

18A:26-2a

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2005 **CHAPTER:** 144

NJSA: 18A:26-2a (Establishes date of initial employment as effective date of provisional teaching certificate)

BILL NO: A3991 (Substituted for S2608)

SPONSOR(S): Sires and others

DATE INTRODUCED: May 2, 2005

COMMITTEE: **ASSEMBLY:** Education
SENATE: Education

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** May 16, 2005

SENATE: June 27, 2005

DATE OF APPROVAL: July 7, 2005

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (Original version of bill enacted)

A3991

[SPONSOR'S STATEMENT](#): (Begins on page 3 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** [Yes](#)

SENATE: [Yes](#)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S2608

[SPONSOR'S STATEMENT](#): (Begins on page 3 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: [Yes](#)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

IS 7/27/07

P.L. 2005, CHAPTER 144, *approved July 7, 2005*
Assembly, No. 3991

1 **AN ACT** concerning the employment of teaching staff members and
2 supplementing chapters 26 and 27 of Title 18A of the New Jersey
3 Statutes.

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

7
8 1. a. As used in this section:

9 "Certificate of eligibility" means a certificate with lifetime validity
10 issued by the State Board of Examiners to candidates who meet
11 degree, academic, and applicable test requirements for teacher
12 certification;

13 "Certificate of eligibility with advanced standing" means a
14 certificate with lifetime validity issued by the State Board of
15 Examiners to candidates who meet degree, academic and test
16 requirements for teacher certification and complete a State-approved
17 college professional education preparation program;

18 "Novice teacher" means any teacher working under a valid
19 certificate of eligibility, certificate of eligibility with advanced
20 standing, or provisional certificate who has not yet been issued a
21 standard instructional certificate;

22 "Provisional certificate" means a certificate issued by the State
23 Board of Examiners to candidates who hold either a certificate of
24 eligibility or a certificate of eligibility with advanced standing and are
25 employed as part of a State-approved district training program or
26 residency leading to standard certification;

27 "Provisional teacher program" means the school-based training and
28 evaluation program provided to all novice teachers during the first
29 year of teaching in the State;

30 "Standard instructional certificate" means a permanent certificate
31 issued to a person who has met all teacher certification requirements.

32 b. A board of education may employ a person who holds a valid
33 certificate of eligibility or certificate of eligibility with advanced
34 standing to teach as a novice teacher in the public schools of the
35 district. Upon the employment of a novice teacher, the board of
36 education shall immediately register the employment with the
37 Department of Education and request issuance of a provisional
38 certificate. When the provisional certificate is issued by the
39 department, its effective date for all purposes shall be the date on
40 which the novice teacher began employment with the board of
41 education. The board of education shall also enroll the novice teacher
42 in the provisional teacher program and comply with all responsibilities

1 assigned to the district by the department.

2

3 2. a. As used in this section:

4 "Certificate of eligibility" means a certificate with lifetime validity
5 issued by the State Board of Examiners to candidates who meet
6 degree, academic, and applicable test requirements for teacher
7 certification;

8 "Certificate of eligibility with advanced standing" means a
9 certificate with lifetime validity issued by the State Board of
10 Examiners to candidates who meet degree, academic and test
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12 college professional education preparation program;

13 "Novice teacher" means any teacher working under a valid
14 certificate of eligibility, certificate of eligibility with advanced
15 standing, or provisional certificate who has not yet been issued a
16 standard instructional certificate;

17 "Provisional certificate" means a certificate issued by the State
18 Board of Examiners to candidates who hold either a certificate of
19 eligibility or a certificate of eligibility with advanced standing and are
20 employed as part of a State-approved district training program or
21 residency leading to standard certification.

22 b. A novice teacher employed by a board of education under a
23 valid certificate of eligibility, certificate of eligibility with advanced
24 standing, or a provisional certificate shall be deemed to be a teaching
25 staff member for all purposes and shall be entitled to all benefits and
26 other emoluments of employment provided by law and regulation to
27 teaching staff members. A novice teacher shall also receive the terms
28 and conditions of employment provided to teaching staff members in
29 the employing district under the collective bargaining agreement
30 including, but not limited to, salary, sick leave, and health insurance
31 benefits.

32

33 3. This act shall take effect immediately and shall apply to all
34 novice teachers employed on or after July 1, 2004.

