

ASSEMBLY, No. 3834

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MAY 9, 2022

Sponsored by:

Assemblyman GARY S. SCHAER

District 36 (Bergen and Passaic)

SYNOPSIS

Makes certain changes to science, technology, engineering, and mathematics educator grant program.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning a grant program for teachers of certain subjects
2 and amending P.L.2019, c.256.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 1 of P.L.2019, c.256 (C.18A:6-137) is amended to
8 read as follows:

9 1. As used in sections 2 through 5 of P.L.2019, c.256
10 (C.18A:6-138 through C.18A:6-141):

11 "Eligible teacher" means an individual who is employed as a
12 teacher in a public school and who meets one of the following
13 criteria: (1) holds a valid and effective provisional or standard
14 instructional certificate issued by the State Board of Examiners with
15 an endorsement in a science field, mathematics, technology
16 education, or computer science education; (2) is currently enrolled
17 in a degree program or a coherent sequence of courses in science,
18 mathematics, technology, or computer science; **【or】** (3) will enroll
19 in a degree program or a coherent sequence of courses in science,
20 mathematics, technology, or computer science within two years of
21 the effective date of P.L.2019, c.256 (C.18A:6-137 et seq.) or
22 within two years of participating in the grant program established
23 pursuant to section 2 of P.L.2019, c.256 (C.18A:6-138)**【.】** ; or (4)
24 is currently employed by a public school district to teach in a
25 science, technology, engineering, mathematics, or computer science
26 field.

27 "Instructional hourly wage" means the amount equal to a
28 teacher's annual public school teacher salary including bonuses for
29 the prior school year, adjusted for inflation based on the consumer
30 price index for all urban consumers in the New York and
31 Philadelphia areas as reported by the United States Department of
32 Labor, divided by the product of 36 and the average number of
33 weekly hours taught by the teacher in public school in the prior
34 school year.

35 "Nonpublic school" means an elementary or secondary school
36 within the State, other than a public school, offering education for
37 grades kindergarten through 12, or any combination of them,
38 wherein any child may legally fulfill compulsory school attendance
39 requirements and which complies with the requirements of Title VI
40 of the "Civil Rights Act of 1964," Pub.L.88-352 (42 U.S.C. s.2000d
41 et seq.).

42 "Valid objection" means an explanation of why a school district
43 disapproves of an eligible teacher employed by the school district

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 from entering into a partnership with a participating nonpublic
2 school. A school district with a valid objection shall cite, with
3 sufficient supporting proof, as determined by the Commissioner of
4 Education, one or more of the following reasons:

5 a. the proposed teaching hours at the nonpublic school conflict
6 with the teacher's public school work responsibilities and no
7 resolution could be found after consulting with the teacher and
8 nonpublic school; or

9 b. approval of a proposed partnership between the nonpublic
10 school and teacher would otherwise substantially impact the quality
11 of student instruction in the school district.

12 (cf: P.L.2019, c.256, s.1)

13
14 2. Section 3 of P.L.2019, c.256 (C.18A:6-139) is amended to
15 read as follows:

16 3. a. A nonpublic school that wishes to participate in the grant
17 program established under section 2 of P.L.2019, c.256 (C.18A:6-
18 138) shall submit an application to the Commissioner of Education,
19 in a manner and on such forms as determined by the commissioner.
20 The commissioner shall establish the application deadlines for each
21 school year. In the event that the grant program is not operational
22 by September 1, 2019, the commissioner shall allow nonpublic
23 schools to submit applications during the course of the 2019-2020
24 school year for implementation of the program in that nonpublic
25 school during the 2019-2020 school year.

26 An application shall include the following:

27 (1) the names of the nonpublic school, school district, and
28 eligible teacher that will form a STEM partnership under the
29 program;

30 (2) acknowledgement from **【both】** the nonpublic school **【and**
31 **school district】** that the eligible teacher will teach at the nonpublic
32 school during hours **【following completion of the teacher's duties at**
33 **the public school, unless alternative scheduling is mutually agreed**
34 **upon by the school district and nonpublic school and is reflected in**
35 **a signed agreement】** during which the teacher has no conflicting
36 public school duties;

37 (3) the proposed schedule and grades to be taught by the eligible
38 teacher at the nonpublic school;

39 (4) the number of students, based on enrollment projections, that
40 will receive instruction from the eligible teacher under the proposed
41 schedule at the nonpublic school;

42 (5) a certification from the nonpublic school that the eligible
43 teacher shall provide only secular instruction at the nonpublic
44 school; and

45 (6) any other information specified by the commissioner.

