non-instructional

(a) The school nurse/non-instructional endorsement authorizes the holder to perform nursing services in public schools in grades preschool through 12. This endorsement does not authorize the holder to teach in areas related to health.

(b) To be eligible for the standard educational services certificate with a school nurse/non-instructional endorsement, a candidate shall hold or complete the following professional licenses, degrees, certifications, and training:

1. A current New Jersey registered professional nurse license issued by the New Jersey State Board of Nursing;
2. A bachelor's degree from a regionally accredited college or university;
3. A current Providers Cardiopulmonary Resuscitation (CPR) and Automated External Defibrillators (AED) certification as issued by the American Heart Association, the American Red Cross, the National Safety Council, or other entities determined by the Department of Health to comply with the American Heart Association's CPR guidelines; and
4. Complete training in airway management and in the use of nebulizers and inhalers consistent with nationally recognized standards, including, but not limited to, those of the National Institutes of Health and the American Academy of Allergy, Asthma and Immunology.

(c) The candidate shall also complete either a Department-approved college curriculum for the preparation of school nurses or a program of studies, minimum of 15 semester-hour credits, that includes study in the following topics:

1. A minimum of six semester-hour credits in school nursing, including school health services, physical assessments, organization and administration of the school health program and clinical experience in a school nurse office;
2. Health assessment;
3. Public health, including such areas as public health nursing, community health problems and communicable disease control;
4. Special education and/or learning disabilities;
5. Guidance and counseling; and

#### 6. School law including legal aspects of school nursing.

(d) During the initial three years of employment under this endorsement, the holder of a school nurse/non-instructional endorsement shall engage in a minimum of 20 hours of professional development in each of the following: human growth and development; substance abuse and dependency; and human and intercultural relations. The professional development requirements shall be incorporated into each endorsement holder's professional development plan pursuant to N.J.A.C. 6A:9-15.

(e) An emergency certificate may be issued to a candidate who holds a bachelor's degree from a regionally accredited college or university and a current New Jersey registered professional nurse license and current CPR/AED certificates. The candidate shall present evidence of study in public health nursing and child and/or adolescent growth and development. The study must appear on the transcript of a regionally accredited four-year college or university.

Amended by R.2004 d.306, effective August 2, 2004.  
See: 36 N.J.R. 1636(a), 36 N.J.R. 3526(a).

In (a), substituted "endorsement" for "certificate" in the second sentence; in (b)7, inserted "urban" following "intergroup relations, and" and substituted "rural" for "inner-city".

Amended by R.2006 d.170, effective May 15, 2006.  
See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

Rewrote the end of (b); and the second sentence in (c).  
Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote the section.

#### Case Notes

School board did not violate N.J.S.A. 18A:40-3.3 by hiring a school health aide who did not hold a school nurse endorsement since no requirement existed that a school nurse be in a school building at all times during which a non-certified nurse was performing supplemental services to the certified school nurse. *Ramsey Teachers Ass'n v. Board of Educ. of Ramsey*, 382 N.J. Super. 241, 888 A.2d 499, 2006 N.J. Super. LEXIS 2 (App.Div. 2006).

#### 6A:9-13.5 School social worker

(a) The school social worker endorsement authorizes the holder to serve as a school social worker in any school district in the State in grades preschool through 12.

(b) To be eligible for the standard educational services certificate with a school social worker endorsement, the candidate shall hold a master's degree from a regionally accredited college or university and complete a total of 30 graduate-level semester hour credits with a study in each of the areas listed below:

1. Psychology, including general psychology, educational psychology, psychology of adolescence and child growth and development;
2. Special education and/or learning disabilities;
3. Social problems, including study in dealing with delinquency, poverty, interracial and intercultural problems;

4. A minimum of six semester-hour credits in introductory and advanced social casework, including principles and practices in social casework, interviewing, and methods and skills in diagnosis;

5. Mental hygiene and social psychiatry, including dynamics of human behavior and psychopathology;

6. Medical information, including the role of the social worker in health problems or fundamentals of substance abuse and dependency;

7. Community organizations, agencies and resources; and

8. Social policy and public welfare services, including the care and protection of at-risk children and families.

(c) Holders of a master's degree in social work from a regionally accredited college or university will be issued a standard educational services certificate with a school social worker endorsement.

(d) An emergency certificate may be issued to a candidate who meets the following requirements:

1. A bachelor's degree in social work or a related area from a regionally accredited college or university; and

2. Study in at least three of the study topics listed in (b)1 through 8 above to include a course in social casework.

Amended by R.2004 d.306, effective August 2, 2004.  
See: 36 N.J.R. 1636(a), 36 N.J.R. 3526(a).

In (d), deleted "school" following "an approved".  
Amended by R.2006 d.170, effective May 15, 2006.  
See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

Deleted (d)3 and made related stylistic changes.  
Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote (b)4; and deleted (e).

#### Case Notes

Adopting Initial Decision's conclusion that a tenured school social worker under an educational services certification, who also possessed certification as an elementary teacher but had never served as a teacher in the school district, and whose social worker position was eliminated through a reduction in force, did not have rights over a nontenured applicant to a teaching position; neither tenure nor seniority applied across certificates, and therefore petitioner only had rights with regard to positions within the educational services certification (adopting 2008 N.J. AGEN LEXIS 70, as supplemented). *Aiello v. Bd. of Educ. of Westwood Reg'l School Dist.*, OAL Dkt. No. EDU 7986-07, 2008 N.J. AGEN LEXIS 263, Commissioner's Decision (March 20, 2008).

Initial Decision (2008 N.J. AGEN LEXIS 70) adopted, which rejected a school social worker's argument that the district's decision to eliminate a position of school social worker did not satisfy the "good cause" test since the district then added a learning disabilities teacher-consultant position; because the role of the learning disabilities teacher-consultant is vastly different from the role of school social worker, and has different certification requirements, the positions are not fungible. *Aiello v. Bd. of Educ. of Westwood Reg'l School Dist.*, OAL Dkt. No. EDU 7986-07, 2008 N.J. AGEN LEXIS 263, Commissioner's Decision (March 20, 2008).

#### 6A:9-13.6 Speech-language specialist

(a) The speech-language specialist endorsement authorizes the holder to provide service as a speech-language specialist in grades preschool through 12.

(b) To be eligible for the standard educational services certificate with a speech-language specialist endorsement, the candidate shall:

1. Hold a master's or higher degree in speech-language pathology from a regionally accredited college or university; and

2. Pass a State-approved test of comprehensive knowledge in the field of speech-language pathology.

(c) Individuals who hold a valid New Jersey speech correctionist endorsement and a master's degree in speech-language pathology shall be issued the speech-language specialist endorsement upon submission of a completed application and required fee.

(d) Individuals holding a valid New Jersey speech correctionist endorsement may serve in a position requiring speech-language specialist certification until August 31, 2015, by which date they shall have obtained the speech language specialist endorsement or completed a Department-approved retraining program.

(e) A certificate of eligibility annually expiring July 31 may be issued to candidates who meet the requirements in (e)1 or 2 below. Notwithstanding the provisions of N.J.A.C. 6A:9-8.2, this certificate of eligibility authorizes the holder to seek employment in any public school district or Department-approved private school for students with disabilities. To be eligible for the speech-language specialist certificate of eligibility and subsequent provisional certificate, a candidate must either:

1. Hold a bachelor's degree in speech-language pathology/communication disorders from a regionally accredited college or university; and

i. Be currently matriculated in a master's degree program in speech-language pathology/communication disorders from a regionally accredited college or university; and

ii. Document completion of a minimum of 18 semester-hour graduate credits in speech language pathology/communication disorders, including a graduate clinical practicum; or

2. Hold a bachelor's degree in a major other than speech-language pathology/communication disorders from a regionally accredited college or university; and

i. Be currently matriculated in a master's degree program in speech-language pathology/communication disorders from a regionally accredited college or university; and

ii. Document completion of a minimum of 24 semester-hour graduate credits in speech language pathology/communication disorders, including a graduate clinical practicum.

(f) To be eligible for an initial two-year provisional speech-language specialist certificate, the candidate shall:

1. Possess a speech-language specialist certificate of eligibility; and
2. Obtain an offer of employment in a speech-language specialist position.

(g) To be eligible for a one-time renewal of the provisional speech-language specialist certificate, a candidate shall:

1. Provide an official college transcript from the speech language pathology/communication disorders program in which he or she is matriculated, showing a minimum of 12 semester-hour graduate credits completed each year following the initial issuance of the provisional certificate, demonstrating annual progress toward completion of the master's degree required for the standard certificate; and

2. Provide documentation of employment in a speech-language specialist position in a public school district or Department-approved private school for students with disabilities.

(h) A standard certificate may be issued to candidates holding the provisional speech-language specialist certificate who meet the requirements in (b) above.

(i) An emergency certificate is not available for the speech-language specialist endorsement after July 31, 2013. However, emergency certificates in effect on July 1, 2013 will remain valid until July 31, 2013.

Amended by R.2006 d.170, effective May 15, 2006.  
See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

Rewrote (e).

Amended by R.2009 d.24, effective January 5, 2009.  
See: 40 N.J.R. 4856(a), 41 N.J.R. 128(a).

Rewrote (d); in (e), inserted "either" and "currently" and substituted "in which the candidate" for "and" following the second occurrence of "speech pathology".

Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote (e) and (f), and added (g) through (i).

### 6A:9-13.7 Director of school counseling services

(a) The director of school counseling services endorsement authorizes the holder to serve as a director, administrator or supervisor of school counseling services, including the supervision of educational activities in areas related to and within the counseling program in grades preschool through 12.

(b) To be eligible for the standard educational services certificate with a director of school counseling services endorsement, a candidate shall hold a master's or higher degree from a regionally accredited college or university, hold a standard New Jersey school counselor or student

personnel services certificate or an equivalent out-of-State certificate, and complete three years of successful experience as a school counselor in grades preschool through 12. In addition, the candidate shall complete one of the following:

1. A Department-approved program in Director of School Counseling; or

2. A three-credit graduate-level course in each of the following required areas:

- i. Administration: This group includes such courses as school law, organization and administration of elementary and secondary schools;

- ii. Staff supervision: This group includes such courses as supervision and evaluation of instructional staff and supervision of school counseling services; and

- iii. Curriculum development: This group includes such courses as principles of general curriculum development, elementary and secondary curriculum development, and extracurricular activities.

(c) An emergency certificate may be issued to a candidate who meets the following requirements:

1. A master's degree from a regionally accredited college or university, a standard New Jersey school counselor or student personnel services certificate, and two years of experience as a school counselor in grades preschool through 12; and

2. A graduate course in staff supervision.

Amended by R.2006 d.170, effective May 15, 2006.  
See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

Inserted "or student personnel services" in (b) and (c)1.

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

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

In the introductory paragraph of (b), substituted "one of the following" for "a graduate level course in each of the following required areas"; added new (b)1 and (b)2; and recodified former (b)1 through (b)3 as (b)2i through (b)2iii.

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In the introductory paragraph of (b), inserted a comma following the third occurrence of "certificate"; in the introductory paragraph of (b)2, substituted "graduate-level" for "graduate level"; and deleted (d).

#### Case Notes

Adopting Initial Decision's conclusion that Director of School Counseling Services endorsement, and formerly Director of Student Personnel Services endorsement, was required in order to hold a director-level position with district-wide supervisory responsibility over counseling services or guidance; since petitioner did not hold either endorsement, she did not accrue tenure status in her position as "Director of Student Services," which was an unrecognized title. Petitioner's position as Director of Student Services was not separately tenurable, and her Principal/Supervisor and School Administrator endorsements did not provide the necessary qualification (adopting with modification 2008 N.J. AGEN LEXIS 380). *Perri v. Bd. of Educ. of Belleville*, OAL Dkt. No. EDU 01395-07, 2008 N.J. AGEN LEXIS 1016, Final Decision (September 10, 2008).

Board of education was required by applicable law to eliminate its unrecognized position of "Director of Student Services." However, since the duties of the newly created supervisory position were identical to

those of the abolished directorship, such duties—notwithstanding the title of the position—continued to fall substantially within the scope of the Director of School Counseling Services endorsement and could not be performed by staff without the requisite certification. Consequently, the Board either had to reform the duties of its new “Supervisor of Student Personnel Services/Guidance” position to be consistent with the lesser levels of responsibility appropriate to nonspecialized certification, or appropriately title and staff the position. *Perri v. Bd. of Educ. of Belleville*, OAL Dkt. No. EDU 01395-07, 2008 N.J. AGEN LEXIS 1016, Final Decision (September 10, 2008).

#### 6A:9-13.8 School counselor

(a) The school counselor endorsement authorizes the holder to perform school counseling services such as study and assessment of individual pupils with respect to their status, abilities, interest and needs; counseling with administrators, teachers, students, and parents regarding personal, social, educational, and vocational plans and programs; and developing cooperative relationships with community agencies in assisting children and families. The certificate holder is authorized to perform these duties in grades preschool through 12.

(b) To be eligible for the standard educational services certificate with a school counselor endorsement, a candidate must hold a master’s or higher degree from a regionally accredited college or university, and complete one of the following:

1. A Department-approved graduate program in school counseling; or
2. A minimum of 48 graduate semester-hour credits in the following areas:
  - i. Counseling: minimum of 18 semester-hour credits that must include study in theory and procedures of individual and group counseling, counseling and interviewing techniques, and career counseling;
  - ii. Testing and evaluation: minimum of three semester hours;
  - iii. Psychology: minimum of six semester hours in study related to child and adolescent psychology, psychology of exceptional children and psychology of learning;
  - iv. Sociological foundations: minimum of six semester hours that must include study in community agencies, organizations and resources and multicultural counseling;
  - v. Statistics and research methods: minimum of three semester-hour credits;
  - vi. Supervised counseling practicum in a preschool through grade 12 school setting: minimum of six credits; and

vii. The remaining six semester hours of study may be chosen from among the topics listed in (b)2i through vi above or education.

(c) A candidate who has completed a master’s or higher degree from a regionally accredited college or university whose school counseling program meets the standards of the Council for Accreditation of Counseling and Related Educational Programs (CACREP) will be issued a standard school counselor certificate.

(d) The Office may issue an emergency certificate upon the request of the executive county superintendent to a candidate who meets the following requirements:

1. A bachelor’s degree from a regionally accredited college or university; and
2. Fifteen graduate semester-hour credits of study from the areas in (b)2i through iv above. At least six of the credits must be from the area in (b)2i above.

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

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

Redesignated (b)2vii and viii as (b)2vi and vii and changed internal reference; inserted “preschool through grade 12” in newly designated (b)2vi; and rewrote (d)2.

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (b)1, substituted “program” for “curriculum”, in the introductory paragraph of (b)2, substituted “semester-hour” for “semester hour”; in (b)2i, substituted “semester-hour credits” for “semester hours”; in the introductory paragraph of (d), inserted “executive”; in (d)2, substituted “semester-hour” for “semester hour”; and deleted (e).

#### 6A:9-13.9 School psychologist

(a) The school psychologist endorsement authorizes the holder to serve as a psychologist in grades preschool through 12.

(b) To be eligible for the standard educational services certificate with a school psychologist endorsement, a candidate must hold a master’s or higher degree from a regionally accredited college or university and complete the following:

1. A Department-approved graduate program or a minimum of 60 semester-hour graduate credits, in the following areas:
  - i. Educational foundations/school psychology practice and development: minimum of 12 semester-hour credits in areas such as the role and function of the school psychologist, multicultural education, educational organization and leadership, curriculum development and learning theories;
  - ii. Education of students with disabilities: minimum of six semester-hour credits in areas such as education and/or psychology of students with disabilities and educational assessment of disabled students;

iii. Assessment, intervention and research: minimum of 18 semester-hour credits including study in the required areas of cognitive assessment, personality assessment and school consultation. Additional study may be completed in areas such as applied behavior analysis, school interventions, curriculum-based measurement, multicultural counseling or individual counseling procedures, tests and measurements, statistics and research design and analysis;

iv. Human behavioral development: minimum of 12 semester-hour credits in areas such as human development, social psychology, personality psychology, neurological and/or physiological basis of behavior and psychopathology; and

v. Electives: additional study in areas (b)1i through iv above. Externships and practicum experiences may be accepted for elective study.

2. A practicum of 300 clock hours that consists of a sequence of closely supervised on-campus and field-based activities designed to develop and evaluate a candidate's mastery of distinct professional skills consistent with program and/or course goals;

3. An externship of 1,200 clock hours. A minimum of 600 clock hours must be completed in a school setting with school-age children. The remaining 600 clock hours may be completed in a school or clinical setting, or may be completed under an emergency certificate while concurrently participating in an approved college or university school psychology program. Externship experiences completed in a school setting must be supervised by a person holding a standard New Jersey or out-of-State school psychologist certificate; and

4. Persons who completed a master's or higher degree in clinical psychology from a regionally accredited college or university and can present official documentation of 600 clock hours of experience as a psychologist working with children in a clinical setting may meet the school psychology externship and practicum requirements by completing a 900-clock-hour school psychology externship in a New Jersey school, with school-age children, under a New Jersey emergency certificate.

