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LAW/RWH

[First Reprint]

SENATE, No. 2071

STATE OF NEW JERSEY
214th LEGISLATURE

INTRODUCED JUNE 10, 2010

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex and Union)

Senator SHIRLEY K. TURNER

District 15 (Mercer)

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

Co-Sponsored by:

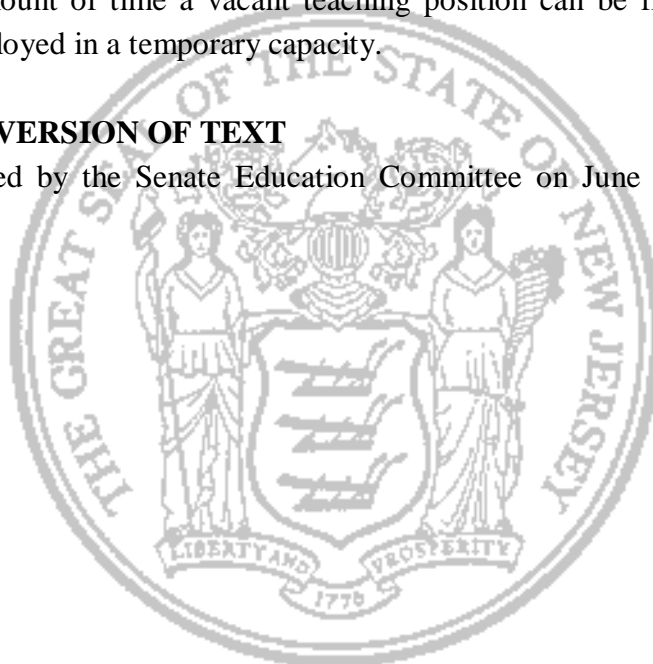
Assemblyman O'Donnell

SYNOPSIS

Limits amount of time a vacant teaching position can be filled by certain teachers employed in a temporary capacity.

CURRENT VERSION OF TEXT

As reported by the Senate Education Committee on June 21, 2010, with amendments.



(Sponsorship Updated As Of: 10/26/2010)

1 AN ACT concerning vacant teaching positions and supplementing
2 Title 18A of the New Jersey Statutes.

3

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

6

7 1. a. A vacant teaching position shall not be filled in any
8 school year by one or more individuals 'employed as substitute
9 teachers and' holding a certificate of eligibility or a certificate of
10 eligibility with advanced standing issued by the State Board of
11 Examiners 'and' working in an area authorized by their credentials
12 for a total amount of time exceeding 60 school days. The executive
13 county superintendent of schools may grant an extension upon
14 written application from the school district demonstrating the
15 district's inability to hire an appropriately certified teacher for the
16 vacant position within the original 60-day time limit.

17 b. In the event that one individual employed pursuant to
18 subsection a. of this section is employed in the same position for
19 more than 60 days, he shall be compensated by the school district
20 on a pro-rata basis consistent with the salary provided to a teacher
21 with similar credentials in the employing district.

22

23 2. A vacant teaching position shall not be filled in any school
24 year by one or more individuals 'employed as substitute teachers
25 and' holding a certificate of eligibility or a certificate of eligibility
26 with advanced standing issued by the State Board of Examiners
27 'and' working in an area not authorized by their credentials for a
28 total amount of time exceeding 20 school days. The executive
29 county superintendent of schools may grant an extension of up to an
30 additional 20 days upon written application from the school district
31 demonstrating the district's inability to hire an appropriately
32 certified teacher for the vacant position within the original 20-day
33 time limit.

34

35 3. A vacant teaching position shall not be filled in any school
36 year by one or more individuals 'employed as substitute teachers
37 and' holding a standard instructional certificate issued by the State
38 Board of Examiners 'and' working in an area not authorized by
39 their credentials for a total amount of time exceeding 40 school
40 days.

41

42 4. This act shall take effect immediately.

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:

¹Senate SED committee amendments adopted June 21, 2010.

