

§§1-3
T & E and
Note to
C.18:6-117,
C.18:6-121, and
C.18:6-122
§5
C.18A:6-123.1
§6
Note to s.4,
C.18:6-117,
C.18:6-121, and
C.18:6-122

P.L. 2024, CHAPTER 14, *approved May 17, 2024*
Senate Committee Substitute (*First Reprint*) for
Senate, No. 2082

- 1 **AN ACT** establishing the “New Jersey Educator Evaluation Review
2 Task Force,” and amending and supplementing P.L.2012, c.26.
3
- 4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*
6
- 7 1. (New section) The Legislature finds and declares that:
8 a. The “Teacher Effectiveness and Accountability for the
9 Children of New Jersey (TEACHNJ) Act,” P.L.2012, c.26
10 (C.18A:6-117 et al.), was enacted in 2012 with the goal of raising
11 student achievement by improving instruction through the adoption
12 of an educator evaluation system that provides specific feedback to
13 educators, informs the provision of aligned professional
14 development, and informs personnel decisions.
15 b. Since the enactment of the TEACHNJ Act, educators have
16 benefited from the individualized feedback, provision of targeted
17 professional development resources, annual review of student
18 performance data, collaborative exchange of educational strategies
19 with their certified supervisors, and administrative support provided
20 through the evaluation systems established pursuant to the
21 TEACHNJ Act.
22 c. On November 10, 2022, Governor Philip D. Murphy issued
23 Executive Order No. 309 to establish the Task Force on Public
24 School Staff Shortages in New Jersey to develop recommendations
25 to address teacher and education support professional shortages in
26 school districts across New Jersey. In February 2023, the 25-
27 member task force issued 31 initial recommendations with a goal of

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AED committee amendments adopted March 4, 2024.

1 addressing Statewide educator staffing shortages in the public
2 schools of the State. The task force recommendations focused on
3 both short-term and long-term solutions to increase recruitment to
4 the educator workforce, identify best practices to increase the
5 educator pipeline, and ensure the retention of school staff members.

6 d. To address the retention of existing school employees,
7 including teachers, the task force recommended that administrative
8 burdens, and other tasks that pull teachers from classroom
9 instruction, be reassessed and reduced, if appropriate, including the
10 reassessment of student growth objectives within the educator
11 evaluation process established by the TEACHNJ Act and
12 regulations issued by the Department of Education.

13 e. In response to the ongoing and widespread staffing challenges
14 facing New Jersey schools, and considering the recommendations of
15 the task force report, it is fitting and proper to examine revisions to
16 the TEACHNJ Act.

17

18 2. (New section) a. There is established the New Jersey Educator
19 Evaluation Review Task Force for the purpose of examining the
20 educator evaluation process, gathering data, evaluating the data, and
21 making recommendations concerning the annual evaluation process
22 for teachers, principals, assistant principals, and vice principals
23 established pursuant to the "TEACHNJ Act," P.L.2012, c.26
24 (C.18A:6-117 et al.).

25 b. The task force shall consist of ¹~~12~~ 13¹ members, each of
26 whom shall have a background in, or special knowledge of, the legal,
27 policy, and administrative aspects of educator evaluation in New
28 Jersey, as follows:

29 (1) one member appointed by the President of the Senate;

30 (2) one member appointed by the Speaker of the General
31 Assembly;

32 (3) one member appointed by the Governor;

33 (4) three representatives of the New Jersey Education Association,
34 at least two of whom shall be employed as full-time teachers in a
35 public school in the State;

36 (5) three representatives of the New Jersey Principals and
37 Supervisors Association, one of whom shall be employed as a
38 principal in a public school in the State and one of whom shall be
39 employed as a vice-principal in a public school in the State;

40 (6) one representative appointed by the New Jersey School Boards
41 Association;

42 (7) one representative appointed by the New Jersey Association of
43 School Administrators; ¹~~and~~¹

44 (8) one representative appointed by the Garden State Coalition of
45 Schools ¹; and

46 (9) one representative appointed by the American Federation of
47 Teachers¹.

1 c. Appointments to the task force shall be made as soon as
2 practicable following the effective date of P.L. , c. (C.)
3 (pending before the Legislature as this bill). Vacancies in the
4 membership of the task force shall be filled in the same manner as the
5 original appointments were made.

6 d. Members of the task force shall serve without compensation, but
7 shall be reimbursed for necessary expenditures incurred in the
8 performance of their duties as members of the task force within the
9 limits of funds appropriated or otherwise made available to the task
10 force for its purposes.

11 e. The task force shall organize as soon as practicable, but no later
12 than 30 days following the effective date of P.L. , c. (C.)
13 (pending before the Legislature as this bill). The task force shall
14 choose a chairperson from its membership and shall appoint a
15 secretary who shall be an employee of the Department of Education.
16 The secretary shall be a non-voting member of the task force. A
17 majority of the membership of the task force shall constitute a quorum
18 for the transaction of task force business.

19 f. The Department of Education shall provide such stenographic,
20 clerical, and other administrative assistants, and such professional staff
21 as the task force requires to carry out its work. The task force shall be
22 entitled to call to its assistance and avail itself of any non-confidential
23 data maintained by the department and the services of the employees
24 of any State, county, or municipal department, board, bureau,
25 commission, or agency as it may require and as may be available for
26 its purposes.

27
28 3. (New section) a. It shall be the duty of the New Jersey
29 Educator Evaluation Review Task Force to study and evaluate the
30 educator evaluation system established pursuant to the "TEACHNJ
31 Act," P.L.2012, c.26 (C.18A:6-117 et al.), and implemented in New
32 Jersey public schools. The task force shall consider the law in the
33 current context of the State's schools, identify areas for
34 improvement, and make any recommendations regarding any
35 appropriate changes or updates to the law or regulations
36 implementing the law. The task force shall:

37 (1) examine the educational value, administrative burden, and
38 impacts on teachers, principals, and vice principals of the use of
39 student growth objectives in annual summative evaluations, and
40 identify potential alternative approaches to the use of student
41 growth objectives in annual summative evaluations;

42 (2) examine any unintended consequences of the
43 implementation of the TEACHNJ Act;

44 (3) review current educational research on best practices in
45 educator evaluation in order to promote student achievement and
46 success; and

47 (4) present any recommendations deemed necessary and
48 appropriate to modify or update the TEACHNJ Act and its

1 implementing regulations to the Governor, the Legislature, the
2 Department of Education, and the public.

3 b. The task force shall hold at least one public hearing during
4 the course of its work in order to receive public input on the issues
5 being studied by the task force.

6 c. The task force shall issue a final report of its findings and
7 recommendations to the Governor, and to the Legislature pursuant
8 to section 2 of P.L.1991, c.164 (C.52:14-19.1), no later than
9 September 30, 2024. The department shall make the final report
10 available to the public on its Internet website.

11

12 4. Section 17 of P.L.2012, c.26 (C.18A:6-123) is amended to
13 read as follows:

14 17. a. The Commissioner of Education shall review and approve
15 evaluation rubrics submitted by school districts pursuant to section
16 16 of P.L.2012, c.26 (C.18A:6-122). The board of education shall
17 adopt a rubric approved by the commissioner.

18 b. The State Board of Education shall promulgate regulations
19 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
20 (C.52:14B-1 et seq.), to set standards for the approval of evaluation
21 rubrics for teachers, principals, assistant principals, and vice-
22 principals. The standards, at a minimum, shall include:

23 (1) four defined annual rating categories for teachers, principals,
24 assistant principals, and vice-principals: ineffective, partially
25 effective, effective, and highly effective;

26 (2) a provision requiring that the rubric be partially based on
27 multiple objective measures of student learning that use student
28 growth from one year's measure to the next year's measure using
29 data from the most recent year in which an educator completed
30 student growth objectives;

31 (3) a provision that allows the district, in grades in which a
32 standardized test is not required, to determine the methods for
33 measuring student growth, provided that the student growth
34 objective data used is data collected in the most recent year in
35 which an educator completed student growth objectives;

36 (4) a provision that multiple measures of practice and student
37 learning be used in conjunction with professional standards of
38 practice using a comprehensive evaluation process in rating
39 effectiveness with specific measures and implementation processes.
40 Standardized assessments shall be used as a measure of student
41 progress but shall not be the predominant factor in the overall
42 evaluation of a teacher;

43 (5) a provision that the rubric be based on the professional
44 standards for that employee;

45 (6) a provision ensuring that performance measures used in the
46 rubric are linked to student achievement;

- 1 (7) a requirement that the employee receive multiple
2 observations during the school year which shall be used in
3 evaluating the employee;
- 4 (8) a provision that requires that at each observation of a
5 teacher, either the principal, his designee who shall be an individual
6 employed in the district in a supervisory role and capacity and who
7 possesses a school administrator certificate, principal certificate, or
8 supervisor certificate, the vice-principal, or the assistant principal
9 shall be present;
- 10 (9) an opportunity for the employee to improve his effectiveness
11 from evaluation feedback;
- 12 (10) guidelines for school districts regarding training and the
13 demonstration of competence on the evaluation system to support
14 its implementation;
- 15 (11) a process for ongoing monitoring and calibration of the
16 observations to ensure that the observation protocols are being
17 implemented correctly and consistently;
- 18 (12) a performance framework, associated evaluation tools, and
19 observation protocols, including training and observer calibration
20 resources;
- 21 (13) a process for a school district to obtain the approval of the
22 commissioner to utilize other evaluation tools; and
- 23 (14) a process for ensuring that the results of the evaluation help
24 to inform instructional development.
- 25 c. A board of education shall adopt a rubric approved by the
26 commissioner by December 31, 2012.
- 27 d. Beginning no later than January 31, 2013, a board of
28 education shall implement a pilot program to test and refine the
29 evaluation rubric.
- 30 e. Beginning with the 2013-2014 school year, a board of
31 education shall ensure implementation of the approved, adopted
32 evaluation rubric for all educators in all elementary, middle, and
33 high schools in the district. Results of evaluations shall be used to
34 identify and provide professional development to teaching staff
35 members. Results of evaluations shall be provided to the
36 commissioner, as requested, on a regular basis.
- 37 f. The commissioner shall establish a model evaluation rubric
38 that may be utilized by a school district to assess the effectiveness
39 of its teaching staff members.
- 40 (cf: P.L.2012, c.26, s.17)
- 41
- 42 5. (New section) a. Notwithstanding the provisions of section
43 17 of P.L.2012, c.26 (C.18A:6-123) or any other law, rule, or
44 regulation to the contrary, in the 2024-2025 school year, teachers
45 shall not collect new student growth objective data. For the
46 purposes of conducting evaluations of teachers, principals, assistant
47 principals, and vice principals in the 2024-2025 school year,
48 existing student growth objective data from the most recent year in

1 which the educator completed student growth objectives shall be
2 used. For any teacher in their first year of employment in a district,
3 any teacher without a record of pre-existing student growth
4 objectives, or any non-tenured teacher, the teacher shall be required
5 to set student growth objectives and collect data pertaining to these
6 objectives during the 2024-2025 school year.

7 b. Beginning with the 2025-2026 school year, school districts
8 shall implement guidelines for the collection of student growth
9 objective data consistent with any law, rule, or regulation enacted as
10 a result of the findings of the New Jersey Educator Evaluation
11 Review Task Force established pursuant to P.L. , c. (C.)
12 (pending before the Legislature as this bill).

