

# 18A:26-10

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2005 **CHAPTER:** 74

**NJSA:** 18A:26-10 (Expands law providing penalty against teacher who leaves prior to contract expiration)

**BILL NO:** S1419 (Substituted for A3024)

**SPONSOR(S):** Martin and others

**DATE INTRODUCED:** March 29, 2004

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

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:** **ASSEMBLY:** March 14, 2005

**SENATE:** June 21, 2004

**DATE OF APPROVAL:** April 26, 2005

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

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

**S1419**

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

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

[SENATE:](#) [Yes](#)

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**A3024**

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

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

**SENATE:** No

**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 5/9/07

P.L. 2005, CHAPTER 74, *approved April 26, 2005*

Senate, No. 1419

1 **AN ACT** concerning teachers employed by approved private schools  
2 for the disabled and amending N.J.S.18A:26-10.

3

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

6

7 1. N.J.S.18A:26-10 is amended to read as follows:

8 18A:26-10. Any teaching staff member employed by a board of  
9 education or an approved private school for the disabled, who shall,  
10 without the consent of the board or, in the case of an approved private  
11 school for the disabled, the board of directors of the school, cease to  
12 perform his duties before the expiration of the term of his employment,  
13 shall be deemed guilty of unprofessional conduct, and the  
14 commissioner may, upon receiving notice thereof, suspend his  
15 certificate for a period not exceeding one year.

16 As used in this section, "approved private school for the disabled"  
17 means a private entity approved by the Department of Education to  
18 provide special education and related services to students with  
19 disabilities who have been placed by the district board of education or  
20 charter school responsible for providing their education.

21 (cf: N.J.S.18A:26-10)

22

23 2. This act shall take effect immediately.

24

25

26

STATEMENT

27

28 This bill amends N.J.S.A.18A:26-10 to include teachers employed  
29 in approved private schools for the disabled. Currently, the law (1)  
30 declares that any teaching staff member employed by a public school  
31 district board of education who, without consent from the board,  
32 ceases to perform duties before the expiration of the term of  
33 employment, is guilty of unprofessional conduct, and (2) permits the  
34 commissioner to suspend the teacher's certificate for a period not  
35 exceeding one year. This bill would extend these same provisions to  
36 teachers employed in private schools for the disabled.

37 Staff members who leave before the expiration of their contracts  
38 disrupt services. In light of the current shortage of certified special  
39 education teachers, this behavior can be especially hard on pupils at  
40 schools for the disabled. The Department of Education requires  
41 approved private schools for the disabled to provide contracts for  
42 certified employees. It is therefore only appropriate to grant pupils at

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

**Matter underlined thus is new matter.**

1 these schools the breach protection currently afforded public schools  
2 under N.J.S.A.18A:26-10.

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7 Expands law providing penalty against teacher who leaves job prior to  
8 expiration of contract to include teachers at approved private schools  
9 for the disabled.

