

**CHAPTER 11**

**PROFESSIONAL LICENSURE AND STANDARDS**

**Authority**

N.J.S.A. 18A:1-1, 18A:4-15, 18A:6-7, 18A:6-34,  
18A:6-38 and 18A:26-10

**Source and Effective Date**

R.1999 d.50, effective January 11, 1999.  
See: 30 N.J.R. 3997(a), 31 N.J.R. 534(a).

**Executive Order No. 66(1978) Expiration Date**

Chapter 11, Professional Licensure and Standards, expires on January 11, 2004.

**Chapter Historical Note**

Chapter 11, Professional Licensure and Standards, was filed and became effective prior to September 1, 1969.

Subchapter 7 was repealed and a new Subchapter 7, Standards for New Jersey College Teacher Preparation Programs, was adopted by R.1982 d.269, effective August 16, 1982 (operative July 1, 1982, except for N.J.A.C. 6:11-7.1(b), which was operative September 1, 1985). See: 14 N.J.R. 456(b), 14 N.J.R. 914(a).

Pursuant to Executive Order No. 66(1978), Subchapter 4, Types of Certificates, was readopted as R.1983 d.492, effective October 20, 1983. See: 15 N.J.R. 1154(a), 15 N.J.R. 1860(b).

Pursuant to Executive Order No. 66(1978), Subchapter 11, Requirements for Educational Services Certification, was readopted as R.1984 d.432, effective October 1, 1984. See: 16 N.J.R. 1841(a), 16 N.J.R. 2523(a).

Pursuant to Executive Order No. 66(1978), Subchapter 3, Basic Certification Policies, was readopted as R.1985 d.665, effective December 12, 1985. See: 17 N.J.R. 2181(a), 18 N.J.R. 85(a).

Pursuant to Executive Order No. 66(1978), Chapter 11, Professional Licensure and Standards, was readopted as R.1990 d.510, effective September 21, 1990, and Subchapter 9, Basis for Issuance of Administrative and Supervisory Certification, was repealed and Subchapter 10, Requirements for Administrative Certification, Subchapter 11, Basis for Issuance of Educational Services Certificates, and Subchapter 12, Requirements for Educational Services Certification, were recodified as Subchapters 9 through 11 by R.1990 d.510, effective October 15, 1990. See: 22 N.J.R. 1873(a), 22 N.J.R. 3240(a).

Pursuant to Executive Order No. 22(1994), the expiration date of Chapter 11, Professional Licensure and Standards, was extended from September 21, 1995 to March 21, 1997. See: 26 N.J.R. 3783(a), 26 N.J.R. 3942(a).

Pursuant to Executive Order No. 66(1978), Chapter 11, Professional Licensure and Standards, was readopted as R.1997 d.114, effective February 6, 1997. See: 28 N.J.R. 5128(a), 29 N.J.R. 534(a).

Subchapter 12, Acting Administrators, was adopted as R.1997 d.536, effective December 15, 1997. See: 29 N.J.R. 3919(a), 29 N.J.R. 5286(a).

Subchapter 13, Required Professional Development for Teachers, was adopted as R.1998 d.293, effective June 1, 1998. See: 30 N.J.R. 894(a), 30 N.J.R. 2079(a).

Pursuant to Executive Order No. 66(1978), Chapter 11, Professional Licensure and Standards, was readopted as R.1999 d.50, effective January 11, 1999. See: Source and Effective Date.

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**SUBCHAPTER 1. DIVISION OF TEACHER PREPARATION AND CERTIFICATION**

**6:11-1.1 Functions**

(a) The Division of Teacher Preparation and Certification is the unit of the State Department of Education that is responsible for:

(b) An emergency certificate is issued only on application of a public school district, submitted after August 1, in which the district board of education declares its inability due to unforeseen shortages or other extenuating circumstances to locate a suitable certified teacher.

Amended by R.1984 d.369, effective October 15, 1984 (operative September 1, 1985).

See: 16 N.J.R. 1646(a), 16 N.J.R. 2788(a), 17 N.J.R. 687(a).

Recodified from 4.4 with substantial amendments.

Amended by R.1985 d.49, effective February 19, 1985.

See: 16 N.J.R. 3075(a), 17 N.J.R. 422(a).

(a) Deleted "administration".

Amended by R.1989 d.615, effective December 18, 1989.

