

18A:26-2.28
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2019 **CHAPTER:** 171

NJSA: 18A:26-2.28 (Requires teachers of health and physical education in grades kindergarten through six in public schools to possess appropriate endorsement to instructional certificate.)

BILL NO: S858 (Substituted for A674)

SPONSOR(S) Shirley K. Turner and others

DATE INTRODUCED: 1/9/2018

COMMITTEE: **ASSEMBLY:** Education

SENATE: Education

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 5/23/2019

SENATE: 6/21/2018

DATE OF APPROVAL: 7/19/2019

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (First Reprint enacted) Yes

S858

SPONSOR'S STATEMENT: (Begins on page 2 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

A674

SPONSOR'S STATEMENT: (Begins on page 2 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

RWH/CL

P.L. 2019, CHAPTER 171, *approved July 19, 2019*
Senate, No. 858 (*First Reprint*)

1 AN ACT concerning teacher certification in health and physical
2 education and supplementing chapter 26 of Title 18A of the New
3 Jersey Statutes.

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

7
8 1. a. In addition to any other eligibility requirements prescribed
9 by the State Board of Education, in order to be appointed by a board of
10 education to teach health and physical education in grades
11 kindergarten through six, a person shall possess a health and physical
12 education endorsement to the instructional certificate.

13 b. In addition to any other eligibility requirements prescribed by
14 the State Board of Education, in order to be appointed by a board of
15 education to teach physical education in grades kindergarten through
16 six, a person shall possess a physical education endorsement to the
17 instructional certificate.

18 c. In addition to any other eligibility requirements prescribed by
19 the State Board of Education, in order to be appointed by a board of
20 education to teach health in grades kindergarten through six, a person
21 shall possess a health endorsement to the instructional certificate ¹or a
22 school nurse endorsement to the educational services certificate¹.

23 d. The provisions of subsections a., b., and c. of this section shall
24 not be applicable to a person who teaches SDA district kindergarten
25 students pursuant to a contract between the SDA district and a licensed
26 child care center or other provider.

27 As used in this subsection, “SDA district” means an SDA district
28 as defined in section 3 of P.L.2000, c.72 (C.18A:7G-3).

29 e. Notwithstanding the provisions of this section to the contrary, a
30 person who holds an elementary school endorsement to the
31 instructional certificate prior to the effective date of this act, may be
32 appointed by a board of education to teach health and physical
33 education, physical education, or health in grades kindergarten through
34 six, in accordance with any other requirements established by the State
35 board.

36
37 2. This act shall take effect in the ¹**[2018-2019]** 2019-2020¹
38 school year.

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 floor amendments adopted June 7, 2018.

S858 [1R]

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Requires teachers of health and physical education in grades kindergarten through six in public schools to possess appropriate endorsement to instructional certificate.

SENATE, No. 858

STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

SYNOPSIS

Requires teachers of health and physical education in grades kindergarten through six in public schools to possess appropriate endorsement to instructional certificate.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning teacher certification in health and physical
2 education and supplementing chapter 26 of Title 18A of the New
3 Jersey Statutes.

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

7
8 1. a. In addition to any other eligibility requirements
9 prescribed by the State Board of Education, in order to be appointed
10 by a board of education to teach health and physical education in
11 grades kindergarten through six, a person shall possess a health and
12 physical education endorsement to the instructional certificate.

13 b. In addition to any other eligibility requirements prescribed
14 by the State Board of Education, in order to be appointed by a board
15 of education to teach physical education in grades kindergarten
16 through six, a person shall possess a physical education
17 endorsement to the instructional certificate.

18 c. In addition to any other eligibility requirements prescribed
19 by the State Board of Education, in order to be appointed by a board
20 of education to teach health in grades kindergarten through six, a
21 person shall possess a health endorsement to the instructional
22 certificate.

