

Proposed Amendments at N.J.A.C. 6A:9B, State Board of Examiners and Certification

The following is the accessible version of the proposed amendments at N.J.A.C. 6A:9B related to the military science endorsement. The adoption level document includes three sections – [comments and responses](#), a [summary of the rulemaking](#) and the [rule text of the proposed amendments](#).

**State Board of Education
Administrative Code
Comment/Response Form**

This comment and response form contains comments received since the January 7, 2026, meeting of the State Board of Education when the rulemaking was considered at Proposal Level.

Topic: State Board of Examiners and Certification **Meeting Date:** August 5, 2026

Code Citation: N.J.A.C. 6A:9B **Level:** Adoption

Division: Teaching and Learning Services

Completed by: Office of Recruitment, Preparation, and Certification

Summary of Comments and Agency Responses:

The following is a summary of the comments received from members of the public and the Department of Education's (Department) responses. Each commenter is identified at the end of the comment by a number that corresponds to the following list:

1. Harrison Silver, Legislative Advocate, New Jersey School Boards Association
2. Elizabeth Yucis, Associate Director, Professional Development and Instructional Issues, New Jersey Education Association
3. Dr. Carlos S. Worthy
4. James Garcia, Regional Director, Air Force Junior Reserve Officers' Training Corps (JROTC)
5. Jeremy Rodas

1. **Comment:** The commenter stated that continuous efforts to improve and increase the supply of qualified candidates for school employment are beneficial as long as the efforts do not compromise the quality of the applicant pool and do not result in State-mandated intrusions into the authority of district boards of education. **(1)**

Response: The Department thanks the commenter for the input.

2. **Comment:** The commenter expressed support for the proposed amendments at N.J.A.C. 6A:9B-11.8. The commenter stated that the current military science endorsement requirements include 20 years of military service and valid instructor certification from the candidate's branch of service, and that these requirements previously aligned with Federal regulations limiting JROTC instructors to military retirees. The commenter also stated that Federal requirements were recently revised to permit non-retirees who meet their branch's service requirements to become JROTC instructors. The commenter further stated that the proposed amendments will allow qualified and authorized JROTC instructors to teach in New Jersey without being held to higher eligibility standards than those required at the Federal level, thereby

expanding the pool of qualified candidates without compromising quality. (1)

Response: The Department appreciates the support.

3. **Comment:** The commenter expressed support for the proposed amendments at N.J.A.C. 6A:9B-11.8. (2)

Response: The Department appreciates the comment.

4. **Comment:** The commenter stated that the petition for rulemaking requested the removal of N.J.A.C. 6A:9B-11.8(a)1 because the Federal law (10 U.S.C. § 2031) to which the rule was aligned was revised in 2024 to reduce the minimum service requirement from 20 years to eight years. The commenter stated that maintaining the 20-year requirement in State regulation creates a misalignment with Federal law and results in otherwise qualified candidates being ineligible for employment in New Jersey schools. The commenter also stated that the existing requirements for the military science endorsement contribute to a shortage of JROTC instructors by excluding qualified veterans, National Guard members, and reservists with at least eight years of service. The commenter further stated that aligning N.J.A.C. 6A:9B-11.8 with Federal standards will address the instructor shortage and support the continued operation and mission of JROTC programs. The commenter also stated that removing the 20-year requirement will accommodate future Federal or military branch policy changes, as service branches verify minimum service requirements through their certification processes. (4)

Response: The Department appreciates the support.

5. **Comment:** The commenter stated that the rulemaking summary indicates the proposed amendment will delete the requirement at N.J.A.C. 6A:9B-11.8(a)1 that a candidate document 20 years of military service. The commenter stated that the bold and bracketed text indicating the proposed amendments does not clearly reflect that intent because the opening bracket indicating deleted language begins before “the” at N.J.A.C. 6A:9B-11.8(a) rather than at the beginning of N.J.A.C. 6A:9B-11.8(a)1. The commenter suggested revising the bracket placement to more clearly indicate that N.J.A.C. 6A:9B-11.8(a)1 is being deleted or revise existing N.J.A.C. 6A:9B-11.8(a)1 to require candidates to document the appropriate number of years of military service as required by the branch of service sponsoring the program. (3)

Response: The Department appreciates the comment, but the proposed amendment is properly indicated to effectuate the Department’s intent to delete existing N.J.A.C. 6A:9B-11.8(a)1. When amending the New Jersey Administrative Code, additions are indicated in boldface (that is, “**thus**”) and deletions are indicated in brackets (that is, “[thus]”). Therefore, any text appearing within opening and closing brackets is proposed to be deleted from the existing regulation, even if it spans multiple words, phrases, sentences, or numbered paragraphs. The opening bracket appears after “shall” and before the colon at N.J.A.C. 6A:9B-11.8(a), and the closing bracket appears after “Hold” at existing N.J.A.C. 6A:9B-11.8(a)2. This indicates that the proposed amendment deletes the requirement at existing N.J.A.C. 6A:9B-11.8(a)1 for the candidate to document 20 years of military experience.

Upon adoption, N.J.A.C. 6A:9B-11.8(a) will read as follows without paragraphs: “To be eligible for the standard certificate with a military science endorsement, a candidate shall hold 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." Therefore, the commenter's recommended changes at N.J.A.C. 6A:9B-11.8(a)1 will not be necessary.

6. **Comment:** The commenter expressed support for the proposed amendments at N.J.A.C. 6A:9B-11.8 because they will remove unnecessary barriers to qualifying for the military science endorsement. The commenter stated that a similar approach should be applied to the limited certificate of eligibility (CE) and limited certificate of eligibility with advanced standard (CEAS) pilot program.