(c) The externship for school psychologists shall comply with the following:

1. The externship must be taken under the direction of a regionally accredited college or university as part of a program for the preparation of school psychologists. In cases where the Office is issuing an emergency certificate, it may approve an equivalent externship that is not under the jurisdiction of a college or university program.

2. The college or university shall arrange externships as a program of supervised experiences. The extern shall not earn externship credit for clinical or laboratory work done as part of the requirements in such courses as "cognitive or personality assessment" or "school consultation."

3. At least 50 percent of the externship must be in the psychological services division of a public school system or in a college or university demonstration center that serves a cross section of school-age children. A person holding a standard New Jersey school psychologist certificate shall provide local supervision for the period of externship training.

4. The extern shall have available various group and individual achievement tests, personality and cognitive assessment tools. The extern also shall receive the results of audiometric and visual screening.

5. The extern shall have adequate office space for conferences, counseling and diagnostic studies.

6. For purposes of study and guidance, the extern shall have access to comprehensive records on pupil growth and development.

7. The college, university or school district, as appropriate, shall provide the extern with supervised experience in the following areas: in-service programs for faculty members; conferences with special personnel; utilization of available community resources; conducting a diagnostic study; report writing; relationships with the community; and counseling pupils, parents and faculty.

8. The extern may complete no more than 50 percent of the externship in an approved hospital, institution, clinic, or agency established for the study and/or treatment of special problems of children and adults. A licensed psychologist or school psychologist shall supervise the extern during the training experience. The director of the institution or agency shall certify that this experience includes the following: conducting a diagnostic study; reporting writing and communication of diagnostic findings; and participation in staff planning and evaluating conferences.

(d) School districts desiring authorization for the employment of an extern under emergency certification should submit a request to the executive county superintendent for preliminary approval. If the executive county superintendent grants preliminary approval, the emergency certificate will be forwarded to the applicant. The request must contain the following information:

1. The name of the fully certified school psychologist in the school system under whose supervision the externship will be carried out. This person must hold a standard New Jersey school psychologist certificate and have three years of experience as a certified school psychologist;

2. The nature and extent of the training experiences that will be provided under supervision during the externship;

3. The dates of the period of the externship;

4. The total number of clock hours to be worked during the externship; and

5. Official college transcripts showing successful completion of a minimum of 40 semester-hour graduate credits applicable toward standard school psychologist certification in areas listed in (b)1 above, including study in the required areas of cognitive assessment, personality assessment, and school consultation.

(e) The Office will issue a standard New Jersey school psychologist certificate to holders of a currently valid Nationally Certified School Psychologist (NCSP) license.

(f) The Office may issue an emergency certificate upon the request of the executive county superintendent to a candidate who meets the following requirements:

1. A bachelor's degree from a regionally accredited college or university; and
2. Official college transcripts showing successful completion of a minimum of 30 semester-hour graduate credits applicable toward standard school psychologist certification in areas listed in (b)1i through v above. This must include study and practicum experience in assessment.

Amended by R.2006 d.170, effective May 15, 2006.  
See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

Substituted "(b)1" for "(b)2" in (d)5; and in (h)2, substituted "30" for "40" and rewrote the last sentence.  
Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In the introductory paragraph of (b)1, substituted "program" for "curriculum"; in (b)3, (b)4 and (c)3, substituted "school-age" for "school age"; in (b)3, inserted a comma following "clinical setting"; in (b)4, substituted "900-clock-hour" for "900 clock hour"; in the introductory paragraph of (d), inserted "executive" twice; in (d)5, substituted "toward" for "towards", and inserted a comma following "above" and following the second occurrence of "assessment"; deleted former (e) and (f); recodified former (g) and (h) as new (e) and (f); in the introductory paragraph of (f), inserted "executive"; in (f)2, substituted "toward" for "towards"; and deleted (i).

#### 6A:9-13.10 Learning disabilities teacher-consultant

(a) The learning disabilities teacher-consultant endorsement authorizes the holder to serve as a learning disabilities teacher-consultant in grades preschool through 12.

(b) To be eligible for the standard educational services certificate with a learning disabilities teacher-consultant endorsement, a candidate shall:

1. Hold a master's or higher degree from a regionally accredited college or university;
2. Hold a standard New Jersey or out-of-State instructional certificate; and
3. Have three years of successful teaching experience.

(c) A candidate who satisfies (b) above also shall complete one of the following:

1. A Department-approved graduate program for the preparation of learning disabilities teacher-consultants;

2. A consultant-level master's degree in educational disabilities from an NCATE accredited program; or

3. A minimum of 24 semester-hour graduate credits chosen from the areas listed below. The candidate shall complete the requirements in (c)3i through ix below and may take elective credits in any area in (c)3i through x below.

i. Education of students with disabilities including study in history of the development of educational services for children in each area of exceptionality; study of present services, research and professional ethics dealing with the characteristics of children who differ from the norm intellectually, physically, socially and emotionally; evaluation of present practices in the education of students with disabilities; study of the relationship of educational practices and their environmental settings; and cultural and linguistic diversity;

ii. Learning theory including study in motivation and its effect on learning; study of leading theories of learning; study of rewards and incentives; and study in interests and climate for learning;

iii. Remediation of basic skills, including study in research-based corrective methods and materials as related to specific diagnostic findings, the requirements of the CCCS, and the school and classroom environment;

iv. Physiological bases for learning, including study of the neurological development and physical readiness of the normal child for learning; study of abnormal conditions of health that contribute to educational disability; and study of metabolic and infectious disorders that affect learning;

v. Orientation in psychological testing including study of a overview of tests applicable to educational psychology; interpretation of psychological reports as applied to tests administered; the appropriate use of tests and the potential misuse of test results; and test construction theory;

vi. Diagnosis of learning problems including study of the nature and cause of learning problems; formulating an evaluation plan for educational assessments; administering and interpreting technically sound and culturally responsive standardized instruments and functional assessment procedures to determine educational levels, underlying deficits, and learning style; methods of arriving at a diagnosis based on evidence available from each child study team (CST) member; and ways of reporting diagnostic findings;

vii. Accommodations and modifications as a method of providing service to children with learning problems, including utilization of validated methods for adapting instruction for diverse learning needs; technology for students with disabilities; understanding of accommoda-

tions and modifications in curriculum, materials, methods, classroom structures, and assessment; utilization of the individualized education plan (IEP) and the CCCS accommodation and modification; methods to enhance social relationships and positive behavior methods; focus on the inclusive classroom environment; legal issues related to the responsibilities of the CST, including the requirements of a free appropriate public education, least restrictive environment, the determination of eligibility, and the development of the IEP;

viii. Collaboration theory and practice including theory and process of conducting collaborations; establishing collaborative partnerships between general and special educators, with parents and families, and with paraprofessionals; methods of co-teaching including in-class support, classroom consultation, and co-teaching; preparation for participating in a multidisciplinary child study team setting with opportunities for modeling and participation in team staffings and parent conferences; opportunities to observe, rehearse, and present results from evaluations in practice sessions;

ix. A college-supervised, consultant-level practicum in diagnosis and remediation of educational disabilities in school and clinical situations. The definition and nature of this practicum, and the courses in which it will be provided, should be clear in the program description. The practicum should provide for a minimum of 90 clock hours of college-supervised experience. This may not be a student-teaching experience; and

x. Elective study chosen from areas such as group dynamics; methods and materials for teaching students with disabilities; curriculum development in the teaching of students with disabilities; teaching of reading; assistive/adaptive technology; interviewing and counseling; educational psychology; and community resources.

(d) An emergency certificate may be issued to a candidate who meets the following requirements:

1. A standard instructional certificate;
2. Three years of teaching experience; and
3. A minimum of 12 graduate credits in educational disabilities including psychological testing.

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

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

Deleted (d)1 and (d)5; recodified (d)2 through (d)4 as (d)1 through (d)3; and in (d)3, substituted “.” for “,” diagnosis of educational disabilities and accommodations for educational disabilities; and” at the end.

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In the introductory paragraph of (c)1, inserted “Department-approved” and deleted “approved by the Department” from the end; in (c)liii, inserted a comma following “skills”; in (c)liv, inserted a semicolon following “disability” and substituted “that” for “which”; in (c)lvii, inserted a comma following “problems”, the third occurrence of “and”, and a comma following “CST”; in (c)lix, substituted “college-

supervised” for “college supervised” and “student-teaching” for “student teaching”; and deleted (e).

#### Case Notes

Initial Decision (2008 N.J. AGEN LEXIS 70) adopted, which rejected a school social worker’s argument that the district’s decision to eliminate a position of school social worker did not satisfy the “good cause” test since the district then added a learning disabilities teacher-consultant position; because the role of the learning disabilities teacher-consultant is vastly different from the role of school social worker, and has different certification requirements, the positions are not fungible. Aiello v. Bd. of Educ. of Westwood Reg’l School Dist., OAL Dkt. No. EDU 7986-07, 2008 N.J. AGEN LEXIS 263, Commissioner’s Decision (March 20, 2008).

#### 6A:9-13.11 School occupational therapist

(a) The school occupational therapist endorsement is required for service as an occupational therapist in grades preschool through 12.

(b) The requirements for the school occupational therapist endorsement are as follows:

1. A bachelor’s degree from a regionally accredited college or university;
2. Completion of a program in occupational therapy from an approved school; and
3. A currently valid license issued by the New Jersey Occupational Therapy Advisory Council.

(c) An emergency certificate is not available for this endorsement.

#### 6A:9-13.12 School physical therapist

(a) The school physical therapist endorsement is required for service as a physical therapist in grades preschool through 12.

(b) The requirements for the school physical therapist endorsement are as follows:

1. A bachelor’s degree from a regionally accredited college or university;
2. Completion of a program in physical therapy from an approved school; and
3. A currently valid license issued by the New Jersey Board of Physical Therapy.

(c) An emergency certificate is not available for this endorsement.

#### 6A:9-13.13 Reading specialist

(a) The reading specialist endorsement is required for service as a reading specialist in grades preschool through 12. A reading specialist conducts in-service training of teachers and administrators, coordinates instruction for students or groups of students having difficulty learning to read, diagnoses the nature and cause of a student’s difficulty in

learning to read, plans developmental programs in reading for all students, recommends methods and materials to be used in the school district reading program, and contributes to the evaluation of the reading achievement of students.

(b) A candidate for this endorsement shall have completed a master's degree from a regionally accredited college or university, two years of successful teaching experience and one of the following:

1. A graduate degree program in reading approved by the Department; or
2. A program of graduate studies of 30 semester-hour credits consisting of the following:
  - i. Reading foundations;
  - ii. Diagnosis of reading problems;
  - iii. Correction of reading problems;
  - iv. Supervised practicum in reading; and
  - v. Study in at least three of the following areas: children's or adolescent literature; measurement; organization of reading programs; psychology; staff supervision; linguistics; special education; research; and foundations of education.

(c) An emergency certificate may be issued to a candidate who meets the following requirements:

1. A master's degree from a regionally accredited college or university;
2. Two years of successful teaching experience; and
3. Completion of 12 graduate credits in the areas listed in (b)2 above.

Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (a), substituted "materials to be used in the school district" for "material to be used in the district"; in (b)2, substituted "semester-hour credits" for "semester-hours"; and deleted (d).

#### 6A:9-13.14 School library media specialist

(a) The school library media specialist (SLMS) endorsement is required for any person who serves as a school library media specialist in grades preschool through 12. The functions include delivery of instruction in information literacy skills, and the development and coordination of school library media programs and resources. The functions also include the delivery of instruction in the evaluation, selection, organization, distribution, creation, and utilization of school library media. Media are defined as all print, non-print, and electronic resources including the technologies needed for their use.

(b) To be eligible for the SLMS CE, a candidate must hold a master's degree from a regionally accredited college or university and complete one of the following:

1. A graduate program approved by the Department as the basis for issuing this certificate; or
2. A master's degree in library media studies from a regionally accredited college; or
3. A program of graduate studies consisting of at least 36 semester-hour credits in a coherent sequence of studies including the following:
  - i. Organization and coordination of school library media programs, resources and instruction to provide a sequential course of study for students;
  - ii. Application of learning theory to reading, listening and viewing library media resources;
  - iii. Access, evaluation, selection and utilization of library media resources;
  - iv. Design and development of multimedia materials;
  - v. Design, development and integration of information literacy skills and the library media program throughout the school curriculum;
  - vi. Integration of educational resources and technology throughout the school curriculum;
  - vii. Children's literature and young adult literature;
  - viii. Development and implementation of policies and procedures for effective and efficient acquisition, cataloging, processing, circulation, and maintaining equipment and resources to ensure equitable access;
  - ix. Development, implementation, and evaluation of library media programs to meet educational goals, including management of library personnel, resources, and facilities;
  - x. Utilization of current and emergent technologies in all phases of school library media programs; and
  - xi. Field experience that includes instruction and management. This experience must be completed in a school library media center.

(c) To be eligible for the SLMS CEAS, a candidate must complete the requirements outlined in (b)1 or 3 above and one of the following:

1. Hold a standard New Jersey or out-of-State instructional certificate. A military science endorsement will not satisfy this requirement;
2. Complete a State-approved college teacher preparation program with or without student teaching; or
3. Complete a coherent college program at a regionally accredited college or university that includes a minimum of nine semester-hour credits in educational theory, curriculum design and integration, teaching methodology, student/learning development, and behavior management.

(d) To be eligible for a provisional educational services certificate with a SLMS endorsement, the candidate shall:

1. Possess a SLMS CE or CEAS; and
2. Obtain an offer of employment in a position that requires the SLMS endorsement.

(e) To be eligible for the standard educational services certificate with a SLMS endorsement, a candidate shall:

1. Possess a provisional educational services certificate with a SLMS endorsement pursuant to (d) above;
2. Complete a coherent college program at a regionally accredited college or university that includes a minimum of nine semester-hour credits in educational theory, curriculum design and integration, teaching methodology, student/learning development, and behavior management. Holders of the SLMS CEAS are exempt from this requirement;
3. Complete graduate-level coursework in the school library media topics listed in (b)3 above that were not included in the candidate's library media master's program. Holders of the SLMS CEAS are exempt from this requirement;
4. Complete a year-long school-based residency program in a school library media center. A certified school administrator, principal or supervisor shall provide supervision during the candidate's provisional year. The residency program shall:
  - i. Consist of a supervised residency that includes professional experiences in the delivery of instruction in information literacy skills and the development and coordination of school library media programs and resources. In addition, the residency includes the delivery of instruction in the evaluation, selection, organization, distribution, creation, and utilization of school library media. Where possible, the candidate shall be mentored by an experienced school library media specialist throughout the residency; and
  - ii. Be agreed upon through a residency agreement issued by the Department outlining the responsibilities as set forth in this section and entered into by the Department, the employing school, the candidate and the State-approved residency supervisor.

(f) The State-approved residency supervisor shall have primary responsibility to assure that the candidate receives appropriate training, support, mentoring, practicum experiences, and professional opportunities in the critical job responsibilities specified in the agreement and consistent with (a) above. The residency supervisor shall also evaluate and verify the completion of all required experiences according to the terms and conditions of the residency agreement.

(g) Upon completion of the residency period, the supervisor shall complete a comprehensive evaluation report on the candidate's performance based on the candidate's ability to

complete the job duties pursuant to (a) above and to implement the theoretical concepts pursuant to (b)2 above. The supervisor shall discuss the evaluation report with the candidate, and the supervisor and candidate shall sign the report as evidence of such discussion. Upon completion of the evaluation, it shall be submitted to the Office. The evaluation on each candidate shall include one of the following recommendations:

1. **Approved:** Recommends issuance of a standard educational services certificate with a SLMS endorsement;
2. **Insufficient:** Recommends that a standard educational services certificate with a SLMS endorsement not be issued but that the candidate be allowed to continue the residency or seek admission to an additional residency. Except for those candidates who receive approval pursuant to N.J.A.C. 6A:9-17.18(d), a candidate who receives a second insufficient is precluded from continuing or re-entering a residency; or
3. **Disapproved:** Recommends that a standard educational services certificate with a SLMS endorsement not be issued and that the candidate is precluded from continuing or re-entering a residency.

(h) If the candidate disagrees with the residency supervisor's recommendation, the candidate may appeal the recommendation pursuant to N.J.A.C. 6A:9-17.17.

(i) The holder of a standard educational services certificate with an associate school library media specialist endorsement is eligible for the SLMS upon completion of the requirements in (b)3 above.