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36

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STATEMENT

38

39 The purpose of this bill is to remedy problems which have arisen as
40 the result of delays by the Department of Education in processing
41 applications for the issuance of provisional certificates to holders of
42 valid certificates of eligibility and certificates of eligibility with
43 advanced standing who have been hired to teach by boards of
44 education throughout the State of New Jersey.

45 Under State Board of Education regulations at N.J.A.C.6A:9-
46 6.4(c), the holder of a certificate of eligibility or certificate of

1 eligibility with advanced standing is not permitted to assume
2 responsibility for a teaching assignment until that person has been
3 issued a provisional certificate. The Department of Education,
4 however, will not issue a provisional certificate to the holder of a
5 certificate of eligibility or certificate of eligibility with advanced
6 standing until the person has been offered and accepted a position of
7 employment, and places the burden on the school district to register
8 that employment with the department and request issuance of the
9 provisional certificate to the novice teacher. The recent
10 implementation of a new computerized system for the processing of
11 these applications has caused excessive and unreasonable delays in the
12 processing of the applications and the issuance of the provisional
13 certificates. This, in turn, has resulted in the need to have these novice
14 teachers serve merely as substitute teachers with the attendant
15 limitations and reduced levels of compensation.

16 This bill authorizes a school district to employ a person who holds
17 a valid certificate of eligibility or certificate of eligibility with advanced
18 standing to teach in the public schools of the district as a novice
19 teacher. Upon the employment of the novice teacher, the board of
20 education of the district would be required to immediately register that
21 employment with the Department of Education and request issuance
22 of a provisional certificate. When the provisional certificate is issued
23 by the department, its effective date for all purposes will be the date
24 on which the novice teacher began employment with the board of
25 education. The board of education is required to enroll the novice
26 teacher in the provisional teacher program and to comply with all
27 responsibilities assigned to the district by the department.

28 The bill also provides that a novice teacher employed by a board of
29 education under a valid certificate of eligibility, certificate of eligibility
30 with advanced standing, or a provisional certificate will be deemed to
31 be a teaching staff member for all purposes and will be entitled to all
32 benefits and other emoluments of employment provided by law and
33 regulation to teaching staff members. A novice teacher will also
34 receive the terms and conditions of employment provided to teaching
35 staff members in the employing district under the collective bargaining
36 agreement, including salary, sick leave, and health insurance.

37 This bill will apply retroactively to novice teachers who accepted
38 employment with a school district on or after July 1, 2004, so that they
39 will receive all of the benefits of employment to which other teaching
40 staff members are entitled by statutory and contractual law.

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43

44 Establishes date of initial employment with board of education as
45 effective date of provisional teaching certificate and provides that
46 novice teacher will be a teaching staff member for all purposes.

ASSEMBLY, No. 3991

STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED MAY 2, 2005

Sponsored by:

Assemblyman ALBIO SIRES

District 33 (Hudson)

Assemblyman JOSEPH J. ROBERTS, JR.

District 5 (Camden and Gloucester)

Assemblywoman BONNIE WATSON COLEMAN

District 15 (Mercer)

Assemblywoman JOAN VOSS

District 38 (Bergen)

Assemblyman DOUGLAS H. FISHER

District 3 (Salem, Cumberland and Gloucester)

Assemblyman JEFF VAN DREW

District 1 (Cape May, Atlantic and Cumberland)

Assemblyman UPENDRA J. CHIVUKULA

District 17 (Middlesex and Somerset)

Assemblyman CRAIG A. STANLEY

District 28 (Essex)

Assemblyman JOSEPH R. MALONE, III

District 30 (Burlington, Mercer, Monmouth and Ocean)

Co-Sponsored by:

Assemblyman Gordon, Assemblywoman Previte, Senators Turner, Martin and Asselta

SYNOPSIS

Establishes date of initial employment with board of education as effective date of provisional teaching certificate and provides that novice teacher will be a teaching staff member for all purposes.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 6/28/2005)

A3991 SIRES, ROBERTS

2

1 AN ACT concerning the employment of teaching staff members and
2 supplementing chapters 26 and 27 of Title 18A of the New Jersey
3 Statutes.