13
14 6. Sections 1 through 3, and section 5 of P.L. , c. (C.)
15 (pending before the Legislature as this bill) shall take effect
16 immediately. Section 4 of P.L. , c. (C.) (pending before the
17 Legislature as this bill) shall take effect on the first day of the first
18 full school year next following the date of enactment. The task
19 force shall expire 30 days after the report required pursuant to
20 section 3 of P.L. , c. (C.) (pending before the Legislature as
21 this bill) is issued.

22
23
24
25

26 _____
27 Establishes New Jersey Educator Evaluation Review Task Force;
clarifies collection of student growth data.

CHAPTER 14

AN ACT establishing the “New Jersey Educator Evaluation Review Task Force,” and amending and supplementing P.L.2012, c.26.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The Legislature finds and declares that:

a. The “Teacher Effectiveness and Accountability for the Children of New Jersey (TEACHNJ) Act,” P.L.2012, c.26 (C.18A:6-117 et al.), was enacted in 2012 with the goal of raising student achievement by improving instruction through the adoption of an educator evaluation system that provides specific feedback to educators, informs the provision of aligned professional development, and informs personnel decisions.

b. Since the enactment of the TEACHNJ Act, educators have benefited from the individualized feedback, provision of targeted professional development resources, annual review of student performance data, collaborative exchange of educational strategies with their certified supervisors, and administrative support provided through the evaluation systems established pursuant to the TEACHNJ Act.

c. On November 10, 2022, Governor Philip D. Murphy issued Executive Order No. 309 to establish the Task Force on Public School Staff Shortages in New Jersey to develop recommendations to address teacher and education support professional shortages in school districts across New Jersey. In February 2023, the 25-member task force issued 31 initial recommendations with a goal of addressing Statewide educator staffing shortages in the public schools of the State. The task force recommendations focused on both short-term and long-term solutions to increase recruitment to the educator workforce, identify best practices to increase the educator pipeline, and ensure the retention of school staff members.

d. To address the retention of existing school employees, including teachers, the task force recommended that administrative burdens, and other tasks that pull teachers from classroom instruction, be reassessed and reduced, if appropriate, including the reassessment of student growth objectives within the educator evaluation process established by the TEACHNJ Act and regulations issued by the Department of Education.

e. In response to the ongoing and widespread staffing challenges facing New Jersey schools, and considering the recommendations of the task force report, it is fitting and proper to examine revisions to the TEACHNJ Act.

2. a. There is established the New Jersey Educator Evaluation Review Task Force for the purpose of examining the educator evaluation process, gathering data, evaluating the data, and making recommendations concerning the annual evaluation process for teachers, principals, assistant principals, and vice principals established pursuant to the “TEACHNJ Act,” P.L.2012, c.26 (C.18A:6-117 et al.).

b. The task force shall consist of 13 members, each of whom shall have a background in, or special knowledge of, the legal, policy, and administrative aspects of educator evaluation in New Jersey, as follows:

(1) one member appointed by the President of the Senate;

(2) one member appointed by the Speaker of the General Assembly;

(3) one member appointed by the Governor;

(4) three representatives of the New Jersey Education Association, at least two of whom shall be employed as full-time teachers in a public school in the State;

(5) three representatives of the New Jersey Principals and Supervisors Association, one of whom shall be employed as a principal in a public school in the State and one of whom shall be employed as a vice-principal in a public school in the State;

- (6) one representative appointed by the New Jersey School Boards Association;
- (7) one representative appointed by the New Jersey Association of School Administrators;
- (8) one representative appointed by the Garden State Coalition of Schools ; and
- (9) one representative appointed by the American Federation of Teachers.

c. Appointments to the task force shall be made as soon as practicable following the effective date of P.L. 2024, c.14 (C.18A:6-123.1 et al.). Vacancies in the membership of the task force shall be filled in the same manner as the original appointments were made.

d. Members of the task force shall serve without compensation, but shall be reimbursed for necessary expenditures incurred in the performance of their duties as members of the task force within the limits of funds appropriated or otherwise made available to the task force for its purposes.

e. The task force shall organize as soon as practicable, but no later than 30 days following the effective date of P.L.2024, c.14 (C.18A:6-123.1 et al.). The task force shall choose a chairperson from its membership and shall appoint a secretary who shall be an employee of the Department of Education. The secretary shall be a non-voting member of the task force. A majority of the membership of the task force shall constitute a quorum for the transaction of task force business.

f. The Department of Education shall provide such stenographic, clerical, other administrative assistants, and such professional staff as the task force requires to carry out its work. The task force shall be entitled to call to its assistance and avail itself of any non-confidential data maintained by the department and the services of the employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available for its purposes.

3. a. It shall be the duty of the New Jersey Educator Evaluation Review Task Force to study and evaluate the educator evaluation system established pursuant to the “TEACHNJ Act,” P.L.2012, c.26 (C.18A:6-117 et al.), and implemented in New Jersey public schools. The task force shall consider the law in the current context of the State’s schools, identify areas for improvement, and make any recommendations regarding any appropriate changes or updates to the law or regulations implementing the law. The task force shall:

- (1) examine the educational value, administrative burden, and impacts on teachers, principals, and vice principals of the use of student growth objectives in annual summative evaluations and identify potential alternative approaches to the use of student growth objectives in annual summative evaluations;
- (2) examine any unintended consequences of the implementation of the TEACHNJ Act;
- (3) review current educational research on best practices in educator evaluation in order to promote student achievement and success; and
- (4) present any recommendations deemed necessary and appropriate to modify or update the TEACHNJ Act and its implementing regulations to the Governor, the Legislature, the Department of Education, and the public.

b. The task force shall hold at least one public hearing during the course of its work in order to receive public input on the issues being studied by the task force.

c. The task force shall issue a final report of its findings and recommendations to the Governor, and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), no later than September 30, 2024. The department shall make the final report available to the public on its Internet website.

4. Section 17 of P.L.2012, c.26 (C.18A:6-123) is amended to read as follows:

C.18A:6-123 Review, approval of evaluation rubrics.

17. a. The Commissioner of Education shall review and approve evaluation rubrics submitted by school districts pursuant to section 16 of P.L.2012, c.26 (C.18A:6-122). The board of education shall adopt a rubric approved by the commissioner.

b. The State Board of Education shall promulgate regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to set standards for the approval of evaluation rubrics for teachers, principals, assistant principals, and vice-principals. The standards, at a minimum, shall include:

(1) four defined annual rating categories for teachers, principals, assistant principals, and vice-principals: ineffective, partially effective, effective, and highly effective;

(2) a provision requiring that the rubric be partially based on multiple objective measures of student learning that use student growth from one year's measure to the next year's measure using data from the most recent year in which an educator completed student growth objectives;

(3) a provision that allows the district, in grades in which a standardized test is not required, to determine the methods for measuring student growth, provided that the student growth objective data used is data collected in the most recent year in which an educator completed student growth objectives;

(4) a provision that multiple measures of practice and student learning be used in conjunction with professional standards of practice using a comprehensive evaluation process in rating effectiveness with specific measures and implementation processes. Standardized assessments shall be used as a measure of student progress but shall not be the predominant factor in the overall evaluation of a teacher;

(5) a provision that the rubric be based on the professional standards for that employee;

(6) a provision ensuring that performance measures used in the rubric are linked to student achievement;

(7) a requirement that the employee receive multiple observations during the school year which shall be used in evaluating the employee;

(8) a provision that requires that at each observation of a teacher, either the principal, his designee who shall be an individual employed in the district in a supervisory role and capacity and who possesses a school administrator certificate, principal certificate, or supervisor certificate, the vice-principal, or the assistant principal shall be present;

(9) an opportunity for the employee to improve his effectiveness from evaluation feedback;

(10) guidelines for school districts regarding training and the demonstration of competence on the evaluation system to support its implementation;

(11) a process for ongoing monitoring and calibration of the observations to ensure that the observation protocols are being implemented correctly and consistently;

(12) a performance framework, associated evaluation tools, and observation protocols, including training and observer calibration resources;

(13) a process for a school district to obtain the approval of the commissioner to utilize other evaluation tools; and

(14) a process for ensuring that the results of the evaluation help to inform instructional development.

c. A board of education shall adopt a rubric approved by the commissioner by December 31, 2012.

d. Beginning no later than January 31, 2013, a board of education shall implement a pilot program to test and refine the evaluation rubric.

e. Beginning with the 2013-2014 school year, a board of education shall ensure implementation of the approved, adopted evaluation rubric for all educators in all elementary, middle, and high schools in the district. Results of evaluations shall be used to identify and provide professional development to teaching staff members. Results of evaluations shall be provided to the commissioner, as requested, on a regular basis.

f. The commissioner shall establish a model evaluation rubric that may be utilized by a school district to assess the effectiveness of its teaching staff members.

C.18A:6-123.1 Collection, new student growth objective data, 2024-2025 school year, prohibited; existing data shall be used.

5. a. Notwithstanding the provisions of section 17 of P.L.2012, c.26 (C.18A:6-123) or any other law, rule, or regulation to the contrary, in the 2024-2025 school year, teachers shall not collect new student growth objective data. For the purposes of conducting evaluations of teachers, principals, assistant principals, and vice principals in the 2024-2025 school year, existing student growth objective data from the most recent year in which the educator completed student growth objectives shall be used. For any teacher in their first year of employment in a district, any teacher without a record of pre-existing student growth objectives, or any non-tenured teacher, the teacher shall be required to set student growth objectives and collect data pertaining to these objectives during the 2024-2025 school year.

b. Beginning with the 2025-2026 school year, school districts shall implement guidelines for the collection of student growth objective data consistent with any law, rule, or regulation enacted as a result of the findings of the New Jersey Educator Evaluation Review Task Force established pursuant to P.L.2024, c.14 (C.18A:6-123.1 et al.).

6. Sections 1 through 3 and section 5 of P.L.2024, c.14 (C.18A:6-123.1) shall take effect immediately. Section 4 of P.L.2024, c.14 (C.18A:6-123) shall take effect on the first day of the first full school year next following the date of enactment. The task force shall expire 30 days after the report required pursuant to section 3 of P.L.2024, c.14 is issued.

Approved May 17, 2024.

SENATE, No. 2082

STATE OF NEW JERSEY
221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

Co-Sponsored by:

Senators Johnson and Steinhardt

SYNOPSIS

Revises schedule for summative evaluations of certain education professionals; limits collection of student growth data.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 1/25/2024)

S2082 GOPAL

2

1 AN ACT concerning evaluations of certain education professionals,
2 amending and supplementing P.L.2012, c.26, and repealing
3 section 25 of P.L.2012, c.26.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. (New section) a. Notwithstanding the provisions of
9 N.J.S.18A:6-11 or any other section of law to the contrary, in the
10 case of a tenured teacher, principal, assistant principal, and vice-
11 principal, summative evaluations shall occur on a schedule subject
12 to the employee's previous evaluation as set forth in this section.

13 (1) The first summative evaluation shall occur two years after
14 tenure is acquired.

15 (2) If an employee receives a rating of highly effective in any
16 summative evaluation, the next summative evaluation shall occur
17 three years later, except as provided for in subparagraph (c) of
18 paragraph (4) of this subsection.

19 (3) If an employee receives a rating of effective in any
20 summative evaluation, the next summative evaluation shall occur
21 either two or three years later, at the discretion of the employee's
22 supervisor and to be determined and made known to the employee
23 by the annual summative conference.

24 (4) If an employee receives a rating of partially effective or
25 ineffective in any summative evaluation, the employee shall receive
26 annual summative evaluations in each of the following two years,
27 which shall be conducted as follows:

28 (a) If the employee is rated ineffective or partially effective in
29 an annual summative evaluation and the following year is rated
30 ineffective in the annual summative evaluation, the superintendent
31 shall promptly file with the secretary of the board of education a
32 charge of inefficiency.