23 d. The provisions of subsections a., b., and c. of this section
24 shall not be applicable to a person who teaches SDA district
25 kindergarten students pursuant to a contract between the SDA
26 district and a licensed child care center or other provider.

27 As used in this subsection, "SDA district" means an SDA district
28 as defined in section 3 of P.L.2000, c.72 (C.18A:7G-3).

29 e. Notwithstanding the provisions of this section to the
30 contrary, a person who holds an elementary school endorsement to
31 the instructional certificate prior to the effective date of this act,
32 may be appointed by a board of education to teach health and
33 physical education, physical education, or health in grades
34 kindergarten through six, in accordance with any other requirements
35 established by the State board.

36
37 2. This act shall take effect in the 2017-2018 school year.

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40 STATEMENT

41
42 Under State Board of Education regulations, in order to teach
43 health and physical education, physical education, or health in
44 grades kindergarten through six in a public school, a teacher is not
45 required to have these specific endorsements to the instructional
46 certificate. A teacher with an elementary school endorsement,
47 pursuant to certain regulations, would be permitted to teach these
48 courses.

S858 TURNER, DIEGNAN

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1 This bill requires that teachers appointed to teach health, health
2 and physical education, or physical education in grades
3 kindergarten through six possess the appropriate endorsement to
4 their instructional certificate. However, the bill exempts from the
5 bill's endorsement requirements persons who teach former Abbott
6 district kindergarten students under a contract between the former
7 Abbott district and a licensed child care center or other provider.
8 The bill also includes a "grandfather" provision that will allow
9 teachers who received an elementary school endorsement prior to
10 the bill's effective date, to continue to be permitted to teach health
11 and physical education, physical education, or health at these grade
12 levels.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 858

STATE OF NEW JERSEY

DATED: DECEMBER 6, 2018

The Assembly Education Committee reports favorably Senate Bill No. 858 (1R).

Under State Board of Education regulations, in order to teach health and physical education, physical education, or health in grades kindergarten through six in a public school, a teacher is not required to have these specific endorsements to the instructional certificate. A teacher with an elementary school endorsement, pursuant to certain regulations, would be permitted to teach these courses.

This bill requires that: (1) teachers appointed by a board of education to teach health and physical education in grades kindergarten through six possess a health and physical education endorsement to the instructional certificate; (2) teachers appointed to teach physical education in grades kindergarten through six possess a physical education endorsement to the instructional certificate; and (3) teachers appointed to teach health in grades kindergarten through six possess either a health endorsement to the instructional certificate or a school nurse endorsement to the educational services certificate. However, the bill exempts from the bill's endorsement requirements persons who teach former Abbott district kindergarten students under a contract between the former Abbott district and a licensed child care center or other provider. The bill also includes a "grandfather" provision that will allow teachers who received an elementary school endorsement prior to the bill's effective date to continue to teach health and physical education, physical education, or health at these grade levels.

As reported by the committee, this bill is identical to Assembly Bill No. 674 with Assembly committee amendments, which also was reported by the committee on this same date.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 858

STATE OF NEW JERSEY

DATED: MAY 14, 2018

The Senate Education Committee favorably reports Senate Bill No. 858.

Under State Board of Education regulations, in order to teach health and physical education, physical education, or health in grades kindergarten through six in a public school, a teacher is not required to have these specific endorsements to the instructional certificate. A teacher with an elementary school endorsement, pursuant to certain regulations, would be permitted to teach these courses.

This bill requires that teachers appointed to teach health, health and physical education, or physical education in grades kindergarten through six possess the appropriate endorsement to their instructional certificate. However, the bill exempts from the bill's endorsement requirements persons who teach former Abbott district kindergarten students under a contract between the former Abbott district and a licensed child care center or other provider. The bill also includes a "grandfather" provision that will allow teachers who received an elementary school endorsement prior to the bill's effective date to continue to be permitted to teach health and physical education, physical education, or health at these grade levels.