4

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

7

8 1. a. As used in this section:

9 "Certificate of eligibility" means a certificate with lifetime validity
10 issued by the State Board of Examiners to candidates who meet
11 degree, academic, and applicable test requirements for teacher
12 certification;

13 "Certificate of eligibility with advanced standing" means a
14 certificate with lifetime validity issued by the State Board of
15 Examiners to candidates who meet degree, academic and test
16 requirements for teacher certification and complete a State-approved
17 college professional education preparation program;

18 "Novice teacher" means any teacher working under a valid
19 certificate of eligibility, certificate of eligibility with advanced
20 standing, or provisional certificate who has not yet been issued a
21 standard instructional certificate;

22 "Provisional certificate" means a certificate issued by the State
23 Board of Examiners to candidates who hold either a certificate of
24 eligibility or a certificate of eligibility with advanced standing and are
25 employed as part of a State-approved district training program or
26 residency leading to standard certification;

27 "Provisional teacher program" means the school-based training and
28 evaluation program provided to all novice teachers during the first
29 year of teaching in the State;

30 "Standard instructional certificate" means a permanent certificate
31 issued to a person who has met all teacher certification requirements.

32 b. A board of education may employ a person who holds a valid
33 certificate of eligibility or certificate of eligibility with advanced
34 standing to teach as a novice teacher in the public schools of the
35 district. Upon the employment of a novice teacher, the board of
36 education shall immediately register the employment with the
37 Department of Education and request issuance of a provisional
38 certificate. When the provisional certificate is issued by the
39 department, its effective date for all purposes shall be the date on
40 which the novice teacher began employment with the board of
41 education. The board of education shall also enroll the novice teacher
42 in the provisional teacher program and comply with all responsibilities
43 assigned to the district by the department.

44

45 2. a. As used in this section:

1 "Certificate of eligibility" means a certificate with lifetime validity
2 issued by the State Board of Examiners to candidates who meet
3 degree, academic, and applicable test requirements for teacher
4 certification;

5 "Certificate of eligibility with advanced standing" means a
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15 Board of Examiners to candidates who hold either a certificate of
16 eligibility or a certificate of eligibility with advanced standing and are
17 employed as part of a State-approved district training program or
18 residency leading to standard certification.

19 b. A novice teacher employed by a board of education under a
20 valid certificate of eligibility, certificate of eligibility with advanced
21 standing, or a provisional certificate shall be deemed to be a teaching
22 staff member for all purposes and shall be entitled to all benefits and
23 other emoluments of employment provided by law and regulation to
24 teaching staff members. A novice teacher shall also receive the terms
25 and conditions of employment provided to teaching staff members in
26 the employing district under the collective bargaining agreement
27 including, but not limited to, salary, sick leave, and health insurance
28 benefits.

29
30 3. This act shall take effect immediately and shall apply to all
31 novice teachers employed on or after July 1, 2004.

32
33
34 STATEMENT

35
36 The purpose of this bill is to remedy problems which have arisen as
37 the result of delays by the Department of Education in processing
38 applications for the issuance of provisional certificates to holders of
39 valid certificates of eligibility and certificates of eligibility with
40 advanced standing who have been hired to teach by boards of
41 education throughout the State of New Jersey.

42 Under State Board of Education regulations at N.J.A.C.6A:9-
43 6.4(c), the holder of a certificate of eligibility or certificate of
44 eligibility with advanced standing is not permitted to assume
45 responsibility for a teaching assignment until that person has been
46 issued a provisional certificate. The Department of Education,

A3991 SIRES, ROBERTS

1 however, will not issue a provisional certificate to the holder of a
2 certificate of eligibility or certificate of eligibility with advanced
3 standing until the person has been offered and accepted a position of
4 employment, and places the burden on the school district to register
5 that employment with the department and request issuance of the
6 provisional certificate to the novice teacher. The recent
7 implementation of a new computerized system for the processing of
8 these applications has caused excessive and unreasonable delays in the
9 processing of the applications and the issuance of the provisional
10 certificates. This, in turn, has resulted in the need to have these novice
11 teachers serve merely as substitute teachers with the attendant
12 limitations and reduced levels of compensation.

13 This bill authorizes a school district to employ a person who holds
14 a valid certificate of eligibility or certificate of eligibility with advanced
15 standing to teach in the public schools of the district as a novice
16 teacher. Upon the employment of the novice teacher, the board of
17 education of the district would be required to immediately register that
18 employment with the Department of Education and request issuance
19 of a provisional certificate. When the provisional certificate is issued
20 by the department, its effective date for all purposes will be the date
21 on which the novice teacher began employment with the board of
22 education. The board of education is required to enroll the novice
23 teacher in the provisional teacher program and to comply with all
24 responsibilities assigned to the district by the department.