33 (b) If the employee is rated partially effective in two
34 consecutive annual summative evaluations or is rated ineffective in
35 an annual summative evaluation and the following year is rated
36 partially effective in the annual summative evaluation, the
37 superintendent shall promptly file with the secretary of the board of
38 education a charge of inefficiency, except that the superintendent,
39 upon a written finding of exceptional circumstances, may defer the
40 filing of tenure charges and the employee shall continue to receive
41 annual summative evaluations in each of the following two years. If
42 the employee is not rated effective or highly effective on each of
43 these two consecutive annual summative evaluations, the
44 superintendent shall promptly file a charge of inefficiency.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 (c) If the employee receives one rating of ineffective or partially
2 effective and one rating of effective or highly effective, the
3 employee shall continue to receive annual summative evaluations
4 until the employee acquires two consecutive ratings of effective or
5 highly effective on annual summative evaluations. Once two
6 consecutive ratings of effective or highly effective are acquired, the
7 employee shall be returned to the evaluation schedule set forth in
8 paragraphs (2) and (3) of this subsection.

9 b. Each school district shall annually issue to the commissioner
10 a statement of assurance which includes a list of all tenured
11 teachers, principals, assistant principals, and vice-principals who
12 did not receive a summative evaluation in that year and which
13 affirms that these employees have all been rated effective or highly
14 effective in their most recent evaluation.

15 c. (1) Teacher-generated student growth data shall not be
16 collected by a teacher except in those years in which the teacher is
17 subject to a summative evaluation pursuant to subsection a. of this
18 section. In the case of a principal, assistant principal, or vice-
19 principal, a summative evaluation may consider any available
20 cumulative data but shall not require the collection of additional
21 teacher-generated student growth data.

22 (2) As used in this section, “teacher-generated student growth
23 data” means any data collected by a teacher to measure student
24 progress toward individualized goals and does not include
25 standardized testing performance data.

26 d. Within 30 days of filing a charge of inefficiency pursuant to
27 subsection a. of this section, the board of education shall forward a
28 written charge to the commissioner, unless the board determines
29 that the evaluation process has not been followed.

30 e. Notwithstanding the provisions of N.J.S.18A:6-16 or any
31 other section of law to the contrary, upon receipt of a charge of
32 inefficiency pursuant to subsection a. of this section, the
33 commissioner shall examine the charge. The individual against
34 whom the charges are filed shall have 10 days to submit a written
35 response to the charges to the commissioner. The commissioner
36 shall, within five days immediately following the period provided
37 for a written response to the charges, refer the case to an arbitrator
38 and appoint an arbitrator to hear the case, unless the commissioner
39 determines that the evaluation process has not been followed.

40 f. The only evaluations which may be used for the purposes of
41 this section are those evaluations conducted in accordance with a
42 rubric adopted by the State Board of Education and approved by the
43 commissioner pursuant to P.L.2012, c.26 (C.18A:6-117 et al.).

44
45 2. Section 17 of P.L.2012, c.26 (C.18A:6-123) is amended to
46 read as follows:

47 17. a. The Commissioner of Education shall review and approve
48 evaluation rubrics submitted by school districts pursuant to section

S2082 GOPAL

- 1 16 of P.L.2012, c.26 (C.18A:6-122). The board of education shall
2 adopt a rubric approved by the commissioner.
- 3 b. The State Board of Education shall promulgate regulations
4 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
5 (C.52:14B-1 et seq.), to set standards for the approval of evaluation
6 rubrics for teachers, principals, assistant principals, and vice-
7 principals. The standards at a minimum shall include:
- 8 (1) four defined annual rating categories for teachers, principals,
9 assistant principals, and vice-principals: ineffective, partially
10 effective, effective, and highly effective;
- 11 (2) a provision requiring that the rubric be partially based on
12 multiple objective measures of student learning that use student
13 growth from one year's measure to the next year's measure;
- 14 (3) a provision that allows the district, in grades in which a
15 standardized test is not required, to determine the methods for
16 measuring student growth;
- 17 (4) a provision that multiple measures of practice and student
18 learning be used in conjunction with professional standards of
19 practice using a comprehensive evaluation process in rating
20 effectiveness with specific measures and implementation processes.
21 Standardized assessments shall be used as a measure of student
22 progress but shall not be the predominant factor in the overall
23 evaluation of a teacher;
- 24 (5) a provision that the rubric be based on the professional
25 standards for that employee;
- 26 (6) a provision ensuring that performance measures used in the
27 rubric are linked to student achievement;
- 28 (7) a requirement that the employee receive multiple
29 observations during the school year which shall be used in
30 evaluating the employee;
- 31 (8) a provision that requires that at each observation of a
32 teacher, either the principal, his designee who shall be an individual
33 employed in the district in a supervisory role and capacity and who
34 possesses a school administrator certificate, principal certificate, or
35 supervisor certificate, the vice-principal, or the assistant principal
36 shall be present;
- 37 (9) an opportunity for the employee to improve his effectiveness
38 from evaluation feedback;
- 39 (10) guidelines for school districts regarding training and the
40 demonstration of competence on the evaluation system to support
41 its implementation;
- 42 (11) a process for ongoing monitoring and calibration of the
43 observations to ensure that the observation protocols are being
44 implemented correctly and consistently;
- 45 (12) a performance framework, associated evaluation tools, and
46 observation protocols, including training and observer calibration
47 resources;

- 1 (13) a process for a school district to obtain the approval of the
2 commissioner to utilize other evaluation tools; and
3 (14) a process for ensuring that the results of the evaluation help
4 to inform instructional development.
- 5 c. A board of education shall adopt a rubric approved by the
6 commissioner by December 31, 2012.
- 7 d. Beginning no later than January 31, 2013, a board of
8 education shall implement a pilot program to test and refine the
9 evaluation rubric.
- 10 e. Beginning with the 2013-2014 school year, a board of
11 education shall ensure implementation of the approved, adopted
12 evaluation rubric for all educators in all elementary, middle, and
13 high schools in the district. Results of evaluations shall be used to
14 identify and provide professional development to teaching staff
15 members. Results of evaluations shall be provided to the
16 commissioner, as requested, on a regular basis.
- 17 f. The commissioner shall establish a model evaluation rubric
18 that may be utilized by a school district to assess the effectiveness
19 of its teaching staff members.
- 20 g. Nothing in this section shall be construed as requiring the
21 collection of teacher-generated student growth data by a teacher
22 except in a year in which the teacher is receiving a summative
23 evaluation pursuant to section 1 of P.L. , c. (C.) (pending
24 before the Legislature as this bill).
- 25 h. As used in this section, “teacher-generated student growth
26 data” means any data collected by a teacher to measure student
27 progress toward individualized goals and does not include
28 standardized testing performance data.
29 (cf: P.L.2012, c.26, s.17)

- 30
31 3. Section 25 of P.L.2012, c.26 (C.18A:6-17.3) is repealed.
32
33 4. This act shall take effect immediately and shall first apply to
34 the first full school year following the date of enactment.
35
36

37 STATEMENT
38

39 This bill revises the schedule for summative evaluations of
40 tenured teachers, principals, assistant principals, and vice-
41 principals. Under current law these employees are required to
42 receive a summative evaluation every year. Pursuant to the bill’s
43 revised schedule, once an employee acquires tenure, a summative
44 evaluation will not occur until two years following the acquisition
45 of tenure.

46 For each summative evaluation, the bill provides that if an
47 employee: receives a rating of highly effective, the next summative
48 evaluation will occur three years later; receives a rating of effective,

S2082 GOPAL

1 the next summative evaluation will occur either two or three years
2 later, at the discretion of the employee's supervisor; or receives a
3 rating of partially effective or ineffective, then the employee is
4 required to receive a summative evaluation for the each of the
5 following two years. In the latter case, the bill provides that: if the
6 employee is rated ineffective or partially effective in the first year
7 and in the following year is rated ineffective, then the
8 superintendent is to file a charge of inefficiency. However, if the
9 employee is rated partially effective in two consecutive summative
10 evaluations or is rated ineffective in the first year and partially
11 effective the following year, the superintendent is to file a charge of
12 inefficiency but may defer the filing of tenure charges. Finally, if
13 the employee receives one rating of ineffective or partially effective
14 and one rating of effective or highly effective, the employee will
15 continue to receive annual summative evaluations until receiving
16 two consecutive ratings of effective or highly effective. The
17 employee will at that point return to the evaluation schedule
18 established under the bill.

19 This bill also provides that each school is to annually issue a
20 statement of assurance detailing the employees who did not receive
21 an evaluation in that year and attesting that those employees were
22 rated effective or highly effective in their most recent evaluation.

23 Finally, the bill provides that teacher generated student growth
24 data is not to be collected except by a teacher in years in which the
25 teacher is receiving a summative evaluation. Summative
26 evaluations for principals, assistant principals, and vice principals
27 may consider any available cumulative data but are not to require
28 the collection of additional teacher generated student growth data.
29 Teacher generated student growth data is defined as any data
30 collected by a teacher to measure student progress toward
31 individualized goals and does not include standardized testing
32 performance data.

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2082

STATE OF NEW JERSEY
221st LEGISLATURE

ADOPTED JANUARY 25, 2024

Sponsored by:

Senator VIN GOPAL
District 11 (Monmouth)

Co-Sponsored by:

Senators Johnson and Steinhardt

SYNOPSIS

Establishes New Jersey Educator Evaluation Review Task Force; clarifies collection of student growth data.

CURRENT VERSION OF TEXT

Substitute as adopted by the Senate Education Committee.



1 AN ACT establishing the “New Jersey Educator Evaluation Review
2 Task Force,” and amending and supplementing P.L.2012, c.26.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. (New section) The Legislature finds and declares that:

8 a. The “Teacher Effectiveness and Accountability for the
9 Children of New Jersey (TEACHNJ) Act,” P.L.2012, c.26
10 (C.18A:6-117 et al.), was enacted in 2012 with the goal of raising
11 student achievement by improving instruction through the adoption
12 of an educator evaluation system that provides specific feedback to
13 educators, informs the provision of aligned professional
14 development, and informs personnel decisions.

15 b. Since the enactment of the TEACHNJ Act, educators have
16 benefited from the individualized feedback, provision of targeted
17 professional development resources, annual review of student
18 performance data, collaborative exchange of educational strategies
19 with their certified supervisors, and administrative support provided
20 through the evaluation systems established pursuant to the
21 TEACHNJ Act.

22 c. On November 10, 2022, Governor Philip D. Murphy issued
23 Executive Order No. 309 to establish the Task Force on Public
24 School Staff Shortages in New Jersey to develop recommendations
25 to address teacher and education support professional shortages in
26 school districts across New Jersey. In February 2023, the 25-
27 member task force issued 31 initial recommendations with a goal of
28 addressing Statewide educator staffing shortages in the public
29 schools of the State. The task force recommendations focused on
30 both short-term and long-term solutions to increase recruitment to
31 the educator workforce, identify best practices to increase the
32 educator pipeline, and ensure the retention of school staff members.

33 d. To address the retention of existing school employees,
34 including teachers, the task force recommended that administrative
35 burdens, and other tasks that pull teachers from classroom
36 instruction, be reassessed and reduced, if appropriate, including the
37 reassessment of student growth objectives within the educator
38 evaluation process established by the TEACHNJ Act and
39 regulations issued by the Department of Education.