(j) An emergency certificate may be issued to a candidate who has a bachelor's degree from a regionally accredited college or university and has completed a minimum of 12 graduate-level semester-hour credits in school library media.

(k) The following individuals are eligible to receive the standard SLMS endorsement:

1. Those holding a permanent New Jersey school librarian or standard educational media specialist endorsement; or
2. Those holding a standard New Jersey Associate School Library Media Specialist (ASLMS) endorsement who have completed a graduate degree program at a regionally accredited college or university with specialization in school library media studies.

(l) Individuals holding the school librarian or educational media specialist endorsement may serve in any position requiring the SLMS endorsement.

Amended by R.2006 d.170, effective May 15, 2006.  
 See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).  
 In (a), inserted "(SLMS)"; in (b), substituted "SLMS CE" for "endorsement"; recodified (b)2 as (b)3, added (b)2; recodified (c) as (e), (d)-(g) as (j)-(m), and deleted (h); added (c), (d), (e)1-(e)4, and (f)-(i); in (e), substituted "SLMS" for "school library media specialist"; rewrote

(j); in (l) and (m), substituted "SLMS" for "school media specialist"; in (l)2, substituted "school library media studies" for "library science, school library media, or equivalent media areas".

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

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

In (l)1, deleted "and" from the end; in (l)2, substituted "; or" for a period at the end; and added (l)3.

Administrative correction.

See: 40 N.J.R. 781(a).

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (a), inserted a comma following "skills", "creation" and "non-print"; in (b)1, substituted "program" for "curriculum"; in (b)1iv, substituted "multimedia" for "multi-media"; in (b)1ix, inserted a comma following "implementation", "goals" and "resources"; in (e)3, substituted "graduate-level" for "graduate level", and substituted a period for a semicolon at the end; in (e)4i, inserted a comma following "addition" and "creation"; in (f), substituted "the agreement and consistent with (a) above" for "this section"; in the introductory paragraph of (g), substituted "it" for "the evaluation"; in (g)2, substituted "6A:9-17.18(d)" for "6A:9-17.17(d)"; deleted former (k); recodified former (l) and (m) as new (k) and (l); in (k)1, inserted "or"; deleted former (l)2; and recodified former (l)3 as new (k)2.

#### 6A:9-13.15 Associate school library media specialist

(a) The associate school library media specialist (ASLMS) endorsement is required for anyone who serves as a school library media specialist in grades preschool through 12 under the supervision of a certified school administrator, principal or supervisor. The functions include delivery of instruction in information literacy skills, and the development and coordination of school library media programs and resources. The holder also provides instruction in the evaluation, selection, organization, distribution, creation and utilization of school library media. These media are defined as all print, non-print and electronic resources including the technologies needed for their use.

(b) To be eligible for the ASLMS CE, a candidate shall have completed a bachelor's degree from a regionally accredited college or university and one of the following:

1. A graduate program approved by the Department as the basis for issuing this certificate; or
2. A program of graduate studies consisting of at least 18 semester-hour credits in a coherent sequence of studies including the following:
  - i. Access, evaluation, selection and utilization of library media resources;
  - ii. Organization and coordination of school library media programs, resources and instruction to provide K-12 student with a sequential course of studies;
  - iii. Children's literature and young-adult literature;
  - iv. Design, development and integration of information literacy skills throughout the school curriculum;
  - v. Design and development of multimedia materials;
  - vi. Utilization of current and emergent technologies in all phases of school library media programs; and

vii. A field experience that includes instruction and management. This experience must be completed in a school library media center.

(c) To be eligible for the ASLMS CEAS, a candidate shall complete the requirements outlined in (b) above and one of the following:

1. Hold a standard New Jersey or out-of-State instructional certificate. A military science endorsement shall not satisfy this requirement;
2. Complete a State-approved college teacher preparation program with or without student teaching; or
3. Complete a coherent college program at a regionally accredited college or university that includes a minimum of nine semester-hour credits in educational theory, curriculum design and integration, teaching methodology, student/learning development, and behavior management.

(d) To be eligible for a provisional educational services certificate with an ASLMS endorsement, the candidate shall:

1. Possess an ASLMS CE or CEAS; and
2. Obtain an offer of employment in a position that requires the ASLMS endorsement.

(e) To be eligible for the standard educational services certificate with an ASLMS endorsement, a candidate shall:

1. Possess a provisional educational services certificate with an ASLMS endorsement pursuant to (d) above;
2. Complete a coherent college program at a regionally accredited college or university that includes a minimum of nine semester-hour credits in educational theory, curriculum design and integration, teaching methodology, student/learning development, and behavior management. Holders of the ASLMS CEAS are exempt from the study requirements; and
3. Complete a year-long school-based residency program in a school library media center. A certified school administrator, principal or supervisor shall provide supervision during the candidate's provisional year. The residency program shall:
  - i. Consist of a supervised residency that includes professional experiences in the delivery of instruction in information literacy skills and the development and coordination of school library media programs and resources. In addition, the residency includes the delivery of instruction in the evaluation, selection, organization, distribution, creation, and utilization of school library media. Where possible, the candidate shall be mentored by an experienced school library media specialist throughout the residency; and
  - ii. Be agreed upon through a residency agreement issued by the Department outlining the responsibilities as set forth in this section and entered into by the

Department, the employing school, the candidate and the State-approved residency supervisor.

(f) The State-approved residency supervisor shall have primary responsibility to assure that the candidate receives appropriate training, support, mentoring, practicum experiences and professional opportunities in the critical job responsibilities specified in this section. The residency supervisor shall also evaluate and verify the completion of all required experiences according to the terms and conditions of the residency agreement.

(g) Upon completion of the residency period, the supervisor shall complete a comprehensive evaluation report on the candidate's performance based on the candidate's ability to complete the job duties pursuant to (a) above and to implement the theoretical concepts pursuant to (b)2 above. The supervisor shall discuss the evaluation report with the candidate, and the supervisor and candidate shall sign the report as evidence of such discussion. Upon completion of the evaluation, it shall be submitted to the Office. The evaluation on each candidate shall include one of the following recommendations:

1. **Approved:** Recommends issuance of a standard educational services certificate with an ASLMS endorsement;

2. **Insufficient:** Recommends that a standard educational services certificate with an ASLMS endorsement not be issued but that the candidate be allowed to continue the residency or seek admission to an additional residency. Except for those candidates who receive approval pursuant to N.J.A.C. 6A:9-17.17(d), a candidate who receives a second insufficient is precluded from continuing or re-entering a residency; or

3. **Disapproved:** Recommends that a standard educational services certificate with an ASLMS endorsement not be issued and that the candidate is precluded from continuing or re-entering a residency.

(h) If the candidate disagrees with the residency supervisor's recommendation, the candidate may appeal the recommendation pursuant to N.J.A.C. 6A:9-17.17.

(i) An emergency certificate may be issued to a candidate who completes a bachelor's degree from a regionally accredited college or university and a minimum of six graduate semester hour credits in school library media.

(j) Policies governing the ASLMS endorsement are as follows:

1. Persons holding a standard or permanent New Jersey teacher-librarian or the associate educational media specialist endorsement shall be deemed eligible to receive the ASLMS endorsement.

2. The holder of the teacher-librarian or associate educational media specialist endorsement is eligible to receive

an extension of the authorization to include the functions of the ASLMS authorization.

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

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

In (a), inserted "ASLMS"; rewrote (b); recodified (c) as (e), (d) as (i), (e)-(f) as (j)-(k); added (c) and (d); rewrote (e); added (f)-(h); rewrote (i); and in (k), substituted "ASLMS" for "associate school library media specialist" throughout.

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (b)1, substituted "program" for "curriculum"; in (b)1iv, substituted "multimedia" for "multi-media"; in (e)3i, inserted a comma following "addition" and "creation"; in (g), substituted "(a)" for "N.J.A.C. 6A:13-15(a)" and "it" for "the evaluation"; deleted former (j); and recodified former (k) as new (j).

#### 6A:9-13.16 School orientation and mobility specialist

(a) The school orientation and mobility specialist endorsement is required for service as an orientation and mobility instructor to blind and visually impaired students in public schools in grades preschool through 12.

(b) To be eligible for the standard educational services certificate with a school orientation and mobility specialist endorsement, the candidate shall:

1. Hold a bachelor's degree from a regionally accredited college or university; and

2. Hold a valid Orientation and Mobility Specialist certification issued by the Academy for the Certification of Vision Rehabilitation & Education Professionals (ACVREP) or a Category A: University Preparation certification issued by the National Blindness Professional Certification Board (NBPCB).

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

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

Section was "Professional librarian".

New Rule, R.2008 d.7, effective January 7, 2008.

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

Section was "Reserved".

#### 6A:9-13.17 School athletic trainer

(a) The athletic trainer endorsement is required for service as a school athletic trainer in grades preschool through 12 pursuant to N.J.S.A. 18A:28-4(b).

(b) To be eligible for the school athletic trainer endorsement, a candidate shall:

1. Hold a bachelor's degree from a regionally accredited college or university; and

2. Satisfactorily complete the requirements established by the State Board of Medical Examiners for registration as an athletic trainer pursuant to N.J.A.C. 13:35-10.

(c) An emergency certificate is not available for this endorsement.

**6A:9-13.18 Educational interpreter**

(a) Effective September 1, 2005, the educational interpreter endorsement is required for individuals who provide educational interpreting services, sign language interpreting, oral interpreting or cued speech transliteration to students who are deaf, hard of hearing or deaf-blind in grades preschool through 12.

(b) To be eligible for the standard educational services certificate with a sign language interpreting endorsement, a candidate shall:

1. Hold an associate or higher degree from a regionally accredited college or university and complete the following:

i. The Educational Interpreter Performance Assessment (EIPA) with a minimum score of three; and

ii. Fifteen semester hour-credits of professional education coursework that includes study in child development, language development, curriculum development, methods of instruction, interpreting for deaf-blind students, and legal and ethical issues for educational interpreters. Such study may be part of the degree program or in addition to the degree program and may be completed at an accredited two-year college; or

2. Have a high school diploma or a General Education Diploma (GED), demonstrated interpreting skills as evidenced through the possession of a sign language certificate from the Registry of Interpreters for the Deaf, the National Association of the Deaf, or other Department-approved national accrediting agencies for sign language interpreting and complete the following:

i. The EIPA with a minimum score of three; and

ii. Fifteen semester-hour credits of professional education coursework that includes study in child development, language development, curriculum development, interpreting for deaf-blind students, legal and ethical issues for educational interpreters, and methods of instruction. The study may be completed at an accredited two-year college.

(c) To be eligible for the standard educational services certificate with an oral interpreting endorsement, a candidate shall:

1. Have a high school diploma, a GED or an associate or higher degree;

2. Demonstrate interpreting skills as evidenced through the possession of an oral interpreting certificate from a Department-approved accrediting agency; and

3. Complete 15 semester-hour credits of professional education coursework that includes study in child development, language development, curriculum development, interpreting for deaf-blind students, legal and ethical

issues for educational interpreters, and methods of instruction. The study may be completed at an accredited two-year college.

(d) To be eligible for the standard educational services certificate with a cued speech transliteration endorsement, a candidate shall:

1. Have a high school diploma, a GED or an associate or higher degree;

2. Demonstrate interpreting skills as evidenced through the possession of a cued speech transliteration certificate from a Department-approved accrediting agency; and

3. Complete 15 semester-hour credits of professional education coursework that includes study in child development, language development, curriculum development, interpreting for deaf-blind students, legal and ethical issues for educational interpreters, and methods of instruction. The study may be completed at an accredited two-year college.

(e) An emergency educational interpreter certificate in sign language interpreting may be issued to a candidate with a high school diploma or GED and who has completed the EIPA with a minimum score of three. The emergency certificate may be renewed a total of three times.

(f) An emergency educational interpreter certificate in oral interpreting may be issued to a candidate with a high school diploma or GED and an oral interpreting certificate from a Department-approved accrediting agency. The emergency certificate may be renewed a total of three times.

(g) An emergency educational interpreter certificate in cued speech transliteration may be issued to a candidate with a high school diploma or GED and a cued speech transliteration certificate from a Department-approved accrediting agency. The emergency certificate may be renewed a total of three times.

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), substituted "Effective September 1, 2005, the educational interpreter" for "The educational interpreter"; in (e), (f) and (g), substituted references to high school diplomas and GEDs for references to academic degree or diploma requirements.

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)1ii, (b)2ii, (c)3 and (d)3, substituted "deaf-blind students" for "visually impaired or"; and in (e), (f) and (g), added the last sentence.

Amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In (b)1ii, inserted a comma following "students" and substituted "two-year" for "two year"; in the introductory paragraph of (b)2, inserted a comma following "Deaf"; in (b)2ii, (c)3 and (d)3, substituted "semester-hour" for "semester hour" and inserted a comma following "interpreters"; in (f), deleted "who holds" preceding "an oral"; and in (g), deleted "who holds" preceding "a cued".

**6A:9-13.19 Cooperative education coordinator—  
hazardous occupations**

(a) The cooperative education coordinator (CEC) – hazardous occupations endorsement is required for an individual to serve as a coordinator supervising career and technical education students who are participating in cooperative education experiences in hazardous occupations in accordance with N.J.S.A. 34:2-21, Child labor laws, and N.J.A.C. 6A:8 and 6A:19. This endorsement authorizes the holder to place and supervise career and technical education students in school-sponsored cooperative education experiences as part of a career and technical education program. This endorsement also permits the individual to supervise students participating in any other SLE in any career cluster.

(b) To be eligible for the CEC – hazardous occupations endorsement, the candidate shall present:

1. A standard instructional certificate with a career and technical education endorsement in any field;

2. Two years of successful teaching under a certificate in career and technical education, and completion of the following:

i. Training in child labor, wage and hour, and wage payment laws and regulations, as required by the Department of Labor and Workforce Development and the U.S. Department of Labor in accord with N.J.S.A. 34:2-21 and 57, N.J.S.A. 34:11-4 and 56, N.J.A.C. 12:56 and 12:58, and 29 CFR 570 and 1900;

ii. A minimum of 20 hours of training or a Department-approved equivalent program in safety and health and required Department procedures and planning for SLEs pursuant to N.J.A.C. 6A:19;

iii. Two graduate-level college courses or a Department-approved equivalent program in instructional strategies for work-based education and career information/occupational guidance; and

iv. One-thousand hours of employment experience in a hazardous occupation, as approved by the chief school administrator, in accordance with N.J.S.A. 34:2-21.

(c) Individuals holding a Vocational-Technical Coordinator: Cooperative Industrial Education endorsement as of January 20, 2004 may serve in a position requiring the CEC—hazardous occupations endorsement in any career cluster.

(d) An emergency certificate in CEC – hazardous occupations may be issued to a candidate who meets the requirements in (d)1 through 3 below. The candidate shall complete the requirements for the standard certificate in no more than 24 months from the issuance date of the emergency certificate.

1. A standard career and technical education instructional certificate;

2. Two years of successful career and technical education teaching experience; and

3. One-thousand hours of employment experience in a hazardous occupation, as approved by the chief school administrator, in accordance with N.J.S.A. 34:2-21.

Amended by R.2005 d.110, effective April 4, 2005.  
See: 36 N.J.R. 5044(a), 37 N.J.R. 1066(a).

In (b), rewrote 2i and 2ii.

Amended by R.2006 d.170, effective May 15, 2006.  
See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

Substituted “24 months” for “12 months” in (d).  
Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote the section.

**6A:9-13.20 Cooperative education coordinator**

(a) The cooperative education coordinator endorsement is required for an individual to serve in the capacity as a coordinator supervising career and technical education students who are participating in cooperative education experiences in non-hazardous occupations in accordance with N.J.S.A. 34:2-21 and N.J.A.C. 6A:8 and 6A:19. This endorsement also permits the individual to supervise students participating in any other non-hazardous SLE in any career cluster.

(b) To be eligible for the endorsement, the candidate shall present:

1. A standard instructional certificate with a career and technical endorsement in any field; and

2. Successful completion of two years of teaching under a certificate in career and technical education, and completion of the following:

i. Training in child labor, wage and hour, and wage payment laws and regulations, as required by the Department of Labor and Workforce Development and the U.S. Department of Labor in accord with N.J.S.A. 34:2-21 and 57, N.J.S.A. 34:11-4 and 56, N.J.A.C. 12:56 and 12:58, and 29 CFR 570 and 1900;

ii. A minimum of 20 hours of training or a Department-approved equivalent program in safety and health and required Department procedures and planning for SLEs pursuant to N.J.A.C. 6A:19; and

iii. Two graduate-level college courses or a Department-approved equivalent program in instructional strategies for work-based education and career information/occupational guidance.

