

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, No. 2082**

**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

ADOPTED JANUARY 25, 2024

**Sponsored by:**

**Senator VIN GOPAL**  
**District 11 (Monmouth)**

**Co-Sponsored by:**

**Senators Johnson and Steinhardt**

**SYNOPSIS**

Establishes New Jersey Educator Evaluation Review Task Force; clarifies collection of student growth data.

**CURRENT VERSION OF TEXT**

Substitute as adopted by the Senate Education Committee.



1 AN ACT establishing the “New Jersey Educator Evaluation Review  
2 Task Force,” and amending and supplementing P.L.2012, c.26.

3

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

6

7 1. (New section) The Legislature finds and declares that:

8 a. The “Teacher Effectiveness and Accountability for the  
9 Children of New Jersey (TEACHNJ) Act,” P.L.2012, c.26  
10 (C.18A:6-117 et al.), was enacted in 2012 with the goal of raising  
11 student achievement by improving instruction through the adoption  
12 of an educator evaluation system that provides specific feedback to  
13 educators, informs the provision of aligned professional  
14 development, and informs personnel decisions.

15 b. Since the enactment of the TEACHNJ Act, educators have  
16 benefited from the individualized feedback, provision of targeted  
17 professional development resources, annual review of student  
18 performance data, collaborative exchange of educational strategies  
19 with their certified supervisors, and administrative support provided  
20 through the evaluation systems established pursuant to the  
21 TEACHNJ Act.

22 c. On November 10, 2022, Governor Philip D. Murphy issued  
23 Executive Order No. 309 to establish the Task Force on Public  
24 School Staff Shortages in New Jersey to develop recommendations  
25 to address teacher and education support professional shortages in  
26 school districts across New Jersey. In February 2023, the 25-  
27 member task force issued 31 initial recommendations with a goal of  
28 addressing Statewide educator staffing shortages in the public  
29 schools of the State. The task force recommendations focused on  
30 both short-term and long-term solutions to increase recruitment to  
31 the educator workforce, identify best practices to increase the  
32 educator pipeline, and ensure the retention of school staff members.

33 d. To address the retention of existing school employees,  
34 including teachers, the task force recommended that administrative  
35 burdens, and other tasks that pull teachers from classroom  
36 instruction, be reassessed and reduced, if appropriate, including the  
37 reassessment of student growth objectives within the educator  
38 evaluation process established by the TEACHNJ Act and  
39 regulations issued by the Department of Education.

40 e. In response to the ongoing and widespread staffing challenges  
41 facing New Jersey schools, and considering the recommendations of  
42 the task force report, it is fitting and proper to examine revisions to  
43 the TEACHNJ Act.

44

45 2. (New section) a. There is established the New Jersey  
46 Educator Evaluation Review Task Force for the purpose of

**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 examining the educator evaluation process, gathering data,  
2 evaluating the data, and making recommendations concerning the  
3 annual evaluation process for teachers, principals, assistant  
4 principals, and vice principals established pursuant to the  
5 “TEACHNJ Act,” P.L.2012, c.26 (C.18A:6-117 et al.).

6 b. The task force shall consist of 12 members, each of whom  
7 shall have a background in, or special knowledge of, the legal,  
8 policy, and administrative aspects of educator evaluation in New  
9 Jersey, as follows:

10 (1) one member appointed by the President of the Senate;

11 (2) one member appointed by the Speaker of the General  
12 Assembly;

13 (3) one member appointed by the Governor;

14 (4) three representatives of the New Jersey Education  
15 Association, at least two of whom shall be employed as full-time  
16 teachers in a public school in the State;

17 (5) three representatives of the New Jersey Principals and  
18 Supervisors Association, one of whom shall be employed as a  
19 principal in a public school in the State and one of whom shall be  
20 employed as a vice-principal in a public school in the State;

21 (6) one representative appointed by the New Jersey School  
22 Boards Association;

23 (7) one representative appointed by the New Jersey Association  
24 of School Administrators; and

25 (8) one representative appointed by the Garden State Coalition  
26 of Schools.

