

**18A:26-35**  
**LEGISLATIVE HISTORY CHECKLIST**

Compiled by the NJ State Law Library

**LAWS OF:** 2022                    **CHAPTER:** 129

**NJSA:** 18A:26-35  
(Prohibits State Board of Education from requiring completion of performance-based assessment as condition of eligibility for certificate of eligibility with advanced standing or certificate of eligibility. )

**BILL NO:** S896                    (Substituted for A677/3562 (ACS/1R))

**SPONSOR(S)** Shirley K. Turner and others

**DATE INTRODUCED:** 1/27/2022

**COMMITTEE:**                    **ASSEMBLY:** Education  
Oversight, Reform and Federal Relations  
Budget

**SENATE:** Education

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE: ASSEMBLY:** 12/15/2022

**SENATE:** 11/21/2022

**DATE OF APPROVAL:** 12/16/2022

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL** (Fourth Reprint enacted)                    Yes

**S896**

**INTRODUCED BILL:** (Includes sponsor(s) statement)                    Yes

**COMMITTEE STATEMENT: ASSEMBLY:**                    Yes                    Education  
Budget

**SENATE:**                    Yes                    Education

(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](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:**                    No

**LEGISLATIVE FISCAL ESTIMATE:**                    No

**A677/3562 (ACS/1R)**

**INTRODUCED BILL A677:** (Includes sponsor(s) statement)                    Yes

**INTRODUCED BILL A3562:** (Includes sponsor(s) statement)                    Yes

**COMMITTEE STATEMENT: ASSEMBLY:**                    Yes                    Education  
Budget

**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](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**VETO MESSAGE:** Yes

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

end

P.L. 2022, CHAPTER 129, *approved December 16, 2022*  
Senate, No. 896 (*Fourth Reprint*)

1 AN ACT concerning performance-based assessments for teacher  
2 candidates and supplementing chapter 26 of Title 18A of the  
3 New Jersey Statutes.

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

7  
8 <sup>3</sup>**[1.** a. Notwithstanding any law, rule, or regulation to the  
9 contrary, the State Board of Education shall not require a candidate  
10 for a certificate of eligibility with advanced standing <sup>1</sup>or a  
11 certificate of eligibility<sup>1</sup> to complete a Commissioner of Education  
12 approved performance-based assessment, including, but not limited  
13 to, the edTPA, as a condition of eligibility for a certificate of  
14 eligibility with advanced standing <sup>1</sup>or a certificate of eligibility. An  
15 educator preparation program <sup>2</sup>**[shall]** <sup>2</sup>may<sup>2</sup> require candidates to  
16 complete a performance-based assessment approved by the educator  
17 preparation program. The performance-based assessment approved  
18 by the educator preparation program shall meet requirements set by  
19 the <sup>2</sup>**[Commissioner of Education<sup>1</sup>]** commissioner approved  
20 professional education accreditation body of the educator  
21 preparation program<sup>2</sup>.

22 b. <sup>1</sup>**[An]** A certificate of eligibility with advanced standing<sup>1</sup>  
23 educator preparation program<sup>1</sup>, or a certificate of eligibility  
24 educator preparation program,<sup>1</sup> shall not consider whether a  
25 candidate has completed a Commissioner of Education approved  
26 performance-based assessment when making a determination as to  
27 whether to recommend a candidate for certificate of eligibility with  
28 advanced standing certification <sup>1</sup>or certificate of eligibility  
29 certification<sup>1</sup> to the Commissioner of Education.

30 c. As used in this section <sup>1</sup>**[**, “certificate<sup>1</sup>”:  
31 “Certificate of eligibility” means <sup>2</sup>**[a]** an instructional<sup>2</sup>  
32 certificate with lifetime validity issued by the State Board of  
33 Examiners to candidates who meet degree, academic, and  
34 applicable test requirements for teacher certification.

35 “Certificate<sup>1</sup> of eligibility with advanced standing” means <sup>2</sup>**[a]**  
36 an instructional<sup>2</sup> certificate with lifetime validity issued by the State  
37 Board of Examiners to candidates who meet degree, academic, and  
38 test requirements for teacher certification and complete an educator  
39 preparation program.<sup>3</sup>

**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:

<sup>1</sup>Senate SED committee amendments adopted March 7, 2022.

<sup>2</sup>Assembly AED committee amendments adopted May 19, 2022.

<sup>3</sup>Assembly ABU committee amendments adopted June 27, 2022.

<sup>4</sup>Senate amendments adopted in accordance with Governor's recommendations October 17, 2022.

1 <sup>3</sup>1. a. Notwithstanding any law, rule, or regulation to the  
2 contrary, the State Board of Education shall not require a candidate  
3 for a certificate of eligibility with advanced standing or a certificate  
4 of eligibility to complete a Commissioner of Education approved  
5 performance-based assessment, including, but not limited to, the  
6 edTPA, as a condition of eligibility for a certificate of eligibility  
7 with advanced standing, a certificate of eligibility, or a standard  
8 certificate. An educator preparation program <sup>4</sup>[may] shall<sup>4</sup> require  
9 candidates to complete a performance-based assessment approved  
10 by the educator preparation program <sup>4</sup>[ . The p erformance-based  
11 assessment approved by the educator preparation program shall  
12 meet requirements set by the commissioner approved professional  
13 education accreditation body of the educator preparation program.