40 e. In response to the ongoing and widespread staffing challenges
41 facing New Jersey schools, and considering the recommendations of
42 the task force report, it is fitting and proper to examine revisions to
43 the TEACHNJ Act.

44

45 2. (New section) a. There is established the New Jersey
46 Educator Evaluation Review Task Force for the purpose of

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 examining the educator evaluation process, gathering data,
2 evaluating the data, and making recommendations concerning the
3 annual evaluation process for teachers, principals, assistant
4 principals, and vice principals established pursuant to the
5 “TEACHNJ Act,” P.L.2012, c.26 (C.18A:6-117 et al.).

6 b. The task force shall consist of 12 members, each of whom
7 shall have a background in, or special knowledge of, the legal,
8 policy, and administrative aspects of educator evaluation in New
9 Jersey, as follows:

10 (1) one member appointed by the President of the Senate;

11 (2) one member appointed by the Speaker of the General
12 Assembly;

13 (3) one member appointed by the Governor;

14 (4) three representatives of the New Jersey Education
15 Association, at least two of whom shall be employed as full-time
16 teachers in a public school in the State;

17 (5) three representatives of the New Jersey Principals and
18 Supervisors Association, one of whom shall be employed as a
19 principal in a public school in the State and one of whom shall be
20 employed as a vice-principal in a public school in the State;

21 (6) one representative appointed by the New Jersey School
22 Boards Association;

23 (7) one representative appointed by the New Jersey Association
24 of School Administrators; and

25 (8) one representative appointed by the Garden State Coalition
26 of Schools.

27 c. Appointments to the task force shall be made as soon as
28 practicable following the effective date of P.L. , c. (C.)
29 (pending before the Legislature as this bill). Vacancies in the
30 membership of the task force shall be filled in the same manner as
31 the original appointments were made.

32 d. Members of the task force shall serve without compensation,
33 but shall be reimbursed for necessary expenditures incurred in the
34 performance of their duties as members of the task force within the
35 limits of funds appropriated or otherwise made available to the task
36 force for its purposes.

37 e. The task force shall organize as soon as practicable, but no
38 later than 30 days following the effective date of P.L. , c.
39 (C.) (pending before the Legislature as this bill). The task
40 force shall choose a chairperson from its membership and shall
41 appoint a secretary who shall be an employee of the Department of
42 Education. The secretary shall be a non-voting member of the task
43 force. A majority of the membership of the task force shall
44 constitute a quorum for the transaction of task force business.

45 f. The Department of Education shall provide such stenographic,
46 clerical, and other administrative assistants, and such professional
47 staff as the task force requires to carry out its work. The task force
48 shall be entitled to call to its assistance and avail itself of any non-

1 confidential data maintained by the department and the services of
2 the employees of any State, county, or municipal department, board,
3 bureau, commission, or agency as it may require and as may be
4 available for its purposes.

5

6 3. (New section) a. It shall be the duty of the New Jersey
7 Educator Evaluation Review Task Force to study and evaluate the
8 educator evaluation system established pursuant to the "TEACHNJ
9 Act," P.L.2012, c.26 (C.18A:6-117 et al.), and implemented in New
10 Jersey public schools. The task force shall consider the law in the
11 current context of the State's schools, identify areas for
12 improvement, and make any recommendations regarding any
13 appropriate changes or updates to the law or regulations
14 implementing the law. The task force shall:

15 (1) examine the educational value, administrative burden, and
16 impacts on teachers, principals, and vice principals of the use of
17 student growth objectives in annual summative evaluations, and
18 identify potential alternative approaches to the use of student
19 growth objectives in annual summative evaluations;

20 (2) examine any unintended consequences of the
21 implementation of the TEACHNJ Act;

22 (3) review current educational research on best practices in
23 educator evaluation in order to promote student achievement and
24 success; and

25 (4) present any recommendations deemed necessary and
26 appropriate to modify or update the TEACHNJ Act and its
27 implementing regulations to the Governor, the Legislature, the
28 Department of Education, and the public.

29 b. The task force shall hold at least one public hearing during
30 the course of its work in order to receive public input on the issues
31 being studied by the task force.

32 c. The task force shall issue a final report of its findings and
33 recommendations to the Governor, and to the Legislature pursuant
34 to section 2 of P.L.1991, c.164 (C.52:14-19.1), no later than
35 September 30, 2024. The department shall make the final report
36 available to the public on its Internet website.

37

38 4. Section 17 of P.L.2012, c.26 (C.18A:6-123) is amended to
39 read as follows:

40 17. a. The Commissioner of Education shall review and approve
41 evaluation rubrics submitted by school districts pursuant to section
42 16 of P.L.2012, c.26 (C.18A:6-122). The board of education shall
43 adopt a rubric approved by the commissioner.

44 b. The State Board of Education shall promulgate regulations
45 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
46 (C.52:14B-1 et seq.), to set standards for the approval of evaluation
47 rubrics for teachers, principals, assistant principals, and vice-
48 principals. The standards, at a minimum, shall include:

- 1 (1) four defined annual rating categories for teachers, principals,
2 assistant principals, and vice-principals: ineffective, partially
3 effective, effective, and highly effective;
- 4 (2) a provision requiring that the rubric be partially based on
5 multiple objective measures of student learning that use student
6 growth from one year's measure to the next year's measure using
7 data from the most recent year in which an educator completed
8 student growth objectives;
- 9 (3) a provision that allows the district, in grades in which a
10 standardized test is not required, to determine the methods for
11 measuring student growth, provided that the student growth
12 objective data used is data collected in the most recent year in
13 which an educator completed student growth objectives;
- 14 (4) a provision that multiple measures of practice and student
15 learning be used in conjunction with professional standards of
16 practice using a comprehensive evaluation process in rating
17 effectiveness with specific measures and implementation processes.
18 Standardized assessments shall be used as a measure of student
19 progress but shall not be the predominant factor in the overall
20 evaluation of a teacher;
- 21 (5) a provision that the rubric be based on the professional
22 standards for that employee;
- 23 (6) a provision ensuring that performance measures used in the
24 rubric are linked to student achievement;
- 25 (7) a requirement that the employee receive multiple
26 observations during the school year which shall be used in
27 evaluating the employee;
- 28 (8) a provision that requires that at each observation of a
29 teacher, either the principal, his designee who shall be an individual
30 employed in the district in a supervisory role and capacity and who
31 possesses a school administrator certificate, principal certificate, or
32 supervisor certificate, the vice-principal, or the assistant principal
33 shall be present;
- 34 (9) an opportunity for the employee to improve his effectiveness
35 from evaluation feedback;
- 36 (10) guidelines for school districts regarding training and the
37 demonstration of competence on the evaluation system to support
38 its implementation;
- 39 (11) a process for ongoing monitoring and calibration of the
40 observations to ensure that the observation protocols are being
41 implemented correctly and consistently;
- 42 (12) a performance framework, associated evaluation tools, and
43 observation protocols, including training and observer calibration
44 resources;
- 45 (13) a process for a school district to obtain the approval of the
46 commissioner to utilize other evaluation tools; and
- 47 (14) a process for ensuring that the results of the evaluation help
48 to inform instructional development.

1 c. A board of education shall adopt a rubric approved by the
2 commissioner by December 31, 2012.

3 d. Beginning no later than January 31, 2013, a board of
4 education shall implement a pilot program to test and refine the
5 evaluation rubric.

6 e. Beginning with the 2013-2014 school year, a board of
7 education shall ensure implementation of the approved, adopted
8 evaluation rubric for all educators in all elementary, middle, and
9 high schools in the district. Results of evaluations shall be used to
10 identify and provide professional development to teaching staff
11 members. Results of evaluations shall be provided to the
12 commissioner, as requested, on a regular basis.

13 f. The commissioner shall establish a model evaluation rubric
14 that may be utilized by a school district to assess the effectiveness
15 of its teaching staff members.

16 (cf: P.L.2012, c.26, s.17)

17

18 5. (New section) a. Notwithstanding the provisions of section
19 17 of P.L.2012, c.26 (C.18A:6-123) or any other law, rule, or
20 regulation to the contrary, in the 2024-2025 school year, teachers
21 shall not collect new student growth objective data. For the
22 purposes of conducting evaluations of teachers, principals, assistant
23 principals, and vice principals in the 2024-2025 school year,
24 existing student growth objective data from the most recent year in
25 which the educator completed student growth objectives shall be
26 used. For any teacher in their first year of employment in a district,
27 any teacher without a record of pre-existing student growth
28 objectives, or any non-tenured teacher, the teacher shall be required
29 to set student growth objectives and collect data pertaining to these
30 objectives during the 2024-2025 school year.

31 b. Beginning with the 2025-2026 school year, school districts
32 shall implement guidelines for the collection of student growth
33 objective data consistent with any law, rule, or regulation enacted as
34 a result of the findings of the New Jersey Educator Evaluation
35 Review Task Force established pursuant to P.L. , c. (C.)
36 (pending before the Legislature as this bill).

37

38 6. Sections 1 through 3, and section 5 of P.L. , c. (C.)
39 (pending before the Legislature as this bill) shall take effect
40 immediately. Section 4 of P.L. , c. (C.) (pending before the
41 Legislature as this bill) shall take effect on the first day of the first
42 full school year next following the date of enactment. The task
43 force shall expire 30 days after the report required pursuant to
44 section 3 of P.L. , c. (C.) (pending before the Legislature as
45 this bill) is issued.

[First Reprint]

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2082

STATE OF NEW JERSEY
221st LEGISLATURE

ADOPTED JANUARY 25, 2024

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblywoman LINDA S. CARTER

District 22 (Somerset and Union)

Assemblywoman MICHELE MATSIKLOUDIS

District 21 (Middlesex, Morris, Somerset and Union)

Co-Sponsored by:

Senators Johnson, Steinhardt, Assemblymen Simonsen, Miller, Assemblywomen Reynolds-Jackson, Simmons, Morales, Assemblyman Calabrese, Assemblywoman Collazos-Gill, Assemblyman Rodriguez, Assemblywomen Katz, Drulis, Assemblymen Sampson, Verrelli, Freiman, Assemblywomen Bagolie, Speight and Hall

SYNOPSIS

Establishes New Jersey Educator Evaluation Review Task Force; clarifies collection of student growth data.

CURRENT VERSION OF TEXT

As reported by the Assembly Education Committee on March 4, 2024, with amendments.

(Sponsorship Updated As Of: 3/18/2024)

1 **AN ACT** establishing the “New Jersey Educator Evaluation Review
2 Task Force,” and amending and supplementing P.L.2012, c.26.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. (New section) The Legislature finds and declares that:

8 a. The “Teacher Effectiveness and Accountability for the
9 Children of New Jersey (TEACHNJ) Act,” P.L.2012, c.26
10 (C.18A:6-117 et al.), was enacted in 2012 with the goal of raising
11 student achievement by improving instruction through the adoption
12 of an educator evaluation system that provides specific feedback to
13 educators, informs the provision of aligned professional
14 development, and informs personnel decisions.

15 b. Since the enactment of the TEACHNJ Act, educators have
16 benefited from the individualized feedback, provision of targeted
17 professional development resources, annual review of student
18 performance data, collaborative exchange of educational strategies
19 with their certified supervisors, and administrative support provided
20 through the evaluation systems established pursuant to the
21 TEACHNJ Act.