(c) Individuals holding a vocational-technical coordinator: cooperative industrial education endorsement or the teacher-coordinator of cooperative vocational-technical education in the occupational areas of agriculture education, distributive education, health occupations, home economics education or

business education endorsements may serve in a position requiring the CEC endorsement in any career cluster.

(d) An emergency CEC certificate may be issued to a candidate who meets the requirements in (d)1 and 2 below. The candidate shall complete the requirements for the standard certificate in no more than 24 months from the issuance date of the emergency certificate.

1. A standard career and technical education instructional certificate; and
2. Two years of successful career and technical education teaching experience.

Amended by R.2005 d.110, effective April 4, 2005.  
See: 36 N.J.R. 5044(a), 37 N.J.R. 1060(a).

In (b), rewrote 2i and 2ii.  
Amended by R.2006 d.170, effective May 15, 2006.  
See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

In (d), substituted "24 months" for "12 months".  
Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Rewrote (a); in (b)1, the introductory paragraph of (b)2, and (d)2, substituted "career and technical" for "vocational-technical"; in (b)2i, substituted "child labor, wage and hour, and wage payment" for "Child Labor, Wage and Hour, and Wage Payment" and inserted a comma following "12:58"; and in (d)1, substituted "career and technical education" for "vocational".

#### 6A:9-13.21 Requirements for interstate reciprocity

(a) Notwithstanding any other provision of this subchapter, any applicant for educational services certification who presents a valid educational services certificate issued by any other state shall, upon payment of the appropriate fee, be issued a New Jersey educational services standard certificate for the equivalent and currently-issued New Jersey endorsement. If there is no equivalent current New Jersey endorsement, then the provisions of N.J.A.C. 6A:9-13.1 through 13.20 shall apply to interstate reciprocity. There are three limitations to this rule:

1. If New Jersey has an equivalent endorsement with required subject-matter test for the applicant's endorsement, the applicant shall have passed a state subject matter test to receive his or her out-of-State endorsement or else must pass the appropriate New Jersey subject-matter test. This limitation shall not apply if the applicant has five years of experience in good standing under the out-of-State certificate. Experience in good standing shall be documented by a letter of experience from the applicant's supervisor or authorized district representative;
2. An applicant for interstate reciprocity for a New Jersey educational services endorsement that requires a residency shall receive a CE or CEAS as governed by this subchapter; and
3. Applicants for educational services reciprocity must meet all other requirements in this subchapter for State-issued professional licenses or certificates.

*The following annotations apply to N.J.A.C. 6A:9-13.21 prior to its repeal by R.2013 d.091:*

Recodified from N.J.A.C. 6A:9-13.22 by R.2005 d.110, effective April 4, 2005.

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

Former N.J.A.C. 6A:9-13.21, Structured learning experience/career orientation coordinator, repealed.

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

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

Rewrote (b)3i and ii; and in (c), substituted "24 months" for "12 months".

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

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

In (b)4, deleted "or a Department-approved program" following the first occurrence of "courses", substituted "career and technical" for "vocational-technical" and inserted ", or a Department-approved alternative to either or both of these two courses".

*The following annotations apply to N.J.A.C. 6A:9-13.21 subsequent to its recodification from N.J.A.C. 6A:9-13.22 by R.2013 d.091:*

Recodified to N.J.A.C. 6A:9-13.21 by R.2005 d.110, effective April 4, 2005.

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

New Rule, R.2011 d.053, effective February 7, 2011.

See: 42 N.J.R. 1947(a), 43 N.J.R. 282(b).

Section was "Reserved".

Recodified from N.J.A.C. 6A:9-13.22 and amended by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

In the introductory paragraph of (a), substituted "13.20" for "13.21"; in (a)1, substituted "subject-matter" for "subject matter"; and rewrote (a)2. Former N.J.A.C. 6A:9-13.21, County apprenticeship coordinator, repealed.

#### 6A:9-13.22 (Reserved)

Recodified to N.J.A.C. 6A:9-13.21 by R.2005 d.110, effective April 4, 2005.

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

New Rule, R.2011 d.053, effective February 7, 2011.

See: 42 N.J.R. 1947(a), 43 N.J.R. 282(b).

Section was "Reserved".

Recodified to N.J.A.C. 6A:9-13.21 by R.2013 d.091, effective July 1, 2013.

See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Section was "Requirements for interstate reciprocity".

### SUBCHAPTER 14. ACTING ADMINISTRATORS

#### 6A:9-14.1 General provisions

(a) If, because of illness or death or some other good and sufficient reason, the district board of education must fill the position of superintendent of schools, assistant superintendent of schools, school business administrator, principal, or vice principal with a person who is designated as the acting administrator in a respective situation and who does not hold the standard New Jersey certificate required for the position, it shall be the duty of the board of education to make written application to the Commissioner, through the county superintendent, for permission to employ such person in an acting capacity, stating the reasons why such action is necessary. If the stated reasons justify the need to appoint someone as an administrator in an acting capacity who is not properly certified to hold the position, the Commissioner may approve the request on a case-by-case basis.

(b) If such approval is given by the Commissioner, it shall be of three months' duration, and may be renewed by him or her upon application for a period of three months at a time. Consideration of said request shall be made on a case-by-case basis. If the acting status of said individual is to extend beyond a year, no such permission can be given except upon recommendation of the Commissioner to the State Board that the application of the district board of education be granted.

(c) If the Commissioner or State Board grants approval, the Board of Examiners shall be notified and shall issue a letter of temporary certification.

Amended by R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

In (a), substituted "principal, or vice principal" for "high school principal, or elementary school principal".

## SUBCHAPTER 15. REQUIRED PROFESSIONAL DEVELOPMENT FOR TEACHERS AND SCHOOL LEADERS

### 6A:9-15.1 General provisions

(a) The purpose of this subchapter is to govern required professional development for active teachers and school leaders.

(b) These rules apply to:

1. All active teachers, defined as staff whose positions require possession of the instructional or education services certificates in accordance with N.J.A.C. 6A:9-8, 10, 11, and 13; and

2. All active school leaders serving on a permanent or interim basis whose positions require possession of the chief school administrator, principal, or supervisor endorsement in accordance with N.J.A.C. 6A:9-12.

(c) These rules apply to all district boards of education, charter schools, and nonpublic schools that choose to participate in the professional development requirements for teachers and school leaders outlined in this subchapter and whose staff members hold positions that require the possession of the instructional, educational services, or administrative certificates. Hereinafter in this subchapter, the term district board of education includes district boards of education, charter school boards of trustees, and applicable nonpublic school governing bodies choosing to participate in the new professional development requirements for teachers outlined in the subchapter. In addition, the term district administrator includes district board of education, charter school, and applicable nonpublic administrators choosing to participate.

Amended by R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

In (a), inserted the second sentence and deleted "the procedures for review and registration of professional development providers;" following "implemented;"; and in (b), substituted "teachers" for "teaching staff members employed as of September 2000 and thereafter".

Amended by R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).  
Rewrote the section.

### 6A:9-15.2 Definition of professional development

(a) Professional development shall be comprised of professional learning opportunities aligned with student learning and educator development needs, and school, school district, and/or State improvement goals.

(b) Professional development shall have as its primary focus the improvement of teachers' and school leaders' effectiveness in assisting all students to meet the CCCS.

(c) Professional development shall include the work of established collaborative teams of teachers, school leaders, and other administrative, instructional, and educational services staff members who commit to working together to accomplish common goals and who are engaged in a continuous cycle of professional improvement focused on:

1. Evaluating student learning needs through ongoing reviews of data on student performance; and
2. Defining a clear set of educator learning goals based on the rigorous analysis of these data.

(d) Professional learning shall incorporate coherent, sustained, and evidenced-based strategies that improve educator effectiveness and student achievement, including job-embedded coaching or other forms of assistance to support educators' transfer of new knowledge and skills to their work.

(e) Professional development may be supported by external expert assistance or additional activities that:

1. Address defined student and educator learning goals;
2. Advance primarily ongoing school-based professional development; and
3. Include, but are not limited to, courses, workshops, institutes, networks, and conferences provided by for-profit and nonprofit entities outside the school such as universities, educational service agencies, technical assistance providers, networks of content specialists, and other education organizations and associations.

(f) Professional development shall align with the professional standards for teachers and school leaders in N.J.A.C. 6A:9-3 and the Standards for Professional Learning in N.J.A.C. 6A:9-15.3.

Amended by R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

Rewrote (a); in (b), substituted "PDP" for "PIP" and updated the N.J.A.C. references; rewrote (d); and in (f), substituted "as well as collaborative learning experiences in school or district level teams" for "registered on the Professional Development Provider Registration System".

Repeal and New Rule, R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Section was "Amount, duration and content of required continuing professional development".

**6A:9-15.3 Standards for professional learning**

(a) Professional learning that increases educator effectiveness and improves results for all students shall be guided by the following standards:

1. **Learning communities:** Occurs within learning communities committed to continuous improvement, collective responsibility, and goal alignment;
2. **Leadership:** Requires skillful leaders who develop capacity, advocate, and create support systems for professional learning;
3. **Resources:** Requires prioritizing, monitoring, and coordinating resources for educator learning;
4. **Data:** Uses a variety of sources and types of student, educator, and system data to plan, assess, and evaluate professional learning;
5. **Learning designs:** Integrates theories, research, and models of human learning to achieve its intended outcomes;
6. **Implementation:** Applies research on change and sustains support for implementation of professional learning for long-term change; and
7. **Outcomes:** Aligns its outcomes with educator performance and student curriculum standards.

(b) The standards in (a)1 through 7 above shall serve as indicators to guide the policies, activities, facilitation, implementation, management, and evaluation of professional development.

Amended by R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

Rewrote (a)3; deleted former (a)4; recodified former (a)5 as (a)4; in (a)4, deleted "district" preceding "professional"; in (c), inserted a period following "N.J.A.C. 6A:9-3.3" and inserted "for approval and adoption"; in (d), inserted the last sentence; in (e)2, substituted a period for "; and" at the end; added (e)2i through (e)2iii; in (e)3, inserted "school"; rewrote (f); and added (h) and (i).

Repeat and New Rule, R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Section was "Procedures for implementation of professional development".

**6A:9-15.4 Requirements for individual teacher professional development planning and implementation**

(a) To meet the professional development requirement, each teacher shall be guided by an individualized professional development plan (PDP), which shall include at least 20 hours per year of qualifying activities. The 20-hour annual requirement shall be reduced by a pro rata share reflecting the use of family or medical leave.

(b) The content of each PDP shall be developed by each teacher's supervisor in consultation with the teacher and shall align with the Professional Standards for Teachers in

N.J.A.C. 6A:9-3 and the Standards for Professional Learning in N.J.A.C. 6A:9-15.3.

(c) The PDP shall be effective for one year and shall specify, at a minimum:

1. One area for development of professional practice derived from the results of observations and evidence accumulated through the teacher's annual performance evaluation;
2. As appropriate, an additional area for development of professional practice aligned to the teacher's role as a member of his or her collaborative professional learning team in accordance with N.J.A.C. 6A:9-15.2;
3. As appropriate, an additional area for development of professional practice aligned with school and/or district improvement goals as set forth in N.J.A.C. 6A:9-15.5 and 15.6; and
4. Any requirements for professional development stipulated elsewhere in statute or regulation.

(d) The progress of each teacher in meeting the goals of the PDP must be determined annually and aligned to the district or applicable nonpublic school process for teacher evaluation.

(e) Progress on the PDP must be discussed during a minimum of one annual conference between the teacher and his or her supervisor.

(f) Each teacher shall provide evidence of progress toward meeting the requirements of his or her individual PDP, and this evidence must be reviewed as part of each conference.

(g) The PDP shall be revised at a minimum annually but may be adjusted as necessary to support the teacher's progress.

(h) All teachers governed by the professional development requirements shall have an individual PDP within 30 instructional days of the beginning of their respective teaching assignments.

(i) Each district board of education shall ensure that all teachers receive the necessary opportunities, support, and resources to engage in ongoing professional learning and to complete the requirements of their respective PDPs.

(j) A teacher's individual PDP goals may necessitate more than the recommended minimum requirements outlined in this subchapter.

(k) Additional hours of qualifying activities may be required for teachers in low-performing schools, as determined by the Commissioner.

Amended by R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

In (b), substituted "PDP" for "PIP"; and in (c), inserted "to the new school district".

Repeal and New Rule, R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).  
Section was "Compliance, enforcement and assistance".

#### **6A:9-15.5 Requirements for school-level professional development planning and implementation**

(a) The principal shall oversee the development and implementation of a plan for school-level professional development.

(b) The school-level professional development plan shall include a description of school-level and team-based professional learning aligned with identified school goals, and teacher and student learning needs.

(c) The school-level plans shall become part of the district professional development plan reviewed by the district board of education pursuant to N.J.A.C. 6A:9-15.6.

(d) The school-level professional development plans required in this section will go into effect for the 2013-14 school year.

(e) The principal shall ensure that all teachers receive the necessary opportunities, support, and resources to complete professional development requirements in accordance with N.J.A.C. 6A:9-15.4(a).

Amended by R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

Rewrote (a)3.  
Repeal and New Rule, R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).  
Section was "Monitoring responsibility".

#### **6A:9-15.6 Requirements for district-level professional development planning and implementation**

(a) Superintendents or designees shall oversee the development and implementation of plans to address school districts' professional development needs. School districts sending to the same middle and/or high school may form a regional consortium to develop one district-wide plan based on the sending schools' plans.

(b) Superintendents shall:

1. Review school-level professional development plans;

2. Assess the learning needs of students, teachers, and school leaders based on educator evaluation data, school-level plans, and data from school- and district-level performances;

3. Plan, support, and implement professional development activities that address the CCCS, and that align with the Standards for Professional Learning in N.J.A.C. 6A:9-15.3 and the Professional Standards for Teachers and School Leaders in N.J.A.C. 6A:9-3; and

4. Develop and update, as necessary, the district mentoring plan for new teachers in accordance with N.J.A.C. 6A:9-8.4.

(c) The superintendent shall review on an annual basis the school district plan to assess its effectiveness and revise it as necessary to meet the school district's learning goals for students, teachers, and school leaders.

(d) The school district plan shall provide information on school-level and district-wide professional development opportunities, the resources being allocated toward their support, and a justification for the expenditures.

(e) The school district plan shall include any professional development required by statute or regulation.

(f) The superintendent shall be responsible for the content and implementation of the district professional development plan. The superintendent shall present the plan to the district board of education to review for fiscal impact.

Amended by R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

In (a), deleted "by January 2005" following "define".  
Repeal and New Rule, R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

Section was "Future role(s) of the Professional Teaching Standards Board to create standards of professional conduct and performance".

#### **6A:9-15.7 Implementation of the professional development requirement for school leaders**

(a) Each district board of education shall oversee and review for each chief school administrator professional development that links to individual, school, and district professional development goals and to the school district's professional development plan.

(b) Each chief school administrator shall oversee and review for each principal and supervisor professional development that links to individual, school, and district professional development goals and the school district's professional development plan.

(c) Each chief school administrator, principal, and supervisor shall fulfill the professional development requirement through the creation, implementation, and completion of a professional development plan that:

1. Aligns with the Professional Standards for School Leaders set forth in N.J.A.C. 6A:9-3.4 and the Standards for Professional Learning in N.J.A.C. 6A:9-15.3;

2. Derives from the results of observations, evidence, and recommendations included in the annual performance evaluation of the chief school administrator, principal, or supervisor;

3. Identifies professional goals that address specific individual, school, or school district goals; and

4. Grounds professional development activities in objectives related to improving teaching, learning, and student achievement, and in support of the school and/or school district professional development plan.

(d) Each active school leader shall be required to provide evidence of progress toward fulfillment of his or her plan. Evidence shall include:

1. A narrative account detailing plan goals and their achievement; and
2. Documentation of professional growth activities such as school-based learning activities; training; university coursework; action research; and study groups. Study groups may include school, district, county, and/or State associations and organizations, school and district collaborative teams, and virtual learning communities.

(e) Leaders whose positions require a principal or supervisor endorsement shall have an annual plan developed in collaboration with the chief school administrator, or designee holding a chief school administrator endorsement.

(f) Leaders whose positions require a chief school administrator's endorsement but who do not serve as a chief school administrator of a school district shall have an annual plan developed in collaboration with the chief school administrator, or designee holding a chief school administrator endorsement.

(g) The chief school administrator, or designee holding a chief school administrator endorsement, shall meet with the principal, supervisor, or other school administrator at mid-year to assess progress toward completion or modification of the plan.

(h) The chief school administrator, or designee holding a chief school administrator endorsement, shall review the status of the professional development plan as part of the principal's, supervisor's, or other district administrator's annual performance evaluation.

(i) Each chief school administrator shall develop a professional development plan for review by his or her district board of education.

(j) Chief school administrators shall provide to the district board of education annual evidence of progress toward completion of the professional development plan and summative evidence of plan completion every three to five years, depending on the chief school administrator's contract with the district board of education.

