

Public Notice

Education

State Board of Education

Notice of Action on 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.

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

A notice acknowledging receipt of the petition was published in the November 3, 2025, New Jersey Register at 57 N.J.R. 2533(a).

The Department of Education (Department) has determined that the required 20 years of military service reflected a correlation with military retirement eligibility, which was previously reflected in Federal JROTC instructor eligibility requirements. However, the National Defense Authorization Act (NDAA) for Fiscal Years 2023 and 2024 expanded eligibility by allowing non-retired veterans and reservists to serve as JROTC instructors if they meet specified rank, service, and education criteria. The NDAA authorizes each military branch to determine criteria, including service years, rank, and education, for JROTC instructors. The United States military service branches now certify JROTC instructors who may have as few as eight years of honorable service, depending on the branch.

The military service branches vet, certify, and recertify JROTC instructors through standardized procedures that verify rank, service record, discharge status, education level, and completion of instructor training — all of which are more directly relevant to military science instruction than a State-based service-year rule. The resulting credential issued by the military service branch can be viewed as a form of professional licensure. The Department already recognizes other professional licensures (for example, school nurses, occupational therapists, and physical therapists) as the basis, in part, to issue endorsements to instructional and educational services certificates.

Reducing or eliminating the years-of-service threshold could broaden the candidate pool for instructors for JROTC programs, which have been linked to increased likelihood to graduate, improved attendance, and fewer disciplinary actions for participating students. In 2024, and so far in 2025, combined, the Department denied applications for the military science endorsement from three candidates who did not demonstrate at least 20 years of military service. The number of interested candidates who did not apply for the endorsement due to the existing 20-year requirement is unquantifiable.

For all of the above-mentioned reasons and pursuant to N.J.A.C. 1:30-4.2(a)3, the Department hereby grants the petitioner's request to amend N.J.A.C. 6A:9B-11.8.

The Department will also amend N.J.A.C. 6A:9B-11.8(a) to revise the requirement to "hold a valid certification authorizing employment as a military science instructor from the branch of service in which the candidate served" to indicate that "a current and valid certification or letter of eligibility issued by the appropriate branch of the United States military authorizing the individual to serve as a Junior Reserve Officers' Training Corps (JROTC) instructor for that branch" is required. The additional proposed amendments recognize that the U.S. military branches have different names for the documents that authorize individuals to serve as JROTC instructors. The Department also will propose amendments at N.J.A.C. 6A:9B-11.8(b) for consistency.

Within 90 days of publication of this notice, the Department will initiate a rulemaking before the State Board of Education. The proposed amendments to the military science endorsement requirements will not be effective until the State Board of Education adopts the rulemaking and a notice of adoption appears in the New Jersey Register.