

EDUCATION

STATE BOARD OF EDUCATION

New Jersey Educator Preparation Programs

State Board of Examiners and Certification

Proposed New Rules: N.J.A.C. 6A:9A-6 and 6A:9B-11A

Authorized By: New Jersey State Board of Education, Lamont O. Repollet, Commissioner,
Department of Education, Secretary, State Board of Education.

Authority: P.L. 2015, c. 111 (N.J.S.A. 18A:26-2.18 through 2.22).

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2019-013.

Submit written comments by March 8, 2019, to:

Linda Eno

Division of Academics and Performance

New Jersey Department of Education

100 River View Plaza

PO Box 500

Trenton, New Jersey 08625-0500

E-mail: chapter9b@doe.nj.gov

The agency proposal follows:

Summary

The Department of Education (Department) proposes new rules at N.J.A.C. 6A:9A, New Jersey Educator Preparation Programs, and N.J.A.C. 6A:9B, State Board of Examiners and

Certification, to effectuate a State law authorizing a teacher leader endorsement to instructional certificates.

P.L. 2015, c. 111 (N.J.S.A. 18A:26-2.18 through 2.22) requires the State Board of Education (State Board) to authorize a teacher leader endorsement and specifies that candidates for the endorsement must complete a program of study with an approved provider. The law also requires the State Board to set standards for the endorsement's program of study and standards for the approval of providers, which are called teacher leader preparation programs throughout the proposed rules.

Teacher leadership has been shown to positively impact teachers' job satisfaction, which is a major predictor of retention, and to contribute to a pipeline of quality educators within the profession. Moreover, teacher quality, which is the number one school-related factor impacting student learning, can be improved when teachers support, coach, and enhance the skills and practices of their colleagues. The teacher leader endorsement will recognize that a teacher has formally gained knowledge, skills, and competencies to lead his or her colleagues and the profession. The teacher leader endorsement will further professionalize education and give teachers the opportunity to advance their status and influence, all while remaining in the classroom with students, where research shows they have the greatest impact on student outcomes.

The following summarizes the proposed new rules.

N.J.A.C. 6A:9A-6, Teacher Leader Preparation Programs

N.J.A.C. 6A:9A-6.1, Approval criteria and process for teacher leader preparation programs

The Department proposes N.J.A.C. 6A:9A-6.1 to establish the criteria and process that will be used to approve teacher leader preparation programs.

Proposed N.J.A.C. 6A:9A-6.1(a) will provide the Commissioner of Education (Commissioner) with the authority and discretion to approve all teacher leader preparation programs designed to lead to State certification. Proposed N.J.A.C. 6A:9A-6.1(a) will also require that approval of teacher leader preparation programs be based on alignment to the Teacher Leader Model Standards, which are listed in the statute at N.J.S.A. 18A:26-2.19.f, comply with teacher leader endorsement requirements at proposed new N.J.A.C. 6A:9B-11A, and perform as indicated by the documentation required at proposed N.J.A.C. 6A:9A-6.1(d).

Proposed N.J.A.C. 6A:9A-6.1(b) states that the approval process for teacher leader preparation programs will be governed by N.J.A.C. 6A:9A-3.2, the approval process for educator preparation programs, except for N.J.A.C. 6A:9A-3.2(f). Subsection (f) lists the required documentation for the Commissioner's periodic review of educator preparation programs. Therefore, the rule is not applicable to teacher leader preparation programs because the documentation listed, including basic skills and performance assessments, pertain to initial educator preparation programs that candidates for the teacher leader endorsement will already have completed.

Proposed N.J.A.C. 6A:9A-6.1(c) states that all approved teacher leader preparation programs shall be subject to periodic review by the Commissioner. Proposed N.J.A.C. 6A:9A-6.1(c)1 and 2 specify the frequency of the periodic review of the teacher leader preparation programs. Under the proposed rule, programs with accreditation will undergo periodic review at least every seven years, whereas programs without accreditation will undergo periodic review within three years of the Commissioner's initial approval, and every five years thereafter. Proposed N.J.A.C. 6A:9A-6.1(c)3 specifies that the Commissioner has the authority and discretion to review any teacher leader preparation program more frequently.

Proposed N.J.A.C. 6A:9A-6.1(d) states that the Commissioner will withdraw approval or require a teacher leader preparation program to take corrective action if he or she determines, at any time, that the program has failed, or is at risk of failing, to meet the criteria at proposed N.J.A.C. 6A:9A-6.1(a).