See: 21 N.J.R. 2721(a), 21 N.J.R. 3937(a).

Eliminated bilingual and ESL education as areas for emergency certification.

Amended by R.1990 d.510, effective October 15, 1990.

See: 22 N.J.R. 1873(a), 22 N.J.R. 3240(a).

Editorial changes only.

#### Case Notes

Teacher could not acquire tenure for service under permanent certificate for kindergarten through eighth grade combined with prior period of service under emergency certificate in another field. *Breitwieser v. State-Operated School Dist. of City of Jersey City, Hudson County*, 286 N.J.Super. 633, 670 A.2d 73 (A.D.1996).

Restrictions on issuance of emergency certificate clarified. *Hanneman v. Bd. of Ed., Willingboro, Burlington Cty.*, 1979 S.L.D. 712 (Rev'd by St. Bd.—see S.L.D. 1980).

Validity of emergency certification and issue of tenure explained. *K'Burg v. Bd. of Ed., Lower Alloways Creek, Salem Cty.*, 1973 S.L.D. 636.

#### 6:11-4.4 Certificate of eligibility

(a) A certificate of eligibility is a permanent certificate that may be issued to persons who meet academic degree and examination requirements for provisional employment. Holders of certificates of eligibility shall not assume responsibility for a job assignment until they have been issued provisional certificates.

(b) A certificate of eligibility with advanced standing is a permanent certificate issued to candidates for standard certificates who have completed certain requirements of a State-approved district training or residency program through advance completion of an approved college preparation program.

New Rule, R.1990 d.510, effective October 15, 1990.

See: 22 N.J.R. 1873(a), 22 N.J.R. 3240(a).

#### 6:11-4.5 County substitute certificate

(a) Persons who do not hold a standard instructional certificate issued by the State Board of Examiners but who can present a minimum of 60 semester-hour credits completed in an accredited college, may be granted a county substitute certificate for day-to-day substitute teaching in the county which grants the certificate.

(b) Each district board of education shall submit to the county superintendent for review and approval, each applicant's official transcripts, oath of allegiance, and credentials.

(c) The certificate will be issued for a three-year period, but the holder may serve for no more than 20 consecutive days in the same position in one school district during the school year. Such certificates, which are issued by the county superintendent of schools, are to be granted only when the supply of properly certificated teachers is inadequate to staff the school. They carry none of the accrued benefits, such as pension and tenure, to which a regularly employed teacher is entitled, and are intended only for persons temporarily performing the duties of a fully certificated and regularly employed teacher.

(d) For specific vocational-technical skills, a vocational county substitute certificate may be issued to an applicant on the basis of appropriate work experience in lieu of 60 semester-hour college credits. Such work experience shall be substantiated by a notarized statement of previous employment.

(e) Applicants for the county substitute teaching certificate shall submit with transcripts and credentials, the appropriate fee in accordance with N.J.S.A. 18A:6-38.

(f) Persons who hold a standard New Jersey instructional certificate issued by the State Board of Examiners may serve as a substitute in areas outside the scope of this certificate, for no more than 20 consecutive days in the same position in one school district during the school year. A substitute certificate will not be needed for this service.

(g) The holder of a standard teaching certificate who is to be employed by a local district as a substitute teacher must record such certificate with the Office of the County Superintendent of Schools prior to employment in accordance with N.J.A.C. 6:11-3.1.

(h) The holder of a valid New Jersey registered nurse license may be issued a county substitute certificate to serve as a substitute for a school nurse.

(i) The holder of a county substitute certificate is authorized also to serve as an athletic coach in the district in which he or she is employed. The 20-day limitation noted in (c) above shall not apply to such coaching situations. Issuance of a certificate under these conditions shall be subject to the approval of the county superintendent of schools as specified in N.J.A.C. 6:29-3.3.

(j) The State Board of Examiners shall from time to time review procedures and practices associated with the issuance of county substitute certificates.

As amended, R.1978 d.393, effective November 8, 1978.

See: 10 N.J.R. 418(b), 10 N.J.R. 531(b).

As amended, R.1979 d.65, effective February 15, 1979.

See: 11 N.J.R. 8(c), 11 N.J.R. 120(b).

