

**Legislative Update from NJ School Board Association
December 2023**

Both the Senate and General Assembly held voting sessions, and several committees also met and advanced a handful of bills affecting local school districts. A summary of State House activity follows below.

Education Bills on the Governor's Desk

The following pieces of legislation received final legislative approval over the last week and now await action by Gov. Phil Murphy:

Security Drills and Students with Disabilities A-1174/S-2057 would require certain documentation of the needs of students with disabilities during school security drills and emergency situations, as well as in school security plans. The bill also requires staff training on the needs of students with disabilities in emergency planning. More specifically, the bill would require:

- All students and staff to fully participate in each emergency drill conducted to the greatest extent practicable and, when appropriate, utilize procedures for assisting in the rescue of persons unable to use the general means of egress to ensure that participation does not pose a safety risk.
- That school safety and security training provided to school employees under current law address the unique needs of students with disabilities in the event of a fire drill, security drill, or actual emergency. Schools would be required to make employees aware of the anticipated supports – such as those for mobility, medical and communication needs – that will be required for these students, and any services that must be provided under students' individualized education plans, individualized health care plans and 504 plans.
- That the building security drill guide and training materials developed by the commissioner of education and New Jersey Office of Homeland Security include information on the unique needs of students with disabilities, including protocol for accommodating those students.
- School districts and nonpublic schools to ensure that a student's unique mobility, sensory, medical, social, communication, emotional, regulatory and decision-making needs in the event of a fire drill, school security drill, or actual emergency is maintained in the student record. Such a record shall indicate whether or not the student is able to safely and fully participate in drills without additional supports, or if any accommodations are needed.

School Audit Delay A-4033/S-2657 would extend the deadlines for completing and filing a school district's annual audit by two months. The current deadline for completion of the audit (five months following the end of the school year, or Nov. 30) would be extended to Jan. 31; the current deadline for

filing of the audit with the New Jersey Department of education (five days after the audit is completed, or Dec. 5) would be extended to Feb. 5. The bill would also specify the deadline for districts to submit an audit summary to the NJDOE as Jan. 15. Throughout the legislative process, the NJSBA has expressed concerns that delaying audit submission could create challenges for districts in completing timely, fiscally responsible budgets by delaying the release of key budget information and resources that rely on audit data, such as the NJDOE's budget software.

School Safety and Security Task Force S-3079/A-4977 would establish a School Safety and Security Task Force “to study and develop recommendations to improve school safety and security, and to ensure a safe learning environment for students and employees.” The task force would consist of 17 members, including representatives of various government agencies, education advocacy groups (including NJSBA), and members of the public with expertise in school security. The task force would be charged with developing recommendations regarding several school security issues, including but not limited to hardening the school perimeter and building entryways; strategies to ensure the needs of students with disabilities are reflected in all areas of emergency planning and response measures; and standards for architectural design for new construction.

Assembly Voting Session

On Dec. 7, the General Assembly approved the following bill:

Transferring of County College Credits to Meet EPP Requirements A-5417 would prohibit educator preparation programs from restricting the number of accredited county college professional education credits that may be used to meet the teacher certification requirements of an educator preparation program, except as may be required by the EPP's accrediting organization. The bill would also prohibit the NJDOE from restricting the number of accredited county college credits in professional education that can be accepted toward meeting teacher certification requirements, provided that the credits are accepted by an EPP (in April 2023, the State Board of Education adopted amendments to its certification regulations that removed the six-credit limit on courses in professional education completed on the two-year college level). The bill is part of the [legislative package](#) spearheaded by Assembly Education Committee Chairwoman Pamela Lampitt to address the ongoing teacher shortage. The NJSBA supports the package. A-5417 was approved by the Assembly Education Committee in May and by the Assembly Higher Education Committee in November. A-5417 and its Senate counterpart, S-3890, now await further action on the Senate floor.

