

Public Notice

Education

State Board of Education

Notice of Receipt of Petition for Rulemaking

State Board of Examiners and Certification

Military Science

N.J.A.C. 6A:9B-11.8

Petitioner: James Garcia, Regional Director, Air Force Junior Reserve Officers' Training Corps (JROTC).

Take notice that on September 22, 2025, the State Board of Education (State Board) received a petition for rulemaking from the above petitioner, requesting the State Board amend N.J.A.C. 6A:9B-11.8 to delete the requirement for a candidate to document 20 years of military experience to qualify for a standard instructional certificate with a military science endorsement.

N.J.A.C. 1:30-4.1(b) and 6A:6-4.1(b) require a petition for rulemaking to state the substance or nature of the rulemaking that is requested, the reasons for the request and the petitioner's interest in the request, and references to the authority of the agency to take the requested action.

The petitioner seeks to delete N.J.A.C. 6A:9B-11.8(a)1, which requires a candidate for the military science endorsement to document 20 years of military service. The petitioner requests that only the existing requirement to remain would be for a candidate to hold valid certification authorizing employment as a military science instructor from the branch of service in which the candidate served. The military science endorsement allows holders to teach military science in all public schools in New Jersey.

The petitioner states that each branch of the United States military establishes its own requirements for years of service for military science instructors. The petitioner also states that the requested change would expand eligibility to veterans who meet their branch's years of service requirement, but do not have 20 years of military service required at existing N.J.A.C. 6A:9B-11.8(a)1. The petitioner further states that the requested change would provide flexibility, as the required years of service may be modified in the future and according to each military branch.

The request indicates that 10 U.S.C. § 2031, which is the Federal law governing the JROTC, was revised in 2024 to reduce — to eight — the number of required years of military service for honorably discharged officers to qualify as JROTC administrators and instructors. The petitioner states that a growing number of qualified veterans are being turned away from positions in New Jersey public high schools because N.J.A.C. 6A:9B-11.8 sets a higher standard than the Federal law and the military branches.

The petitioner's request provided 10 U.S.C. § 2031 and N.J.A.C. 6A:9B-11.8 as references to the agency's authority to take the requested action.

The petitioner's requested amendments at N.J.A.C. 6A:9B-11.8(a) are as follows:

6A:9B-11.8 Military science

- (a) [To] **In order to** be eligible for the [standard certificate with a] military science endorsement, [the] **a** candidate shall[:
1. Document 20 years of military service; and
 2. Hold] **hold a** valid certification authorizing employment as a military science instructor from the branch of service in which the candidate served.
- (b) – (c) (No change.)

In accordance with N.J.A.C. 1:30-4.2, the Department of Education shall subsequently mail to the petitioner, and file with the Office of Administrative Law, a notice of action on the petition.