14 b. A certificate of eligibility with advanced standing educator  
15 preparation program, or a certificate of eligibility educator  
16 preparation program, shall not consider whether a candidate has  
17 completed a Commissioner of Education approved performance-  
18 based assessment when making a determination as to whether to  
19 recommend a candidate for certificate of eligibility with advanced  
20 standing certification or certificate of eligibility certification to the  
21 Commissioner of Education] , embedded within the educator  
22 preparation program, beginning with candidates who will complete  
23 their educator preparation program in the Spring of 2024<sup>4</sup>.

24 <sup>4</sup>[c] b<sup>4</sup>. Notwithstanding any provision of this section or of  
25 any law, rule, or regulation to the contrary, a person who earned a  
26 certificate of eligibility with advanced standing or a certificate of  
27 eligibility during the 2019-2020, 2020-2021, or 2021-2022 school  
28 years, and who was unable to complete a Commissioner of  
29 Education approved performance-based assessment due to abrupt  
30 changes in teaching placements or modalities, asynchronous virtual  
31 learning environments, school district policies, or other restrictions  
32 or disruptions caused by the COVID-19 public health emergency,  
33 shall be exempt from the requirement to complete a performance-  
34 based assessment as a condition of earning a standard certificate <sup>4</sup>,  
35 verified in a manner determined by the commissioner<sup>4</sup>.

36 <sup>4</sup>[d] c<sup>4</sup>. As used in this section:

37 “Certificate of eligibility” means an instructional certificate with  
38 lifetime validity issued by the State Board of Examiners to  
39 candidates who meet degree, academic, and applicable test  
40 requirements for teacher certification.

41 “Certificate of eligibility with advanced standing” means an  
42 instructional certificate with lifetime validity issued by the State  
43 Board of Examiners to candidates who meet degree, academic, and  
44 test requirements for teacher certification and complete an educator  
45 preparation program.

46 <sup>4</sup>“Performance-based assessment” means a multi-measure  
47 assessment process where candidates demonstrate the pedagogical

1 knowledge and skills identified in the New Jersey Professional  
2 Standards for Teachers and their content knowledge and skill in  
3 teaching to the New Jersey Learning Standards in the grade band and  
4 subject area of a certificate sought.<sup>4</sup>

5 “Standard certificate” means a permanent instructional certificate  
6 issued by the State Board of Examiners to persons who meet all  
7 instructional certificate requirements.<sup>3</sup>

8 <sup>4</sup>d. The State Board of Education shall promulgate rules and  
9 regulations pursuant to the “Administrative Procedure Act,” P.L.1968,  
10 c.410 (C.52:14B-1 et seq.) necessary to effectuate the provisions of  
11 this act.<sup>4</sup>

12

13 2. This act shall take effect immediately.

14

15

16

17

18 Prohibits State Board of Education from requiring completion of  
19 performance-based assessment as condition of eligibility for  
20 certificate of eligibility with advanced standing or certificate of  
21 eligibility.

# SENATE, No. 896

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JANUARY 27, 2022

**Sponsored by:**

**Senator SHIRLEY K. TURNER**  
**District 15 (Hunterdon and Mercer)**  
**Senator LINDA R. GREENSTEIN**  
**District 14 (Mercer and Middlesex)**

**Co-Sponsored by:**

**Senators Cunningham, Johnson, Lagana, Zwicker, A.M.Bucco, Diegnan  
and Madden**

**SYNOPSIS**

Prohibits State Board of Education from requiring completion of performance-based assessment as condition of eligibility for certificate of eligibility with advanced standing.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 3/3/2022)**

1 AN ACT concerning performance-based assessments for teacher  
2 candidates and supplementing chapter 26 of Title 18A of the  
3 New Jersey Statutes.

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

7  
8 1. a. Notwithstanding any law, rule, or regulation to the  
9 contrary, the State Board of Education shall not require a candidate  
10 for a certificate of eligibility with advanced standing to complete a  
11 Commissioner of Education approved performance-based  
12 assessment, including, but not limited to, the edTPA, as a condition  
13 of eligibility for a certificate of eligibility with advanced standing.

14 b. An educator preparation program shall not consider whether a  
15 candidate has completed a Commissioner of Education approved  
16 performance-based assessment when making a determination as to  
17 whether to recommend a candidate for certificate of eligibility with  
18 advanced standing certification to the Commissioner of Education.

19 c. As used in this section, “certificate of eligibility with  
20 advanced standing” means a certificate with lifetime validity issued  
21 by the State Board of Examiners to candidates who meet degree,  
22 academic, and test requirements for teacher certification and  
23 complete an educator preparation program.

24  
25 2. This act shall take effect immediately.

26

27

28

#### STATEMENT

29

30 Under current State Board of Education regulations, in order to  
31 be eligible to receive a certificate of eligibility with advanced  
32 standing (CEAS) a candidate must pass a Commissioner of  
33 Education approved performance-based assessment, currently the  
34 edTPA.

35 This bill provides that the State Board of Education is prohibited  
36 from requiring a candidate for a CEAS to complete a Commissioner  
37 of Education approved performance-based assessment in order to be  
38 eligible for CEAS certification. Additionally, the bill prohibits an  
39 educator preparation program from considering whether a candidate  
40 for a CEAS has completed a Commissioner of Education approved  
41 performance-based assessment when making a determination as to  
42 whether to recommend a candidate for CEAS certification.

# SENATE EDUCATION COMMITTEE

## STATEMENT TO

### **SENATE, No. 896**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MARCH 7, 2022

The Senate Education Committee favorably reports Senate Bill No. 896 with committee amendments.