(k) In cases where there is disagreement between a chief school administrator and his or her district board of education regarding plan contents or progress toward completion, the chief school administrator may appeal to the executive county superintendent, who will have final decision-making authority on all such matters.

New Rule, R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

#### **6A:9-15.8 Requirements for school leader professional development in ethics, law and governance**

All professional development plans for active school leaders serving on a permanent or interim basis whose positions require possession of the chief school administrator, principal, or supervisor endorsement in accordance with N.J.A.C. 6A:9-12.3 shall ensure the completion of appropriate training on: school law, ethics, and governance pursuant to N.J.S.A. 18A:26-8.2; and other statutory requirements related to student safety and well-being. To meet this ongoing requirement, the specific training needs of each school leader will be reviewed annually as part of the professional development planning process.

New Rule, R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

#### **6A:9-15.9 Monitoring and assistance**

(a) Each district board of education shall monitor and enforce the professional development requirements for teachers and school leaders set forth in this chapter.

(b) Each district board of education shall actively assist and support the provision of opportunities and resources, and the efforts by teachers and school leaders to meet the requirements.

(c) To ensure that the professional development requirements set forth in this chapter reflect a policy of continuous improvement, constructive support, and timely intervention, the Department shall establish accountability procedures pursuant to N.J.A.C. 6A:30.

(d) It is the responsibility of the local supervisor and school district administrator through the teacher performance evaluation process and the professional development planning process to monitor each teacher's progress in meeting the professional development requirements and to take appropriate steps to assure such progress. In any instance where a teacher's progress is found to be inadequate, the school district administration shall take appropriate remedial action by applying sound and accepted principles of progressive supervision and other appropriate means.

(e) It is the responsibility of the school leader's immediate supervisor, or the district board of education in the case of the chief school administrator, to monitor each school leader's progress in meeting the professional development requirements. Monitoring shall be accomplished through the performance evaluation and professional development planning processes. In any instance where a school leader's progress is found to be inadequate, the school leader or district board of education shall take appropriate remedial action.

(f) Each school district administration shall be responsible for maintaining accurate records of each educator's progress in meeting the professional development requirements outlined in this chapter. Such records shall include a copy of each educator's current professional development plan and timeline, as well as any documentation and evidence showing

the educator's progress toward meeting the plan's requirements.

(g) If a teacher leaves the employ of one New Jersey school district and is hired by another, the previous employing school district must share with the new employing school district the teacher's individual professional development plan and all supporting documentation. If the current professional development plan is found to be unsuitable to the teacher's new assignment, the new employing school district must ensure that a revised professional development plan and timeline is created within 30 days of hire by the employee's new supervisor in collaboration with the new teacher.

(h) If a school leader leaves the employ of one New Jersey school district and is hired by another, the new employing school district or district board of education shall ensure that a revised professional development plan appropriate to the new assignment is developed in collaboration with the school leader.

New Rule, R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

#### 6A:9-15.10 State Committee on Professional Learning

(a) The State Committee on Professional Learning shall advise the Commissioner on the professional development requirements for teachers and school leaders as defined in this subchapter. Specifically, the Committee shall:

1. Develop and recommend a periodic review process for school district professional development plans for districts in need of improvement to ensure that professional learning opportunities: address the CCCS; are aligned to the professional standards in N.J.A.C. 6A:9-15.3; and target teacher and school leader professional learning needs as identified in the school district performance report;
2. Develop and recommend updated professional standards for teachers and school leaders;
3. Review the implementation of professional development requirements for teachers and school leaders, and provide recommendations for implementation;
4. Develop and recommend a periodic audit process for school district mentoring plans to assure mentoring plans requirements pursuant to N.J.A.C. 6A:9-8.4 are met;
5. Review research, best practices, and practitioner feedback, and provide ongoing recommendations to ensure professional development requirements continue to support teachers and school leaders in improving their practice to enable students to achieve high academic standards;
6. Recommend and develop guidance for the implementation of teachers' and school leaders' professional development plans to assure plans address the CCCS, align to the professional standards for teachers and school leaders, and reflect State, district, and individual educator needs; and

7. Recommend criteria for school district use in the selection of professional development providers.

(b) The State Committee on Professional Learning shall consist of 16 appointed members. The Commissioner or his or her designee shall serve on the Committee as an ex-officio member. Initial committee appointments shall be made as follows: five shall be appointed for one-year terms, five shall be appointed for two-year terms, and six shall be for three-year terms. Each member shall serve a term of three years, renewable only for a second term. However, the 10 members who will occupy the initial abrogated terms shall be eligible to serve two additional full terms. When a membership vacancy or change in a member's representation status occurs, the Commissioner shall appoint a new representative from the appropriate constituency to fill the vacancy.

(c) The Commissioner shall appoint all members and may invite nominations from professional associations and other interested parties. The Commissioner shall ensure that all major organizations representing teachers and school leaders have representation on the Committee. The Committee membership shall be as follows:

1. Six teachers, with at least one from a charter school and at least one each from the following levels: high school, middle school, and elementary school;
2. Six administrators, including three principals and three school district administrators, with at least two of the six from charter schools;
3. One member of a district board of education;
4. Two representatives from educator preparation programs, with at least one member representing an alternate-route provider of educator preparation; and
5. One parent or community member.

(d) The State Committee on Professional Learning shall replace the Professional Teaching Standards Board and the Professional Development Advisory Committee for school leaders for the purpose of meeting the statutory requirements in N.J.S.A. 18A:26-2.9 and 18A:26-8.2, respectively.

New Rule, R.2013 d.091, effective July 1, 2013.  
See: 45 N.J.R. 152(a), 45 N.J.R. 1605(a).

#### SUBCHAPTER 16. OTHER ALTERNATE-ROUTE PROGRAMS FOR DOCUMENTED AREAS OF TEACHER SHORTAGE

##### 6A:9-16.1 Purpose

(a) The purpose of this subchapter is to establish alternate-route programs in documented teacher shortage areas to serve school districts.

(b) Programs as specified in this subchapter may be established by New Jersey colleges and universities, educational organizations, or other entities approved by the Commissioner.

**6A:9-16.2 Authorizations**

(a) The Commissioner may approve programs leading to CEs with endorsements in elementary school with subject-matter specialization in any documented area of teacher shortage for which endorsements are available. Each endorsement shall be valid for a teaching assignment area in grades five through eight.

(b) The Commissioner may approve programs leading to CEs with endorsements authorized to teach preschool through grade 12 in any declared documented teacher shortage area for which endorsements are available.

(c) The Board of Examiners shall issue a certificate of eligibility to an individual who: holds a bachelor's degree from a regionally accredited college or university; successfully completes the instructional element of the approved program required for the CE; and meets the requirements set forth in N.J.A.C. 6A:9-16.3(a)3. In the case of a certificated teaching staff member who participates in the program, the Board of Examiners shall issue a subject area endorsement in the requested endorsement area, as appropriate, upon successful completion of the program's approved requirements for certification.

1. A CE issued by the Board of Examiners under programs authorized by this subchapter shall permit the applicant to seek and accept employment in a school district.

2. The provisional certificate issued under this subchapter to CE holders shall permit the applicant to be employed in a school district.

3. The standard certificate awarded under this subchapter to applicants shall be the appropriate standard certificate in the declared shortage area and shall authorize the holder to teach in any public school district.

**6A:9-16.3 Program requirements**

(a) Program proposals under this subchapter shall be submitted to and approved by the Commissioner according to the following criteria:

1. Documentation of the program requirements for a candidate's admission including evidence of the candidate's:

- i. Bachelor's degree or higher from a regionally accredited four-year college or university;
- ii. Knowledge of the endorsement area as demonstrated by an appropriate assessment;
- iii. Interest in pursuing a teaching career;
- iv. Experience in using skills relevant to the endorsement area in previous employment or experience in working with school-age children; and

v. Additional information as deemed appropriate by the provider to offer a profile of the candidate;

2. Documentation of the program's instructional component, including:

- i. Organization, timeline, and guiding principles;
- ii. Program curriculum and corresponding time allocations;
- iii. Alignment of curriculum with CCCS in the endorsement area;
- iv. Alignment of learning opportunities with Professional Standards for Teachers as established in N.J.A.C. 6A:9-3.3;

v. A description of the key pedagogical approaches to be used, including any methods and techniques specific to teaching in the endorsement area;

vi. A description of opportunities for pre-service experiences in public school classrooms;

vii. The names and qualifications of program instructors;

viii. The procedure, including a test of content knowledge, used to determine that a candidate is qualified to receive a CE;

ix. The procedure for placing a candidate in teaching position in a public school; and

x. A description of how a candidate will meet the Department's highly qualified teacher requirements for the appropriate licensure area prior to issuance of the standard teaching certificate; and

3. Documentation of the program's provisional employment period, including:

i. A description of any relationship between the program and a partnering public school district;

ii. Provisions for providing mentoring for the candidate during the provisional period. Mentoring under the program shall meet or exceed the provisions of N.J.A.C. 6A:9-8.4;

iii. Descriptions of other professional experiences available through the program, such as professional learning and networking opportunities; and

iv. The procedure and evidence used by the program to determine a candidate's eligibility for the standard certificate. Notwithstanding the role of the program in contributing to such a determination, the final determination shall be made by the school principal as described in N.J.A.C. 6A:9-8.6 and 8.7. The candidate shall be afforded all rights of provisional renewal and appeal of an "insufficient" or "disapproved" rating under N.J.A.C. 6A:9-8.6 and 17.18.

## SUBCHAPTER 17. STATE BOARD OF EXAMINERS' PROCEEDINGS

**6A:9-17.1 Certificate holder**

(a) For purposes of this subchapter, the term certificate holder shall include all individuals who hold certificates, credentials, CEs and CEASs issued by the State Board of Examiners.

(b) For purposes of this subchapter, the term certificate shall include all standard, emergency and provisional certificates, all credentials and all CEs and CEASs issued by the State Board of Examiners.

(c) All certificate holders shall report their arrest or indictment for any crime or offense to their superintendent within 14 calendar days. The report shall include the date of arrest or indictment and charge(s) lodged against the certificate holder. Such certificate holders shall also report to their superintendents the disposition of any charges within seven calendar days of disposition. Failure to comply with these reporting requirements may be deemed "just cause" pursuant to N.J.A.C. 6A:9-17.5. School districts shall make these requirements known to all new employees and to all employees on an annual basis.

Amended by R.2006 d.170, effective May 15, 2006.  
See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

Made a stylistic change.

Amended by R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

Inserted designation (a); in (a), inserted "credentials,"; and added (b).  
Amended by R.2009 d.24, effective January 5, 2009.  
See: 40 N.J.R. 4856(a), 41 N.J.R. 128(a).

Added (c).

**6A:9-17.2 Conduct barring candidate from certification**

Notwithstanding that a candidate may meet all requirements for certification, the Board of Examiners may refuse to issue a certificate to that candidate if, based on the record before it, the Board of Examiners determines that, for reasons set forth in N.J.A.C. 6A:9-17.5, the candidate is not suitable for employment as a teaching staff member in the public schools.

**6A:9-17.3 Candidates to provide information regarding criminal history**

(a) As part of the application for certification, a candidate must advise the Office whether he or she has a record of conviction(s) for any crime or offense in New Jersey or any other state or foreign jurisdiction. Candidates who have been convicted shall complete a form approved by the Secretary setting forth the details of the conviction(s).

(b) The Board of Examiners shall review all information the candidate provides and determine whether the candidate's criminal history is such that he or she should not receive a certificate. In making its determination, the Board of Examiners shall consider the Rehabilitated Convicted Offenders

Act, N.J.S.A. 2A:168A-1 et seq., and whether the crime(s) or offense(s) would be disqualifying under N.J.S.A. 18A:6-7.1 et seq.

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

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

In (a), inserted "or foreign jurisdiction".

**6A:9-17.4 District reporting responsibility**

(a) The chief school administrator of a district shall notify the Board of Examiners when:

1. Tenured teaching staff members who are accused of criminal offenses or unbecoming conduct resign or retire from their positions;

2. Nontenured teaching staff members, including substitute teachers, who are accused of criminal offenses or unbecoming conduct resign, retire or are removed from their positions;

3. A certificate holder fails to maintain any license, certificate or authorization pursuant to N.J.A.C. 6A:9-4.1(b) that is mandated in order for the holder to serve in a position;

4. He or she becomes aware that a certificate holder has been convicted of a crime or criminal offense while in the district's employ; or

5. He or she has received a report from the Division of Youth and Family Services (DYFS) substantiating allegations of abuse or neglect or establishing "concerns" regarding a certificated teaching staff member.

(b) In the event that the Board of Examiners issues an order to show cause based on the information that the school district provided about the certificate holder, it shall be the responsibility of the reporting school district to cooperate with the Board of Examiners in any proceeding arising from the order to show cause.

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

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

Made a stylistic change in (a)2; and added (b).

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

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

In (a)3, deleted "or" from the end; in (a)4, inserted "or criminal offense" and substituted "; or" for a period at the end; and added (a)5.

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)2, inserted ", including substitute teachers,".

**Case Notes**

Non-tenured English teacher who was terminated mid-year for misconduct improperly filed an action before the Commissioner of Education, who lacked jurisdiction where the teacher made no claim that her termination violated any constitutional or legislatively-conferred rights, but was based solely on her claim that the Board improperly terminated her when it lacked just cause; the teacher's contention that just cause was required prior to termination was derived from the collective bargaining agreement and the Commissioner did not have jurisdiction over contractual disputes. Therefore, although the Board committed a procedural error in reporting the teacher's dismissal prematurely, there was no evidence that she pursued her grievance in an

appropriate forum, and the error had no impact on her rights. Hudson v. Bd. of Educ. of Mount Olive, OAL Dkt. No. EDU 9142-08, 2009 N.J. AGEN LEXIS 747, Final Decision (September 24, 2009).

#### 6A:9-17.5 Grounds for revocation and suspension of certification

The Board of Examiners may revoke or suspend the certificate(s) of any certificate holder on the basis of demonstrated inefficiency, incapacity, conduct unbecoming a teacher or other just cause. Other just cause shall include, but not be limited to, offenses within the terms of the forfeiture statute, N.J.S.A. 2C:51-2, or the disqualification statute, N.J.S.A. 18A:6-7.1. The Board of Examiners may revoke or suspend a certificate upon evidence that the holder did not meet the qualifications for the certificate at the time of issuance or no longer satisfies the criteria set forth in N.J.A.C. 6A:9-5.1(b). The Board of Examiners shall not revoke or suspend a certificate without providing the holder an opportunity to be heard pursuant to N.J.A.C. 6A:9-17.6.

#### Case Notes

One-year suspension of a teaching certificate was imposed on a teacher who had a physical confrontation with a student that culminated with the teacher pushing the student down on to a table and restraining the student by putting his hands around the student's neck on findings that the conduct was inappropriate, irresponsible and unprofessional. Such actions constituted a breach of the teacher's obligations in that he failed to exercise the high degree of professional behavior mandated by his position by engaging in conduct that represented a significant departure from appropriate conduct, and such behavior was "conduct unbecoming" within the meaning of N.J.A.C. 6A:9-17.5. In re Coleman, OAL Dkt. No. EDE 8899-11, 2013 N.J. AGEN LEXIS 48, Initial Decision (March 4, 2013).

Conduct of a teacher holding elementary and special education teaching certificates in using a school computer webcam to take pictures of himself either nude or wearing only underwear and in emailing those pictures to a third party by use of his personal email account, also accessed on the school computer, violated the school district's Acceptable Use of the Internet policy. Because the teacher's conduct, while not involving pornography, was highly inappropriate and was unbecoming a public employee, sufficient grounds for the revocation of the teacher's teaching certificates as authorized by N.J.A.C. 6A:9-17.5 had been shown. In re Daggett, OAL Dkt. No. EDE 4994-12 (Remand of EDE 15119-11), 2013 N.J. AGEN LEXIS 27, Initial Decision (January 30, 2013).

Initial Decision (2010 N.J. AGEN LEXIS 64) adopted, which found that a tenured teacher's contact with two middle-school female students was inappropriate and warranted revocation of his teaching certificate where the teacher, in addition to pulling the girls from their classes and otherwise bestowing additional attention on the girls, left voice mail messages for one student that included offers to "hang out" and "party" and "go to dinner." Although the teacher claimed that he was motivated by his desire to help the students, there were other measures he should have taken, such as contacting their parents or referring them to counseling services offered by the school, and the absence of evidence of sexual or romantic involvement did not mitigate the seriousness of his actions. In re Castel, OAL Dkt. No. EDE 05768-08, 2010 N.J. AGEN LEXIS 771, Final Decision (October 12, 2010).