This bill was pre-filed for introduction in the 2018-2019 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

STATEMENT TO

SENATE, No. 858

with Senate Floor Amendments
(Proposed by Senator TURNER)

ADOPTED: JUNE 7, 2018

This floor amendment provides that an individual who holds a school nurse endorsement to the educational services certificate will be authorized to teach health in grades kindergarten through six under the bill's provisions. The amendment also changes the bill's effective date to the 2019-2020 school year.

ASSEMBLY, No. 674

STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Assemblywoman MILA M. JASEY

District 27 (Essex and Morris)

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

Assemblywoman ELIZABETH MAHER MUOIO

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

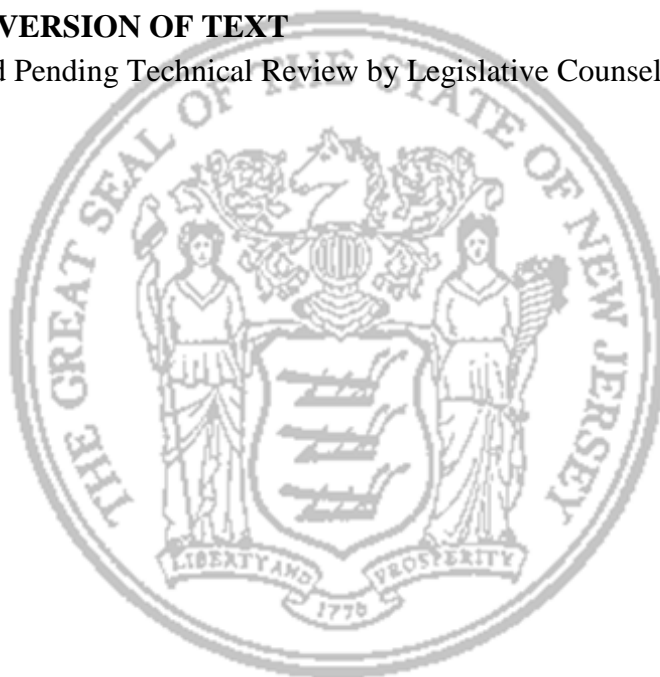
Assemblywoman Reynolds-Jackson

SYNOPSIS

Requires teachers of health and physical education in grades kindergarten through six in public schools to possess appropriate endorsement to instructional certificate.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 6/8/2018)

1 AN ACT concerning teacher certification in health and physical
2 education and supplementing chapter 26 of Title 18A of the New
3 Jersey Statutes.

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

7
8 1. a. In addition to any other eligibility requirements prescribed
9 by the State Board of Education, in order to be appointed by a board
10 of education to teach health and physical education in grades
11 kindergarten through six, a person shall possess a health and
12 physical education endorsement to the instructional certificate.

13 b. In addition to any other eligibility requirements prescribed
14 by the State Board of Education, in order to be appointed by a board
15 of education to teach physical education in grades kindergarten
16 through six, a person shall possess a physical education
17 endorsement to the instructional certificate.

18 c. In addition to any other eligibility requirements prescribed
19 by the State Board of Education, in order to be appointed by a board
20 of education to teach health in grades kindergarten through six, a
21 person shall possess a health endorsement to the instructional
22 certificate.

23 d. The provisions of subsections a., b., and c. of this section
24 shall not be applicable to a person who teaches SDA district
25 kindergarten students pursuant to a contract between the SDA
26 district and a licensed child care center or other provider.

27 As used in this subsection, "SDA district" means an SDA district
28 as defined in section 3 of P.L.2000, c.72 (C.18A:7G-3).

29 e. Notwithstanding the provisions of this section to the
30 contrary, a person who holds an elementary school endorsement to
31 the instructional certificate prior to the effective date of this act,
32 may be appointed by a board of education to teach health and
33 physical education, physical education, or health in grades
34 kindergarten through six, in accordance with any other requirements
35 established by the State board.

36
37 2. This act shall take effect in the 2017-2018 school year.

