

**ASSEMBLY, No. 653**

---

**STATE OF NEW JERSEY**

**218th LEGISLATURE**

---

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

**Sponsored by:**

**Assemblywoman MILA M. JASEY**

**District 27 (Essex and Morris)**

**SYNOPSIS**

Clarifies that teachers and professional support staff employed in charter schools and other public schools must meet the same certification requirements.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the certification of certain charter school  
2 personnel and amending P.L.1995, c.426.

3

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

6

7 1. Section 14 of P.L.1995, c.426 (C.18A:36A-14) is amended  
8 to read as follows:

9 14. a. The board of trustees of a charter school shall have the  
10 authority to decide matters related to the operations of the school  
11 including budgeting, curriculum, and operating procedures, subject  
12 to the school's charter. The board shall provide for appropriate  
13 insurance against any loss or damage to its property or any liability  
14 resulting from the use of its property or from the acts or omissions  
15 of its officers and employees.

16 b. In the case of a currently existing public school which  
17 becomes a charter school pursuant to the provisions of subsection b.  
18 of section 4 of this act, all school employees of the charter school  
19 shall be deemed to be members of the bargaining unit defined in the  
20 applicable agreement and shall be represented by the same majority  
21 representative organization as the employees covered by that  
22 agreement. In the case of other charter schools, the board of  
23 trustees of a charter school shall have the authority to employ,  
24 discharge and contract with necessary teachers and nonlicensed  
25 employees subject to the school's charter. The board of trustees  
26 may choose whether or not to offer the terms of any collective  
27 bargaining agreement already established by the school district for  
28 its employees, but the board shall adopt any health and safety  
29 provisions of the agreement. The charter school and its employees  
30 shall be subject to the provisions of the "New Jersey Employer-  
31 Employee Relations Act," P.L.1941, c.100 (C.34:13A-1 et seq.). A  
32 charter school shall not set a teacher salary lower than the minimum  
33 teacher salary specified pursuant to section 7 of P.L.1985, c.321  
34 (C.18A:29-5.6) nor higher than the highest step in the salary guide  
35 in the collective bargaining agreement which is in effect in the  
36 district in which the charter school is located.

37 c. All classroom teachers and professional support staff shall  
38 hold appropriate New Jersey certification. **【The commissioner shall**  
39 **make appropriate adjustments in the alternate route program in**  
40 **order to expedite the certification of persons who are qualified by**  
41 **education and experience.】** The requirements for the certification  
42 of classroom teachers and professional support staff employed by  
43 charter schools shall be identical to the requirements for the  
44 certification of classroom teachers and professional support staff  
45 employed by school districts.

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

**Matter underlined thus is new matter.**

1 d. A public school employee, tenured or non-tenured, may  
2 request a leave of absence of up to three years from the local board  
3 of education or State district superintendent in order to work in a  
4 charter school. Approval for a leave of absence shall not be  
5 unreasonably withheld. Employees on a leave of absence as  
6 provided herein shall remain in, and continue to make contributions  
7 to, their retirement plan during the time of the leave and shall be  
8 enrolled in the health benefits plan of the district in which the  
9 charter school is located. The charter school shall make any  
10 required employer's contribution to the district's health benefits  
11 plan.

12 e. Public school employees on a leave shall not accrue tenure  
13 in the public school system but shall retain tenure, if so applicable,  
14 and shall continue to accrue seniority, if so applicable, in the public  
15 school system if they return to their non-charter school when the  
16 leave ends. An employee of a charter school shall not accrue tenure  
17 pursuant to N.J.S.18A:17-2, N.J.S.18A:17-3, or N.J.S.18A:28-5, but  
18 shall acquire streamline tenure pursuant to guidelines promulgated  
19 by the commissioner, and the charter shall specify the security and  
20 protection to be afforded to the employee in accordance with the  
21 guidelines.

22 f. Any public school employee who leaves or is dismissed  
23 from employment at a charter school within three years shall have  
24 the right to return to the employee's former position in the public  
25 school district which granted the leave of absence, provided the  
26 employee is otherwise eligible for employment in the public school.  
27 (cf: P.L.1995, c.426, s.14)

28

29 2. This act shall take effect immediately.

30

31

32

## STATEMENT

33

34 This bill provides that the certification requirements for teachers  
35 and professional support staff employed in charter schools must be  
36 the same certification requirements as those for teachers and  
37 professional support staff employed in other public schools. The  
38 State Board of Education has proposed amendments to the alternate  
39 route certification requirements for teachers employed in charter  
40 school that are not as rigorous as the alternate route certification  
41 requirements for teachers employed in other public schools. This  
42 bill specifies that these certification requirements must be the same,  
43 so that all teachers will be held to the same rigorous standards.