Proposed N.J.A.C. 6A:9A-6.1(e) will require the Commissioner's periodic review of teacher leader preparation programs to include, but not be limited to, the following documentation: candidate performance on a Commissioner-approved performance assessment; information on leadership responsibilities assumed by program graduates; graduate retention rates; follow-up survey of program graduates and employers; and diversity among teacher leader candidates as evidenced by ethnicity, race, and gender.

N.J.A.C. 6A:9A-6.2, Teacher leader preparation program implementation

The Department proposes N.J.A.C. 6A:9A-6.2 to establish the program requirements for teacher leader preparation programs.

Proposed N.J.A.C. 6A:9A-6.2(a) will require teacher leader preparation programs to implement the program requirements pursuant to proposed Subchapter 6. Proposed N.J.A.C. 6A:9A-6.2(a)1 will require the program requirements to be applied equitably and in a non-discriminatory manner to all candidates, including transfer students, and will also require all admissions and retention processes to be consistent with State and institutional affirmative action policies and goals. Proposed N.J.A.C. 6A:9A-6.2(a)2 will establish that the program requirements are to be considered minimum requirements and will allow teacher leader preparation programs to require higher levels of proficiency for program admission, clinical component, and recommendation for certification.

Proposed N.J.A.C. 6A:9A-6.2(b) will require teacher leader preparation programs to develop procedures and components in compliance with proposed Subchapter 6. The proposed regulation also will require program procedures and components to include formal admission to the teacher leader program; procedures for accepting prior coursework or work experience(s) to count toward program completion; curriculum, clinical requirements, and assessments; procedures for placing candidates on probation and dismissal from the program and for candidates who fall below minimum requirements prior to program completion, including procedures for candidate appeals; recommendation of a candidate for a teacher leader endorsement, including certification to the Department that a candidate has completed the endorsement requirements; and submission of teacher leader program data at the Department's request.

N.J.A.C. 6A:9A-6.3, Admission to teacher leader preparation programs

The Department proposes N.J.A.C. 6A:9A-6.3 to establish that a candidate will be admitted to a teacher leader preparation program only if he or she holds a valid standard instructional certificate, pursuant to N.J.A.C. 6A:9B.

N.J.A.C. 6A:9A-6.4, Teacher leader preparation program structure

The Department proposes N.J.A.C. 6A:9A-6.4 to establish the required components of approved teacher leader preparation programs.

Proposed N.J.A.C. 6A:9A-6.4(a) will require a teacher leader preparation program designed to lead to the teacher leader endorsement to include a curriculum devoted to teacher leader preparation that is aligned with the Teacher Leader Model Standards and that builds upon the content knowledge and skills of the individual candidate; assessments that measure a candidate's knowledge of and ability to demonstrate the Teacher Leader Model Standards,

including, but not limited to, a Commissioner-approved performance assessment; and clinical experiences.

Proposed N.J.A.C. 6A:9A-6.4(b) will require a teacher leader preparation program to occur over the course of at least one school year, or its equivalent, based on the academic calendar of the participating higher education institution, educational organization, other nonprofit entity, or combination thereof.

Proposed N.J.A.C. 6A:9A-6.4(c) will allow a teacher leader preparation program to determine the number of credit hours or the equivalent hours that comprise the program and that can be accepted to transfer into the program from either another teacher leader preparation program or previous work experience. Proposed N.J.A.C. 6A:9A-6.4(c)2 will prohibit the number of credit or equivalent hours transferred from exceeding half of the program.

N.J.A.C. 6A:9A-6.5, Teacher leader preparation program clinical requirements

The Department proposes N.J.A.C. 6A:9A-6.5 to establish the clinical requirements for approved teacher leader preparation programs.

Proposed N.J.A.C. 6A:9A-6.5(a) will require teacher leader preparation programs to include clinical experiences embedded throughout the program's duration that must be facilitated by the program, including the assignment of an individual who holds a teacher leader endorsement, or who holds an administrative certification or a certificate of eligibility for administrative certification, has demonstrated instructional leadership skills as defined by the Teacher Leader Model Standards, and is employed in a role that requires and utilizes the skills, to provide support to the candidate during the clinical experience. Proposed N.J.A.C. 6A:9A-6.5(a)1i will require the program to provide, to the Department during the period review, evidence that individuals providing support to candidates during the clinical experience meet the qualification requirements.

Additionally, N.J.A.C. 6A:9A-6.5(a)2 will require clinical experiences to be assessed by the program to ensure the candidate demonstrates the Teacher Leader Model Standards.