27 c. Appointments to the task force shall be made as soon as  
28 practicable following the effective date of P.L. , c. (C. )  
29 (pending before the Legislature as this bill). Vacancies in the  
30 membership of the task force shall be filled in the same manner as  
31 the original appointments were made.

32 d. Members of the task force shall serve without compensation,  
33 but shall be reimbursed for necessary expenditures incurred in the  
34 performance of their duties as members of the task force within the  
35 limits of funds appropriated or otherwise made available to the task  
36 force for its purposes.

37 e. The task force shall organize as soon as practicable, but no  
38 later than 30 days following the effective date of P.L. , c.  
39 (C. ) (pending before the Legislature as this bill). The task  
40 force shall choose a chairperson from its membership and shall  
41 appoint a secretary who shall be an employee of the Department of  
42 Education. The secretary shall be a non-voting member of the task  
43 force. A majority of the membership of the task force shall  
44 constitute a quorum for the transaction of task force business.

45 f. The Department of Education shall provide such stenographic,  
46 clerical, and other administrative assistants, and such professional  
47 staff as the task force requires to carry out its work. The task force  
48 shall be entitled to call to its assistance and avail itself of any non-

1 confidential data maintained by the department and the services of  
2 the employees of any State, county, or municipal department, board,  
3 bureau, commission, or agency as it may require and as may be  
4 available for its purposes.

5

6 3. (New section) a. It shall be the duty of the New Jersey  
7 Educator Evaluation Review Task Force to study and evaluate the  
8 educator evaluation system established pursuant to the "TEACHNJ  
9 Act," P.L.2012, c.26 (C.18A:6-117 et al.), and implemented in New  
10 Jersey public schools. The task force shall consider the law in the  
11 current context of the State's schools, identify areas for  
12 improvement, and make any recommendations regarding any  
13 appropriate changes or updates to the law or regulations  
14 implementing the law. The task force shall:

15 (1) examine the educational value, administrative burden, and  
16 impacts on teachers, principals, and vice principals of the use of  
17 student growth objectives in annual summative evaluations, and  
18 identify potential alternative approaches to the use of student  
19 growth objectives in annual summative evaluations;

20 (2) examine any unintended consequences of the  
21 implementation of the TEACHNJ Act;

22 (3) review current educational research on best practices in  
23 educator evaluation in order to promote student achievement and  
24 success; and

25 (4) present any recommendations deemed necessary and  
26 appropriate to modify or update the TEACHNJ Act and its  
27 implementing regulations to the Governor, the Legislature, the  
28 Department of Education, and the public.

29 b. The task force shall hold at least one public hearing during  
30 the course of its work in order to receive public input on the issues  
31 being studied by the task force.

32 c. The task force shall issue a final report of its findings and  
33 recommendations to the Governor, and to the Legislature pursuant  
34 to section 2 of P.L.1991, c.164 (C.52:14-19.1), no later than  
35 September 30, 2024. The department shall make the final report  
36 available to the public on its Internet website.

37

38 4. Section 17 of P.L.2012, c.26 (C.18A:6-123) is amended to  
39 read as follows:

40 17. a. The Commissioner of Education shall review and approve  
41 evaluation rubrics submitted by school districts pursuant to section  
42 16 of P.L.2012, c.26 (C.18A:6-122). The board of education shall  
43 adopt a rubric approved by the commissioner.

44 b. The State Board of Education shall promulgate regulations  
45 pursuant to the "Administrative Procedure Act," P.L.1968, c.410  
46 (C.52:14B-1 et seq.), to set standards for the approval of evaluation  
47 rubrics for teachers, principals, assistant principals, and vice-  
48 principals. The standards, at a minimum, shall include:

- 1 (1) four defined annual rating categories for teachers, principals,  
2 assistant principals, and vice-principals: ineffective, partially  
3 effective, effective, and highly effective;
- 4 (2) a provision requiring that the rubric be partially based on  
5 multiple objective measures of student learning that use student  
6 growth from one year's measure to the next year's measure using  
7 data from the most recent year in which an educator completed  
8 student growth objectives;
- 9 (3) a provision that allows the district, in grades in which a  
10 standardized test is not required, to determine the methods for  
11 measuring student growth, provided that the student growth  
12 objective data used is data collected in the most recent year in  
13 which an educator completed student growth objectives;
- 14 (4) a provision that multiple measures of practice and student  
15 learning be used in conjunction with professional standards of  
16 practice using a comprehensive evaluation process in rating  
17 effectiveness with specific measures and implementation processes.  
18 Standardized assessments shall be used as a measure of student  
19 progress but shall not be the predominant factor in the overall  
20 evaluation of a teacher;
- 21 (5) a provision that the rubric be based on the professional  
22 standards for that employee;
- 23 (6) a provision ensuring that performance measures used in the  
24 rubric are linked to student achievement;
- 25 (7) a requirement that the employee receive multiple  
26 observations during the school year which shall be used in  
27 evaluating the employee;
- 28 (8) a provision that requires that at each observation of a  
29 teacher, either the principal, his designee who shall be an individual  
30 employed in the district in a supervisory role and capacity and who  
31 possesses a school administrator certificate, principal certificate, or  
32 supervisor certificate, the vice-principal, or the assistant principal  
33 shall be present;
- 34 (9) an opportunity for the employee to improve his effectiveness  
35 from evaluation feedback;
- 36 (10) guidelines for school districts regarding training and the  
37 demonstration of competence on the evaluation system to support  
38 its implementation;
- 39 (11) a process for ongoing monitoring and calibration of the  
40 observations to ensure that the observation protocols are being  
41 implemented correctly and consistently;
- 42 (12) a performance framework, associated evaluation tools, and  
43 observation protocols, including training and observer calibration  
44 resources;
- 45 (13) a process for a school district to obtain the approval of the  
46 commissioner to utilize other evaluation tools; and
- 47 (14) a process for ensuring that the results of the evaluation help  
48 to inform instructional development.

1 c. A board of education shall adopt a rubric approved by the  
2 commissioner by December 31, 2012.

3 d. Beginning no later than January 31, 2013, a board of  
4 education shall implement a pilot program to test and refine the  
5 evaluation rubric.

6 e. Beginning with the 2013-2014 school year, a board of  
7 education shall ensure implementation of the approved, adopted  
8 evaluation rubric for all educators in all elementary, middle, and  
9 high schools in the district. Results of evaluations shall be used to  
10 identify and provide professional development to teaching staff  
11 members. Results of evaluations shall be provided to the  
12 commissioner, as requested, on a regular basis.

13 f. The commissioner shall establish a model evaluation rubric  
14 that may be utilized by a school district to assess the effectiveness  
15 of its teaching staff members.

16 (cf: P.L.2012, c.26, s.17)

17

18 5. (New section) a. Notwithstanding the provisions of section  
19 17 of P.L.2012, c.26 (C.18A:6-123) or any other law, rule, or  
20 regulation to the contrary, in the 2024-2025 school year, teachers  
21 shall not collect new student growth objective data. For the  
22 purposes of conducting evaluations of teachers, principals, assistant  
23 principals, and vice principals in the 2024-2025 school year,  
24 existing student growth objective data from the most recent year in  
25 which the educator completed student growth objectives shall be  
26 used. For any teacher in their first year of employment in a district,  
27 any teacher without a record of pre-existing student growth  
28 objectives, or any non-tenured teacher, the teacher shall be required  
29 to set student growth objectives and collect data pertaining to these  
30 objectives during the 2024-2025 school year.

31 b. Beginning with the 2025-2026 school year, school districts  
32 shall implement guidelines for the collection of student growth  
33 objective data consistent with any law, rule, or regulation enacted as  
34 a result of the findings of the New Jersey Educator Evaluation  
35 Review Task Force established pursuant to P.L. , c. (C. )  
36 (pending before the Legislature as this bill).

37

38 6. Sections 1 through 3, and section 5 of P.L. , c. (C. )  
39 (pending before the Legislature as this bill) shall take effect  
40 immediately. Section 4 of P.L. , c. (C. ) (pending before the  
41 Legislature as this bill) shall take effect on the first day of the first  
42 full school year next following the date of enactment. The task  
43 force shall expire 30 days after the report required pursuant to  
44 section 3 of P.L. , c. (C. ) (pending before the Legislature as  
45 this bill) is issued.