22 c. On November 10, 2022, Governor Philip D. Murphy issued
23 Executive Order No. 309 to establish the Task Force on Public
24 School Staff Shortages in New Jersey to develop recommendations
25 to address teacher and education support professional shortages in
26 school districts across New Jersey. In February 2023, the 25-
27 member task force issued 31 initial recommendations with a goal of
28 addressing Statewide educator staffing shortages in the public
29 schools of the State. The task force recommendations focused on
30 both short-term and long-term solutions to increase recruitment to
31 the educator workforce, identify best practices to increase the
32 educator pipeline, and ensure the retention of school staff members.

33 d. To address the retention of existing school employees,
34 including teachers, the task force recommended that administrative
35 burdens, and other tasks that pull teachers from classroom
36 instruction, be reassessed and reduced, if appropriate, including the
37 reassessment of student growth objectives within the educator
38 evaluation process established by the TEACHNJ Act and
39 regulations issued by the Department of Education.

40 e. In response to the ongoing and widespread staffing challenges
41 facing New Jersey schools, and considering the recommendations of
42 the task force report, it is fitting and proper to examine revisions to
43 the TEACHNJ Act.

44

45 2. (New section) a. There is established the New Jersey Educator
46 Evaluation Review Task Force for the purpose of examining the

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AED committee amendments adopted March 4, 2024.

1 educator evaluation process, gathering data, evaluating the data, and
2 making recommendations concerning the annual evaluation process
3 for teachers, principals, assistant principals, and vice principals
4 established pursuant to the “TEACHNJ Act,” P.L.2012, c.26
5 (C.18A:6-117 et al.).

6 b. The task force shall consist of ¹~~12~~ 13¹ members, each of
7 whom shall have a background in, or special knowledge of, the legal,
8 policy, and administrative aspects of educator evaluation in New
9 Jersey, as follows:

10 (1) one member appointed by the President of the Senate;

11 (2) one member appointed by the Speaker of the General
12 Assembly;

13 (3) one member appointed by the Governor;

14 (4) three representatives of the New Jersey Education Association,
15 at least two of whom shall be employed as full-time teachers in a
16 public school in the State;

17 (5) three representatives of the New Jersey Principals and
18 Supervisors Association, one of whom shall be employed as a
19 principal in a public school in the State and one of whom shall be
20 employed as a vice-principal in a public school in the State;

21 (6) one representative appointed by the New Jersey School Boards
22 Association;

23 (7) one representative appointed by the New Jersey Association of
24 School Administrators; ¹~~and~~¹

25 (8) one representative appointed by the Garden State Coalition of
26 Schools ¹; and

27 (9) one representative appointed by the American Federation of
28 Teachers¹.

29 c. Appointments to the task force shall be made as soon as
30 practicable following the effective date of P.L. , c. (C.)
31 (pending before the Legislature as this bill). Vacancies in the
32 membership of the task force shall be filled in the same manner as the
33 original appointments were made.

34 d. Members of the task force shall serve without compensation, but
35 shall be reimbursed for necessary expenditures incurred in the
36 performance of their duties as members of the task force within the
37 limits of funds appropriated or otherwise made available to the task
38 force for its purposes.

39 e. The task force shall organize as soon as practicable, but no later
40 than 30 days following the effective date of P.L. , c. (C.)
41 (pending before the Legislature as this bill). The task force shall
42 choose a chairperson from its membership and shall appoint a
43 secretary who shall be an employee of the Department of Education.
44 The secretary shall be a non-voting member of the task force. A
45 majority of the membership of the task force shall constitute a quorum
46 for the transaction of task force business.

47 f. The Department of Education shall provide such stenographic,
48 clerical, and other administrative assistants, and such professional staff

1 as the task force requires to carry out its work. The task force shall be
2 entitled to call to its assistance and avail itself of any non-confidential
3 data maintained by the department and the services of the employees
4 of any State, county, or municipal department, board, bureau,
5 commission, or agency as it may require and as may be available for
6 its purposes.

7
8 3. (New section) a. It shall be the duty of the New Jersey
9 Educator Evaluation Review Task Force to study and evaluate the
10 educator evaluation system established pursuant to the "TEACHNJ
11 Act," P.L.2012, c.26 (C.18A:6-117 et al.), and implemented in New
12 Jersey public schools. The task force shall consider the law in the
13 current context of the State's schools, identify areas for
14 improvement, and make any recommendations regarding any
15 appropriate changes or updates to the law or regulations
16 implementing the law. The task force shall:

17 (1) examine the educational value, administrative burden, and
18 impacts on teachers, principals, and vice principals of the use of
19 student growth objectives in annual summative evaluations, and
20 identify potential alternative approaches to the use of student
21 growth objectives in annual summative evaluations;

22 (2) examine any unintended consequences of the
23 implementation of the TEACHNJ Act;

24 (3) review current educational research on best practices in
25 educator evaluation in order to promote student achievement and
26 success; and

27 (4) present any recommendations deemed necessary and
28 appropriate to modify or update the TEACHNJ Act and its
29 implementing regulations to the Governor, the Legislature, the
30 Department of Education, and the public.

31 b. The task force shall hold at least one public hearing during
32 the course of its work in order to receive public input on the issues
33 being studied by the task force.

34 c. The task force shall issue a final report of its findings and
35 recommendations to the Governor, and to the Legislature pursuant
36 to section 2 of P.L.1991, c.164 (C.52:14-19.1), no later than
37 September 30, 2024. The department shall make the final report
38 available to the public on its Internet website.

39
40 4. Section 17 of P.L.2012, c.26 (C.18A:6-123) is amended to
41 read as follows:

42 17. a. The Commissioner of Education shall review and approve
43 evaluation rubrics submitted by school districts pursuant to section
44 16 of P.L.2012, c.26 (C.18A:6-122). The board of education shall
45 adopt a rubric approved by the commissioner.

46 b. The State Board of Education shall promulgate regulations
47 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
48 (C.52:14B-1 et seq.), to set standards for the approval of evaluation

- 1 rubrics for teachers, principals, assistant principals, and vice-
2 principals. The standards , at a minimum , shall include:
- 3 (1) four defined annual rating categories for teachers, principals,
4 assistant principals, and vice-principals: ineffective, partially
5 effective, effective, and highly effective;
- 6 (2) a provision requiring that the rubric be partially based on
7 multiple objective measures of student learning that use student
8 growth from one year's measure to the next year's measure using
9 data from the most recent year in which an educator completed
10 student growth objectives;
- 11 (3) a provision that allows the district, in grades in which a
12 standardized test is not required, to determine the methods for
13 measuring student growth, provided that the student growth
14 objective data used is data collected in the most recent year in
15 which an educator completed student growth objectives;
- 16 (4) a provision that multiple measures of practice and student
17 learning be used in conjunction with professional standards of
18 practice using a comprehensive evaluation process in rating
19 effectiveness with specific measures and implementation processes.
20 Standardized assessments shall be used as a measure of student
21 progress but shall not be the predominant factor in the overall
22 evaluation of a teacher;
- 23 (5) a provision that the rubric be based on the professional
24 standards for that employee;
- 25 (6) a provision ensuring that performance measures used in the
26 rubric are linked to student achievement;
- 27 (7) a requirement that the employee receive multiple
28 observations during the school year which shall be used in
29 evaluating the employee;
- 30 (8) a provision that requires that at each observation of a
31 teacher, either the principal, his designee who shall be an individual
32 employed in the district in a supervisory role and capacity and who
33 possesses a school administrator certificate, principal certificate, or
34 supervisor certificate, the vice-principal, or the assistant principal
35 shall be present;
- 36 (9) an opportunity for the employee to improve his effectiveness
37 from evaluation feedback;
- 38 (10) guidelines for school districts regarding training and the
39 demonstration of competence on the evaluation system to support
40 its implementation;
- 41 (11) a process for ongoing monitoring and calibration of the
42 observations to ensure that the observation protocols are being
43 implemented correctly and consistently;
- 44 (12) a performance framework, associated evaluation tools, and
45 observation protocols, including training and observer calibration
46 resources;
- 47 (13) a process for a school district to obtain the approval of the
48 commissioner to utilize other evaluation tools; and

1 (14) a process for ensuring that the results of the evaluation help
2 to inform instructional development.

3 c. A board of education shall adopt a rubric approved by the
4 commissioner by December 31, 2012.

5 d. Beginning no later than January 31, 2013, a board of
6 education shall implement a pilot program to test and refine the
7 evaluation rubric.

8 e. Beginning with the 2013-2014 school year, a board of
9 education shall ensure implementation of the approved, adopted
10 evaluation rubric for all educators in all elementary, middle, and
11 high schools in the district. Results of evaluations shall be used to
12 identify and provide professional development to teaching staff
13 members. Results of evaluations shall be provided to the
14 commissioner, as requested, on a regular basis.

15 f. The commissioner shall establish a model evaluation rubric
16 that may be utilized by a school district to assess the effectiveness
17 of its teaching staff members.

18 (cf: P.L.2012, c.26, s.17)

19

20 5. (New section) a. Notwithstanding the provisions of section
21 17 of P.L.2012, c.26 (C.18A:6-123) or any other law, rule, or
22 regulation to the contrary, in the 2024-2025 school year, teachers
23 shall not collect new student growth objective data. For the
24 purposes of conducting evaluations of teachers, principals, assistant
25 principals, and vice principals in the 2024-2025 school year,
26 existing student growth objective data from the most recent year in
27 which the educator completed student growth objectives shall be
28 used. For any teacher in their first year of employment in a district,
29 any teacher without a record of pre-existing student growth
30 objectives, or any non-tenured teacher, the teacher shall be required
31 to set student growth objectives and collect data pertaining to these
32 objectives during the 2024-2025 school year.

33 b. Beginning with the 2025-2026 school year, school districts
34 shall implement guidelines for the collection of student growth
35 objective data consistent with any law, rule, or regulation enacted as
36 a result of the findings of the New Jersey Educator Evaluation
37 Review Task Force established pursuant to P.L. , c. (C.)
38 (pending before the Legislature as this bill).

39

40 6. Sections 1 through 3, and section 5 of P.L. , c. (C.)
41 (pending before the Legislature as this bill) shall take effect
42 immediately. Section 4 of P.L. , c. (C.) (pending before the
43 Legislature as this bill) shall take effect on the first day of the first
44 full school year next following the date of enactment. The task
45 force shall expire 30 days after the report required pursuant to
46 section 3 of P.L. , c. (C.) (pending before the Legislature as
47 this bill) is issued.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 2082**

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 4, 2024

The Assembly Education committee reports favorably Senate Committee Substitute for Senate Bill No. 2082 with committee amendments.

As amended, this Senate committee substitute establishes the New Jersey Educator Evaluation Review Task Force to study and evaluate the educator evaluation system established pursuant to the TEACHNJ Act and implemented in New Jersey public schools.

The task force is to examine the educator evaluation process, gather data, evaluate the data, and make recommendations concerning the annual evaluation process for teachers, principals, assistant principals, and vice principals established pursuant to the TEACHNJ Act. The task force is to consist of 13 members who have a background in, or special knowledge of, the legal, policy, and administrative aspects of educator evaluation in New Jersey. The members are to include:

- (1) one member appointed by the President of the Senate;
- (2) one member appointed by the Speaker of the General Assembly;
- (3) one member appointed by the Governor;
- (4) three representatives of the New Jersey Education Association, at least two of whom are to be employed as full-time teachers in a public school in the State;
- (5) three representatives of the New Jersey Principals and Supervisors Association, one of whom is to be employed as a principal in a public school in the State and one of whom is to be employed as a vice principal in a public school in the State;
- (6) one representative appointed by the New Jersey School Boards Association;
- (7) one representative appointed by the New Jersey Association of School Administrators;
- (8) one representative appointed by the Garden State Coalition of Schools; and
- (9) one representative appointed by the American Federation of Teachers.