SENATE, No. 2071

STATE OF NEW JERSEY
214th LEGISLATURE

INTRODUCED JUNE 10, 2010

Sponsored by:
Senator M. TERESA RUIZ
District 29 (Essex and Union)

SYNOPSIS

Limits amount of time a vacant teaching position can be filled by certain teachers employed in a temporary capacity.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning vacant teaching positions and supplementing
2 Title 18A of the New Jersey Statutes.

3

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

6

7 1. a. A vacant teaching position shall not be filled in any
8 school year by one or more individuals holding a certificate of
9 eligibility or a certificate of eligibility with advanced standing
10 issued by the State Board of Examiners working in an area
11 authorized by their credentials for a total amount of time exceeding
12 60 school days. The executive county superintendent of schools
13 may grant an extension upon written application from the school
14 district demonstrating the district's inability to hire an appropriately
15 certified teacher for the vacant position within the original 60-day
16 time limit.

17 b. In the event that one individual employed pursuant to
18 subsection a. of this section is employed in the same position for
19 more than 60 days, he shall be compensated by the school district
20 on a pro-rata basis consistent with the salary provided to a teacher
21 with similar credentials in the employing district.

22

23 2. A vacant teaching position shall not be filled in any school
24 year by one or more individuals holding a certificate of eligibility or
25 a certificate of eligibility with advanced standing issued by the
26 State Board of Examiners working in an area not authorized by their
27 credentials for a total amount of time exceeding 20 school days.
28 The executive county superintendent of schools may grant an
29 extension of up to an additional 20 days upon written application
30 from the school district demonstrating the district's inability to hire
31 an appropriately certified teacher for the vacant position within the
32 original 20-day time limit.

33

34 3. A vacant teaching position shall not be filled in any school
35 year by one or more individuals holding a standard instructional
36 certificate issued by the State Board of Examiners working in an
37 area not authorized by their credentials for a total amount of time
38 exceeding 40 school days.

39

40 4. This act shall take effect immediately.

41

42

43

STATEMENT

44

45 Under a current State Board of Education regulation, an
46 individual holding a certificate of eligibility or a certificate of
47 eligibility with advanced standing can fill a vacant teaching position
48 in his authorized subject area for a maximum of 60 school days.

S2071 RUIZ

1 This bill provides that a vacant teaching position cannot be filled in
2 any school year by one or more individuals holding a certificate of
3 eligibility or a certificate of eligibility with advanced standing
4 issued by the State Board of Examiners working in an area
5 authorized by their credentials for a total amount of time exceeding
6 60 school days. However, the bill provides that the executive
7 county superintendent of schools may grant an extension upon
8 written application from the school district demonstrating the
9 district's inability to hire an appropriately certified teacher for the
10 vacant position within the original 60-day time limit. The bill
11 further provides that in the event an individual is approved by the
12 executive county superintendent to remain in the position beyond
13 60 school days, he must be compensated by the school district on a
14 pro-rata basis consistent with the salary provided to a teacher with
15 similar credentials in the employing district.

16 The bill provides that an individual holding a certificate of
17 eligibility or a certificate of eligibility with advanced standing can
18 fill a vacant teaching position outside of his subject area for 20
19 school days and may serve in that position for an additional 20
20 school days upon approval from the executive county
21 superintendent. The bill also provides that an individual holding a
22 standard instructional certificate can fill a vacant teaching position
23 outside of his subject area for a maximum of 40 school days. These
24 provisions are similar, but not identical, to current State Board of
25 Education regulations.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 2071

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 21, 2010

The Senate Education Committee favorably reports Senate Bill No. 2071 with committee amendments.