Principal's failure to notify a fire department of a fire in the school and the disabling of an automatic reporting of an alarm to the local fire department without notifying a fire official were imminent hazards, violated the State Fire Prevention Code, and constituted unbecoming conduct. The alarm system had been malfunctioning, however, and the principal, who had a long and distinguished career as an educator, honestly believed he was doing his best to keep the students safe; on

reconsideration, the principal's administrative certificates were suspended from February 21, 2008 until May 1, 2008, rather than for two years. In re Certificates of Kramer, OAL Dkt. No. EDE 2085-07; SBE No. 0607-148 (On Reconsideration), 2009 N.J. AGEN LEXIS 622, State Board of Examiners Decision (January 13, 2009), aff'd, No. 115-09A (N.J. Comm'r of Educ. April 8, 2009).

Initial Decision (2008 N.J. AGEN LEXIS 325) adopted, which concluded that revocation of a teacher's certificate was warranted because the teacher maintained an inappropriate out-of-school relationship with a 17-year-old female student at the school, which included overnights at his apartment; the absence of evidence of sexual or romantic involvement did not mitigate the seriousness of the infraction. An objective standard applies, and thus the teacher's intent, as well as the consent of the student or her mother, were not controlling in judging the appropriateness of his behavior. In re Certificate of Cantillon, OAL Dkt. No. EDE 10433-06, State Board of Examiners Decision (July 17, 2008).

Initial Decision (2008 N.J. AGEN LEXIS 294) adopted, which concluded that a high school teacher's comments in the classroom, involving the words "gay," "hickey," and "triple-X," while inappropriate, could not be interpreted as anything other than instantaneous or reflexive comments having no intent other than to make light of a situation or illustrate the students' inappropriate behavior, and, as such, warranted a one-year suspension of the teacher's certificates. In re Certificates of Zantow, OAL Dkt. No. EDE 459-07, State Board of Examiners Decision (July 17, 2008).

Where a teacher was alleged to have breached security procedures in administering the Grade Eight Proficiency Assessment test, the New Jersey State Board of Education reversed the State Board of Examiners' determination to revoke the teacher's certificates under N.J.A.C. 6A:9-17.5 and instead ordered suspension of the teacher's certificates. While the teacher did provide confidential information that would give students an unfair advantage, the teacher did not provide specific answers to the questions on the test and had an excellent employment history. In re Revocation of Teaching Certificates of Karis, OAL Dkt. No. EDE 1564-07; SBE No. 0607-111; SB No. 7-08, 2008 N.J. AGEN LEXIS 722, State Board of Education Decision (June 18, 2008).

Teacher engaged in conduct unbecoming a teacher when he masturbated in a public store; thus, the teacher's teaching certificate was revoked under N.J.A.C. 6A:9-17.5. The teacher could not exclude his "out-of-school" behavior from the State Board of Examiners' examination. In re Certificates of Jordan, OAL Dkt. No. EDE 00460-07; SBE No. 0506-287, State Board of Examiners Decision (February 21, 2008), aff'd, SB No. 17-08 (N.J. Comm'r of Educ. August 13, 2008).

Initial Decision (2007 N.J. AGEN LEXIS 679) adopted, finding that a teacher's Teacher of Elementary School Certificate of Eligibility and Teacher of Elementary School certificates were revoked under N.J.A.C. 6A:9-17.5 for breaching the security of the New Jersey Assessment of Skills and Knowledge Test. The teacher willfully read the reading comprehension sections of the test aloud, ignored time elements, and attempted to provide substantive assistance to a student while she was taking the test. In re Certificates of Mascuch, OAL Dkt. No. EDE 00458-07; SBE No. 0607-134, State Board of Examiners Decision (January 17, 2008).

Initial Decision (2007 N.J. AGEN LEXIS 713) adopted, determining that a teacher and co-owner of a preschool, who was alleged to have known that the preschool was making fraudulent payroll payments to an individual who did not perform any duties at the preschool, should not have her teacher of elementary school and teacher of nursery school certificates revoked or suspended under N.J.A.C. 6A:9-17.5 because the teacher was unaware of the payment arrangements. In re Certificates of Natalini, OAL Dkt. No. EDE 09629-05; SBE No. 0405-104, State Board of Examiners Decision (January 17, 2008).

Initial Decision (2007 N.J. AGEN LEXIS 604) adopted, which, under N.J.A.C. 6A:9-17.5, revoked a special education teacher's teaching certificates because the teacher had used racial epithets during class, allowed students to play video games during class while conducting very little instruction, yelled at students, advocated violence, and viewed

pornography while in the classroom. The ALJ was in the best position to render credibility determinations and concluded that the teacher's deleterious actions rendered him unfit to hold a teaching certificate in New Jersey. In re Certificates of Grendysa, OAL Dkt. No. EDE 985-03; SBE No. 726-06/02, State Board of Examiners Decision (January 17, 2008).

Revocation of an educator's certificates was warranted, where the ALJ assessed conflicting testimony and found that the Board of Examiners met its burden of establishing by a preponderance of the credible evidence that the educator, who operated an educator assessment company, engaged in a plan to obtain a position at a charter school for the purpose of enhancing his pension benefits without providing services in return. It was not necessary to prove that the educator engaged in a criminal conspiracy. In re Certificates of Hayes, OAL Dkt. No. EDE 978-05; SBE No. 0405-176, 2007 N.J. AGEN LEXIS 202, Initial Decision (April 19, 2007), adopted (State Bd. of Examiners July 19, 2007).

Where there was no direct evidence that a school principal, who held a Teacher of English Standard Certificate, a Principal/Supervisor Certificate, a Principal/Supervisor Standard Certificate, and a School Administrator Certificate of Eligibility, ordered a fire alarm system disabled or did it herself after a trash can fire, neglect allegations were not proven. The Administrative Law Judge found the principal's testimony credible, and the principal's certificates were not revoked or suspended pursuant to N.J.A.C. 6A:9-17.5 (adopting as modified 2007 N.J. AGEN LEXIS 31). In re Certificates of Brown, OAL Dkt. No. EDE 0012-06; SBE No. 0405-327, State Board of Examiners Decision (May 3, 2007).

Initial Decision (2007 N.J. AGEN LEXIS 37) adopted, finding that the New Jersey Department of Education did not meet its burden of proof to establish corporal punishment and unbecoming conduct by a teacher to warrant suspension or revocation of her teaching certificates under N.J.A.C. 6A:9-17.5. Based on the evidence, the physical intervention by the teacher between fighting students was reasonably justified to quell a disturbance that threatened physical injury to others and for the purpose of self-defense. In re Certificates of Koonce, OAL Dkt. No. EDE 6300-05; SBE No. 405-255, 2007 N.J. AGEN LEXIS 539, State Board of Examiners Decision (May 3, 2007).

Suspension of teacher's Teacher of Industrial Arts certificate was warranted under N.J.A.C. 6A:9-17.5 due to conduct unbecoming of a teacher, including engaging in inappropriate horseplay with a female student, inappropriately touching female students, and making inappropriate comments to his students. Under the facts of the case, revocation of the teacher's certification was too harsh a penalty and a two-year suspension of his teaching certificate was warranted instead. In re Revocation of Teaching Certificate of Chavez, OAL Dkt. No. EDE 11443-03; SBE No. 776-06/03; SB No. 26-06, 2006 N.J. AGEN LEXIS 1091, State Board of Education Decision (April 4, 2007).

ALJ assessed credibility and found that a school nurse left used needles in a common supply closet, failed to maintain the medical waste disposal box, failed to properly treat injured students, and turned out the lights, locked her office door, and failed to answer the door to treat a

student having an asthma attack, warranting revocation of her certificates. In re Certificates of Kersaint, OAL Dkt. No. EDE 80-06, 2007 N.J. AGEN LEXIS 63, Initial Decision (February 23, 2007), adopted, SBE No. 0506-145 (N.J. State Bd. of Examiners June 7, 2007), aff'd, SB No. 16-07, 2007 N.J. AGEN LEXIS 965 (N.J. State Bd. of Educ. October 17, 2007).

Administrator's administrative and instructional certificates were revoked pursuant to N.J.A.C. 6A:9-17.5 where the certificate holder, who served as department chair and later as director of curriculum and instruction, was found to have engaged in unbecoming conduct. Specifically, the supervisor/administrator improperly telephoned female teaching staff members at home, interfered with their teaching during school hours, and threatened their tenure (adopting in part and rejecting in part 2006 N.J. AGEN LEXIS 831). In re Certificates of Mazzarella, OAL Dkt. No. EDE 11950-05; SBE 0405-276, State Board of Examiners Decision (February 22, 2007), aff'd, SB No. 8-07, 2007 N.J. AGEN LEXIS 885 (N.J. State Bd. of Educ. September 5, 2007).

Initial Decision (2006 N.J. AGEN LEXIS 998) adopted, which suspended a teacher's Teacher of Elementary School Certificate of Eligibility, Teacher of Health Certificate of Eligibility, and Teacher of Students With Disabilities certificates for one year pursuant to N.J.A.C. 6A:9-17.5 on finding that the teacher engaged in inappropriate conversations with students. Such behavior was conduct unbecoming of a teacher, but did not warrant revocation of the teacher's certifications. In re Certificates of Skerbetz, OAL Dkt. No. EDE 13-06; SBE No. 0405-316, 2007 N.J. AGEN LEXIS 523, State Board of Examiners Decision (February 22, 2007), aff'd, SB No. 6-07, 2007 N.J. AGEN LEXIS 886 (N.J. State Bd. of Educ. August 1, 2007).

Teacher's Teacher of Elementary School Certificate of Eligibility, Teacher of French Certificate of Eligibility, Teacher of Elementary School, and Teacher of French certificates were revoked under N.J.A.C. 6A:9-17.5. The teacher misrepresented to public school officials that she held a Teacher of Spanish certificate but had misplaced it and was in the course of procuring a duplicate. In re Certificates of Stasiuk, OAL Dkt. No. EDE 03184-06; SBE No. 0405-318, State Board of Examiners Decision (November 2, 2006).

Initial Decision (2006 N.J. AGEN LEXIS 163) adopted, finding that a principal did not engage in conduct unbecoming a teacher when, although he exercised poor judgment, the principal did not participate in a scheme to defraud a teachers' pension and annuity fund. Thus, the principal's principal/supervisor certificates were not revoked or suspended under N.J.A.C. 6A:9-17.5. In re Certificates of Featherson, OAL Dkt. No. EDE 05329-05; SBE No. 0405-177, State Board of Examiners Decision (June 8, 2006).

Proofs did not demonstrate that a teacher's actions rose to the level of conduct unbecoming a teacher, where it was alleged that a teacher fraudulently represented her advanced degree status to be above a Masters degree, by using a doctorate after her name on IEP documents. The tort standard for proving intentional fraud was not applicable, however; in all proceedings involving the suspension or revocation of teaching certificates pursuant to N.J.A.C. 6A:9-17.5, the correct standard of proof is a preponderance of the competent, credible evidence (adopting 2006 N.J. AGEN LEXIS 45 as clarified). In re Certificates of Mesh, OAL Dkt. No. EDE 8424-04; SBE No. 0304-232, 2006 N.J. AGEN LEXIS 548, State Board of Examiners Decision (May 4, 2006).

Initial Decision (2005 N.J. AGEN LEXIS 927) adopted, which dismissed an order to show cause why a teacher's license should be revoked or suspended under N.J.A.C. 6A:9-17.5 after the teacher had allegedly used profanity when disciplining a student for calling the teacher by a nickname and hit heads with the student when he pulled that student aside to admonish him. The ALJ, who was in the best position to make credibility determinations, found that the teacher gave testimony that was extensively mitigating in nature and indicated that the teacher was well respected by his peers, as well as his students, and the incident in question was totally out of character and isolated in nature. The teacher also was not found to have committed any act of physical abuse upon the student, and thus the teacher's actions did not rise to the level of conduct unbecoming a teacher. In re Certificates of Schiavo, OAL

Dkt. No. EDE 8425-04; SBE No. 0304-289, 2006 N.J. AGEN. LEXIS 640, State Board of Examiners Decision (May 4, 2006).

Initial Decision (2005 N.J. AGEN LEXIS 928) adopted, which dismissed an order to show cause why a teacher's license should be revoked or suspended under N.J.A.C. 6A:9-17.5 after the teacher allegedly allowed three students to beat another student while he was supervising their physical education class. The ALJ, who was in the best position to make credibility determinations, found that the teacher's behavior, while indicative of poor judgment, was an isolated incident and did not warrant either the suspension or revocation of his certificates for conduct unbecoming a teacher. Instead, the teacher's self-imposed three-year teaching hiatus was a sufficient sanction and longer than the six-month sanction that the ALJ would have imposed for the teacher's negligence. In re Certificates of Barnes, OAL Dkt. No. EDE 8948-04; SBE No. 0304-288, 2006 N.J. AGEN. LEXIS 641, State Board of Examiners Decision (May 4, 2006).

Based on the testimony presented, under N.J.A.C. 6A:9-17.5, a teacher's actions did not rise to the level of conduct unbecoming a teacher when the teacher, while teaching basketball, blocked the shot of a student who refused to return his equipment, thus allegedly injuring the student. The ALJ, who was in the best position to render credibility determinations, found that the teacher's witnesses gave testimony that was detailed, substantially consistent, and credible that the teacher at no time made physical contact with the student's body, either intentionally or accidentally. In re Certificates of Bozinta, OAL Dkt. No. EDE 9002-04 and HSV 1005-05 (Consolidated); SBE No. 0304-241, 2006 N.J. AGEN. LEXIS 642, State Board of Examiners Decision (May 4, 2006).

Initial Decision (2005 N.J. AGEN LEXIS 655) adopted, finding that a teacher engaged in conduct unbecoming a teacher predicated upon his exchange of inappropriate and suggestive notes during class with an eighth-grade student. The teacher's conduct constituted just cause for revocation of his teaching certificates pursuant to N.J.A.C. 6A:9-17.5. In re Certificates of Nieves, OAL Dkt. No. EDE 3867-04; SBE No. 0304-140, 2007 N.J. AGEN LEXIS 296, State Board of Examiners Decision (March 2, 2006), aff'd, SB No. 19-06 (N.J. State Bd. of Educ. December 6, 2006), aff'd per curiam, No. A-2627-06T3, 2008 N.J. Super. Unpub. LEXIS 2568 (App.Div. April 7, 2008).

Initial Decision (2005 N.J. AGEN LEXIS 656) adopted, finding that under N.J.A.C. 6A:9-17.5, a teacher's certificates should be suspended for two years where the teacher engaged in conduct unbecoming a teacher. Under the totality of the circumstances, the teacher crossed multiple lines of propriety when he cursed in class, made ethnic jokes, and flirted with and touched female students. The mitigating consideration was that the teacher was in other respects a well regarded teacher of long experience. In re Certificates of Mangan, OAL Dkt. No. EDE 6992-02; SBE No. 0506-142, State Board of Examiners Decision (March 2, 2006), aff'd, SB No. 20-06 (N.J. State Bd. of Educ. December 6, 2006).

Initial Decision (2005 N.J. AGEN LEXIS 432) adopted, finding that the involuntary action of a teacher's arm rising away from her and against a student's body after the teacher had been injured was a human responsive movement and a normal reaction and did not warrant revocation or suspension of the teacher's certificates under former N.J.A.C. 6:11-3.4 (see now N.J.A.C. 6A:9-17.5). The teacher's arm movement was not a physical intervention, was not a threat against the student, and was not corporal punishment or an act of physical abuse. In re Certificate of Kearney, OAL Dkt. No. EDE 03866-04; SBE No. 0304-106, 2005 N.J. AGEN LEXIS 1133, State Board of Examiners Decision (November 3, 2005).

Initial Decision (2005 N.J. AGEN LEXIS 583) adopted, finding that a teacher engaged in conduct unbecoming a teacher when she gave out her cell phone number to a student, carried out prolonged periods of communication with students, and failed to report a troubled student to school authorities. The teacher's conduct constituted just cause for a two-year suspension of her teaching certificates pursuant to N.J.A.C. 6A:9-17.5. In re Certificates of Resto, OAL Dkt. No. EDE 3869-04; SBE No. 0304-122, 2005 N.J. AGEN LEXIS 1228, State Board of Examiners Decision (September 22, 2005).

Initial Decision (2005 N.J. AGEN LEXIS 313) adopted, which concluded that revocation of a school principal's administrative and instructional certificates was warranted under N.J.A.C. 6A:9-17.5, after school staff members filed grievances against the principal alleging defamation, harassment, inappropriate sexual behavior, intimidation, and threatening behavior. The State Board of Examiners deferred to the credibility determinations of the ALJ and agreed that the principal had demonstrated lack of self-control and conduct unbecoming when he repeatedly intimidated and threatened employees, made repeated sexual comments to female subordinates, pushed a male colleague during the course of a discussion, and directed sexual innuendos toward a female student. In re Certificates of Ferreira, OAL Dkt. No. EDE 3390-04; SBE No. 0304-136, 2005 N.J. AGEN LEXIS 1227, State Board of Examiners Decision (September 22, 2005), aff'd, SB No. 44-05 (N.J. State Bd. of Educ. April 5, 2006).