Proposed N.J.A.C. 6A:9A-6.5(b) will allow teacher leader candidates to complete clinical experiences as part of the continuum of professional development and in lieu of their annual State-required 20 hours of professional development, pursuant to N.J.A.C. 6A:9C-4. The proposed regulation will benefit teachers by allowing them access to a differentiated model of professional learning that is tailored to meet their individualized professional needs and by training them to lead their colleagues and the profession for the benefit of students.

N.J.A.C. 6A:9A-6.6, Recommendations for a teacher leader endorsement

The Department proposes N.J.A.C. 6A:9A-6.6 to establish the process for approved teacher leader preparation programs to recommend candidates to the Department for issuance of the teacher leader endorsement.

Proposed N.J.A.C. 6A:9A-6.6(a) will require teacher leader preparation programs to recommend to the Department for issuance of the teacher leader endorsement only candidates who have completed the approved teacher leader preparation program and all requirements in proposed N.J.A.C. 6A:9B-11A, Requirements for Teacher Leader Endorsement.

Proposed N.J.A.C. 6A:9A-6.6(b) will require teacher leader preparation programs to recommend a candidate to the Department for the endorsement within one year of the date the candidate completed the approved program. The proposed regulation will ensure that recipients of the certificate have recent study and clinical experience when they move into teacher leader roles.

N.J.A.C. 6A:9B-11A, Requirements for Teacher Leader Endorsement

N.J.A.C. 6A:9B-11A.1, Purpose of requirements

The Department proposes N.J.A.C. 6A:9B-11A.1 to require a certificate holder with the teacher leader endorsement to be prepared to demonstrate the Teacher Leader Model Standards.

N.J.A.C. 6A:9B-11A.2, Authorization

The Department proposes N.J.A.C. 6A:9B-11A.2 to state that holders of the teacher leader endorsement are authorized to assume responsibilities that are consistent with the Teacher Leader Model Standards.

N.J.A.C. 6A:9B-11A.3, Requirements

The Department proposes N.J.A.C. 6A:9B-11A.3 to establish the requirements for a candidate to be eligible for the teacher leader endorsement.

Proposed N.J.A.C. 6A:9B-11A.3(a) will require candidates for the teacher leader endorsement to possess a New Jersey standard instructional certificate; demonstrate a minimum of four years of teaching experience under a valid New Jersey or out-of-State certificate; demonstrate a minimum of two effective or highly effective annual summative ratings in the three most recent years under the New Jersey evaluation system or appropriate equivalent criteria in another state; complete a program of study with a Commissioner-approved teacher leader program provider; and pass a Commissioner-approved performance assessment. The proposed requirements will ensure that teachers have demonstrated effective classroom practices before developing and honing skillsets intended to influence their colleagues' classroom practices. By successfully completing a Commissioner-approved performance assessment, candidates will also demonstrate that they have acquired the knowledge and skills outlined in the Teacher Leader Model Standards and that they are prepared to perform roles and responsibilities related to the competencies.

Proposed N.J.A.C. 6A:9B-11A.3(b) will exempt a candidate who meets the requirements in N.J.A.C. 6A:9B-11A.3(a)1 through 5 above from the minimum GPA requirements in N.J.A.C. 6A:9B-8.2. The proposed regulation will exempt candidates because many individuals currently holding a standard instructional certificate were granted their certificates under rules that required, at the time, a 2.50 or 2.75 GPA. The candidates would typically have substantial successful teaching experience that, along with grade inflation, will make their GPA moot.

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

Social Impact

The proposed new rules will have a positive social impact for both students and educators. Since research suggests the quality of an educator is the number one in-school influencer on student achievement, developing skillsets and promoting opportunities where teacher leaders can have a greater influence on their colleagues will positively impact educator quality and student outcomes. Additionally, teacher leaders will be better positioned to synthesize institutional information that will help their colleagues and administrators understand the complexities of the educational system to better enhance teaching and learning.

Economic Impact

The economic impact of the proposed new rules to candidates for the teacher leader endorsement will vary based on the program provider chosen by the teacher to obtain the endorsement. Since the law allows providers to be higher education institutions, education organizations, nonprofit entities, including school districts, or a combination thereof, costs will

vary. It is likely that higher education institutions will charge a per-credit rate, while a school district may utilize its professional learning to develop a program at minimum cost to the candidate. All candidates will be required to take a Commissioner-approved performance assessment, which the Department estimates will cost approximately \$300.00.

Federal Standards Statement

There are no Federal requirements that impact the proposed new rules.

Jobs Impact

The proposed new rules will not result in the generation or loss of jobs.