Under a current State Board of Education regulation, an individual holding a certificate of eligibility or a certificate of eligibility with advanced standing may serve as a substitute teacher in his authorized subject area for a maximum of 60 school days in the same position in one school district. As amended, this bill provides that a vacant teaching position cannot be filled in any school year by one or more individuals employed as substitute teachers and holding a certificate of eligibility or a certificate of eligibility with advanced standing issued by the State Board of Examiners and working in an area authorized by their credentials for a total amount of time exceeding 60 school days. However, the bill provides that the executive county superintendent of schools may grant an extension upon written application from the school district demonstrating the district's inability to hire an appropriately certified teacher for the vacant position within the original 60-day time limit. The bill further provides that in the event an individual is approved by the executive county superintendent to remain in the position beyond 60 school days, he must be compensated by the school district on a pro-rata basis consistent with the salary provided to a teacher with similar credentials in the employing district.

The bill provides that an individual holding a certificate of eligibility or a certificate of eligibility with advanced standing can serve as a substitute teacher and fill a vacant teaching position outside of his subject area for 20 school days and may serve in that position for an additional 20 school days upon approval from the executive county superintendent. The bill also provides that an individual holding a standard instructional certificate can serve as a substitute teacher and fill a vacant teaching position outside of his subject area for a maximum of 40 school days. These provisions are similar, but not identical, to current State Board of Education regulations.

The committee amended the bill to clarify that the time limits provided are for individuals filling vacant teaching positions as substitute teachers.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 2071

STATE OF NEW JERSEY

DATED: OCTOBER 14, 2010

The Assembly Education Committee favorably reports Senate Bill No. 2071 (1R).

Under a current State Board of Education regulations, an individual holding a certificate of eligibility or a certificate of eligibility with advanced standing may serve as a substitute teacher in his authorized subject area for a maximum of 60 school days in the same position in one school district. This bill provides that a vacant teaching position cannot be filled in any school year by one or more individuals employed as substitute teachers and holding a certificate of eligibility or a certificate of eligibility with advanced standing issued by the State Board of Examiners and working in an area authorized by their credentials for a total amount of time exceeding 60 school days. However, the bill provides that the executive county superintendent of schools may grant an extension upon written application from the school district demonstrating the district's inability to hire an appropriately certified teacher for the vacant position within the original 60-day time limit. The bill further provides that in the event an individual is approved by the executive county superintendent to remain in the position beyond 60 school days, he must be compensated by the school district on a pro-rata basis consistent with the salary provided to a teacher with similar credentials in the employing district.

The bill provides that an individual holding a certificate of eligibility or a certificate of eligibility with advanced standing can serve as a substitute teacher and fill a vacant teaching position outside of his subject area for 20 school days and may serve in that position for an additional 20 school days upon approval from the executive county superintendent. The bill also provides that an individual holding a standard instructional certificate can serve as a substitute teacher and fill a vacant teaching position outside of his subject area for a maximum of 40 school days. These provisions are similar, but not identical, to current State Board of Education regulations.

As reported by committee, this bill is identical to Assembly Bill No. 3218, which also was reported by the committee on this same date.

ASSEMBLY, No. 3218

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED SEPTEMBER 16, 2010

Sponsored by:

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

Co-Sponsored by:

Assemblyman O'Donnell

SYNOPSIS

Limits amount of time a vacant teaching position can be filled by certain teachers employed in a temporary capacity.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/26/2010)

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2 Title 18A of the New Jersey Statutes.

3

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

6

7 1. a. A vacant teaching position shall not be filled in any
8 school year by one or more individuals employed as substitute
9 teachers and holding a certificate of eligibility or a certificate of
10 eligibility with advanced standing issued by the State Board of
11 Examiners and working in an area authorized by their credentials
12 for a total amount of time exceeding 60 school days. The executive
13 county superintendent of schools may grant an extension upon
14 written application from the school district demonstrating the
15 district's inability to hire an appropriately certified teacher for the
16 vacant position within the original 60-day time limit.

17 b. In the event that one individual employed pursuant to
18 subsection a. of this section is employed in the same position for
19 more than 60 days, he shall be compensated by the school district
20 on a pro-rata basis consistent with the salary provided to a teacher
21 with similar credentials in the employing district.