The task force is to consider the law in the current context of the State's schools, identify areas for improvement, and make any recommendations regarding any appropriate changes or updates to the law or regulations implementing the law. The task force is to issue a final report of its findings and recommendations to the Governor and the Legislature no later than September 30, 2024. The department is to make the final report available to the public on its Internet website.

Additionally, the amended Senate committee substitute clarifies that student growth data used for the purposes of educator evaluations is data collected in the most recent year in which an educator completed student growth objectives. Under the amended Senate committee substitute, teachers are not to collect new student growth observation data in the 2024-2025 school year, and are instead to use, for the purposes of educator evaluations, existing student growth objective data from the most recent year in which the educator completed student growth objectives. For any teacher in their first year of employment in a district, any teacher without a record of pre-existing student growth objectives, or any non-tenured teacher, the teacher is to set student growth objectives and collect data pertaining to these objectives during the 2024-2025 school year. Beginning in the 2025-2026 school year, school districts are to implement guidelines for the collection of student growth objective data consistent with any law, rule, or regulation enacted as a result of the findings of the task force.

As amended reported by the committee, Senate Bill No. 2082 (SCS) is identical to Assembly Bill No. 3413, which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to increase the membership of the task force to 13 members and include a representative appointed by the American Federation of Teachers.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR SENATE, No. 2082

STATE OF NEW JERSEY

DATED: JANUARY 25, 2024

The Senate Education Committee favorably reports a Senate Committee Substitute for Senate Bill No. 2082.

This Senate committee substitute establishes the New Jersey Educator Evaluation Review Task Force to study and evaluate the educator evaluation system established pursuant to the TEACHNJ Act and implemented in New Jersey public schools.

The task force is to examine the educator evaluation process, gather data, evaluate the data, and make recommendations concerning the annual evaluation process for teachers, principals, assistant principals, and vice principals established pursuant to the TEACHNJ Act. The task force is to consist of 12 members who have a background in, or special knowledge of, the legal, policy, and administrative aspects of educator evaluation in New Jersey. The members are to include:

- (1) one member appointed by the President of the Senate;
- (2) one member appointed by the Speaker of the General Assembly;
- (3) one member appointed by the Governor;
- (4) three representatives of the New Jersey Education Association, at least two of whom are to be employed as full-time teachers in a public school in the State;
- (5) three representatives of the New Jersey Principals and Supervisors Association, one of whom is to be employed as a principal in a public school in the State and one of whom is to be employed as a vice principal in a public school in the State;
- (6) one representative appointed by the New Jersey School Boards Association;
- (7) one representative appointed by the New Jersey Association of School Administrators; and
- (8) one representative appointed by the Garden State Coalition of Schools.

The task force is to consider the law in the current context of the State's schools, identify areas for improvement, and make any recommendations regarding any appropriate changes or updates to the law or regulations implementing the law. The task force is to issue a final report of its findings and recommendations to the Governor and

the Legislature no later than September 30, 2024. The department is to make the final report available to the public on its Internet website.

Additionally, the Senate committee substitute clarifies that student growth data used for the purposes of educator evaluations is data collected in the most recent year in which an educator completed student growth objectives. Under the Senate committee substitute, teachers are not to collect new student growth observation data in the 2024-2025 school year, and are instead to use, for the purposes of educator evaluations, existing student growth objective data from the most recent year in which the educator completed student growth objectives. For any teacher in their first year of employment in a district, any teacher without a record of pre-existing student growth objectives, or any non-tenured teacher, the teacher is to set student growth objectives and collect data pertaining to these objectives during the 2024-2025 school year. Beginning in the 2025-2026 school year, school districts are to implement guidelines for the collection of student growth objective data consistent with any law, rule, or regulation enacted as a result of the findings of the task force.

ASSEMBLY, No. 3413

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED FEBRUARY 1, 2024

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblywoman LINDA S. CARTER

District 22 (Somerset and Union)

Assemblywoman MICHELE MATSIKLOUDIS

District 21 (Middlesex, Morris, Somerset and Union)

Co-Sponsored by:

Assemblymen Simonsen, Miller and Assemblywoman Reynolds-Jackson

SYNOPSIS

Establishes New Jersey Educator Evaluation Review Task Force; clarifies collection of student growth data.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/4/2024)

A3413 LAMPITT, CARTER

2

1 AN ACT establishing the “New Jersey Educator Evaluation Review
2 Task Force,” and amending and supplementing P.L.2012, c.26.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. (New section) The Legislature finds and declares that:

8 a. The “Teacher Effectiveness and Accountability for the
9 Children of New Jersey (TEACHNJ) Act,” P.L.2012, c.26
10 (C.18A:6-117 et al.), was enacted in 2012 with the goal of raising
11 student achievement by improving instruction through the adoption
12 of an educator evaluation system that provides specific feedback to
13 educators, informs the provision of aligned professional
14 development, and informs personnel decisions.

15 b. Since the enactment of the TEACHNJ Act, educators have
16 benefited from the individualized feedback, provision of targeted
17 professional development resources, annual review of student
18 performance data, collaborative exchange of educational strategies
19 with their certified supervisors, and administrative support provided
20 through the evaluation systems established pursuant to the
21 TEACHNJ Act.

22 c. On November 10, 2022, Governor Philip D. Murphy issued
23 Executive Order No. 309 to establish the Task Force on Public
24 School Staff Shortages in New Jersey to develop recommendations
25 to address teacher and education support professional shortages in
26 school districts across New Jersey. In February 2023, the 25-
27 member task force issued 31 initial recommendations with a goal of
28 addressing Statewide educator staffing shortages in the public
29 schools of the State. The task force recommendations focused on
30 both short-term and long-term solutions to increase recruitment to
31 the educator workforce, identify best practices to increase the
32 educator pipeline, and ensure the retention of school staff members.

33 d. To address the retention of existing school employees,
34 including teachers, the task force recommended that administrative
35 burdens, and other tasks that pull teachers from classroom
36 instruction, be reassessed and reduced, if appropriate, including the
37 reassessment of student growth objectives within the educator
38 evaluation process established by the TEACHNJ Act and
39 regulations issued by the Department of Education.

40 e. In response to the ongoing and widespread staffing challenges
41 facing New Jersey schools, and considering the recommendations of
42 the task force report, it is fitting and proper to examine revisions to
43 the TEACHNJ Act.

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 2. (New section) a. There is established the New Jersey
2 Educator Evaluation Review Task Force for the purpose of
3 examining the educator evaluation process, gathering data,
4 evaluating the data, and making recommendations concerning the
5 annual evaluation process for teachers, principals, assistant
6 principals, and vice principals established pursuant to the
7 “TEACHNJ Act,” P.L.2012, c.26 (C.18A:6-117 et al.).

8 b. The task force shall consist of 12 members, each of whom
9 shall have a background in, or special knowledge of, the legal,
10 policy, and administrative aspects of educator evaluation in New
11 Jersey, as follows:

12 (1) one member appointed by the President of the Senate;

13 (2) one member appointed by the Speaker of the General
14 Assembly;

15 (3) one member appointed by the Governor;

16 (4) three representatives of the New Jersey Education
17 Association, at least two of whom shall be employed as full-time
18 teachers in a public school in the State;

19 (5) three representatives of the New Jersey Principals and
20 Supervisors Association, one of whom shall be employed as a
21 principal in a public school in the State and one of whom shall be
22 employed as a vice principal in a public school in the State;

23 (6) one representative appointed by the New Jersey School
24 Boards Association;

25 (7) one representative appointed by the New Jersey Association
26 of School Administrators; and

27 (8) one representative appointed by the Garden State Coalition of
28 Schools.

29 c. Appointments to the task force shall be made within 30 days
30 of the effective date of this act. Vacancies in the membership of the
31 task force shall be filled in the same manner as the original
32 appointments were made.

33 d. Members of the task force shall serve without compensation,
34 but shall be reimbursed for necessary expenditures incurred in the
35 performance of their duties as members of the task force within the
36 limits of funds appropriated or otherwise made available to the task
37 force for its purposes.

38 e. The task force shall organize as soon as practicable, but no
39 later than 30 days following the appointment of its members. The
40 task force shall choose a chairperson from its membership and shall
41 appoint a secretary who shall be an employee of the Department of
42 Education. The secretary shall be a non-voting member of the task
43 force. A majority of the membership of the task force shall
44 constitute a quorum for the transaction of task force business.

45 f. The Department of Education shall provide such stenographic,
46 clerical, and other administrative assistants, and such professional
47 staff as the task force requires to carry out its work. The task force
48 shall be entitled to call to its assistance and avail itself of any non-

1 confidential data maintained by the department and the services of
2 the employees of any State, county, or municipal department, board,
3 bureau, commission, or agency as it may require and as may be
4 available for its purposes.

5

6 3. (New section) a. It shall be the duty of the New Jersey
7 Educator Evaluation Review Task Force to study and evaluate the
8 educator evaluation system established pursuant to the "TEACHNJ
9 Act," P.L.2012, c.26 (C.18A:6-117 et al.), and implemented in New
10 Jersey public schools. The task force shall consider the law in the
11 current context of the State's schools, identify areas for
12 improvement, and make any recommendations regarding any
13 appropriate changes or updates to the law or regulations
14 implementing the law. The task force shall:

15 (1) examine the educational value, administrative burden, and
16 impacts on teachers, principals, and vice principals of the use of
17 student growth objectives in annual summative evaluations, and
18 identify potential alternative approaches to the use of student
19 growth objectives in annual summative evaluations;

20 (2) examine any unintended consequences of the implementation
21 of the TEACHNJ Act;

22 (3) review current educational research on best practices in
23 educator evaluation in order to promote student achievement and
24 success; and

25 (4) present any recommendations deemed necessary and
26 appropriate to modify or update the TEACHNJ Act and its
27 implementing regulations to the Governor, the Legislature, the
28 Department of Education, and the public.

29 b. The task force shall hold at least one public hearing during the
30 course of its work in order to receive public input on the issues
31 being studied by the task force.

32 c. The task force shall issue a final report of its findings and
33 recommendations to the Governor, and to the Legislature pursuant
34 to section 2 of P.L.1991, c.164 (C.52:14-19.1), no later than
35 September 30, 2024. The department shall make the final report
36 available to the public on its Internet website.

37

38 4. Section 17 of P.L.2012, c.26 (C.18A:6-123) is amended to
39 read as follows:

40 17. a. The Commissioner of Education shall review and approve
41 evaluation rubrics submitted by school districts pursuant to section
42 16 of P.L.2012, c.26 (C.18A:6-122). The board of education shall
43 adopt a rubric approved by the commissioner.

