

**Proposal Level  
May 20, 2009**



**State of New Jersey**

DEPARTMENT OF EDUCATION  
PO Box 500  
TRENTON, NJ 08625-0500

JON S. CORZINE  
*Governor*

LUCILLE E. DAVY  
*Commissioner*

TO: Members, State Board of Education

FROM: Lucille E. Davy  
Commissioner

SUBJECT: N.J.A.C. 6A:9, Professional Licensure and Standards

REASON FOR

ACTION: Amendments for Certification of Out-of-State Applicants

PROJECTED

SUNSET DATE: January 20, 2014

## Summary

The Department of Education (Department) proposes that N.J.A.C. 6A:9 be amended as noted in this Summary. This amendment will ease certification for experienced applicants who have already passed a content knowledge test to obtain their out-of-state certification. This amendment is consistent with both the State Board Strategic Plan and the Department's mission statement.

N.J.A.C. 6A:9 sets forth the rules governing the preparation, licensure and professional development of those 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. 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 so that they are equipped to work and succeed in an ever-changing and increasingly complex global economy. A standards-based, rigorous system of licensure designed to support improved student achievement of the Core Curriculum Content Standards will serve to improve the quality of the New Jersey educator workforce and to improve student performance.

The proposed amendments will have a positive impact on district boards of education employing certificated personnel and individual candidates seeking certification.

The proposed amendments will provide further clarification of the rules and strengthen the licensure process, while continuing to conform to the New Jersey Core Curriculum Content Standards and the Federal No Child Left Behind Act (NCLB) regarding “highly qualified teachers.”

The following summary provides a brief overview of the proposed amendments:

### **Subchapter 8. Requirements for Instructional Certificates**

The Department proposes to amend this subchapter as follows.

#### **N.J.A.C. 6A:9-8.8 Requirements for the standard certificate**

The Department proposes an amendment to create a new N.J.A.C. 6A:9-8.8(h) that will allow out-of-state applicants for an instructional certificate to receive a New Jersey standard certificate in the same endorsement area if they have taught the equivalent of three full-time years in good standing out of the last seven years, if they have passed a content area test to receive their out-of-state certificate, and if they possess the equivalent of a New Jersey standard certificate in the endorsement area. This amendment will ease the process of gaining New Jersey certification for experienced out-of-state teachers and will thus help to address recruitment and shortage issues among New Jersey school districts.

### **Social Impact**

The proposed amendments will have a positive social impact on the process of improving teaching in New Jersey schools by continuing to assure that the State's licensing system is based on professional standards, is aligned with the State's Core Curriculum Content Standards and meets the needs of both educational practitioners and students. Taken as a whole, the proposed amendments will increase opportunities for individuals to obtain certification and teaching positions in New Jersey.

### **Economic Impact**

The Department does not anticipate that the proposed amendments will create additional costs for district boards of education or the general public. Rather, by increasing the pool of certified educators, the proposed amendments will, in all likelihood, decrease recruitment costs for district boards of education.

### **Federal Standards Statement**

Federal requirements under the No Child Left Behind Act (PL 107-110, section 1110(a)(2)) requiring that all teachers of core academic subjects be highly qualified are met through department policy rather than through regulations. The proposed amendments confirm to and do not exceed these Federal standards or requirements. There are no other Federal standards or requirements that are applicable to the proposed amendments.

### **Jobs Impact**

It is anticipated that the proposed amendments are likely to increase the pool of teaching staff members. There are no anticipated job losses resulting from the proposed amendments.

### **Agriculture Industry Impact**

No impact on the agriculture industry is anticipated as a result of the proposed amendments.

### **Regulatory Flexibility Statement**

The proposed amendments apply to public schools, approved private schools for the disabled, and providers of publicly-funded preschool education. The approved private schools for the disabled and providers of publicly-funded preschool education could be considered small businesses, as that term is defined by the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. There are approximately 164 private schools for the disabled and approximately 500 providers of publicly-funded preschool education. The proposed amendments do not impose any additional reporting, recordkeeping or compliance requirements. The private schools for the disabled and providers of publicly-funded preschool education are currently required to employ appropriately certified teaching staff,

and the proposed amendments make no changes in that requirement. Accordingly, no professional services should be necessary to comply with the regulatory requirements. There are no capital costs associated with the rules proposed for readoption with amendments.

New Jersey institutions of higher education with programs preparing teachers and administrators are not small businesses as that term is defined by the Regulatory Flexibility Act N.J.S.A. 52:14B-16 et seq. as they employ 100 or more full-time employees.

### **Smart Growth Impact**

The proposed amendments will not impact the achievement of smart growth or implementation of the State Plan for Development or Redevelopment.

### **Housing Affordability Impact**

The proposed amendments will have no impact on the cost of housing or number of housing units. The proposed amendments concern professional licensure and standards for teachers.

### **Smart Growth Development Impact**

The proposed amendments will have no impact on the cost of housing, the number of

housing units, or new construction within Planning Areas 1 and 2, or Development Centers, under the State Development and Redevelopment Plan. The proposed amendments concern professional licensure and standards for teachers.

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

(a) - (g) No change.

(h) A candidate who presents official evidence of the following requirements shall be eligible for a standard certificate with an endorsement equivalent to the endorsement on their out-of-state certificate:

1. Completion of at least three years of teaching in good standing during the last seven years under a regular out-of-state certificate, as documented by a letter validating such experience from a superintendent, principal, supervisor, or human resources director in the district in which the experience occurred;
2. Passed a content knowledge test that was required to obtain the out-of-state certificate, as verified by the Department;
3. A valid, regular, standard certificate from any state in which (h)1 and (h)2 above were completed.