22

23 2. A vacant teaching position shall not be filled in any school
24 year by one or more individuals employed as substitute teachers and
25 holding a certificate of eligibility or a certificate of eligibility with
26 advanced standing issued by the State Board of Examiners and
27 working in an area not authorized by their credentials for a total
28 amount of time exceeding 20 school days. The executive county
29 superintendent of schools may grant an extension of up to an
30 additional 20 days upon written application from the school district
31 demonstrating the district's inability to hire an appropriately
32 certified teacher for the vacant position within the original 20-day
33 time limit.

34

35 3. A vacant teaching position shall not be filled in any school
36 year by one or more individuals employed as substitute teachers and
37 holding a standard instructional certificate issued by the State Board
38 of Examiners and working in an area not authorized by their
39 credentials for a total amount of time exceeding 40 school days.

40

41 4. This act shall take effect immediately.

42

43

44

STATEMENT

45

46 Under a current State Board of Education regulation, an
47 individual holding a certificate of eligibility or a certificate of
48 eligibility with advanced standing may serve as a substitute teacher

1 in his authorized subject area for a maximum of 60 school days in
2 the same position in one school district. This bill provides that a
3 vacant teaching position cannot be filled in any school year by one
4 or more individuals employed as substitute teachers and holding a
5 certificate of eligibility or a certificate of eligibility with advanced
6 standing issued by the State Board of Examiners and working in an
7 area authorized by their credentials for a total amount of time
8 exceeding 60 school days. However, the bill provides that the
9 executive county superintendent of schools may grant an extension
10 upon written application from the school district demonstrating the
11 district's inability to hire an appropriately certified teacher for the
12 vacant position within the original 60-day time limit. The bill
13 further provides that in the event an individual is approved by the
14 executive county superintendent to remain in the position beyond
15 60 school days, he must be compensated by the school district on a
16 pro-rata basis consistent with the salary provided to a teacher with
17 similar credentials in the employing district.

18 The bill provides that an individual holding a certificate of
19 eligibility or a certificate of eligibility with advanced standing can
20 serve as a substitute teacher and fill a vacant teaching position
21 outside of his subject area for 20 school days and may serve in that
22 position for an additional 20 school days upon approval from the
23 executive county superintendent. The bill also provides that an
24 individual holding a standard instructional certificate can serve as a
25 substitute teacher and fill a vacant teaching position outside of his
26 subject area for a maximum of 40 school days. These provisions
27 are similar, but not identical, to current State Board of Education
28 regulations.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3218

STATE OF NEW JERSEY

DATED: OCTOBER 14, 2010

The Assembly Education Committee favorably reports Assembly Bill No. 3218.

Under a current State Board of Education regulations, an individual holding a certificate of eligibility or a certificate of eligibility with advanced standing may serve as a substitute teacher in his authorized subject area for a maximum of 60 school days in the same position in one school district. This bill provides that a vacant teaching position cannot be filled in any school year by one or more individuals employed as substitute teachers and holding a certificate of eligibility or a certificate of eligibility with advanced standing issued by the State Board of Examiners and working in an area authorized by their credentials for a total amount of time exceeding 60 school days. However, the bill provides that the executive county superintendent of schools may grant an extension upon written application from the school district demonstrating the district's inability to hire an appropriately certified teacher for the vacant position within the original 60-day time limit. The bill further provides that in the event an individual is approved by the executive county superintendent to remain in the position beyond 60 school days, he must be compensated by the school district on a pro-rata basis consistent with the salary provided to a teacher with similar credentials in the employing district.

The bill provides that an individual holding a certificate of eligibility or a certificate of eligibility with advanced standing can serve as a substitute teacher and fill a vacant teaching position outside of his subject area for 20 school days and may serve in that position for an additional 20 school days upon approval from the executive county superintendent. The bill also provides that an individual holding a standard instructional certificate can serve as a substitute teacher and fill a vacant teaching position outside of his subject area for a maximum of 40 school days. These provisions are similar, but not identical, to current State Board of Education regulations.

As reported by committee, this bill is identical to Senate Bill No. 2071 (1R), which also was reported by the committee on this same date.