The commenter requested that the limited CE/limited CEAS pilot program be extended beyond 2027, or made permanent. The commenter stated that the program provides a meaningful pathway into the profession and emphasized that it is not a shortcut because it includes accountability measures, mentoring, evaluation, school district approval, reporting requirements, and a cap of no more than 10 percent of an approved school district's teaching staff. The commenter also stated that extending the program would help school districts address staffing shortages, fill vacancies, provide greater classroom stability for students, and allow school districts additional time to fully implement and evaluate the program. The commenter asserted that continuing the limited CE/limited CEAS pathway would strengthen the educator pipeline and support students through greater continuity in instruction. (5)

Response: The Department appreciates the comments, but the limited CE/limited CEAS pilot program is beyond the scope of the proposed rulemaking.



Adoption Level
August 5, 2026

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Governor

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DR. LILY LAUX
Commissioner

To: Members, State Board of Education

From: Dr. Lily Laux
Commissioner

Subject: N.J.A.C. 9A:9B, State Board of Examiners and Certification

Reason For Action: Amendments

Authority: N.J.S.A. 18A:4-15 and 18A:26-2 and 2h

Sunset Date: April 6, 2030

Summary

The Department of Education (Department) proposes to amend N.J.A.C. 6A:9B, State Board of Examiners and Certification, to amend the requirements for the military science endorsement to the instructional certificate. Specifically, the Department proposes to amend N.J.A.C. 6A:9B-11.8 to remove the 20-year service requirement and to clarify that military science endorsement candidates must hold 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.

The proposed amendments are the result of a petition for rulemaking submitted by James Garcia, Regional Director, Air Force JROTC. The petitioner requested amendments at N.J.A.C. 6A:9B-11.8(a) to remove the 20-year service requirement. The petitioner indicated that 10 U.S.C. § 2031, which is the Federal law governing the JROTC, was revised in 2022 to reduce — to eight from 20 — the number of required years of military service for honorably discharged officers to qualify as JROTC administrators and instructors, and permitting each branch of the United States military establishes its own requirements for years of service for military science instructors. The petitioner also indicated 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 Department, on November 19, 2025, granted the petitioner's request with changes (see 57 N.J.R. 2533(a)). Pursuant to the rules governing petitions for rulemaking at N.J.A.C. 1:304.2(a)2, the Department is required to initiate a rulemaking to effectuate the approved request within 90 days of approving a petition.

Therefore, the Department proposes to delete existing N.J.A.C. 6A:9B-11.8(a)1, which is 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 Department also proposes to recodify existing N.J.A.C. 6A:9B-11.8(a)2 as part of (a), and 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 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 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 further proposes to amend N.J.A.C. 6A:9B-11.8(b) to correct the cross-reference and to provide consistency among the references to the military authorization required at N.J.A.C. 6A:9B-11.8(a).

As the Department has provided a 60-day comment period on this notice of proposal, the notice is excepted from the rulemaking calendar requirement, pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The proposed amendments will have a positive social impact on students, military science endorsement candidates, and school districts because the proposed amendments will help address JROTC instructor shortages by expanding eligibility for the military science endorsement to include candidates with fewer than 20 years of service. Increasing the pool of individuals eligible to provide JROTC instruction to New Jersey students will ease the burden on school districts to fill open staff positions related to JROTC programs and instruction.

Economic Impact

The proposed amendments will have no financial impact on school districts. Individuals who hold a certification or letter of eligibility from a United States military branch might realize a positive economic impact by being eligible for the military science endorsement and related positions in school districts.

Federal Standards Statement

The proposed amendments will not be inconsistent with, or exceed, Federal requirements or standards. Rather, the proposed amendments seek to align the chapter with the Federal eligibility requirements for JROTC instructors, as identified by each military branch.

Jobs Impact

It is not anticipated that jobs will be either generated or lost as a result of the proposed amendments.

Agriculture Industry Impact

The proposed amendments will have no impact on the agriculture industry.

Regulatory Flexibility Statement

The proposed amendments will not change the existing reporting, recordkeeping, or other compliance requirements or place new requirements on small businesses, as defined by the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The proposed amendments impact school districts, charter schools, renaissance school projects, and approved private schools for students with disabilities (APSSDs). APSSDs could be considered small businesses, as that term is defined by the Regulatory Flexibility Act at N.J.S.A. 52:14B-17. Therefore, a regulatory flexibility analysis is not required.

Housing Affordability Impact Analysis

There is an extreme unlikelihood that the proposed amendments will have any impact on the affordability of housing in New Jersey. There is an extreme unlikelihood that the proposed amendments would evoke a change in the average costs associated with housing because the proposed amendments concern eligibility requirements for the military science endorsement.

Smart Growth Development Impact Analysis

The proposed amendments will have an insignificant impact on smart growth. There is an extreme unlikelihood that the proposed amendments would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, pursuant to the State Development and Redevelopment Plan in New Jersey because the proposed amendments concern eligibility requirements for the military science endorsement.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

There is an extreme unlikelihood that the proposed amendments would have an impact on pretrial detention, sentencing, probation, or parole policies concerning juveniles and adults in the State because the proposed amendments concern eligibility requirements for the military science endorsement.

Full text of the proposed amendments follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

6A:9B-11.8 Military science

- (a) 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 current and** valid certification [authorizing employment as a military science instructor from] **or letter of eligibility issued by the appropriate**

branch of [service in which the candidate served] **the United States military authorizing the individual to serve as a Junior Reserve Officers' Training Corps (JROTC) instructor for that branch.**

- (b) To retain this endorsement, the holder must maintain the military [employment] authorization at [(a)2] **(a)** above. The school district shall ensure that the military science teacher maintains **the** valid military [certification] **authorization**, pursuant to N.J.A.C. 6A:9B-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 in this chapter.