As amended, this bill provides that the State Board of Education is prohibited from requiring a candidate for a certificate of eligibility with advanced standing (CEAS) or a certificate of eligibility (CE) to complete a Commissioner of Education approved performance-based assessment in order to be eligible for CEAS or CE certification. This bill requires that CEAS and CE candidates complete a performance-based assessment approved by an educator preparation program. An educator preparation program performance-based assessment will meet requirements set by the Commissioner of Education. Additionally, the bill prohibits a CEAS educator preparation program, or a CE educator preparation program, from considering whether a candidate for a CEAS or a CE has completed a Commissioner of Education approved performance-based assessment when making a determination as to whether to recommend a candidate for CEAS or CE certification.

Under current State Board of Education regulations, all CEAS and CE candidates must pass a Commissioner of Education approved performance-based assessment, currently the edTPA.

#### COMMITTEE AMENDMENTS:

The committee amended the bill to:

- expand the bill to teachers completing their certificate of eligibility; and
- require that CEAS and CE candidates complete a performance-based assessment approved by an educator preparation program. An educator preparation program assessment will meet requirements set by the Commissioner of Education.



# ASSEMBLY EDUCATION COMMITTEE

## STATEMENT TO

[First Reprint]

## SENATE, No. 896

with committee amendments

# STATE OF NEW JERSEY

DATED: MAY 19, 2022

The Assembly Education Committee reports favorably Senate Bill No. 896 (1R) with committee amendments.

As amended, this bill provides that the State Board of Education is prohibited from requiring a candidate for a certificate of eligibility with advanced standing (CEAS) or a certificate of eligibility (CE) to complete a Commissioner of Education approved performance-based assessment in order to be eligible for CEAS or CE certification. This bill permits educator preparation programs to require that CEAS and CE candidates complete a performance-based assessment. An educator preparation program performance-based assessment will meet requirements set by the commissioner approved professional education accreditation body for the educator preparation program. Additionally, the bill prohibits a CEAS educator preparation program, or a CE educator preparation program, from considering whether a candidate for a CEAS or a CE has completed a commissioner approved performance-based assessment when making a determination as to whether to recommend a candidate for CEAS or CE certification.

Under current State Board of Education regulations, all CEAS and CE candidates are required to pass a commissioner approved performance-based assessment, currently the edTPA.

As amended and reported by the committee, this bill is identical to the Assembly Committee Substitute for Assembly Bill Nos. 677 and 3562, which was also reported by the committee on this same date.

### COMMITTEE AMENDMENTS:

The committee amended the bill to permit, instead of require, educator preparation programs to require that candidates for CEAS or CE certification take a performance-based assessment. The committee also amended the bill to state that the performance-based assessment required by an educator preparation program will meet the requirements set by the Commissioner of Education-approved professional education accreditation body for the educator preparation program.

# ASSEMBLY BUDGET COMMITTEE

## STATEMENT TO

[Second Reprint]

## **SENATE, No. 896**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 27, 2022

The Assembly Budget Committee reports favorably and with committee amendments Senate Bill No. 896 (2R).

As amended, this bill provides that the State Board of Education is prohibited from requiring a candidate for a certificate of eligibility with advanced standing (CEAS) or a certificate of eligibility (CE) to complete a Commissioner of Education approved performance-based assessment in order to be eligible for CEAS, CE, or standard certification. Under current State Board of Education regulations, all CEAS and CE candidates are required to pass a commissioner approved performance-based assessment, currently the edTPA.

The bill permits educator preparation programs to require that CEAS and CE candidates complete a performance-based assessment. Under the bill, an educator preparation program performance-based assessment will meet requirements set by the commissioner approved professional education accreditation body for the educator preparation program. Additionally, the bill prohibits a CEAS educator preparation program, or a CE educator preparation program, from considering whether a candidate for a CEAS or a CE has completed a commissioner approved performance-based assessment when making a determination as to whether to recommend a candidate for CEAS or CE certification.

The bill also provides that a person who earned a CEAS or a CE during the 2019-2020, 2020-2021, or 2021-2022 school years, and who was unable to complete a Commissioner of Education approved performance-based assessment due to abrupt changes in teaching placements or modalities, asynchronous virtual learning environments, school district policies, or other restrictions or disruptions caused by the COVID-19 public health emergency, is exempt from the requirement to complete a performance-based assessment as a condition of earning a standard certificate.

As amended and reported by the committee, this bill is identical to the Assembly Committee Substitute for Assembly Bill Nos. 677 and 3562, which was also amended and reported by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to clarify that the State Board of Education is prohibited from requiring a candidate for a certificate of eligibility with advanced standing (CEAS) or a certificate of eligibility (CE) to complete a Commissioner of Education approved performance-based assessment in order to be eligible for standard certification, in addition to CEAS or CE certification.

The committee amendments also provide that a person who earned a CEAS or a CE during the 2019-2020, 2020-2021, or 2021-2022 school years, and who was unable to complete a Commissioner of Education approved performance-based assessment due to abrupt changes in teaching placements or modalities, asynchronous virtual learning environments, school district policies, or other restrictions or disruptions caused by the COVID-19 public health emergency, is exempt from the requirement to complete a performance-based assessment as a condition of earning a standard certificate.

Finally, the committee amendments define “standard certificate” to mean a permanent instructional certificate issued by the State Board of Examiners to persons who meet all instructional certificate requirements.