Initial Decision (2005 N.J. AGEN LEXIS 345) adopted, which concluded that a guidance counselor had engaged in conduct unbecoming, warranting suspension of his Student Personnel Services certificate for five years, when he abused his employee sick time after taking on a second position as the city recreation director. Although the counselor's behavior was not conduct that students should emulate, some blame had to be accepted by the district because it had allowed the behavior to continue unchecked; in addition, the counselor had an unblemished record and previously had proven himself a positive influence to many students. In re Schumacher, OAL Dkt. No. EDE 07396-03; SBE No. 766-02/03, 2005 N.J. AGEN LEXIS 1229, State Board of Examiners Decision (September 22, 2005).

#### 6A:9-17.6 Revocation or suspension of certificates

(a) The Board of Examiners may issue an order to show cause to a certificate holder if the Board of Examiners believes that the conduct of the holder may warrant the revocation or suspension of the certificate(s) held where:

1. The Commissioner transmits a contested case to the Board of Examiners that resulted in a teaching staff member's loss of tenure, dismissal, resignation or retirement;
2. Pursuant to N.J.A.C. 6A:9-17.4, the Board of Examiners receives information from a district that a teaching staff member no longer is employed in the district;
3. The Board of Examiners receives information regarding a certificate holder's criminal conviction or pending criminal charges;
4. The Board of Examiners receives notice that a teaching staff member who is certified in New Jersey and who also holds a teaching certificate in another state has had action taken against his or her certificate by the other state;
5. Pursuant to N.J.S.A. 9:6-8.10, the Division of Youth and Family Services (DYFS) forwards to the Board of Examiners a copy of a report in which DYFS has substantiated that a certificate holder has abused or neglected a student or a report in which DYFS identifies its concerns with the conduct of a teaching staff member;
6. Pursuant to N.J.S.A. 18A:6-7.3, the Commissioner notifies the Board of Examiners that an individual who holds New Jersey certification is disqualified from employment in public schools or has pending charges for an offense that is disqualifying;

7. A certificate holder fails to maintain any license, certificate or authorization that is mandated pursuant to N.J.A.C. 6A:9-4.1(b) in order for the holder to serve in a position;

8. Pursuant to (b) below, an individual files a petition with the Board of Examiners seeking the revocation or suspension of a certificate holder's certificate;

9. Pursuant to N.J.S.A. 18A:6-38.1, the Commissioner, based on information received from a school district in which the certificate holder is employed, recommends to the State Board of Examiners the revocation of the certification of the superintendent, assistant superintendent, or school business administrator;

10. Pursuant to the provisions of section 2 of P.L. 2006, c. 15 (N.J.S.A. 18A:7A-55), the Board becomes aware that any condition exists within a school district that would authorize the appointment of a State monitor, the State Board of Examiners shall review the certification of the superintendent and school business administrator of the district; or

11. Pursuant to the provisions of P.L. 1989, c. 266 (N.J.S.A. 18A:4-14 et al.) and P.L. 2007, c. 53 (N.J.S.A. 18A:55-3 et al.), the Board becomes aware that any school district is not in compliance with the GAAP system of double entry bookkeeping as required, the Commissioner of Education shall recommend to the Board of Examiners that the board review the certification of the district's school business administrator.

(b) The following procedures shall apply to persons filing a petition pursuant to (a)8 above:

1. The person filing the petition shall submit to the Secretary a sworn statement that he or she has firsthand knowledge supporting the charges set forth in the petition and shall furnish evidence of proof of service of the petition on the other party or parties involved;

2. Upon receipt of the petition, the Secretary shall notify the certificate holder that the holder shall file a response within 30 days of the mailing date of the Secretary's notice; and

3. The Board of Examiners shall review the petition and response to determine whether to issue an order to show cause. In the event that the Board of Examiners issues an order to show cause, the Board of Examiners shall be the petitioner in the ensuing revocation or suspension proceeding. The party filing the petition pursuant to (b)1 above shall have the responsibility to cooperate with the Board of Examiners after it issues the order to show cause.

(c) Nothing in the foregoing shall preclude the Board of Examiners from issuing an order to show cause on its own initiative when the Board of Examiners has reason to believe

that grounds for revocation or suspension of a certificate exist.

(d) If the Board of Examiners issues an order to show cause pursuant to (a) above, the school district employing the certificate holder at the time of the conduct at issue shall cooperate with the Board of Examiners in any proceeding arising from the order to show cause.

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)3, added the last sentence; and added (d).  
Amended by R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

In (a)3, inserted "or pending criminal charges"; in (a)6, inserted "or has pending charges for an offense that is disqualifying"; and in (b)2, inserted "mailing".

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)7, deleted "or" from the end; in (a)8, substituted a semicolon for a period at the end; and added (a)9 through (a)11.

#### Case Notes

Persistently and knowingly responding in an untruthful, evasive manner to district administrators attempting to investigate a very serious situation cannot be viewed as anything other than insubordinate; accordingly, teachers were dismissed from tenured employment and all three matters were referred to the State Board of Examiners pursuant to N.J.A.C. 6A:9-17.6(a)(1) for appropriate action (adopting 2007 N.J. AGEN LEXIS 257). In re Tenure Hearing of Duran, OAL Dkt. Nos. EDU 6754-06, EDU 6887-06 and EDU 6957-06, 2007 N.J. AGEN LEXIS 499, Commissioner's Decision (July 5, 2007).

State Board of Examiners does not need to rely only on a New Jersey Division of Youth and Family Services (DYFS) report that has been substantiated through an adjudicatory procedure when forming the basis of an Order to Show Cause. The fact that the DYFS report has been substantiated through an investigative rather than an adjudicatory procedure is of no consequence to the case that the Board of Examiners must independently prove before it takes the drastic step of suspending or revoking an individual's teaching certificates. In re Certificates of Brown, OAL Dkt. No. EDE 0012-06; SBE No. 0405-327, State Board of Examiners Decision (May 3, 2007).

Initial Decision (2007 N.J. AGEN LEXIS 64) adopted, which concluded that there was no evidence of selective enforcement against a teacher; the Board of Examiners had acted consistently against every individual it knew was involved in the scheme to defraud the State Health Benefits Program. N.J.A.C. 6A:9-17.6 articulates the methods by which the Board of Examiners receives information of possible wrongdoing from various outside sources. Although the Board of Examiners may issue an order to show cause on its own initiative when it has reason to believe that grounds for certificate revocation or suspension exist, there is no requirement on the part of the Board of Examiners to ferret out independently potential malefactors in the absence of the receipt of information regarding a specific certificate holder. In re Certificate of Toler, OAL Dkt. No. EDE 07638-06; SBE No. 0405-209 (On Remand), State Board of Examiners Decision (March 29, 2007).

#### 6A:9-17.7 Procedures for revoking or suspending a certificate

(a) After review of the information received pursuant to N.J.A.C. 6A:9-17.6, the Board of Examiners shall determine by public vote whether to initiate a revocation or suspension proceeding. In those cases where the Board of Examiners moves for revocation or suspension, the Secretary, on behalf of the Board of Examiners, shall issue an order to show cause

that states the specific charges that form the basis of the revocation or suspension proceeding.

(b) The certificate holder shall file an answer with the Board of Examiners no later than 30 days from the date of mailing of the order to show cause. The answer may not generally deny the charges, but must respond specifically to each allegation.

(c) If the certificate holder does not file an answer within 30 days, the Secretary shall send a second notice affording an additional response time of 15 days from the date of mailing of the second notice. The second notice shall also advise the certificate holder that, should the Board of Examiners not receive any response within that time, the allegations against the certificate holder as set forth in the order to show cause shall be deemed admitted and that the Board of Examiners shall proceed to a decision on the allegations in the order to show cause on the basis of the evidence before it.

(d) If the certificate holder files an answer and there are material facts in dispute, the Board of Examiners shall either hear the matter directly or transmit the matter to OAL for a hearing. The hearings at OAL shall be heard in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

(e) If the certificate holder files an answer and no material facts appear to be in dispute, the Secretary shall send the certificate holder a hearing notice informing him or her of the opportunity to submit written briefs, affidavits and other supporting documentation for the Board of Examiners' consideration. The certificate holder shall submit 21 copies of all response papers within 30 days from the date of mailing of the hearing notice.

(f) After receipt of the written submissions pursuant to (e) above, the Secretary will place the matter on the Board of Examiners' agenda and notify the certificate holder of the date the Board of Examiners will consider the matter. The notice will advise the certificate holder whether his or her appearance is necessary.

(g) The Board of Examiners may transmit the matter to OAL if, after review of the written submissions, the Board of Examiners determines that there are material facts in dispute. The Board of Examiners may identify the specific issues OAL shall consider.

(h) In all cases, the Board of Examiners shall clearly articulate the findings of fact upon which its decision was based. If the Board of Examiners has decided a matter solely on the papers, it shall set forth the reasons it deemed summary decision appropriate.

(i) The Office may refuse to issue a new certificate to a certificate holder who is otherwise eligible for the additional certificate if the certificate holder is the subject of a pending

action to revoke or suspend his or her certificate(s) pursuant to N.J.A.C. 6A:9-17.7.

(j) Upon application of the certificate holder for an extension of time, the Secretary may extend the time for filing the answer pursuant to (b) above or for filing the hearing brief pursuant to (e) above, provided that the application for the extension is requested prior to the expiration of the 30 days for filing the answer or the hearing brief.

Amended by R.2005 d.110, effective April 4, 2005.  
See: 36 N.J.R. 5044(a), 37 N.J.R. 1060(a).

In (e), inserted "within 30 days from the date of mailing of the hearing notice" following "all response papers".

Amended by R.2006 d.170, effective May 15, 2006.  
See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

Made a stylistic change in (d); and added (j).

### 6A:9-17.8 Revoked and suspended certificates

(a) If the Board of Examiners orders the revocation or suspension of a certificate, the holder shall surrender it to the Secretary within 30 days after mailing of the revocation or suspension order.

(b) After the Board of Examiners has revoked or suspended a certificate, the Secretary shall notify:

1. The 50 states and territories and other such agencies that are part of the Interstate Certification Project;
2. The county superintendents of schools;
3. Appropriate governmental pension and annuity funds, or retirement services;
4. The chief school administrator in the employing district; and
5. Any other agency or entity as may be required by law.

(c) The Board of Examiners may reinstate a suspended certificate at the end of the suspension period, provided that the certificate holder has met all conditions that the Board of Examiners established.

Amended by R.2004 d.306, effective August 2, 2004.  
See: 36 N.J.R. 1636(a), 36 N.J.R. 3526(a).

In (b)5, inserted "by law" at the end of the sentence.  
Amended by R.2006 d.170, effective May 15, 2006.

See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).  
In (a), substituted "30" for "20".

### 6A:9-17.9 Suspension of certificates for failure to give notice of intention to resign

(a) A teacher employed by a district board of education who, without the consent of the board, ceases to perform his or her duties prior to the expiration of the employment, shall be deemed guilty of unprofessional conduct.

(b) The Commissioner may, upon receiving notice of the fact, suspend the certificate for a period not to exceed one year.

(c) Appeal of the Commissioner's decisions pursuant to this section shall be to the State Board in accord with N.J.A.C. 6A:4.

### Case Notes

Initial Decision (2008 N.J. AGEN LEXIS 633) adopted, finding that under N.J.S.A. 18A:26-10 and N.J.A.C. 6A:9-17.9, a mathematics teacher committed unprofessional conduct and that the circumstances warranted suspension of his teaching certificate for a period of one year because the teacher abandoned his employment with a board of education for a better job opportunity, without giving the 60-day prior notice required under his contract. *Bd. of Educ. of Alpine v. Yuz*, OAL Dkt. No. EDU 1116-06, 2008 N.J. AGEN LEXIS 1178, Final Decision (September 23, 2008).

Special education teacher, who resigned from her teaching position with only five days notice on the second day of school, showed a blatant disregard for the middle school students assigned to her care, warranting the maximum penalty of a one-year suspension of her teaching certificate for unprofessional conduct under N.J.S.A. 18A:26-10 (rejecting ALJ's conclusion, 2005 N.J. AGEN LEXIS 418, that a lesser penalty was appropriate). In re *Suspension of Savino*, OAL Dkt. No. EDU 1688-04, 2005 N.J. AGEN LEXIS 1233, Commissioner's Decision (August 30, 2005), *aff'd*, SB No. 40-05, 2006 N.J. AGEN LEXIS 106 (N.J. State Bd. of Educ. February 1, 2006).

Initial Decision (2009 N.J. AGEN LEXIS 296) adopted, which found that a teacher's teaching certificate was properly suspended for one year after he resigned from his position as a sixth-grade math teacher without notice after only one week in the classroom; even though the teacher claimed that he did not possess the skills necessary to manage the classroom, he acted without concern about the well-being of the students in need of his assistance, the District's ability to find a suitable replacement on such short notice, or the increased workload for his co-workers. In re *Suspension of Teaching Certificate of Orban*, OAL Dkt. No. EDU 6120-08, 2009 N.J. AGEN LEXIS 729, Final Decision (June 11, 2009).

### 6A:9-17.10 Application for certification after revocation

(a) A certificate that has been revoked for any of the grounds set forth in this chapter shall not be reinstated. An individual who has had a certificate revoked may file an application for a new certificate with the Board of Examiners.

(b) The Board of Examiners shall not issue a new certificate to a candidate whose certificate(s) has been revoked unless the following conditions are met:

1. The candidate shall satisfy all criteria for the issuance of the certificate that are in effect at the time of the application for the new certificate;
2. At least four years shall have passed since the effective date of the revocation of the previous certificate;
3. The candidate shall have provided evidence demonstrating rehabilitation for the unbecoming conduct, incompetence, or other cause for the revocation;
4. If the basis for the revocation was the conviction of a crime that is not disqualifying under N.J.S.A. 18A:6-7.1 et seq., the candidate shall have submitted evidence to the Board of Examiners that he or she has been fully rehabilitated in accord with the factors set forth in N.J.S.A. 2A:168A-2 and that issuing a certificate to the candidate would not be detrimental to the public welfare;

5. The candidate shall have complied with all conditions imposed by the order of revocation; and

6. If the revocation arose from a criminal matter involving the candidate, the candidate shall have provided evidence that he or she has satisfied any conditions imposed by the court, probation, plea bargain agreement or any other entity.

(c) Notwithstanding the provisions of (b) above, the Board of Examiners shall not issue a new certificate to any candidate who is:

1. Ordered to forfeit certification as part of a settlement in a tenure or criminal proceeding;

2. Barred from teaching again in the State of New Jersey by order of a court of competent jurisdiction;

3. Ordered to forfeit certification as part of a plea bargain;

4. Ordered to forfeit certification as a condition for entrance into a pre-trial intervention program as set forth in Rule 3.28 of the New Jersey Court Rules;

5. Ordered to forfeit certification pursuant to a sentence imposed in a criminal proceeding;

6. Barred from teaching for any reason; or

7. Relinquishing his or her certificate pursuant to N.J.A.C. 6A:9-17.11.

#### Case Notes

Initial Decision (2005 N.J. AGEN LEXIS 212) adopted as modified, finding that a health teacher could apply for recertification as a teacher of health after revocation under N.J.A.C. 6A:9-17.10. The teacher's certificate had been revoked after he presented a fraudulent Teacher of Biological Science certificate to a school official in order to obtain public school employment; however, because the teacher waited at least four years before applying for recertification, as required, and offered sufficient evidence of his rehabilitation, recertification was warranted. In re Certification of Elmezzi, OAL Dkt. No. EDE 11515-03; SBE No. 0304-135, 2005 N.J. AGEN LEXIS 1091, State Board of Examiners Decision (July 21, 2005).

#### 6A:9-17.11 Relinquishment of certificate without order to show cause

(a) The Board of Examiners may accept the relinquishment of all certificates held by an individual without issuance of an order to show cause.

(b) When accepted by the Board of Examiners, the relinquishment of certificates as provided in (a) above shall have the force and effect of a revocation including, but not limited to, the notification requirements in N.J.A.C. 6A:9-17.8(b).

(c) The individual seeking to relinquish a certificate(s) shall submit an affidavit to the Board of Examiners stating that the certificate holder:

1. Is relinquishing all certificates held by the individual;

2. Is waiving the right to a hearing pursuant to N.J.A.C. 6A:9-17.7 and agrees not to institute proceedings concerning the relinquishment in any forum; and

3. Understands that the relinquishment has the force and effect of a revocation with its attendant consequences.

(d) The Board of Examiners shall vote on whether to accept the certificate(s). If the Board of Examiners votes to accept the relinquishment, the revocation shall be effective as of the date of the Board of Examiners' vote.