# SENATE, No. 1419

## STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED MARCH 29, 2004

**Sponsored by:**

**Senator ROBERT J. MARTIN**

**District 26 (Morris and Passaic)**

**Assemblyman DAVID W. WOLFE**

**District 10 (Monmouth and Ocean)**

**Assemblyman FREDERICK SCALERA**

**District 36 (Bergen, Essex and Passaic)**

**Assemblyman CRAIG A. STANLEY**

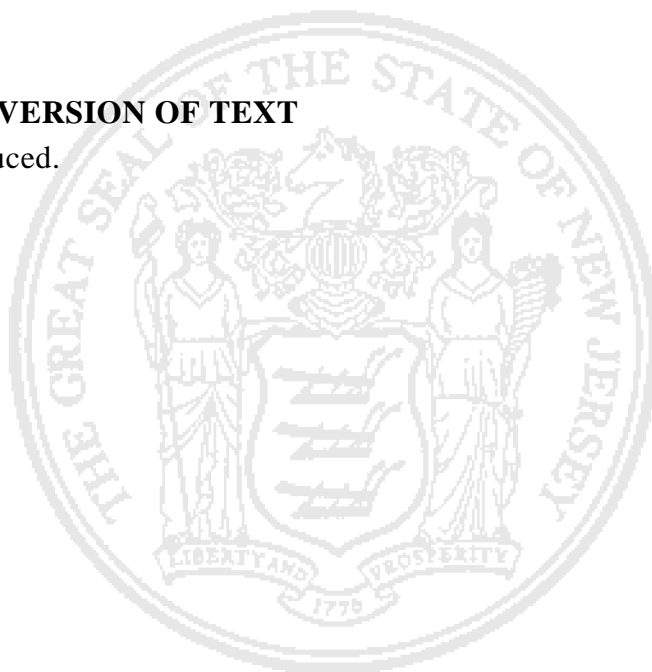
**District 28 (Essex)**

**SYNOPSIS**

Expands law providing penalty against teacher who leaves job prior to expiration of contract to include teachers at approved private schools for the disabled.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 3/15/2005)**

1 AN ACT concerning teachers employed by approved private schools  
2 for the disabled and amending N.J.S.18A:26-10.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. N.J.S.18A:26-10 is amended to read as follows:

8 18A:26-10. Any teaching staff member employed by a board of  
9 education or an approved private school for the disabled, who shall,  
10 without the consent of the board or, in the case of an approved private  
11 school for the disabled, the board of directors of the school, cease to  
12 perform his duties before the expiration of the term of his employment,  
13 shall be deemed guilty of unprofessional conduct, and the  
14 commissioner may, upon receiving notice thereof, suspend his  
15 certificate for a period not exceeding one year.

16 As used in this section, "approved private school for the disabled"  
17 means a private entity approved by the Department of Education to  
18 provide special education and related services to students with  
19 disabilities who have been placed by the district board of education or  
20 charter school responsible for providing their education.  
21 (cf: N.J.S.18A:26-10)

22  
23 2. This act shall take effect immediately.

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26 STATEMENT

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28 This bill amends N.J.S.A.18A:26-10 to include teachers employed  
29 in approved private schools for the disabled. Currently, the law (1)  
30 declares that any teaching staff member employed by a public school  
31 district board of education who, without consent from the board,  
32 ceases to perform duties before the expiration of the term of  
33 employment, is guilty of unprofessional conduct, and (2) permits the  
34 commissioner to suspend the teacher's certificate for a period not  
35 exceeding one year. This bill would extend these same provisions to  
36 teachers employed in private schools for the disabled.

37 Staff members who leave before the expiration of their contracts  
38 disrupt services. In light of the current shortage of certified special  
39 education teachers, this behavior can be especially hard on pupils at  
40 schools for the disabled. The Department of Education requires  
41 approved private schools for the disabled to provide contracts for  
42 certified employees. It is therefore only appropriate to grant pupils at  
43 these schools the breach protection currently afforded public schools  
44 under N.J.S.A.18A:26-10.

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

**Matter underlined thus is new matter.**

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

**SENATE, No. 1419**

**STATE OF NEW JERSEY**

DATED: FEBRUARY 14, 2005

The Assembly Education Committee reports favorably Senate Bill No. 1419.

This bill amends N.J.S.18A:26-10 to include teachers employed in approved private schools for the disabled. Currently, the law (1) declares that any teaching staff member employed by a public school district board of education who, without consent from the board, ceases to perform duties before the expiration of the term of employment, is guilty of unprofessional conduct, and (2) permits the commissioner to suspend the teacher's certificate for a period not exceeding one year. This bill would extend these same provisions to teachers employed in private schools for the disabled.

Staff members who leave before the expiration of their contracts disrupt services. In light of the current shortage of certified special education teachers, this behavior can be especially hard on pupils at schools for the disabled. The Department of Education requires approved private schools for the disabled to provide contracts for certified employees. It is therefore only appropriate to grant pupils at these schools the breach protection currently afforded public schools under N.J.S.18A:26-10.

As reported by committee, this bill is identical to Assembly Bill No. 3024.

SENATE EDUCATION COMMITTEE

STATEMENT TO

**SENATE, No. 1419**

**STATE OF NEW JERSEY**

DATED: MAY 13, 2004

The Senate Education Committee reports favorable Senate Bill No, 1419.

