

**SENATE, No. 2071**

**STATE OF NEW JERSEY**  
**214th LEGISLATURE**

INTRODUCED JUNE 10, 2010

**Sponsored by:**  
**Senator M. TERESA RUIZ**  
**District 29 (Essex and Union)**

**SYNOPSIS**

Limits amount of time a vacant teaching position can be filled by certain teachers employed in a temporary capacity.

**CURRENT VERSION OF TEXT**

As introduced.



S2071 RUIZ

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1 AN ACT concerning vacant teaching positions and supplementing  
2 Title 18A of the New Jersey Statutes.

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

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7 1. a. A vacant teaching position shall not be filled in any  
8 school year by one or more individuals holding a certificate of  
9 eligibility or a certificate of eligibility with advanced standing  
10 issued by the State Board of Examiners working in an area  
11 authorized by their credentials for a total amount of time exceeding  
12 60 school days. The executive county superintendent of schools  
13 may grant an extension upon written application from the school  
14 district demonstrating the district's inability to hire an appropriately  
15 certified teacher for the vacant position within the original 60-day  
16 time limit.

17 b. In the event that one individual employed pursuant to  
18 subsection a. of this section is employed in the same position for  
19 more than 60 days, he shall be compensated by the school district  
20 on a pro-rata basis consistent with the salary provided to a teacher  
21 with similar credentials in the employing district.

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23 2. A vacant teaching position shall not be filled in any school  
24 year by one or more individuals holding a certificate of eligibility or  
25 a certificate of eligibility with advanced standing issued by the  
26 State Board of Examiners working in an area not authorized by their  
27 credentials for a total amount of time exceeding 20 school days.  
28 The executive county superintendent of schools may grant an  
29 extension of up to an additional 20 days upon written application  
30 from the school district demonstrating the district's inability to hire  
31 an appropriately certified teacher for the vacant position within the  
32 original 20-day time limit.

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34 3. A vacant teaching position shall not be filled in any school  
35 year by one or more individuals holding a standard instructional  
36 certificate issued by the State Board of Examiners working in an  
37 area not authorized by their credentials for a total amount of time  
38 exceeding 40 school days.

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40 4. This act shall take effect immediately.

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STATEMENT

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45 Under a current State Board of Education regulation, an  
46 individual holding a certificate of eligibility or a certificate of  
47 eligibility with advanced standing can fill a vacant teaching position  
48 in his authorized subject area for a maximum of 60 school days.

**S2071 RUIZ**

1 This bill provides that a vacant teaching position cannot be filled in  
2 any school year by one or more individuals holding a certificate of  
3 eligibility or a certificate of eligibility with advanced standing  
4 issued by the State Board of Examiners working in an area  
5 authorized by their credentials for a total amount of time exceeding  
6 60 school days. However, the bill provides that the executive  
7 county superintendent of schools may grant an extension upon  
8 written application from the school district demonstrating the  
9 district's inability to hire an appropriately certified teacher for the  
10 vacant position within the original 60-day time limit. The bill  
11 further provides that in the event an individual is approved by the  
12 executive county superintendent to remain in the position beyond  
13 60 school days, he must be compensated by the school district on a  
14 pro-rata basis consistent with the salary provided to a teacher with  
15 similar credentials in the employing district.

16 The bill provides that an individual holding a certificate of  
17 eligibility or a certificate of eligibility with advanced standing can  
18 fill a vacant teaching position outside of his subject area for 20  
19 school days and may serve in that position for an additional 20  
20 school days upon approval from the executive county  
21 superintendent. The bill also provides that an individual holding a  
22 standard instructional certificate can fill a vacant teaching position  
23 outside of his subject area for a maximum of 40 school days. These  
24 provisions are similar, but not identical, to current State Board of  
25 Education regulations.