**ASSEMBLY, No. 677**

---

**STATE OF NEW JERSEY**

**220th LEGISLATURE**

---

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

**Sponsored by:**

**Assemblyman ANTHONY S. VERRELLI**

**District 15 (Hunterdon and Mercer)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**Co-Sponsored by:**

**Assemblyman DeAngelo, Assemblywomen McKnight, Swain, Assemblymen Tully, Schaer, Assemblywomen Haider, Jasey, Assemblymen DePhillips, Danielsen, Calabrese, Assemblywoman Park, Assemblymen Bergen, Thomson, Assemblywomen Matsikoudis, Jaffer, Assemblyman Moriarty, Assemblywomen McCarthy Patrick, Mosquera, Sawyer, Assemblyman Karabinchak, Assemblywoman Murphy, Assemblymen DiMaio, Conaway, Clifton, Assemblywoman Carter, Assemblymen Umba, Mejia, Rumpf, Assemblywomen Gove, Eulner, Piperno, Assemblymen Sampson, Guardian, Assemblywomen Swift, Jimenez, Lopez, Assemblyman Wimberly and Assemblywoman Dunn**

**SYNOPSIS**

Prohibits State Board of Education from requiring completion of performance-based assessment as condition of eligibility for certificate of eligibility with advanced standing.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.

(Sponsorship Updated As Of: 5/19/2022)

1 AN ACT concerning performance-based assessments for teacher  
2 candidates and supplementing chapter 26 of Title 18A of the  
3 New Jersey Statutes.  
4

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

8 1. a. Notwithstanding any law, rule, or regulation to the  
9 contrary, the State Board of Education shall not require a candidate  
10 for a certificate of eligibility with advanced standing to complete a  
11 Commissioner of Education approved performance-based  
12 assessment, including, but not limited to, the edTPA, as a condition  
13 of eligibility for a certificate of eligibility with advanced standing.

14 b. An educator preparation program shall not consider whether a  
15 candidate has completed a Commissioner of Education approved  
16 performance-based assessment when making a determination as to  
17 whether to recommend a candidate for certificate of eligibility with  
18 advanced standing certification to the Commissioner of Education.

19 c. As used in this section, “certificate of eligibility with  
20 advanced standing” means a certificate with lifetime validity issued  
21 by the State Board of Examiners to candidates who meet degree,  
22 academic, and test requirements for teacher certification and  
23 complete an educator preparation program.  
24

25 2. This act shall take effect immediately.  
26  
27

28 STATEMENT  
29

30 Under current State Board of Education regulations, in order to  
31 be eligible to receive a certificate of eligibility with advanced  
32 standing (CEAS) a candidate must pass a Commissioner of  
33 Education approved performance-based assessment, currently the  
34 edTPA.

35 This bill provides that the State Board of Education is prohibited  
36 from requiring a candidate for a CEAS to complete a Commissioner  
37 of Education approved performance-based assessment in order to be  
38 eligible for CEAS certification. Additionally, the bill prohibits an  
39 educator preparation program from considering whether a candidate  
40 for a CEAS has completed a Commissioner of Education approved  
41 performance-based assessment when making a determination as to  
42 whether to recommend a candidate for CEAS certification.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR  
**ASSEMBLY, Nos. 677 and 3562**

**STATE OF NEW JERSEY**

DATED: MAY 19, 2022

The Assembly Education Committee reports favorably Assembly Committee Substitute for Assembly Bill Nos. 677 and 3562.

This committee substitute provides that the State Board of Education is prohibited from requiring a candidate for a certificate of eligibility with advanced standing (CEAS) or a certificate of eligibility (CE) to complete a Commissioner of Education approved performance-based assessment in order to be eligible for CEAS or CE certification. This bill permits educator preparation programs to require that CEAS and CE candidates complete a performance-based assessment. An educator preparation program performance-based assessment will meet requirements set by the commissioner approved professional education accreditation body for the educator preparation program. Additionally, the bill prohibits a CEAS educator preparation program, or a CE educator preparation program, from considering whether a candidate for a CEAS or a CE has completed a commissioner approved performance-based assessment when making a determination as to whether to recommend a candidate for CEAS or CE certification.

Under current State Board of Education regulations, all CEAS and CE candidates are required to pass a commissioner approved performance-based assessment, currently the edTPA.

As reported by the committee, this bill is identical to Senate Bill No. 896 (1R), which was amended and also reported by the committee on this same date.

# ASSEMBLY BUDGET COMMITTEE

## STATEMENT TO

### ASSEMBLY COMMITTEE SUBSTITUTE FOR **ASSEMBLY, Nos. 677 and 3562**

with committee amendments

# STATE OF NEW JERSEY

DATED: JUNE 27, 2022

The Assembly Budget Committee reports favorably and with committee amendments Assembly Committee Substitute for Assembly Nos. 677 and 3562.

As amended, this bill provides that the State Board of Education is prohibited from requiring a candidate for a certificate of eligibility with advanced standing (CEAS) or a certificate of eligibility (CE) to complete a Commissioner of Education approved performance-based assessment in order to be eligible for CEAS, CE, or standard certification. Under current State Board of Education regulations, all CEAS and CE candidates are required to pass a commissioner approved performance-based assessment, currently the edTPA.

The bill permits educator preparation programs to require that CEAS and CE candidates complete a performance-based assessment. Under the bill, an educator preparation program performance-based assessment will meet requirements set by the commissioner approved professional education accreditation body for the educator preparation program. Additionally, the bill prohibits a CEAS educator preparation program, or a CE educator preparation program, from considering whether a candidate for a CEAS or a CE has completed a commissioner approved performance-based assessment when making a determination as to whether to recommend a candidate for CEAS or CE certification.