46 Upon receiving an application, the commissioner shall, within 10
47 business days, provide the school district in which the teacher is
48 employed the opportunity to object to the partnership identified in

1 the agreement. The school district shall submit to the commissioner
2 any valid objection within 10 business days. If a valid objection is
3 received, then the commissioner shall reject the application and,
4 within five business days, inform both the teacher and nonpublic
5 school that the application was rejected.

6 b. The commissioner shall establish selection criteria for the
7 awarding of grants under the program, including consideration of
8 the application information submitted pursuant to subsection a. of
9 this section. To the maximum extent possible, the commissioner
10 shall select at least three nonpublic schools in each of the northern,
11 central, and southern regions of the State to participate in the
12 program, and nothing shall prohibit more than three nonpublic
13 schools in each region of the State from participating. During the
14 program's operation, the program may be expanded beyond the
15 nonpublic schools that were initially selected to participate, as
16 determined by the commissioner and subject to the availability of
17 funds.

18 c. The commissioner shall award grants under the program
19 based upon review of the applications and subject to the limit of
20 funds appropriated or otherwise made available for the program.
21 **【Approved grant】** Grant funds for approved applications shall be
22 allocated by the Department of Education to the school district of
23 each eligible teacher participating in the program. The school
24 district shall use the funds to provide compensation to a
25 participating eligible teacher pursuant to this subsection. The
26 commissioner shall establish the amount of each grant awarded for
27 an eligible teacher, subject to the following:

28 (1) A participating teacher shall receive an amount equal to the
29 teacher's **【annual salary as calculated on a per-hour basis】**
30 instructional hourly wage multiplied by the number of hours the
31 teacher will teach STEM classes at a nonpublic school under the
32 program.

33 (2) In the event that sufficient funds are not appropriated to
34 fully fund the compensation to be provided to participating eligible
35 teachers pursuant to paragraph (1) of this subsection, the
36 commissioner shall apportion the amount appropriated among the
37 participating eligible teachers in proportion to the compensation
38 each participating eligible teacher would have received had the full
39 amount been appropriated.

40 (3) Payments received by a participating teacher under the grant
41 program shall not be considered "compensation" under
42 N.J.S.18A:66-2.

43 d. Funds appropriated for the grant program shall be used
44 exclusively for the hiring of eligible teachers to teach STEM classes
45 at a participating nonpublic school, and the eligible teacher shall
46 teach only the classes stipulated under the program.

47 e. If at any time a participating nonpublic school determines
48 that a participating eligible teacher is not in compliance with the

1 program or is violating the nonpublic school's code of conduct, the
2 nonpublic school may submit information to the commissioner
3 supporting its determination, and request that the teacher be
4 removed from participation in the program at the nonpublic school.
5 The information submitted shall demonstrate noncompliance with
6 the program, the nonpublic school's code of conduct, or the
7 nonpublic school's faculty handbook. After reviewing the
8 information, the commissioner may terminate the teacher's
9 participation in the program at that nonpublic school.

10 f. The grant program established pursuant to section 2 of
11 P.L.2019, c.256 (C.18A:6-138) shall not infringe upon the
12 collective bargaining agreement between the majority representative
13 of the collective negotiations unit in which the participating eligible
14 teacher is a member and the school district in which the teacher is
15 employed.

16 g. Any appropriation for the grant program made in a fiscal
17 year that is not expended in that fiscal year shall be available to be
18 used for the same purpose in the subsequent fiscal years.

19 (cf: P.L.2019 , c.256 , s.3)

20
21 3. This act shall take effect immediately.

22 23 24 STATEMENT

25
26 This bill makes certain amendments to the STEM educator grant
27 program. The program provides grants for teachers in public school
28 districts to teach additional classes in science, technology,
29 engineering, mathematics, or computer science at nonpublic
30 schools.

31 This bill allows public school districts employing eligible
32 teachers to object to participation in the program for certain
33 allowable reasons. Currently, applications to participate in the
34 program are submitted by nonpublic schools with acknowledgement
35 of the arrangement from the public school district employing the
36 teacher. Under this bill, nonpublic schools would submit the
37 application unilaterally, and school districts would have the
38 opportunity to object to the application after submission if the
39 school district can demonstrate that the arrangement would conflict
40 with public school duties and no resolution could be found or that
41 students would otherwise be adversely affected by the arrangement.
42 The bill also broadens the times when a teacher may teach at the
43 nonpublic school to any hours during which the teacher has no
44 conflicting public school duties.

45 This bill also defines the manner in which a teacher's
46 instructional hourly wage must be determined. Under the bill, the
47 instructional hourly wage of an eligible teacher would be equal to
48 the teacher's salary for the previous school year, adjusted for

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- 1 inflation, divided by the product of 36 and the average number of
- 2 weekly hours taught by the teacher in the prior school year.