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40 STATEMENT

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42 Under State Board of Education regulations, in order to teach
43 health and physical education, physical education, or health in
44 grades kindergarten through six in a public school, a teacher is not
45 required to have these specific endorsements to the instructional
46 certificate. A teacher with an elementary school endorsement,
47 pursuant to certain regulations, would be permitted to teach these
48 courses.

A674 JASEY, CAPUTO

3

1 This bill requires that teachers appointed to teach health, health
2 and physical education, or physical education in grades
3 kindergarten through six possess the appropriate endorsement to
4 their instructional certificate. However, the bill exempts from the
5 bill's certification requirements persons who teach former Abbott
6 district kindergarten students under a contract between the former
7 Abbott district and a licensed child care center or other provider.
8 The bill also includes a "grandfather" provision that will allow
9 teachers who received an elementary school endorsement prior to
10 the bill's effective date, to continue to be permitted to teach health
11 and physical education, physical education, or health at these grade
12 levels.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 674

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 6, 2018

The Assembly Education Committee reports favorably Assembly Bill No. 674 with committee amendments.

Under State Board of Education regulations, in order to teach health and physical education, physical education, or health in grades kindergarten through six in a public school, a teacher is not required to have these specific endorsements to the instructional certificate. A teacher with an elementary school endorsement, pursuant to certain regulations, would be permitted to teach these courses.

As amended, this bill requires that: (1) teachers appointed by a board of education to teach health and physical education in grades kindergarten through six possess a health and physical education endorsement to the instructional certificate; (2) teachers appointed to teach physical education in grades kindergarten through six possess a physical education endorsement to the instructional certificate; and (3) teachers appointed to teach health in grades kindergarten through six possess either a health endorsement to the instructional certificate or a school nurse endorsement to the educational services certificate. However, the bill exempts from the bill's certification requirements persons who teach former Abbott district kindergarten students under a contract between the former Abbott district and a licensed child care center or other provider. The bill also includes a "grandfather" provision that will allow teachers who received an elementary school endorsement prior to the bill's effective date to continue to teach health and physical education, physical education, or health at these grade levels.

This bill was pre-filed for introduction in the 2018-2019 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

As amended and reported by the committee, this bill is identical to Senate Bill No. 858 (1R), which also was reported by the committee on this same date.

COMMITTEE AMENDMENTS

The committee amended the bill to provide that an individual who holds a school nurse endorsement to the educational services

certificate will be authorized to teach health in grades kindergarten through six under the bill's provisions. The amendments also change the bill's effective date to the 2019-2020 school year.

Governor Murphy Takes Action on Legislation

07/19/2019

TRENTON – Today, Governor Phil Murphy signed the following bills and resolutions into law:

AJR26 (Downey, Houghtaling, Quijano, Mosquera, Vainieri Huttle, Benson, Jasey, McKnight/Pou, Codey) - Designates September of each year as "Youth Suicide Prevention Awareness Month" in New Jersey.

AJR87 (Murphy, Mosquera, Pinkin/Singleton, Addiego) - Designates January 11 of each year as "Alice Paul Day" in New Jersey.

A769 (Caputo, Giblin, Vainieri Huttle/A.R. Bucco, Ruiz) - Requires school districts to incorporate age-appropriate sexual abuse and assault awareness and prevention education in grades preschool through 12 as part of New Jersey Student Learning Standards in Comprehensive Health and Physical Education.

A1048 (Houghtaling, Downey, Mukherji, Holley/Turner, Stack) - Requires property tax bills to contain eligibility information on State tax relief programs.

A1190 (Jones, Giblin, Mukherji/Beach, Cruz-Perez) - Concerns appointment of person to control funeral and disposition of human remains.

A1369 (Kennedy, DeAngelo, Vainieri Huttle, Benson, Quijano/Greenstein, Addiego) - Allows for cancellation of certain service contracts without paying early termination fee if customer becomes deceased prior to end of service contract.

