

[First Reprint]

**ASSEMBLY, No. 5295**

**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

INTRODUCED JANUARY 27, 2021

**Sponsored by:**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**Assemblywoman PAMELA R. LAMPITT**

**District 6 (Burlington and Camden)**

**Co-Sponsored by:**

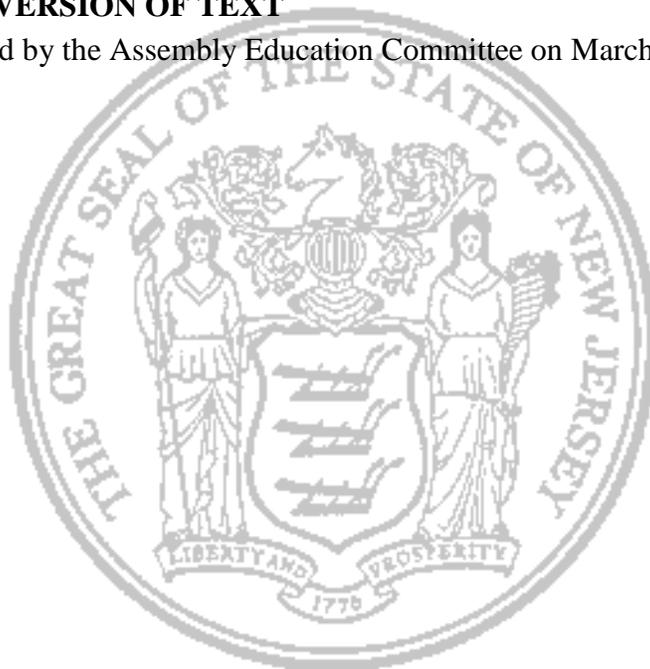
**Assemblywoman Vainieri Huttle and Assemblyman McKeon**

**SYNOPSIS**

Allows student enrolled in institution of higher education who has completed 30 semester-hour credits to serve as substitute teacher; extends time period substitute teacher may serve during public health emergency.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Education Committee on March 17, 2021, with amendments.



**(Sponsorship Updated As Of: 3/25/2021)**

1 AN ACT concerning substitute teachers <sup>1</sup>, amending P.L.2010, c.97  
2 and P.L.2010, c.100,<sup>1</sup> and supplementing chapter 26 of Title  
3 18A of the New Jersey Statutes.

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

7  
8 1. <sup>1</sup>a. Notwithstanding any law, rule, or regulation to the  
9 contrary, a candidate for a substitute teacher credential who is  
10 enrolled in a regionally accredited institution of higher education  
11 <sup>1</sup>and who is applying between the effective date of this act and June  
12 30, 2023<sup>1</sup> shall present a minimum of 30 semester-hour credits  
13 completed at the institution at the time of applying for the substitute  
14 credential. <sup>1</sup>A candidate applying for a substitute teacher credential  
15 under this section shall be at least 20 years of age. Nothing in this  
16 section shall be construed to restrict school districts from  
17 establishing additional criteria for the employment of substitute  
18 teachers under this section.

19 b. It shall be the duty of the Commissioner of Education to  
20 examine issues and develop recommendations as to whether the  
21 timeline established pursuant to subsection a. of this section should  
22 be extended to continue allowing candidates for substitute teaching  
23 credentials to present a minimum of 30 semester-hour credits  
24 completed at the time of applying for the substitute credential. The  
25 commissioner shall issue a final report of findings and  
26 recommendations to the Governor, to the Legislature pursuant to  
27 section 2 of P.L.1991, c.164 (C.52:14-19.1), and to the State Board  
28 of Education no later than one year after the application period  
29 expires on June 30, 2023.<sup>1</sup>

30  
31 <sup>1</sup>2. Section 1 of P.L.2010, c.97 (C.18A:16-1.1a) is amended to  
32 read as follows:

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

**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly AED committee amendments adopted March 17, 2021.

1 absent position may be filled by a holder of a substitute credential  
2 for up to 40 school days and for an additional 20 school days upon  
3 written application to the Commissioner of Education or the  
4 commissioner's designee, demonstrating the district's inability to  
5 hire an appropriately certified teacher within the 40-day time limit  
6 and that the individuals are periodically monitored and supported by  
7 the credential holder's supervisor.<sup>1</sup>

8 (cf: P.L.2010, c.97, s.1)

9

10 <sup>1</sup>3. Section 2 of P.L.2010, c.100 (C.18A:16-1.1c) is amended to  
11 read as follows:

12 2. A vacant teaching position, or the position of a teacher who  
13 is absent for an extended time period, shall not be filled in any  
14 school year by one or more individuals employed as substitute  
15 teachers and holding a certificate of eligibility or a certificate of  
16 eligibility with advanced standing issued by the State Board of  
17 Examiners and working in an area not authorized by their  
18 credentials for a total amount of time exceeding 20 school days.  
19 The executive county superintendent of schools may grant an  
20 extension of up to an additional 20 days upon written application  
21 from the school district demonstrating the district's inability to hire  
22 an appropriately certified teacher for the vacant position within the  
23 original 20-day time limit. During a public health emergency  
24 declared by the Governor pursuant to the "Emergency Health  
25 Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), a vacant or  
26 absent position may be filled by a holder of a certificate of  
27 eligibility or a certificate of eligibility with advanced standing and  
28 working in an area not authorized by their credentials for up to 40  
29 school days and for an additional 20 school days upon written  
30 application to the Commissioner of Education or the  
31 commissioner's designee demonstrating the district's inability to  
32 hire an appropriately certified teacher within the 40-day time limit  
33 and that the individuals are periodically monitored and supported by  
34 the credential holder's supervisor.<sup>1</sup>

35 (cf: P.L.2010, c.100, s.2)

36

37 <sup>1</sup>[2.] 4.<sup>1</sup> This act shall take effect immediately.