The bill also provides that a person who earned a CEAS or a CE during the 2019-2020, 2020-2021, or 2021-2022 school years, and who was unable to complete a Commissioner of Education approved performance-based assessment due to abrupt changes in teaching placements or modalities, asynchronous virtual learning environments, school district policies, or other restrictions or disruptions caused by the COVID-19 public health emergency, is exempt from the requirement to complete a performance-based assessment as a condition of earning a standard certificate.

As amended and reported by the committee, this bill is identical to the Senate Bill No. 896 (2R), which was also amended and reported by the committee on this same date.

# ASSEMBLY, No. 3562

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MARCH 10, 2022

**Sponsored by:**

**Assemblywoman MILA M. JASEY**

**District 27 (Essex and Morris)**

**Assemblyman RALPH R. CAPUTO**

**District 28 (Essex)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**SYNOPSIS**

Prohibits State Board of Education requirements concerning completion of performance based assessment for certain teacher certificates.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 3/17/2022)



1 AN ACT concerning teacher certification and supplementing chapter  
2 26 of 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. (1) Notwithstanding any law, rule, or regulation to the  
8 contrary, the State Board of Education shall not require completion  
9 of a commissioner-approved performance based assessment as a  
10 condition of eligibility for a certificate of eligibility with advanced  
11 standing.

12 (2) A certificate of eligibility with advanced standing educator  
13 preparation program shall not consider whether a candidate has  
14 completed a commissioner-approved performance based assessment  
15 when determining whether to recommend a candidate for a  
16 certificate of eligibility with advanced standing to the  
17 commissioner.

18 b. (1) Notwithstanding any law, rule, or regulation to the  
19 contrary, the State board shall not require completion of a  
20 commissioner-approved performance based assessment as a  
21 condition of eligibility for a standard certificate for candidates who  
22 hold a certificate of eligibility.

23 (2) Notwithstanding any law, rule, or regulation to the contrary,  
24 the State Board of Education shall not require completion of a  
25 commissioner-approved performance based assessment as a  
26 condition of completing a certificate of eligibility educator  
27 preparation program.

28 c. As used in this section,

29 “Certificate of eligibility” means a certificate with lifetime  
30 validity issued by the State Board of Examiners to candidates who  
31 meet degree, academic, and applicable test requirements for teacher  
32 certification.

33 “Certificate of eligibility with advanced standing” means a  
34 certificate with lifetime validity issued by the State Board of  
35 Examiners to candidates who meet degree, academic, and test  
36 requirements for teacher certification and complete an educator  
37 preparation program.

38 “Commissioner” means the Commissioner of Education.

39 “Performance based assessment” means a formal assessment of a  
40 teacher candidate’s or provisional teacher’s preparedness to plan  
41 instruction and assessment, instruct and engage students, and  
42 evaluate student learning, including, but not limited to, the edTPA.

43

44 2. This act shall take effect immediately.

45

46

47

STATEMENT

48

49 This bill provides that the State Board of Education is prohibited

1 from requiring a candidate for a certificate of eligibility with  
2 advanced standing (CEAS) to complete a Commissioner of  
3 Education-approved performance based assessment as a condition  
4 of eligibility for the CEAS. The bill also prohibits a CEAS  
5 educator preparation program from considering whether a candidate  
6 for a CEAS has completed a commissioner-approved performance  
7 based assessment when determining whether to recommend a  
8 candidate for CEAS certification.

9 The bill prohibits the State board from requiring a candidate for  
10 a standard certificate who possess a certificate of eligibility (CE) to  
11 complete a commissioner-approved performance based assessment  
12 as a condition of eligibility for the standard certificate. The bill  
13 also prohibits the State board from requiring completion of a  
14 commissioner-approved performance based assessment as a  
15 condition of completing a CE educator preparation program.

16 Currently, the State uses the edTPA for purposes of  
17 implementing various requirements to complete a commissioner-  
18 approved performance based assessment established under  
19 regulations promulgated by the State board. This bill defines  
20 “performance based assessment” as a formal assessment of a  
21 teacher candidate’s or provisional teacher’s preparedness to plan  
22 instruction and assessment, instruct and engage students, and  
23 evaluate student learning, including, but not limited to, the edTPA.

**SENATE BILL NO. 896**  
(Third Reprint)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 896 (Third Reprint) with my recommendations for reconsideration.

Senate Bill No. 896 (Third Reprint) would prohibit the State Board of Education from requiring completion of a Commissioner of Education approved performance-based assessment, including, but not limited to, the educative Teacher Performance Assessment ("edTPA"), as a condition of eligibility for a certificate of eligibility with advanced standing, certificate of eligibility, or standard certificate. The bill further makes it permissive for educator preparation programs ("EPPs") to require candidates to complete a performance-based assessment, but also states that these EPPs may not consider whether a candidate has completed a Commissioner of Education approved performance-based assessment when making a determination as to whether to recommend a candidate to the Commissioner of Education for certification.

Under current State Board of Education regulations, in order to be eligible to receive a certificate of eligibility or certificate of eligibility with advanced standing, a teaching candidate must pass a Commissioner of Education approved performance-based assessment, currently the edTPA. The test, which is designed to assess whether prospective educators have the skills to teach, has been cited by many stakeholders as being a poor measure of teacher quality and thus needlessly standing in the way of getting more teachers in the classroom.