A1428 (McKnight, Chaparro, Chiaravalloti, Vainieri Huttle/Ruiz, Cunningham) - Requires Department of Education to develop guidelines for school districts concerning child trafficking awareness and prevention.

A3766 (Armato, Houghtaling, Murphy, Jones/Corrado) - Requires public officer or employee to forfeit pension upon conviction for corruption of public resources, sexual contact, lewdness, or sexual assault when offense involves or touches upon public office or employment.

A5162 (Speight, Reynolds-Jackson/Beach) - Permits county board of chosen freeholders to increase membership of county board of elections.

A5456 (Armato, Kennedy, Speight/Greenstein, Bateman) - Authorizes NJ Infrastructure Bank to expend certain sums to make loans for environmental infrastructure projects for FY2020.

A5457 (Danielsen, Swain, Milam/Codey) - Appropriates funds to DEP for environmental infrastructure projects for FY2020.

A5462 (Milam, Speight, Murphy/Smith) - Modifies powers and duties of New Jersey Infrastructure Bank.

S692 (Ruiz, Sarlo/Jasey, Caputo, Holley) - Prohibits the DOE from regulating maximum salary amount school district may pay its superintendent of schools and codifies standards for contract review.

S756 (Diegnan, Turner/Calabrese, Sumter, Pinkin) - Updates notice of elections requirements to include information for voter to obtain polling place locations.

S858 (Turner, Diegnan/Jasey, Caputo) - Requires teachers of health and physical education in grades kindergarten through six in public schools to possess appropriate endorsement to instructional certificate.

S954 (Vitale, Singleton, Madden/Conaway, Moriarty, Sumter, McKnight, Mukherji, Downey) - Enters New Jersey in enhanced multistate Nurse Licensure Compact.

S1373 (Andrzejczak/Land, Milam) - Expands option of governmental home health care agency to partner with non-governmental providers to deliver health care services.

S1707 (Oroho, Bateman, Andrzejczak/Space, Wirths) - Exempts governmental entities acquiring lands for open space located in a deed-authorized common interest community from paying community fees if, at time of acquisition, community has never been formed or has been dissolved or discontinued.

S1761 (Weinberg, Singleton/Pintor Marin, Lampitt, Pinkin, Munoz, McKeon) - Expands the Address Confidentiality Program to include victims of sexual assault and stalking; and reproductive health service patients and providers.

S1799 (A.R. Bucco/A.M. Bucco, Murphy, Caputo) - Increases membership of fire safety commission in DCA.

S2472 (Singleton, Murphy/Conaway, Timberlake) - Requires certain real estate licensees to complete courses of study concerning fair housing and housing discrimination.

S2489 (Cruz-Perez, Turner/Mosquera, Jones, Holley, McKnight, Downey) - Requires board of education to post information about child abuse hotline in each school.

S2575 (Diegnan, Greenstein/Karabinchak, Reynolds-Jackson) - Establishes task force to examine and make recommendations regarding implementation of "Anti-Bullying Bill of Rights Act."

S2944 (Ruiz, Cunningham/Pintor Marin, McKnight, Chiaravalloti) - Permits certain council members to appoint up to four fulltime equivalent aides; allows these aide positions to be divided into part-time positions.

S2994 (Ruiz/Freiman, McKeon, Schaer) – Concerns refunds following terminations or cancellations of guaranteed asset protection waivers.

S3043 (Madden, Oroho/Mosquera, Pintor Marin) - Clarifies that family day care providers or other persons who are subjects of criminal history record back checks have access to disqualifying information.

S3452 (Ruiz, Pou/Lopez, Holley, Schaer) - Requires certain consumer reporting agencies to make consumer reports available to consumers in Spanish and certain other languages.

S3899 (Ruiz/Burzichelli) - Allows TPAF retiree to be employed, without TPAF reenrollment, by school district as certificated superintendent or administrator for more than two years when in best interests of school district.