44 b. The State Board of Education shall promulgate regulations
45 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
46 (C.52:14B-1 et seq.), to set standards for the approval of evaluation
47 rubrics for teachers, principals, assistant principals, and vice-
48 principals. The standards ₂ at a minimum ₂ shall include:

- 1 (1) four defined annual rating categories for teachers, principals,
2 assistant principals, and vice-principals: ineffective, partially
3 effective, effective, and highly effective;
- 4 (2) a provision requiring that the rubric be partially based on
5 multiple objective measures of student learning that use student
6 growth from one year's measure to the next year's measure using
7 data from the most recent year in which an educator completed
8 student growth objectives;
- 9 (3) a provision that allows the district, in grades in which a
10 standardized test is not required, to determine the methods for
11 measuring student growth, provided that the student growth
12 objective data used is data collected in the most recent year in
13 which an educator completed student growth objectives;
- 14 (4) a provision that multiple measures of practice and student
15 learning be used in conjunction with professional standards of
16 practice using a comprehensive evaluation process in rating
17 effectiveness with specific measures and implementation processes.
18 Standardized assessments shall be used as a measure of student
19 progress but shall not be the predominant factor in the overall
20 evaluation of a teacher;
- 21 (5) a provision that the rubric be based on the professional
22 standards for that employee;
- 23 (6) a provision ensuring that performance measures used in the
24 rubric are linked to student achievement;
- 25 (7) a requirement that the employee receive multiple
26 observations during the school year which shall be used in
27 evaluating the employee;
- 28 (8) a provision that requires that at each observation of a
29 teacher, either the principal, his designee who shall be an individual
30 employed in the district in a supervisory role and capacity and who
31 possesses a school administrator certificate, principal certificate, or
32 supervisor certificate, the vice-principal, or the assistant principal
33 shall be present;
- 34 (9) an opportunity for the employee to improve his effectiveness
35 from evaluation feedback;
- 36 (10) guidelines for school districts regarding training and the
37 demonstration of competence on the evaluation system to support
38 its implementation;
- 39 (11) a process for ongoing monitoring and calibration of the
40 observations to ensure that the observation protocols are being
41 implemented correctly and consistently;
- 42 (12) a performance framework, associated evaluation tools, and
43 observation protocols, including training and observer calibration
44 resources;
- 45 (13) a process for a school district to obtain the approval of the
46 commissioner to utilize other evaluation tools; and
- 47 (14) a process for ensuring that the results of the evaluation help
48 to inform instructional development.

1 c. A board of education shall adopt a rubric approved by the
2 commissioner by December 31, 2012.

3 d. Beginning no later than January 31, 2013, a board of
4 education shall implement a pilot program to test and refine the
5 evaluation rubric.

6 e. Beginning with the 2013-2014 school year, a board of
7 education shall ensure implementation of the approved, adopted
8 evaluation rubric for all educators in all elementary, middle, and
9 high schools in the district. Results of evaluations shall be used to
10 identify and provide professional development to teaching staff
11 members. Results of evaluations shall be provided to the
12 commissioner, as requested, on a regular basis.

13 f. The commissioner shall establish a model evaluation rubric
14 that may be utilized by a school district to assess the effectiveness
15 of its teaching staff members.

16 (cf: P.L.2012, c.26, s.17)

17

18 5. (New section) a. Notwithstanding the provisions of section
19 17 of P.L.2012, c.26 (C.18A:6-123) or any other law, rule, or
20 regulation to the contrary, in the 2024-2025 school year, teachers
21 shall not collect new student growth objective data. For the
22 purposes of conducting evaluations of teachers, principals, assistant
23 principals, and vice principals in the 2024-2025 school year,
24 existing student growth objective data from the most recent year in
25 which the educator completed student growth objectives shall be
26 used. For any teacher in their first year of employment in a district,
27 any teacher without a record of pre-existing student growth
28 objectives, or any non-tenured teacher, the teacher shall be required
29 to set student growth objectives and collect data pertaining to these
30 objectives during the 2024-2025 school year.

31 b. Beginning with the 2025-2026 school year, school districts
32 shall implement guidelines for the collection of student growth
33 objective data consistent with any law, rule, or regulation enacted as
34 a result of the findings of the New Jersey Educator Evaluation
35 Review Task Force established pursuant to P.L. , c. (C.)
36 (pending before the Legislature as this bill).

37

38 6. Sections 1 through 3, and section 5 of P.L. , c. (C.)
39 (pending before the Legislature as this bill) shall take effect
40 immediately. Section 4 of P.L. , c. (C.) (pending before the
41 Legislature as this bill) shall take effect on the first day of the first
42 full school year next following the date of enactment. The task
43 force shall expire 30 days after the report required pursuant to
44 section 3 of P.L. , c. (C.) (pending before the Legislature as
45 this bill) is issued.

STATEMENT

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This bill establishes the New Jersey Educator Evaluation Review Task Force to study and evaluate the educator evaluation system established pursuant to the TEACHNJ Act and implemented in New Jersey public schools.

The task force is to examine the educator evaluation process, gather data, evaluate the data, and make recommendations concerning the annual evaluation process for teachers, principals, assistant principals, and vice principals established pursuant to the TEACHNJ Act. The task force is to consist of 12 members who have a background in, or special knowledge of, the legal, policy, and administrative aspects of educator evaluation in New Jersey.

The members are to include:

- (1) one member appointed by the President of the Senate;
- (2) one member appointed by the Speaker of the General Assembly;
- (3) one member appointed by the Governor;
- (4) three representatives of the New Jersey Education Association, at least two of whom shall be employed as full-time teachers in a public school in the State;
- (5) three representatives of the New Jersey Principals and Supervisors Association, one of whom shall be employed as a principal in a public school in the State and one of whom shall be employed as a vice principal in a public school in the State;
- (6) one representative appointed by the New Jersey School Boards Association;
- (7) one representative appointed by the New Jersey Association of School Administrators; and
- (8) one representative appointed by the Garden State Coalition of Schools.

The task force is to consider the law in the current context of the State's schools, identify areas for improvement, and make any recommendations regarding any appropriate changes or updates to the law or regulations implementing the law. The task force shall issue a final report of its findings and recommendations to the Governor and the Legislature no later than September 30, 2024. The department shall make the final report available to the public on its Internet website.

Additionally, the bill clarifies that student growth data used for the purposes of educator evaluations is data collected in the most recent year in which an educator completed student growth objectives. Under the bill, teachers are not to collect new student growth observation data in the 2024-2025 school year, and are instead to use, for the purposes of educator evaluations, existing student growth objective data from the most recent year in which the educator completed student growth objectives. For any teacher in their first year of employment in a district, any teacher without a

A3413 LAMPITT, CARTER

8

1 record of pre-existing student growth objectives, or any non-tenured
2 teacher, the teacher is to set student growth objectives and collect
3 data pertaining to these objectives during the 2024-2025 school
4 year. Beginning in the 2025-2026 school year, school districts are to
5 implement guidelines for the collection of student growth objective
6 data consistent with any law, rule, or regulation enacted as a result
7 of the findings of the task force.

[First Reprint]

ASSEMBLY, No. 3413

STATE OF NEW JERSEY
221st LEGISLATURE

INTRODUCED FEBRUARY 1, 2024

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblywoman LINDA S. CARTER

District 22 (Somerset and Union)

Assemblywoman MICHELE MATSIKOUDIS

District 21 (Middlesex, Morris, Somerset and Union)

Co-Sponsored by:

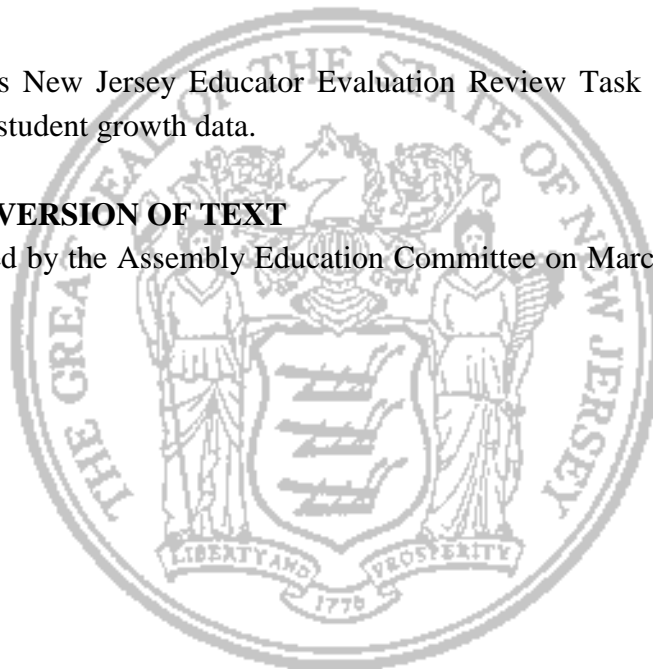
Assemblymen Simonsen, Miller, Assemblywomen Reynolds-Jackson, Simmons, Morales, Assemblyman Calabrese, Assemblywoman Collazos-Gill, Assemblyman Rodriguez, Assemblywomen Katz, Drulis, Assemblymen Sampson, Verrelli, Freiman, Assemblywomen Bagolie, Speight and Hall

SYNOPSIS

Establishes New Jersey Educator Evaluation Review Task Force; clarifies collection of student growth data.

CURRENT VERSION OF TEXT

As reported by the Assembly Education Committee on March 4, 2024, with amendments.



(Sponsorship Updated As Of: 3/18/2024)

1 AN ACT establishing the “New Jersey Educator Evaluation Review
2 Task Force,” and amending and supplementing P.L.2012, c.26.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. (New section) The Legislature finds and declares that:

8 a. The “Teacher Effectiveness and Accountability for the
9 Children of New Jersey (TEACHNJ) Act,” P.L.2012, c.26
10 (C.18A:6-117 et al.), was enacted in 2012 with the goal of raising
11 student achievement by improving instruction through the adoption
12 of an educator evaluation system that provides specific feedback to
13 educators, informs the provision of aligned professional
14 development, and informs personnel decisions.

15 b. Since the enactment of the TEACHNJ Act, educators have
16 benefited from the individualized feedback, provision of targeted
17 professional development resources, annual review of student
18 performance data, collaborative exchange of educational strategies
19 with their certified supervisors, and administrative support provided
20 through the evaluation systems established pursuant to the
21 TEACHNJ Act.

22 c. On November 10, 2022, Governor Philip D. Murphy issued
23 Executive Order No. 309 to establish the Task Force on Public
24 School Staff Shortages in New Jersey to develop recommendations
25 to address teacher and education support professional shortages in
26 school districts across New Jersey. In February 2023, the 25-
27 member task force issued 31 initial recommendations with a goal of
28 addressing Statewide educator staffing shortages in the public
29 schools of the State. The task force recommendations focused on
30 both short-term and long-term solutions to increase recruitment to
31 the educator workforce, identify best practices to increase the
32 educator pipeline, and ensure the retention of school staff members.

33 d. To address the retention of existing school employees,
34 including teachers, the task force recommended that administrative
35 burdens, and other tasks that pull teachers from classroom
36 instruction, be reassessed and reduced, if appropriate, including the
37 reassessment of student growth objectives within the educator
38 evaluation process established by the TEACHNJ Act and
39 regulations issued by the Department of Education.

40 e. In response to the ongoing and widespread staffing challenges
41 facing New Jersey schools, and considering the recommendations of
42 the task force report, it is fitting and proper to examine revisions to
43 the TEACHNJ Act.

44

45 2. (New section) a. There is established the New Jersey Educator
46 Evaluation Review Task Force for the purpose of examining the

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AED committee amendments adopted March 4, 2024.

1 educator evaluation process, gathering data, evaluating the data, and
2 making recommendations concerning the annual evaluation process
3 for teachers, principals, assistant principals, and vice principals
4 established pursuant to the “TEACHNJ Act,” P.L.2012, c.26
5 (C.18A:6-117 et al.).