Senate Voting Session

On Monday, Dec. 11, the Senate held its first voting session since returning from recess and approved the following bills being tracked by NJSBA:

Montessori Teacher Certification Pathway S-3172 would establish a pathway to teacher certification for holders of a Montessori teaching credential. Specifically, a person would be eligible for a certificate of eligibility with a preK through grade three endorsement, or an elementary school (K-6) endorsement, under this route if they:

- Hold a Montessori teaching credential issued by the American Montessori Society, the Association Montessori Internationale, or an institution accredited by the Montessori Accreditation Council for Teacher Education.
- Hold a bachelor's degree in any field from an accredited institution of higher education.
- Meet the applicable test requirements for a certificate of eligibility.

Furthermore, in order to obtain a provisional or standard certificate, the candidate would not have to complete:

- 50 hours of pre-professional experience or credits of preschool through grade three pedagogy.
- 350 hours of credits or coursework after employment if the candidate is seeking an elementary school (kindergarten through grade six) endorsement.
- 24 credits after employment if the candidate is seeking a preschool through grade three endorsement.

Candidates eligible for a certificate of eligibility under this pathway would not be required to complete a state-approved educator preparation program. However, they would have to complete a Montessori teacher preparation program that requires a minimum of 200 academic hours and 400 practicum hours.

During committee deliberations on the bill, the NJSBA testified, expressing appreciation for the committee's continued focus on addressing the educator shortage but noted that the range in teacher preparation standards across different accrediting bodies may cause concern regarding the readiness of these educators to teach in public, non-Montessori school settings. The bill next heads over to the Assembly, where its counterpart (A-4689) has not yet moved.

Miscellaneous Committee Activity

November Election 2nd Questions S-4080 gives November districts the opportunity to ask a second question in one fiscal year but spend the money in a subsequent budget year. S-4080, an NJSBA priority set by the May 2023 Delegate Assembly, aids November districts by permitting them the opportunity to implement a program over an entire fiscal year after the approval of a second question, if needed. The bill may now be posted for a Senate floor vote.

Certification for Nonresident Military Spouses A-480/S-3235 would extend the maximum duration of the temporary instructional certificate for nonresident military spouses, first established in 2013, from 360 days (an initial 180-day period, with the option to extend an additional 180 days) to two years (an

initial 365-day period, with an option to extend an additional 365 days). The bill would also require the NJDOE to establish procedures to expedite applications for this certificate. The NJSBA supports the bill, which now heads to the Senate Budget and Appropriations Committee. A previous version of the bill passed the full Assembly in December 2022.

NJSLS in Racial Discrimination and Social Justice A-2006 would require school districts to include instruction on racial discrimination and social justice in an appropriate place in their middle school curriculum as part of their implementation of the New Jersey Student Learning Standards in social studies. The NJDOE, in consultation with the Amistad Commission, would be required to provide districts age-appropriate sample learning activities and resources to enhance students' understanding of issues surrounding racial discrimination and social justice. The NJSBA advocated for amendments to ensure the bill references the NJDOE's periodic standards-review process as the mechanism for implementing this requirement. The bill now heads to the Assembly Education Committee for further consideration.

NJSLS in Anti-Bias Education A-1517 would require the State Board of Education to review and update the New Jersey Student Learning Standards in social studies to ensure the incorporation of age-appropriate anti-bias instruction in grades K-12. That review would occur at the State Board of Education's next scheduled update of the NJSLS. The bill specifies that anti-bias standards would include such topics as "various dimensions of personal and cultural identity," "information on how people form implicit and unconscious bias" and "opportunities for students to learn from and about one another and explore ways to address bias and prejudice." The bill would further require districts to designate an employee to serve as the district's "chief equity officer or affirmative action officer," who would be responsible for, among other duties, "supervising and overseeing all school district policies and procedures designed to encourage safe, welcoming, and inclusive environments for all students." As originally introduced, the bill did not include references to the State Board of Education's standards-review process or to the option for districts to allow their affirmative action officer to satisfy the personnel requirements of the bill; the NJSBA advocated for amendments to include those provisions, which were incorporated into the bill. The bill now heads to the Assembly Education Committee for further consideration.