

CHAPTER 87

AN ACT concerning substitute teachers, amending P.L.2010, c.97 and P.L.2010, c.100, and supplementing chapter 26 of Title 18A of the New Jersey Statutes.

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

C.18A:26-2.29 Criteria for employment of substitute teacher.

1. a. Notwithstanding any law, rule, or regulation to the contrary, a candidate for a substitute teacher credential who is enrolled in a regionally accredited institution of higher education and who is applying between the effective date of this act and June 30, 2023 shall present a minimum of 30 semester-hour credits completed at the institution at the time of applying for the substitute credential. A candidate applying for a substitute teacher credential under this section shall be at least 20 years of age. Nothing in this section shall be construed to restrict school districts from establishing additional criteria for the employment of substitute teachers under this section.

b. It shall be the duty of the Commissioner of Education to examine issues and develop recommendations as to whether the timeline established pursuant to subsection a. of this section should be extended to continue allowing candidates for substitute teaching credentials to present a minimum of 30 semester-hour credits completed at the time of applying for the substitute credential. The commissioner shall issue a final report of findings and recommendations to the Governor, to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), and to the State Board of Education no later than one year after the application period expires on June 30, 2023.

2. Section 1 of P.L.2010, c.97 (C.18A:16-1.1a) is amended to read as follows:

C.18A:16-1.1a Filling of vacancy, absent teaching position; time limit.

1. A vacant teaching position, or the position of a teacher who is absent for an extended time period, shall not be filled in any school year by one or more individuals holding a substitute credential issued by the State Board of Education pursuant to the provisions of N.J.S.18A:6-38 for a total amount of time exceeding 20 school days. The commissioner may grant an extension of up to an additional 20 school days upon written application from the school district demonstrating the district's inability to hire an appropriately certified teacher for the vacant position within the original 20-day time limit. During a public health emergency declared by the Governor pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), a vacant or absent position may be filled by a holder of a substitute credential for up to 40 school days and for an additional 20 school days upon written application to the Commissioner of Education or the commissioner's designee, demonstrating the district's inability to hire an appropriately certified teacher within the 40-day time limit and that the individuals are periodically monitored and supported by the credential holder's supervisor.

3. Section 2 of P.L.2010, c.100 (C.18A:16-1.1c) is amended to read as follows:

C.18A:16-1.1c Filling of vacancy, absent teaching position.

2. A vacant teaching position, or the position of a teacher who is absent for an extended time period, shall not be filled in any school year by one or more individuals employed as substitute teachers and holding a certificate of eligibility or a certificate of eligibility with advanced standing issued by the State Board of Examiners and working in an area not

authorized by their credentials for a total amount of time exceeding 20 school days. The executive county superintendent of schools may grant an extension of up to an additional 20 days upon written application from the school district demonstrating the district's inability to hire an appropriately certified teacher for the vacant position within the original 20-day time limit. During a public health emergency declared by the Governor pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), a vacant or absent position may be filled by a holder of a certificate of eligibility or a certificate of eligibility with advanced standing and working in an area not authorized by their credentials for up to 40 school days and for an additional 20 school days upon written application to the Commissioner of Education or the commissioner's designee demonstrating the district's inability to hire an appropriately certified teacher within the 40-day time limit and that the individuals are periodically monitored and supported by the credential holder's supervisor.

4. This act shall take effect immediately.

Approved May 11, 2021.