I applaud the sponsors for attempting to address perceived barriers to the teaching profession, particularly as we combat a nationwide teacher shortage. I also share their specific concerns about the edTPA assessment, which a number of states have moved

away from using in recent years. However, efforts to facilitate the certification of prospective educators must not come at the expense of teacher quality. The high caliber of New Jersey's teachers is one of the primary reasons why New Jersey's school system is consistently ranked as one of the best in the nation.

Performance-based assessments require teacher candidates to demonstrate their pedagogical skills and ability to teach students and are an important indicator of classroom readiness. EPPs have historically required pre-service teachers to meet specific teaching standards through performance-based assessments and evaluations during student teaching. A performance-based assessment aligned to New Jersey's Professional Standards for Teachers ensures teacher preparation reaches beyond theory, and through practice, as pre-service teachers are required to demonstrate their pedagogical skills with students in a real classroom setting.

Given the value of performance-based assessments, I cannot support making them an optional component of the teaching certification process. However, I believe the process can be improved by transferring the authority to select performance-based assessments from the Commissioner of Education to the EPPs themselves. EPPs know their candidates best and are best positioned to select or create the most appropriate performance-based assessment for candidates in their programs.

I am therefore recommending amendments to maintain these assessments within the EPPs, with the requirement beginning for teaching candidates who complete their EPP in the Spring of 2024. This is very similar to the approach taken in New York this past spring, where the State Board of Regents eliminated the edTPA requirement for certification and instead required that EPPs integrate a teacher performance assessment into their programs. My amendments also define performance-based assessment in a way

that is similar to the definition used by the New York State Board of Regents.

Importantly, my recommendations retain the language eliminating the State Board of Education's ability to require candidates to complete a Commissioner of Education approved performance-based assessment, including the edTPA, as a condition of certification. This means that the State's current edTPA requirement will be eliminated as soon as the Legislature concurs with my recommended changes, and I am able to sign the revised bill into law. I am hopeful that the Legislature will act swiftly. I am also appreciative of the many stakeholders in the education field that engaged in a number of discussions with my staff over the past few months, and I am confident that because of this collaborative engagement, my recommended changes represent a reasonable and practical path forward.

Therefore, I herewith return Senate Bill No. 896 (Third Reprint) and recommend that it be amended as follows:

- |                                       |  |
|---------------------------------------|--|
| <u>Page 3, Section 1, Line 5:</u>     | Delete "may" and insert "shall"  |
| <u>Page 3, Section 1, Line 7:</u>     | After "program" insert ", embedded within the educator preparation program, beginning with candidates who will complete their educator preparation program in the Spring of 2024"  |
| <u>Page 3, Section 1, Line 7:</u>     | Delete "The performance-based"   |
| <u>Page 3, Section 1, Lines 8-18:</u> | Delete in their entirety   |
| <u>Page 3, Section 1, Line 19:</u>    | Delete "c." and insert "b."  |
| <u>Page 3, Section 1, Line 29:</u>    | After "certificate" insert ", verified in a manner determined by the Commissioner"   |
| <u>Page 3, Section 1, Line 30:</u>    | Delete "d." and insert "c."  |
| <u>Page 3, Section 1, Line 39:</u>    | After "program." insert "'Performance-based assessment' means a multi-measure assessment process where candidates demonstrate the pedagogical knowledge and skills identified in the New Jersey Professional Standards for Teachers and their content" |

knowledge and skill in teaching to the New Jersey Learning Standards in the grade band and subject area of a certificate sought."

Page 3, Section 1, Line 42:

After "requirements." insert "d. The State Board of Education shall promulgate rules and regulations pursuant to the 'Administrative Procedure Act,' P.L.1968, c.410 (C.52:14B-1 et seq.) necessary to effectuate the provisions of this act."

[seal]

Respectfully,

/s/ Philip D. Murphy

Governor

Attest:

/s/ Kate McDonnell

Senior Deputy Chief Counsel to the Governor

# This Week in NJ - December 16, 2022

12/16/2022



## Governor Murphy Announces More Than \$24 Million to Expand Access to Public Transportation and Spur Transit-Oriented Development

Governor Phil Murphy announced critical funding to expand access to safe transportation and enhance areas around public transit facilities across the state. The awards total more than \$24 million across three programs as part of Governor Murphy's Fiscal Year 2023 budget. Funding for the Local Aid and Economic Development Grants line-item increased by nearly 50% over the last fiscal year, representing the Murphy Administration's commitment to a wide range of transportation options and smart, transit-oriented development.

The Safe Streets to Transit Program will provide \$13.4 million in funding to improve access to transit facilities and public transportation in counties and municipalities, including Dover, which will utilize its nearly \$800,000 award to improve traffic signals that will help protect pedestrians and school children. Additionally, the Local Bikeway Program will provide \$8.4 million to promote bicycling as an alternate mode of transportation, while the Transit Village Program will provide \$2.9 million toward the revitalization and redevelopment of areas around transit facilities into mixed-use neighborhoods.

"In order to maximize the impact of our considerable public transportation upgrades, we must ensure that our transit facilities are linked not just to economically thriving neighborhoods, but to streets that bring our community members to their destination reliably and efficiently," **said Governor Murphy**. "For many New Jerseyans, commutes or daily travels do not begin and end at the train station. That's why my Administration is doubling down on its efforts to promote active transportation alternatives and ensure that – whether you're a pedestrian or cyclist – you can safely and affordably access our nation-leading public transportation network."

[READ MORE](#)

## Murphy Administration Highlights Public Health Preparedness for Winter Months

With multiple respiratory viruses currently circulating throughout the state, the Murphy Administration continues to monitor the situation and support New Jersey's public health system as the winter months approach. Residents are encouraged to take the necessary precautions to keep themselves and their loved ones healthy in advance of many upcoming holiday gatherings.