As amended, R.1980 d.105, effective March 10, 1980.  
 See: 12 N.J.R. 5(c), 12 N.J.R. 177(a).  
 As amended, R.1982 d.486, effective January 17, 1983.  
 See: 14 N.J.R. 1010(a), 15 N.J.R. 84(c).  
 Added (h) and (i).  
 As amended, R.1983 d.493, effective November 7, 1983.  
 See: 15 N.J.R. 1152(b), 15 N.J.R. 1860(c).  
 In (i), changed N.J.A.C. cite from 6:11-3.12 to 6:29-6.3.  
 As amended, R.1984 d.369, effective October 15, 1984 (operative September 1, 1985).  
 See: 16 N.J.R. 1646(a), 16 N.J.R. 2788(a).  
 Recodified with amendments from 4.7.  
 Recodified from N.J.A.C. 6:11-4.4 by R.1990 d.510, effective October 15, 1990.  
 See: 22 N.J.R. 1873(a), 22 N.J.R. 3240(a).  
 Administrative Correction to (i).  
 See: 23 N.J.R. 713(a).

#### Law Review and Journal Commentaries

Education. Steven P. Bann, 132 N.J.L.J. Nos. 15, 64 (1992).

#### 6:11-4.6 Paraprofessional approval

(a) School aides and/or classroom aides, assisting in the supervision of pupil activities under the direction of a principal, teacher or other designated certified professional personnel, shall be approved by the county superintendent of schools.

(b) Current rules require school districts employing aides to develop job descriptions and standards for appointment. These descriptions and standards should be based on study of local needs. The nature of the job descriptions will dictate the qualifications to be met, the proficiency standards needed, and the pay to be received.

(c) The locally developed descriptions and standards adopted by the district board of education shall be submitted by the chief school administrator to the county superintendent for approval, in accordance with the rules outlined below:

1. Any district board of education employing school aides or classroom aides shall submit to the county superintendent of schools a job description for each type of aide to be employed, setting forth the duties to be performed, the types of proficiency needed, the qualifications to be required, and the arrangement for supervision of the aides. The qualifications shall include proof of good moral character.

2. The county superintendent of schools shall review the job descriptions and the qualifications proposed for positions for the various types of supervisory or classroom aides. If he or she finds that the description and qualifications are in accordance with the policies of the State Board of Education, and conform to sound educational practice, he or she shall approve them, and notify the district board of education of his or her approval in writing.

3. At least once each year, and at such other times as the county superintendent may require, the chief school administrator shall submit to the county superintendent the names of the persons employed as aides, and a statement certifying that the persons appointed meet the qualifications approved by the county superintendent of schools and are being supervised in accordance with the approved plan. The chief school administrator and the county superintendent shall keep appropriate records of the individuals so approved.

As amended, R.1984 d.369, effective October 15, 1984 (operative September 1, 1985).  
 See: 16 N.J.R. 1646(a), 16 N.J.R. 2788(a).  
 Recodified with amendments from 4.9. Original 4.5 "Intern certificate" abolished.  
 Amended by R.1990 d.510, effective October 15, 1990.  
 See: 22 N.J.R. 1873(a), 22 N.J.R. 3240(a).  
 Recodified from N.J.A.C. 6:11-4.5; deleted reference to old procedures.

#### Case Notes

Limitations on role of aides. *Scrupski and Soden v. Bd. of Ed., Warren, Somerset Cty., 1977 S.L.D. 1047.*

#### 6:11-4.7 Teachers assigned to teach swimming

(a) Teachers assigned by district boards of education to teach swimming in the public schools shall:

1. Hold a New Jersey instructional license;
2. Hold a valid Cardiopulmonary Resuscitation for Professional Rescuer Certificate issued by the American Red Cross;
3. Hold a valid Lifeguard Certificate issued by the American Red Cross; and
4. Hold a valid Water Safety Instructor Certificate issued by the American Red Cross.

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

1. Annually notify the county superintendent of schools of all teachers assigned to teach swimming and
2. Shall forward to the county superintendent copies of each required and valid American Red Cross certificate for each teacher assigned to teach swimming.

(c) The county superintendent shall submit annually to the Department of Education a list of the names of teachers assigned as swimming instructors. The Department shall maintain a record of all teachers assigned as swimming instructors as received from the county superintendents of schools.

New Rule, R.2000 d.52, effective February 7, 2000.  
 See: 31 N.J.R. 3559(a), 32 N.J.R. 448(a).