Agriculture Industry Impact

The proposed new rules will have no impact on the agriculture industry.

Regulatory Flexibility Statement

A regulatory flexibility analysis is not required because the proposed new rules do not impose reporting, recordkeeping, or other compliance requirements on small businesses, as defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq.

Housing Affordability Impact Analysis

The proposed new rules will have an insignificant impact on the affordability of housing in New Jersey. There is an extreme unlikelihood that the proposed new rules would evoke a change

in the average costs associated with housing because the proposed new rules govern the issuance of a teacher leader endorsement for educators in public school districts.

Smart Growth Development Impact Analysis

The proposed new rules will have an insignificant impact on smart growth. There is an extreme unlikelihood that the proposed new rules would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan in New Jersey because the proposed new rules govern the issuance of a teacher leader endorsement for educators in public school districts.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

There is an extreme unlikelihood that the proposed new rules would have an impact on pretrial detention, sentencing, probation, or parole policies concerning juveniles and adults in the State because the proposed new rules govern the issuance of a teacher leader endorsement for educators in public school districts.

Full text of the proposed new rules follows (additions indicated in boldface **thus**):

CHAPTER 9A

NEW JERSEY EDUCATOR PREPARATION PROGRAMS

SUBCHAPTER 6. TEACHER LEADER PREPARATION PROGRAMS

6A:9A-6.1 Approval criteria and process for teacher leader preparation programs

(a) The Commissioner has the authority and discretion to approve all teacher leader preparation programs designed to lead to State certification, in accordance with N.J.A.C.

6A:9A-3.1. Teacher leader preparation program approval shall be based on the following:

1. Alignment to the Teacher Leader Model Standards, pursuant to N.J.S.A. 18A:26-2.19.f;

2. Compliance with teacher leader endorsement requirements, pursuant to N.J.A.C. 6A:9B-11A; and

3. Performance of operating programs, as indicated by the documentation required in (d) below.

(b) The approval process for teacher leader preparation programs shall be governed by N.J.A.C. 6A:9A-3.2, except N.J.A.C. 6A:9A-3.2(f).

(c) All approved teacher leader preparation programs shall be subject to periodic review by the Commissioner as follows:

1. Teacher leader preparation programs with accreditation, as defined in N.J.A.C. 6A:9-2.1, shall undergo periodic review at least every seven years following the Commissioner's initial approval;

2. Teacher leader preparation programs without accreditation shall undergo periodic review within three years of the Commissioner's initial approval, and at least every five years thereafter; and

3. The Commissioner has the authority and discretion to periodically review any teacher leader preparation program more frequently.

(d) The Commissioner shall withdraw approval or require a teacher leader preparation program to take corrective action, if he or she determines at any time that the program has failed, or is at risk of failing, to meet the criteria in (a) above.

(e) Documentation for the Commissioner's periodic review of teacher leader preparation programs shall include, but not be limited to, the following:

- 1. Candidate performance on a Commissioner-approved performance assessment;**
- 2. Information on leadership responsibilities assumed by program graduates;**
- 3. Graduate retention rates;**
- 4. Follow-up survey of program graduates and employers; and**
- 5. Diversity among teacher leader candidates as evidenced by ethnicity, race, and gender.**

6A:9A-6.2 Teacher leader preparation program implementation

(a) Teacher leader preparation programs shall implement the program requirements pursuant to this subchapter, which shall be:

- 1. Applied equitably and in a non-discriminatory manner to all candidates, including transfer students. All admissions and retention processes shall be consistent with State and institutional affirmative action policies and goals; and**
- 2. Considered minimum requirements. Teacher leader preparation programs may require higher levels of proficiency for program admission, clinical component, and recommendation for certification.**

(b) Teacher leader preparation programs shall develop procedures and components in compliance with this subchapter. The program procedures and components shall include:

- 1. Formal admission to the teacher leader program, pursuant to N.J.A.C. 6A:9A-6.3;**
- 2. Procedures for accepting prior coursework or work experience(s) to count toward program completion, as determined pursuant to N.J.A.C. 6A:9A-6.4(c)2;**
- 3. Curriculum, clinical requirements, and assessments, pursuant to N.J.A.C. 6A:9A-6.4;**
- 4. Procedures for placing candidates on probation, and dismissing from the program, candidates who fall below minimum requirements prior to program completion, including procedures for candidate appeals;**
- 5. Recommendation of a candidate for a teacher leader endorsement, pursuant to N.J.A.C. 6A:9A-6.6, including certification to the Department that a candidate has completed the endorsement requirements; and**
- 6. Submission of teacher leader program data at the Department's request.**

6A:9A-6.3 Admission to teacher leader preparation programs

A candidate shall be admitted to a teacher leader preparation program, only if he or she holds a valid standard instructional certificate, pursuant to N.J.A.C. 6A:9B.