6 b. The task force shall consist of ¹[12] ¹13¹ members, each of
7 whom shall have a background in, or special knowledge of, the legal,
8 policy, and administrative aspects of educator evaluation in New
9 Jersey, as follows:

10 (1) one member appointed by the President of the Senate;

11 (2) one member appointed by the Speaker of the General
12 Assembly;

13 (3) one member appointed by the Governor;

14 (4) three representatives of the New Jersey Education Association,
15 at least two of whom shall be employed as full-time teachers in a
16 public school in the State;

17 (5) three representatives of the New Jersey Principals and
18 Supervisors Association, one of whom shall be employed as a
19 principal in a public school in the State and one of whom shall be
20 employed as a vice principal in a public school in the State;

21 (6) one representative appointed by the New Jersey School Boards
22 Association;

23 (7) one representative appointed by the New Jersey Association of
24 School Administrators; ¹[and]¹

25 (8) one representative appointed by the Garden State Coalition of
26 Schools ¹; and

27 (9) one representative appointed by the American Federation of
28 Teachers¹.

29 c. Appointments to the task force shall be made ¹[within 30 days
30 of] as soon as practicable following¹ the effective date of ¹[this act]
31 P.L. _____, c. _____ (C. _____) (pending before the Legislature as this bill)¹.
32 Vacancies in the membership of the task force shall be filled in the
33 same manner as the original appointments were made.

34 d. Members of the task force shall serve without compensation,
35 but shall be reimbursed for necessary expenditures incurred in the
36 performance of their duties as members of the task force within the
37 limits of funds appropriated or otherwise made available to the task
38 force for its purposes.

39 e. The task force shall organize as soon as practicable, but no later
40 than 30 days following the ¹[appointment of its members] effective
41 date of P.L. _____, c. _____ (C. _____) (pending before the Legislature as this
42 bill)¹. The task force shall choose a chairperson from its membership
43 and shall appoint a secretary who shall be an employee of the
44 Department of Education. The secretary shall be a non-voting member
45 of the task force. A majority of the membership of the task force shall
46 constitute a quorum for the transaction of task force business.

1 f. The Department of Education shall provide such stenographic,
2 clerical, and other administrative assistants, and such professional staff
3 as the task force requires to carry out its work. The task force shall be
4 entitled to call to its assistance and avail itself of any non-confidential
5 data maintained by the department and the services of the employees
6 of any State, county, or municipal department, board, bureau,
7 commission, or agency as it may require and as may be available for
8 its purposes.

9
10 3. (New section) a. It shall be the duty of the New Jersey
11 Educator Evaluation Review Task Force to study and evaluate the
12 educator evaluation system established pursuant to the "TEACHNJ
13 Act," P.L.2012, c.26 (C.18A:6-117 et al.), and implemented in New
14 Jersey public schools. The task force shall consider the law in the
15 current context of the State's schools, identify areas for
16 improvement, and make any recommendations regarding any
17 appropriate changes or updates to the law or regulations
18 implementing the law. The task force shall:

19 (1) examine the educational value, administrative burden, and
20 impacts on teachers, principals, and vice principals of the use of
21 student growth objectives in annual summative evaluations, and
22 identify potential alternative approaches to the use of student
23 growth objectives in annual summative evaluations;

24 (2) examine any unintended consequences of the
25 implementation of the TEACHNJ Act;

26 (3) review current educational research on best practices in
27 educator evaluation in order to promote student achievement and
28 success; and

29 (4) present any recommendations deemed necessary and
30 appropriate to modify or update the TEACHNJ Act and its
31 implementing regulations to the Governor, the Legislature, the
32 Department of Education, and the public.

33 b. The task force shall hold at least one public hearing during
34 the course of its work in order to receive public input on the issues
35 being studied by the task force.

36 c. The task force shall issue a final report of its findings and
37 recommendations to the Governor, and to the Legislature pursuant
38 to section 2 of P.L.1991, c.164 (C.52:14-19.1), no later than
39 September 30, 2024. The department shall make the final report
40 available to the public on its Internet website.

41
42 4. Section 17 of P.L.2012, c.26 (C.18A:6-123) is amended to
43 read as follows:

44 17. a. The Commissioner of Education shall review and approve
45 evaluation rubrics submitted by school districts pursuant to section
46 16 of P.L.2012, c.26 (C.18A:6-122). The board of education shall
47 adopt a rubric approved by the commissioner.

- 1 b. The State Board of Education shall promulgate regulations
2 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
3 (C.52:14B-1 et seq.), to set standards for the approval of evaluation
4 rubrics for teachers, principals, assistant principals, and vice-
5 principals. The standards, at a minimum, shall include:
- 6 (1) four defined annual rating categories for teachers, principals,
7 assistant principals, and vice-principals: ineffective, partially
8 effective, effective, and highly effective;
- 9 (2) a provision requiring that the rubric be partially based on
10 multiple objective measures of student learning that use student
11 growth from one year's measure to the next year's measure using
12 data from the most recent year in which an educator completed
13 student growth objectives;
- 14 (3) a provision that allows the district, in grades in which a
15 standardized test is not required, to determine the methods for
16 measuring student growth, provided that the student growth
17 objective data used is data collected in the most recent year in
18 which an educator completed student growth objectives;
- 19 (4) a provision that multiple measures of practice and student
20 learning be used in conjunction with professional standards of
21 practice using a comprehensive evaluation process in rating
22 effectiveness with specific measures and implementation processes.
23 Standardized assessments shall be used as a measure of student
24 progress but shall not be the predominant factor in the overall
25 evaluation of a teacher;
- 26 (5) a provision that the rubric be based on the professional
27 standards for that employee;
- 28 (6) a provision ensuring that performance measures used in the
29 rubric are linked to student achievement;
- 30 (7) a requirement that the employee receive multiple
31 observations during the school year which shall be used in
32 evaluating the employee;
- 33 (8) a provision that requires that at each observation of a
34 teacher, either the principal, his designee who shall be an individual
35 employed in the district in a supervisory role and capacity and who
36 possesses a school administrator certificate, principal certificate, or
37 supervisor certificate, the vice-principal, or the assistant principal
38 shall be present;
- 39 (9) an opportunity for the employee to improve his effectiveness
40 from evaluation feedback;
- 41 (10) guidelines for school districts regarding training and the
42 demonstration of competence on the evaluation system to support
43 its implementation;
- 44 (11) a process for ongoing monitoring and calibration of the
45 observations to ensure that the observation protocols are being
46 implemented correctly and consistently;

1 (12) a performance framework, associated evaluation tools, and
2 observation protocols, including training and observer calibration
3 resources;

4 (13) a process for a school district to obtain the approval of the
5 commissioner to utilize other evaluation tools; and

6 (14) a process for ensuring that the results of the evaluation help
7 to inform instructional development.

8 c. A board of education shall adopt a rubric approved by the
9 commissioner by December 31, 2012.

10 d. Beginning no later than January 31, 2013, a board of
11 education shall implement a pilot program to test and refine the
12 evaluation rubric.

13 e. Beginning with the 2013-2014 school year, a board of
14 education shall ensure implementation of the approved, adopted
15 evaluation rubric for all educators in all elementary, middle, and
16 high schools in the district. Results of evaluations shall be used to
17 identify and provide professional development to teaching staff
18 members. Results of evaluations shall be provided to the
19 commissioner, as requested, on a regular basis.

20 f. The commissioner shall establish a model evaluation rubric
21 that may be utilized by a school district to assess the effectiveness
22 of its teaching staff members.

23 (cf: P.L.2012, c.26, s.17)

24

25 5. (New section) a. Notwithstanding the provisions of section
26 17 of P.L.2012, c.26 (C.18A:6-123) or any other law, rule, or
27 regulation to the contrary, in the 2024-2025 school year, teachers
28 shall not collect new student growth objective data. For the
29 purposes of conducting evaluations of teachers, principals, assistant
30 principals, and vice principals in the 2024-2025 school year,
31 existing student growth objective data from the most recent year in
32 which the educator completed student growth objectives shall be
33 used. For any teacher in their first year of employment in a district,
34 any teacher without a record of pre-existing student growth
35 objectives, or any non-tenured teacher, the teacher shall be required
36 to set student growth objectives and collect data pertaining to these
37 objectives during the 2024-2025 school year.

38 b. Beginning with the 2025-2026 school year, school districts
39 shall implement guidelines for the collection of student growth
40 objective data consistent with any law, rule, or regulation enacted as
41 a result of the findings of the New Jersey Educator Evaluation
42 Review Task Force established pursuant to P.L. , c. (C.)
43 (pending before the Legislature as this bill).

44

45 6. Sections 1 through 3, and section 5 of P.L. , c. (C.)
46 (pending before the Legislature as this bill) shall take effect
47 immediately. Section 4 of P.L. , c. (C.) (pending before the
48 Legislature as this bill) shall take effect on the first day of the first

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1 full school year next following the date of enactment. The task
2 force shall expire 30 days after the report required pursuant to
3 section 3 of P.L. , c. (C.) (pending before the Legislature as
4 this bill) is issued.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3413

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 4, 2024

The Assembly Education committee reports favorably Assembly Bill No. 3413 with committee amendments.

As amended, this bill establishes the New Jersey Educator Evaluation Review Task Force to study and evaluate the educator evaluation system established pursuant to the TEACHNJ Act and implemented in New Jersey public schools.

The task force is to examine the educator evaluation process, gather data, evaluate the data, and make recommendations concerning the annual evaluation process for teachers, principals, assistant principals, and vice principals established pursuant to the TEACHNJ Act. The task force is to consist of 13 members who have a background in, or special knowledge of, the legal, policy, and administrative aspects of educator evaluation in New Jersey. The members are to include:

- (1) one member appointed by the President of the Senate;
- (2) one member appointed by the Speaker of the General Assembly;
- (3) one member appointed by the Governor;
- (4) three representatives of the New Jersey Education Association, at least two of whom is to be employed as full-time teachers in a public school in the State;
- (5) three representatives of the New Jersey Principals and Supervisors Association, one of whom is to be employed as a principal in a public school in the State and one of whom is to be employed as a vice principal in a public school in the State;
- (6) one representative appointed by the New Jersey School Boards Association;
- (7) one representative appointed by the New Jersey Association of School Administrators;
- (8) one representative appointed by the Garden State Coalition of Schools; and
- (9) one representative appointed by the American Federation of Teachers.

The task force is to consider the TEACHNJ Act in the current context of the State's schools, identify areas for improvement, and make any recommendations regarding any appropriate changes or

updates to the law or regulations implementing the law. The task force shall issue a final report of its findings and recommendations to the Governor and the Legislature no later than September 30, 2024. The department shall make the final report available to the public on its Internet website.

Additionally, the amended bill clarifies that student growth data used for the purposes of educator evaluations is data collected in the most recent year in which an educator completed student growth objectives. Under the amended bill, teachers are not to collect new student growth observation data in the 2024-2025 school year, and are instead to use, for the purposes of educator evaluations, existing student growth objective data from the most recent year in which the educator completed student growth objectives. For any teacher in their first year of employment in a district, any teacher without a record of pre-existing student growth objectives, or any non-tenured teacher, the teacher is to set student growth objectives and collect data pertaining to these objectives during the 2024-2025 school year. Beginning in the 2025-2026 school year, school districts are to implement guidelines for the collection of student growth objective data consistent with any law, rule, or regulation enacted as a result of the findings of the task force.

As amended and reported by the committee, Assembly Bill No. 3413 is identical to Senate Bill No. 2082 (SCS), which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to increase the membership of the task force to 13 members and include a representative appointed by the American Federation of Teachers. Additionally, the committee amended the bill to change deadlines for appointing members to the task force and for the first meeting of the task force.

Acting Governor Way Takes Action on Legislation

05/17/2024

TRENTON – Today, Acting Governor Way signed the following bill into law:

SCS for S-2082/A-3413 (Gopal/Lampitt, Carter, Matsikoudis) - Establishes New Jersey Educator Evaluation Review Task Force; clarifies collection of student growth data.