"My Administration remains vigilant in monitoring the viruses currently circulating here in New Jersey and will continue to offer support to our hospitals and health care providers as necessary," **said Governor Phil Murphy**. "The data and tools now available to us and the ongoing investments we are making in our public health infrastructure have better prepared us to address the public health needs of our state. Particularly as we enter the winter months and holiday gatherings take place over the next few weeks, I encourage residents to help keep themselves and their communities safe by taking simple precautions of their own, from getting vaccinated to staying home if they are sick."

"The lessons we learned and the tools we developed during the past two-plus years of the COVID-19 pandemic, including improved surveillance mechanisms, have prepared us operationally in responding to this season's uptick in respiratory viruses sending many of our residents to emergency departments across the state," **said New Jersey Department of Health Commissioner Judith Persichilli**. "Being proactive in staying healthy is a collective effort and we all need to play our part to avoid a surge that could strain our health care system early in the new year."

[READ MORE](#)



## Governor Murphy Signs Legislation Addressing Teacher Shortage by Eliminating the edTPA Requirement

Governor Phil Murphy signed S896 w/GR into law, which prohibits the State Board of Education from requiring the completion of the Educative Teacher Performance Assessment ("edTPA") as a condition of eligibility for a certificate of eligibility with advanced standing ("CEAS") or certificate of eligibility ("CE"). The Legislature unanimously concurred with the Governor's conditional veto of an earlier version of the legislation that prohibited consideration of any Commissioner of Education approved performance-based assessment as a factor in determining whether to recommend a candidate for a CEAS or CE. The Governor recommended changes necessary to maintain the elimination of the State's current requirement that educator candidates pass the edTPA test, and instead moved the responsibility for administering a performance-based assessment to the educator preparation programs ("EPP"), which are best-positioned to select or create the most appropriate assessment for their candidates.

"As we face a national teacher shortage, we must work to establish effective and efficient solutions to grow this critical workforce on behalf of New Jersey's students," **said Governor Murphy**. "By eliminating edTPA, we will streamline a process that has previously acted as a barrier in the transition between sitting in a classroom and leading a classroom. In New Jersey we recognize that teaching is not only a career, but a calling. I am proud to sign legislation that empowers educator prep programs to appropriately assess their candidates, which will ensure that New Jersey continues to produce the nation's best educators."

[READ MORE](#)





## Governor Murphy & Commissioner Persichilli Urge Parents to Heed Updated CDC Recommendations on Omicron-Targeting Covid Vaccinations for Young Children

Following the recent recommendation made by the federal Centers for Disease Control and Prevention (CDC), children ages six months through five years are now eligible to receive a COVID-19 bivalent vaccine. This updated version of the COVID-19 vaccine offers stronger protections from Omicron, including its BA.4 and BA.5 subvariants.

Under this expanded use of updated COVID-19 vaccines, children ages six months through five years who previously completed a Moderna primary series are eligible to receive a Moderna bivalent booster at least two months after their final primary series dose. Children ages six months through four years who are currently completing a Pfizer primary series will receive a Pfizer bivalent vaccine as their third primary dose.

Everyone ages 6 months and older can be vaccinated for free at sites across New Jersey, regardless of insurance or their immigration status. Parents and caregivers can find locations offering COVID-19 vaccines and boosters, including the bivalent booster for this new age group, on the COVID-19 Vaccine Finder and Community Calendar at [covid19.nj.gov](https://covid19.nj.gov).

"Vaccines remain one of the strongest tools in our toolbox when it comes to defending against severe illness due to COVID-19," said **Governor Phil Murphy**. "The expanded eligibility for the bivalent vaccine means even more of our residents can now receive updated protection against this virus. I encourage parents and guardians to make an appointment for their child to get boosted if they are eligible – or receive the primary series if they have not yet – to help keep their family healthy as we head into the new year."

"As we approach the upcoming winter holidays when travel and gatherings are commonplace, getting the updated bivalent vaccine and getting boosted will give New Jersey residents and their children additional protection against highly transmissible subvariants of Omicron," said **Health Commissioner Judith Persichilli**. "Immunity wanes over time, which is why we encourage everyone to get boosted and keep COVID-19 out of their holiday plans."

[READ MORE](#)



## Attorney General Platkin Appoints Sundeep Iyer as Director of the New Jersey Division on Civil Rights

Attorney General Matthew J. Platkin announced that he has appointed Sundeep Iyer to serve as the Director of the New Jersey Division on Civil Rights, the state agency charged with protecting the civil rights of all New Jersey residents. As required by statute, the appointment was also approved by Governor Phil Murphy and the New Jersey Commission on Civil Rights. Sundeep will begin his new role on January 3, 2023.

"I am thrilled that Sundeep Iyer has been appointed to lead the New Jersey Division on Civil Rights," said **Governor Murphy**. "Sundeep is a brilliant attorney who has used his considerable talents to champion the cause of equal justice, including by working as a special attorney for the prosecution in the trial for George Floyd's murder. I know Sundeep will fight tirelessly to safeguard the rights of all New Jersey residents, and I thank Attorney General Platkin for this outstanding appointment."