(e) The certificate holder shall return all certificates to the Board of Examiners.

(f) Individuals who relinquish their certificates pursuant to this section shall not apply for certification in the future.

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

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

In (a), substituted a period for a colon at the end; and deleted (a)1 through (a)3.

#### 6A:9-17.12 Voluntary surrender of certificates and endorsements

(a) An individual may voluntarily surrender a certificate or endorsement if he or she has not been employed under that certificate or endorsement in the 10 years preceding the proposed surrender and if he or she satisfies the following conditions:

1. The individual shall submit an affidavit to the Board of Examiners stating that he or she is surrendering the certificate or endorsement voluntarily, and not under the conditions set forth in N.J.A.C. 6A:9-17.11;

2. The individual shall submit an affidavit setting forth his or her employment history for the 10 years preceding the voluntary surrender, including official documentation from a school official, if applicable; and

3. The individual shall submit an affidavit stating that he or she has not been employed under the certificate or endorsement at issue in the 10 years preceding the voluntary surrender.

(b) The certificate holder shall return the original certificate or endorsement at issue to the Board of Examiners.

(c) The Board of Examiners shall review the application for a voluntary surrender. If the Board of Examiners votes to accept the surrender, the certificate or endorsement shall be deemed surrendered as of the date of the Board of Examiners' vote.

(d) Individuals who voluntarily surrender a certificate or endorsement may not apply for that certificate for three years from the effective date of the voluntary surrender. Candidates are subject to the certification requirements in effect at the time the new application is submitted.

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

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

Substituted "surrendered" for "revoked" following "shall be deemed".

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

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

Added "and endorsements" to section heading; in (a) through (d), inserted "or endorsement" wherever appearing, and made related stylistic changes throughout.

### 6A:9-17.13 Substitution of alternate education and/or experience

(a) If an applicant receives an evaluation pursuant to N.J.A.C. 6A:9-5.16(b) that identifies areas of deficiency in the requirements for certification, the applicant may provide the Board of Examiners with evidence of alternative education and/or experience that the applicant believes is equivalent to the area(s) of deficiency.

(b) Upon receipt of a request to substitute alternate education or experience, the Secretary shall provide the applicant with a copy of credentials review procedures.

(c) The applicant shall submit to the Secretary for Board of Examiners' review 21 copies of information and documentation of alternative educational background and/or experience that the applicant believes is the equivalent of the certification deficiency. The application for review and the packet of documentation shall be in the form approved by the Secretary.

(d) The Secretary shall review the information submitted by the applicant for sufficiency and transmit it to the Board of Examiners for review.

(e) An applicant may not simultaneously seek relief under this section and N.J.A.C. 6A:9-17.17. If an applicant seeks a credentials review initially, he or she may appeal from the initial adverse decision of the Office under N.J.A.C. 6A:9-

17.17 only after the Board of Examiners has rendered a final decision under this section. The 60-day time limitation of N.J.A.C. 6A:9-17.17(a)1 shall not apply in those circumstances.

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

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

Added (e).

#### Case Notes

New Jersey State Board of Examiners appropriately denied a Supervisor Certificate under N.J.A.C. 6A:9-12.6(a) after concluding that the applicant failed to meet her burden of establishing a one-to-one correspondence of experience to the extensive licensing deficiencies pursuant to N.J.A.C. 6A:9-17.13. Although she worked at a day care center for a number of years, she failed to demonstrate how that experience was equivalent to her lack of a New Jersey standard certificate, her lack of nine required graduate-level course credits, and her lack of three years of successful, full-time teaching. *Hutchinson v. N.J. State Bd. of Exam'rs*, OAL Dkt. No. EDU 16373-12, 2013 N.J. AGEN LEXIS 73, Initial Decision (April 5, 2013).

### 6A:9-17.14 Public discussion of alternative education and/or experience

(a) The Secretary shall give an applicant not less than 10 days notice of the Board of Examiners' meeting at which it will consider his or her application for certification based on alternative education and/or experience.

(b) The applicant may be present at the meeting at which the Board of Examiners considers the application.

(c) If the applicant is in attendance, the Board of Examiners may question the applicant regarding his or her submission.

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

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

Rewrote (b) and (c).

**6A:9-17.15 Rendering of decisions on applications for substitution**

(a) The Board of Examiners shall render its decision on each application for substitution of educational background and/or experience no later than the first regular meeting after the Board of Examiners reviews the applicant's information.

(b) The Board of Examiners will issue a written decision setting forth its reasons for the decision.

(c) If the Board of Examiners determines that the applicant is not eligible for the certificate requested based on review of alternative education and/or experience submitted, the applicant may not request an additional review by the Board of Examiners until:

1. One year has elapsed from the date of the Board of Examiners' decision; and
2. The applicant has obtained additional alternative education and/or experience for review by the Board of Examiners. Applicants who have obtained additional education and/or experience in less than one year may request that the Board of Examiners waive the waiting period and, upon good cause shown, the Board of Examiners may relax the required time period.

**6A:9-17.16 Substitution of alternative education and/or experience prohibited**

(a) The Board of Examiners shall not permit an applicant to substitute education and/or experience for a passing score on any State required test or required GPA, nor for the requirement that the applicant hold a degree.

(b) Under no circumstances may the Board of Examiners waive any test, GPA or degree requirements for certification.

**6A:9-17.17 Appeal of certification decision of the Office**

(a) A candidate may appeal an adverse decision of the Office regarding certification eligibility to the Board of Examiners.

1. The appeal shall be filed with the Board of Examiners within 60 days of the date of the decision at issue with the exception of those matters filed pursuant to N.J.A.C. 6A:9-17.13(e). For good cause shown, the Board of Examiners may relax the 60-day requirement.
2. The candidate shall file 21 copies of the appeal with the Secretary. The appeal shall take the form of a written petition accompanied by a sworn statement attesting to the facts in the petition and shall include evidence that the candidate believes proves that he or she meets the requirements for certification.
3. The Board of Examiners shall review the information provided by the applicant and shall render a written decision. The Secretary shall forward a copy of the decision to the candidate.

(b) Pursuant to N.J.A.C. 6A:9-17.13(e), a candidate may not simultaneously apply for a credentials review and relief under this section.

Amended by R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).  
Rewrote(a)1; and added (b).

**6A:9-17.18 Appeal of "disapproved" or "insufficient" recommendations for standard certification**

(a) A candidate who receives a recommendation of "disapproved" or two recommendations of "insufficient" at the conclusion of a provisional program may appeal the certification recommendation to the Board of Examiners. Where an individual has received two "insufficient" recommendations, only the second adverse recommendation shall be the subject of the appeal. The following procedures shall apply:

1. The candidate shall file 21 copies of the appeal with the Secretary within 60 days of receipt of the final evaluation and certification recommendation. The appeal shall take the form of a written submission accompanied by a sworn statement attesting to the facts in the appeal and shall include evidence documenting the reasons why the candidate believes that he or she should be awarded a standard certificate or be granted an additional opportunity for provisional employment. The candidate shall provide a copy of the final evaluation.
2. The Secretary shall forward a copy of the candidate's submission in support of the appeal to the school district that issued the disputed rating. Within 30 days from the date of the Secretary's letter notifying the district of the appeal, the district shall forward 21 copies of all evaluations and certification recommendation to the Secretary. In addition, the district shall submit 21 copies of either a response to the candidate's appeal of the district's recommendation or a statement that the district will rely solely on the evaluations submitted. The district shall serve a copy of its response on the candidate and submit proof of service to the Secretary with its papers. Neither party shall submit additional papers without the Secretary's approval.
3. The candidate shall be responsible for demonstrating to the Board of Examiners why he or she should be granted the relief requested. The Board of Examiners shall decide the appeal based on the written submissions and shall issue a written decision.
4. If the Board of Examiners determines that there is a need for further fact-finding in order to decide an appeal of an adverse recommendation, it may transmit the matter to OAL for a hearing pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1. The parties to the hearing shall be the provisional teacher and the district that submitted the adverse certification recommendation. The Board of Examiners shall consider the recommendation of the ALJ in deciding the appeal.

(b) The sole remedies that the Board of Examiners may provide an aggrieved candidate pursuant to this section are issuance of a standard certificate or an opportunity to seek further employment as a provisional teaching staff member. A provisional teaching staff member who seeks additional relief from the employing board of education shall file a petition requesting such relief with the Commissioner in accord with N.J.A.C. 6A:3.

(c) For good cause shown, the Board of Examiners may relax the 60-day requirement in (a) above.

(d) Candidates who receive a recommendation of “disapproved” or two recommendations of “insufficient,” and who do not contest the certification recommendation pursuant to (a) above may petition the Board of Examiners for approval of an additional opportunity to seek provisional employment. The candidate shall be responsible for demonstrating by clear and convincing evidence to the Board of Examiners why he or she would be likely to succeed if granted the requested opportunity. The following procedures shall apply:

1. Within 60 days of receipt of the final evaluation, the candidate shall file 21 copies of a written submission accompanied by a sworn statement attesting to the facts in the submission and shall include evidence documenting why the Board of Examiners should grant the request. The candidate shall provide a copy of the final evaluation.

i. For good cause shown, the Board of Examiners may relax the 60-day requirement in (d)1 above.

2. The Secretary shall forward a copy of the candidate’s submission to the school district that issued the disputed rating. Within 30 days from the date of the Secretary’s letter to the district, the district shall forward to the Secretary its response to the candidate’s request. The district shall serve a copy of its response on the candidate and include a proof of service with the papers. Neither party shall file additional papers without the Secretary’s approval.

3. The Board of Examiners shall decide the request based solely on the written submissions and shall issue a written decision.

(e) No candidate shall have the right to relief under both (a) and (d) of this section. In the event a candidate requests both types of relief, the Board of Examiners shall provide the candidate an opportunity to elect the type of relief sought. The Board of Examiners shall not proceed with hearing the candidate’s appeal until he or she has requested a specific remedy.

Amended by R.2006 d.170, effective May 15, 2006.  
See: 37 N.J.R. 4612(a), 38 N.J.R. 2126(a).

In (a)1, added the last sentence; in the introductory paragraph of (d), substituted “who do not contest” for “who have not challenged”; rewrote (d)1; and added (d)1i.

Amended by R.2008 d.7, effective January 7, 2008.  
See: 39 N.J.R. 3441(a), 40 N.J.R. 113(b).

In (a)1, substituted “submission accompanied by a sworn statement attesting to the facts in the appeal and shall” for “statement and”; in (d)1, substituted “submission accompanied by a sworn statement attesting to the facts in the submission and shall include” for “statement and”; and added (e).

#### Case Notes

Sections (a) and (d) of N.J.A.C. 6A:9-17.18 are mutually exclusive so that recipients of “disapproved” or two “insufficient” ratings for their period of employment under provisional certification may appeal to the Board of Examiners under either (a) or (d) – but not both; under (a), the candidate disputes the district’s assessment of the candidate’s performance and initiates a proceeding to disprove the rating, while under (d), the candidate concedes deficient performance, but seeks the Board’s permission for an additional period of provisional employment. Under the particular circumstances of the case, given the confusion as to intent and procedure and the fact that petitioner’s initial appeal was essentially a section (d) petition, the case was remanded to the Board of Examiners for consideration of the merits under section (d) (decided under a former version of N.J.A.C. 6A:9-17.18). *Muench v. N.J. Dep’t of Educ., State Bd. of Examiners*, OAL Dkt. No. EDU 08369-06, 2007 N.J. AGEN LEXIS 96, Commissioner’s Decision (January 9, 2007).

Since teaching candidate, complaining of a second “insufficient” rating, presented no evidence at the hearing concerning her claims that the after-effects of domestic violence impeded her ability to pursue a timely appeal, the ALJ properly concluded that petitioner had failed to make a timely appeal under N.J.A.C. 6A:9-17.18(a) and had failed to show good cause why the 60-day rule should be waived (remanding on other grounds under a former version of N.J.A.C. 6A:9-17.18(d)). *Muench v. N.J. Dep’t of Educ., Office of State Bd. of Examiners*, OAL Dkt. No. EDU 2754-05, 2006 N.J. AGEN LEXIS 651, Commissioner’s Decision (April 12, 2006).

ALJ properly concluded that regulation requiring that appeal of a second “insufficient” rating must be filed within 60 days of a provisional teacher’s evaluation, unless good cause is shown, is not unconstitutional for failing to provide notice and an opportunity to be heard; a teacher is deemed to have constructive knowledge of the regulations governing appeals, and notice is provided when the teacher receives the “insufficient” evaluation (remanding on other grounds under a former version of N.J.A.C. 6A:9-17.18(d)). *Muench v. N.J. Dep’t of Educ., Office of State Bd. of Examiners*, OAL Dkt. No. EDU 2754-05, 2006 N.J. AGEN LEXIS 651, Commissioner’s Decision (April 12, 2006).

#### 6A:9-17.19 Motions

(a) All motions in certification matters that have been transmitted to OAL shall be filed with the ALJ who has been assigned to hear the case and shall be subject to the rules that govern OAL hearings. For those matters that the Board of Examiners is deciding directly pursuant to N.J.A.C. 6A:9-17.7 or for those matters in which the ALJ has forwarded the initial decision to the Board of Examiners pursuant to N.J.A.C. 1:1-18.1(d), the party shall file motions with the Board of Examiners. All motions made prior to the Board of Examiners’ decision to hear a matter directly shall be filed with the Board of Examiners.

(b) All motions filed with the Board of Examiners must include a notice of motion, a proof of service, a brief conforming to the requirements of N.J.A.C. 6A:9-17.22, a copy of the decision or order that is the subject of the motion, and an affidavit setting forth any facts not in the record upon which the moving party relies. The moving party shall serve 21 copies of the moving papers and a proof of service on the Board of Examiners. If the Board of Examiners is not

deciding the matter directly, the moving party shall serve a copy of the papers on the attorney representing the Board of Examiners. The opposing party shall have 15 days from service of the motion to file a response. If no opposing brief is filed, the Board of Examiners shall consider the motion to be unopposed. No other briefs may be filed.

(c) Unless otherwise directed by the Board of Examiners, there shall be no oral argument on motions.

(d) Upon application of any party for an extension of time, the Secretary may extend the time for filing a motion or for filing the response to the motion, provided that the application for an extension is requested prior to the time for filing or responding to a motion has expired.

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

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

Added (d).

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

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

In (a), inserted the last sentence.

#### 6A:9-17.20 Motions for reconsideration

(a) Any party may file with the Board of Examiners and serve on all other parties a motion to reconsider the Board of Examiners' decision. The party shall file the motion no later than 15 days from the mailing date of the decision.

(b) The Board of Examiners may reconsider the decision based on evidence of:

1. Mistake, inadvertence, surprise or excusable neglect;
2. Newly discovered information that would probably alter the decision and which by due diligence could not have been discovered in time for the hearing; or
3. Fraud, misrepresentation or misconduct of another party.

#### 6A:9-17.21 Motions for stay

(a) A party shall make a motion for a stay of the Board of Examiners' decision pending appeal to the State Board in accord with the procedures set forth in N.J.A.C. 6A:9-17.19. The moving party shall file the motion for a stay within 30 days of the date of mailing of the Board of Examiners' decision that is at issue.

(b) The brief in support of the motion shall address the following standards to be met for granting a stay pursuant to *Crowe v. DeGioia*, 90 N.J. 126 (1982):

1. The moving party will suffer irreparable harm if the requested relief is not granted;
2. The legal right underlying the moving party's claim is settled;
3. The moving party has a likelihood of prevailing on the merits of the underlying claim; and
4. When the equities and interests of the parties are balanced, the moving party will suffer greater harm than the other party if the requested relief is not granted.

#### 6A:9-17.22 Briefs and exceptions

(a) Briefs filed with the Board of Examiners shall be in the following format:

1. Briefs filed in response to a notice of hearing served pursuant to N.J.A.C. 6A:9-17.7 above shall not exceed 25 pages, exclusive of table of contents and appendix; and
2. Briefs in support of a motion shall not exceed 15 pages, exclusive of table of contents and appendix.

(b) Exceptions and reply exceptions filed in response to an initial decision issued by OAL shall not exceed 25 pages.

(c) The Secretary may grant requests to file additional pages.

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

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

Section was "Briefs". Added new (b); and recodified former (b) as (c).

#### 6A:9-17.23 Appeal of Board of Examiners decisions

A party shall appeal adverse revocation and suspension decisions to the State Board in accord with N.J.A.C. 6A:4. A party shall appeal all other Board of Examiners decisions to the Commissioner of Education pursuant to N.J.A.C. 6A:3.

---

SUBCHAPTER 18. (RESERVED)