25 The bill also provides that a novice teacher employed by a board of
26 education under a valid certificate of eligibility, certificate of eligibility
27 with advanced standing, or a provisional certificate will be deemed to
28 be a teaching staff member for all purposes and will be entitled to all
29 benefits and other emoluments of employment provided by law and
30 regulation to teaching staff members. A novice teacher will also
31 receive the terms and conditions of employment provided to teaching
32 staff members in the employing district under the collective bargaining
33 agreement, including salary, sick leave, and health insurance.

34 This bill will apply retroactively to novice teachers who accepted
35 employment with a school district on or after July 1, 2004, so that they
36 will receive all of the benefits of employment to which other teaching
37 staff members are entitled by statutory and contractual law.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3991

STATE OF NEW JERSEY

DATED: MAY 5, 2005

The Assembly Education Committee favorably reports Assembly Bill No. 3991.

This bill authorizes a school district to employ a person who holds a valid certificate of eligibility or certificate of eligibility with advanced standing to teach in the public schools of the district as a novice teacher. Under current State Board of Education regulations at N.J.A.C.6A:9-6.4, the holder of such certificates may not assume responsibility for a teaching assignment until the person has been issued a provisional certificate. Under this bill, upon the employment of the novice teacher, the board of education of the district would be required to immediately register that employment with the Department of Education and request issuance of a provisional certificate. When the provisional certificate is issued by the department, its effective date for all purposes will be the date on which the novice teacher began employment with the board of education. The board of education is required to enroll the novice teacher in the provisional teacher program and to comply with all responsibilities assigned to the district by the department.

The bill also provides that a novice teacher employed by a board of education under a valid certificate of eligibility, certificate of eligibility with advanced standing, or a provisional certificate will be deemed to be a teaching staff member for all purposes and will be entitled to all benefits and other emoluments of employment provided by law and regulation to teaching staff members. A novice teacher will also receive the terms and conditions of employment provided to teaching staff members in the employing district under the collective bargaining agreement, including salary, sick leave, and health insurance.

This bill will apply retroactively to novice teachers who accepted employment with a school district on or after July 1, 2004.

The purpose of this bill is to remedy problems which have arisen as the result of delays by the Department of Education in processing applications for the issuance of provisional certificates to holders of valid certificates of eligibility and certificates of eligibility with advanced standing who have been hired to teach by boards of education throughout the State of New Jersey. The recent implementation of a new computerized system for the processing of

these applications has caused excessive delays in the processing of applications and the issuance of provisional certificates. This, in turn, has resulted in the need to have these novice teachers serve merely as substitute teachers with the attendant limitations and reduced levels of compensation.

SENATE EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3991

STATE OF NEW JERSEY

DATED: JUNE 9, 2005

The Senate Education Committee reports favorably Assembly Bill No. 3991.

This bill authorizes a school district to employ a person who holds a valid certificate of eligibility or certificate of eligibility with advanced standing to teach in the public schools of the district as a novice teacher. Under current State Board of Education regulations at N.J.A.C.6A:9-6.4, the holder of such certificates may not assume responsibility for a teaching assignment until the person has been issued a provisional certificate. Under this bill, upon the employment of the novice teacher, the board of education of the district would be required to immediately register that employment with the Department of Education and request issuance of a provisional certificate. When the provisional certificate is issued by the department, its effective date for all purposes will be the date on which the novice teacher began employment with the board of education. The board of education is required to enroll the novice teacher in the provisional teacher program and to comply with all responsibilities assigned to the district by the department.

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these applications has caused excessive delays in the processing of applications and the issuance of provisional certificates. This, in turn, has resulted in the need to have these novice teachers serve merely as substitute teachers with the attendant limitations and reduced levels of compensation.

As reported, Assembly Bill No. 3991 is identical to Senate Bill No. 2608.