"Enforcing New Jersey's powerful civil rights laws is a top priority for me and the Murphy Administration. As the rate of bias incidents rises across our state and our country, and as we confront systemic inequalities like housing discrimination that plague our society, we must continue to work tirelessly to protect the civil rights of every person in New Jersey," said **Attorney General Platkin**. "That is why, with Governor Murphy's support, I am proud to appoint Sundeep as the next Director of the Division on Civil Rights. Sundeep has an extraordinary commitment to equality and social justice, and he has the vision and skills necessary to lead the Division as we work to protect the civil rights of our residents."



"I am humbled by the opportunity to serve as the next Director of the Division on Civil Rights, and I thank Governor Murphy and Attorney General Platkin for entrusting me with this role," **said Sundeep Iyer, incoming Director of the New Jersey Division on Civil Rights.** "This is a critical time for civil rights in New Jersey, and I look forward to working with the dedicated public servants in the Division to enforce our State's civil rights laws and ensure that no New Jersey resident faces discrimination in our State."

[READ MORE](#)

---

# Governor Murphy Signs Legislation Addressing Teacher Shortage by Eliminating the edTPA Requirement

12/16/2022

**TRENTON** – Governor Phil Murphy today signed S896 w/GR into law, which prohibits the State Board of Education from requiring the completion of the Educative Teacher Performance Assessment (“edTPA”) as a condition of eligibility for a certificate of eligibility with advanced standing (“CEAS”) or certificate of eligibility (“CE”). The Legislature unanimously concurred with the Governor’s conditional veto of an earlier version of the legislation that prohibited consideration of any Commissioner of Education approved performance-based assessment as a factor in determining whether to recommend a candidate for a CEAS or CE. The Governor recommended changes necessary to maintain the elimination of the State’s current requirement that educator candidates pass the edTPA test, and instead moved the responsibility for administering a performance-based assessment to the educator preparation programs (“EPP”), which are best-positioned to select or create the most appropriate assessment for their candidates.

“As we face a national teacher shortage, we must work to establish effective and efficient solutions to grow this critical workforce on behalf of New Jersey’s students,” **said Governor Murphy**. “By eliminating edTPA, we will streamline a process that has previously acted as a barrier in the transition between sitting in a classroom and leading a classroom. In New Jersey we recognize that teaching is not only a career, but a calling. I am proud to sign legislation that empowers educator prep programs to appropriately assess their candidates, which will ensure that New Jersey continues to produce the nation’s best educators.”

The legislation signed today eliminates the State Board of Education’s ability to require candidates to complete a Commissioner of Education approved performance-based assessment, including the edTPA, as a condition of certification. Rather, under the legislation signed today, CEAS and CE candidates will be required to complete performance-based assessments as part of their EPP, beginning with teaching candidates who complete their EPP in the spring of 2024.

“In the midst of a teacher shortage, we should assist teaching candidates rather than further obstruct their opportunity to teach in a classroom,” **said Senator Shirley K Turner**. “The edTPA assessment has been a hindrance to the progression of current and prospective educators. It is a costly, unnecessary, and unreliable exam that has complicated the accreditation process for teaching candidates. Eradicating this burdensome assessment is a step in the right direction to make New Jersey a more equitable state.”

“When fighting a national teacher shortage, we must find ways to recruit and hire more, qualified educators quickly,” **said Assemblyman Anthony Verrelli**. “With this bill, we remove another barrier to teaching for those who want to work with the next generation of students.”

“Recent years have presented our schools with many significant challenges, including a national teacher shortage. Our students deserve the best education possible, and to deliver that we must have a fully staffed teacher workforce,” **said Assemblywoman Mila Jasey**. “At our meeting of the Joint Committee on the Public Schools addressing the teacher shortage, the EdTPA was repeatedly identified as a contributor to the shortage. I am gratified we are eliminating this expensive test which does nothing to predict classroom success.”

“This is a win for students and educators in New Jersey,” **said NJEA President Sean M. Spiller**. “EdTPA was an unnecessary Christie-era holdover that was keeping highly qualified educators out of New Jersey classrooms at a time when they are more needed than ever. We are glad that our future educators will now be able to focus their time and energy on developing and practicing the real-world skills that will bring them success in their future classrooms so that our public schools can remain the very best in America.”

“NJPSA applauds Governor Murphy and the State Legislature for recognizing that edTPA is no longer necessary and that the real-world experiences of student teaching serve aspiring teachers more,” **said Karen Bingert, Executive Director of the New Jersey Principals and Supervisors Association**. “This shift both benefits teaching candidates both financially and professionally empowers teaching interns to focus on developing their skills in the classroom, working with students, and

learning from their mentors.”

“School leaders are grateful for the support of the Governor to place assessment of prospective teachers within their preparation program,” **said Dr. Richard G. Bozza, Executive Director of NJ Association of School Administrators.** “This action eliminates one hurdle to recruiting and retaining new teachers in New Jersey school districts and integrates candidates’ performance assessment within their preparation programs.”

“At a time when districts across New Jersey are facing an unprecedented teacher shortage, the Council of County Vocational-Technical Schools applauds the Legislature and the Governor’s action to eliminate the edTPA assessment as a requirement for teacher certification,” **said NJ Council of County Vocational-Technical Schools Executive Director Jackie Burke.** “The removal of this costly and unnecessary burden will allow our schools to attract more candidates into the teaching profession.”

“The New Jersey Association of Colleges for Teacher Education (NJACTE) applauds the Governor for his signature today on this important bill and his commitment and that of the Senate and Assembly to the teaching profession,” **said Stacey Leftwich, President of the New Jersey Association of Colleges for Teacher Education.** “As New Jersey continues to combat a growing teacher shortage, this new law will ensure that our members can meet the demand of preparing the teachers of tomorrow.”