

CHAPTER 129

AN ACT concerning performance-based assessments for teacher candidates and supplementing chapter 26 of Title 18A of the New Jersey Statutes.

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

C.18A:26-35 Performance-based assessment, condition of eligibility, certificate of eligibility, prohibited.

1. a. Notwithstanding any law, rule, or regulation to the contrary, the State Board of Education shall not require a candidate for a certificate of eligibility with advanced standing or a certificate of eligibility to complete a Commissioner of Education approved performance-based assessment, including, but not limited to, the edTPA, as a condition of eligibility for a certificate of eligibility with advanced standing, a certificate of eligibility, or a standard certificate. An educator preparation program shall require candidates to complete a performance-based assessment approved by the educator preparation program, embedded within the educator preparation program, beginning with candidates who will complete their educator preparation program in the Spring of 2024.

b. Notwithstanding any provision of this section or of any law, rule, or regulation to the contrary, a person who earned a certificate of eligibility with advanced standing or a certificate of eligibility during the 2019-2020, 2020-2021, or 2021-2022 school years, and who was unable to complete a Commissioner of Education approved performance-based assessment due to abrupt changes in teaching placements or modalities, asynchronous virtual learning environments, school district policies, or other restrictions or disruptions caused by the COVID-19 public health emergency, shall be exempt from the requirement to complete a performance-based assessment as a condition of earning a standard certificate, verified in a manner determined by the commissioner.

c. As used in this section:

“Certificate of eligibility” means an instructional certificate with lifetime validity issued by the State Board of Examiners to candidates who meet degree, academic, and applicable test requirements for teacher certification.

“Certificate of eligibility with advanced standing” means an instructional certificate with lifetime validity issued by the State Board of Examiners to candidates who meet degree, academic, and test requirements for teacher certification and complete an educator preparation program.

“Performance-based assessment” means a multi-measure assessment process where candidates demonstrate the pedagogical knowledge and skills identified in the New Jersey Professional Standards for Teachers and their content knowledge and skill in teaching to the New Jersey Learning Standards in the grade band and subject area of a certificate sought.

“Standard certificate” means a permanent instructional certificate issued by the State Board of Examiners to persons who meet all instructional certificate requirements.

d. The State Board of Education shall promulgate rules and regulations pursuant to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.) necessary to effectuate the provisions of this act.

2. This act shall take effect immediately.

Approved December 16, 2022.