SENATE, No. 2608

STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED JUNE 9, 2005

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Mercer)

Senator ROBERT J. MARTIN

District 26 (Morris and Passaic)

Co-Sponsored by:

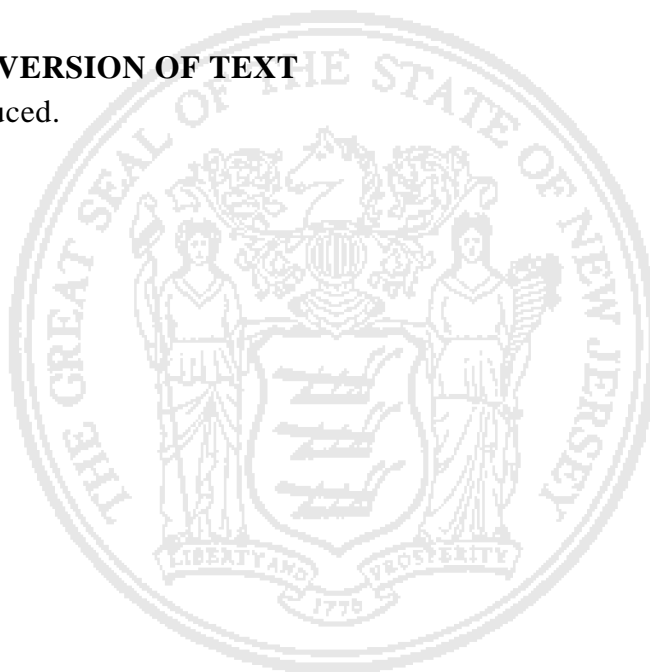
Senator Asselta

SYNOPSIS

Establishes date of initial employment with board of education as effective date of provisional teaching certificate and provides that novice teacher will be a teaching staff member for all purposes.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/28/2005)

1 AN ACT concerning the employment of teaching staff members and
2 supplementing chapters 26 and 27 of Title 18A of the New Jersey
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29 year of teaching in the State;

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32 b. A board of education may employ a person who holds a valid
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26 including, but not limited to, salary, sick leave, and health insurance
27 benefits.

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29 3. This act shall take effect immediately and shall apply to all
30 novice teachers employed on or after July 1, 2004.

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STATEMENT

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35 The purpose of this bill is to remedy problems which have arisen as
36 the result of delays by the Department of Education in processing
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42 6.4(c), the holder of a certificate of eligibility or certificate of
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4 that employment with the department and request issuance of the
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7 these applications has caused excessive and unreasonable delays in the
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15 teacher. Upon the employment of the novice teacher, the board of
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32 agreement, including salary, sick leave, and health insurance.

33 This bill will apply retroactively to novice teachers who accepted
34 employment with a school district on or after July 1, 2004, so that they
35 will receive all of the benefits of employment to which other teaching
36 staff members are entitled by statutory and contractual law.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 2608

STATE OF NEW JERSEY

DATED: JUNE 9, 2005

The Senate Education Committee reports favorably Senate Bill No. 2608.

This bill authorizes a school district to employ a person who holds a valid certificate of eligibility or certificate of eligibility with advanced standing to teach in the public schools of the district as a novice teacher. Under current State Board of Education regulations at N.J.A.C.6A:9-6.4, the holder of such certificates may not assume responsibility for a teaching assignment until the person has been issued a provisional certificate. Under this bill, upon the employment of the novice teacher, the board of education of the district would be required to immediately register that employment with the Department of Education and request issuance of a provisional certificate. When the provisional certificate is issued by the department, its effective date for all purposes will be the date on which the novice teacher began employment with the board of education. The board of education is required to enroll the novice teacher in the provisional teacher program and to comply with all responsibilities assigned to the district by the department.

The bill also provides that a novice teacher employed by a board of education under a valid certificate of eligibility, certificate of eligibility with advanced standing, or a provisional certificate will be deemed to be a teaching staff member for all purposes and will be entitled to all benefits and other emoluments of employment provided by law and regulation to teaching staff members. A novice teacher will also receive the terms and conditions of employment provided to teaching staff members in the employing district under the collective bargaining agreement, including salary, sick leave, and health insurance.

This bill will apply retroactively to novice teachers who accepted employment with a school district on or after July 1, 2004.

The purpose of this bill is to remedy problems which have arisen as the result of delays by the Department of Education in processing applications for the issuance of provisional certificates to holders of valid certificates of eligibility and certificates of eligibility with advanced standing who have been hired to teach by boards of education throughout the State of New Jersey. The recent implementation of a new computerized system for the processing of

these applications has caused excessive delays in the processing of applications and the issuance of provisional certificates. This, in turn, has resulted in the need to have these novice teachers serve merely as substitute teachers with the attendant limitations and reduced levels of compensation.

As reported, Senate Bill No. 2608 is identical to Assembly Bill No. 3991.