This bill amends N.J.S.A.18A:26-10 to include teachers employed in approved private schools for the disabled. Currently, the law (1) declares that any teaching staff member employed by a public school district board of education who, without consent from the board, ceases to perform duties before the expiration of the term of employment, is guilty of unprofessional conduct, and (2) permits the commissioner to suspend the teacher's certificate for a period not exceeding one year. This bill would extend these same provisions to teachers employed in private schools for the disabled.

Staff members who leave before the expiration of their contracts disrupt services. In light of the current shortage of certified special education teachers, this behavior can be especially hard on pupils at schools for the disabled. The Department of Education requires approved private schools for the disabled to provide contracts for certified employees. It is therefore only appropriate to grant pupils at these schools the breach protection currently afforded public schools under N.J.S.A.18A:26-10.



# ASSEMBLY, No. 3024

## STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED JUNE 14, 2004

**Sponsored by:**

**Assemblyman DAVID W. WOLFE**

**District 10 (Monmouth and Ocean)**

**Assemblyman FREDERICK SCALERA**

**District 36 (Bergen, Essex and Passaic)**

**Assemblyman CRAIG A. STANLEY**

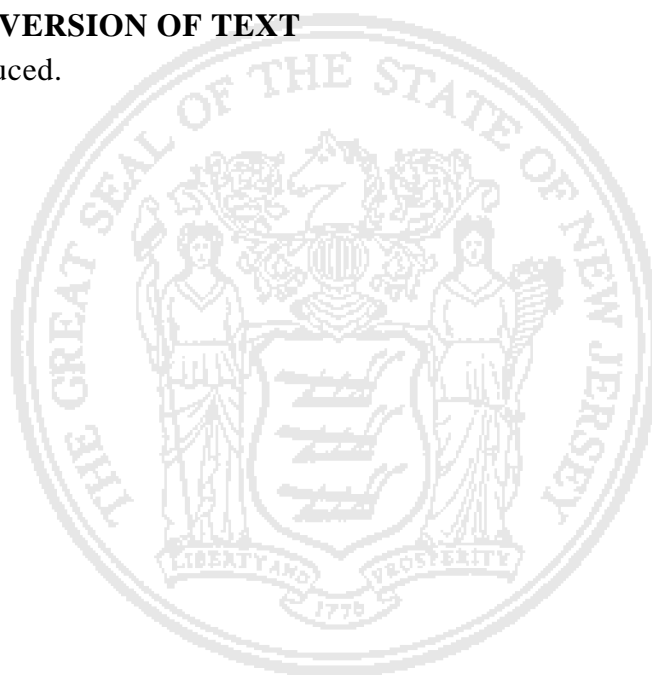
**District 28 (Essex)**

**SYNOPSIS**

Expands law providing penalty against teacher who leaves job prior to expiration of contract to include teachers at approved private schools for the disabled.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 2/25/2005)

A3024 WOLFE, SCALERA

2

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2 for the disabled and amending N.J.S.18A:26-10.

3

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5 of New Jersey:

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42 these schools the breach protection currently afforded public schools  
43 under N.J.S.A.18A:26-10.

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

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ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3024**

**STATE OF NEW JERSEY**

DATED: FEBRUARY 14, 2005

The Assembly Education Committee favorably reports Assembly Bill No. 3024.

This bill amends N.J.S.18A:26-10 to include teachers employed in approved private schools for the disabled. Currently, the law (1) declares that any teaching staff member employed by a public school district board of education who, without consent from the board, ceases to perform duties before the expiration of the term of employment, is guilty of unprofessional conduct, and (2) permits the commissioner to suspend the teacher's certificate for a period not exceeding one year. This bill would extend these same provisions to teachers employed in private schools for the disabled.

Staff members who leave before the expiration of their contracts disrupt services. In light of the current shortage of certified special education teachers, this behavior can be especially hard on pupils at schools for the disabled. The Department of Education requires approved private schools for the disabled to provide contracts for certified employees. It is therefore only appropriate to grant pupils at these schools the breach protection currently afforded public schools under N.J.S.18A:26-10.

As reported by committee, this bill is identical to Senate Bill No. 1419.