6A:9A-6.4 Teacher leader preparation program

- (a) **The teacher leader preparation program designed to lead to the teacher leader endorsement shall include:**
- 1. A curriculum devoted to teacher leader preparation that is aligned with the Teacher Leader Model Standards and that builds upon the content knowledge and skills of the individual candidate;**
 - 2. Assessments that measure a candidate's knowledge of and ability to demonstrate the Teacher Leader Model Standards, including, but not limited to, a Commissioner-approved performance assessment; and**
 - 3. Clinical experiences, pursuant to N.J.A.C. 6A:9A-6.5.**
- (b) **The teacher leader preparation program shall occur over the course of at least one school year, or its equivalent, based on the academic calendar of the participating higher education institution, educational organization, other nonprofit entity, or combination thereof.**
- (c) **The teacher leader preparation program shall determine:**
- 1. The number of credit hours or the equivalent hours that comprise the program; and**
 - 2. The number of credit hours or the equivalent hours that can be accepted to transfer into the program from either another teacher leader preparation program or previous work experience, which shall not exceed half of the program.**

6A:9A-6.5 Teacher leader preparation program clinical requirements

- (a) The teacher leader preparation program shall include clinical experiences embedded throughout the program’s duration that shall be:**
- 1. Facilitated by the program, including the assignment of an individual who possesses a teacher leader endorsement, or who holds an administrative certification or a certificate of eligibility for administrative certification, pursuant to N.J.A.C. 6A:9B-12, has demonstrated instructional leadership skills as defined by the Teacher Leader Model Standards, and is employed in a role that requires and utilizes the skills, to provide support to the candidate during the clinical experience.**
 - i. The program shall provide to the Department during the periodic review evidence that individuals providing support to candidates during the clinical experience have demonstrated instructional leadership skills as defined by the Teacher Leader Model Standards, and are employed in roles that require and utilize the skills; and**
 - 2. Assessed by the program to ensure the candidate demonstrates the Teacher Leader Model Standards.**
- (b) School districts may allow teacher leader candidates to complete clinical experiences as part of the continuum of professional development and in lieu of their State-required hours of professional development, pursuant to N.J.A.C. 6A:9C-4.**

6A:9A-6.6 Recommendations for a teacher leader endorsement

- (a) Teacher leader preparation programs shall recommend to the Department for issuance of the teacher leader endorsement only candidates who have:**

- 1. Completed the teacher leader preparation program approved pursuant to this subchapter; and**
 - 2. Completed all requirements pursuant to N.J.A.C. 6A:9B-11A.**
- (b) Teacher leader preparation programs shall have up to one year from the date the candidate completed the approved program to recommend him or her to the Department for issuance of the endorsement on the instructional certificate.**

CHAPTER 9B

STATE BOARD OF EXAMINERS AND CERTIFICATION

SUBCHAPTER 11A. REQUIREMENTS FOR TEACHER LEADER ENDORSEMENT

6A:9B-11A.1 Purpose of requirements

A certificate holder with the teacher leader endorsement shall be prepared to demonstrate the Teacher Leader Model Standards, pursuant to N.J.S.A. 18A:26-2.19.f.

6A:9B-11A.2 Authorization

Holders of the teacher leader endorsement are authorized to assume responsibilities that are consistent with the Teacher Leader Model Standards, pursuant to N.J.S.A. 18A:26-2.19.f.

6A:9B-11A.3 Requirements

- (a) To be eligible for the teacher leader endorsement, the candidate shall meet the following requirements:**
- 1. Possess a New Jersey standard instructional certificate;**

- 2. Demonstrate a minimum of four years of teaching experience under a valid New Jersey or out-of-State certificate;**
 - 3. Demonstrate a minimum of two effective or highly effective annual summative ratings in the three most recent years under the New Jersey evaluation system or appropriate equivalent criteria in another state;**
 - 4. Complete a program of study with a Commissioner-approved teacher leader program provider, pursuant to N.J.A.C. 6A:9A-6; and**
 - 5. Pass a Commissioner-approved performance assessment.**
- (b) A candidate who meets the requirements in (a)1 through 5 above shall be exempt from the minimum GPA requirements in N.J.A.C. 6A:9B-8.2.**