

**Notice of Proposal Regarding Readoption with Amendments of  
N.J.A.C. 6A:9C, Professional Development**

The following is the accessible version of the notice of proposal for the proposed readoption with amendments of N.J.A.C. 6A:9C. The notice of proposal includes two sections – [a summary of the chapter](#) and [the rule text, including proposed amendments](#).

## **Education**

### **State Board of Education**

#### **Professional Development Rules**

#### **Proposed Readoption with Amendments: N.J.A.C. 6A:9C**

#### **Proposed New Rules: N.J.A.C. 6A:9C-4.5 and 4.6**

Authorized By: New Jersey State Board of Education, Angelica Allen-McMillan, Ed.D, Acting Commissioner, Department of Education, Acting Secretary, State Board of Education.

Authority: N.J.S.A. 18A:1-1, 18A:4-15, 18A:6-34 and 38, and 18A:26-2.7 and 10; and P.L. 2012, c. 11.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2022-164.

Submit written comments by February 17, 2023, to:

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The agency proposal follows:

#### **Summary**

The Department of Education (Department) proposes to readopt N.J.A.C. 6A:9C, Professional Development, with amendments and new rules. As the Department filed this notice of proposal on November 10, 2022, which is prior to the existing expiration date of November 12, 2022, the chapter expiration date is extended 180 days to May 11, 2023, pursuant to N.J.S.A. 52:14B-5.1.c(2). The chapter governs the professional development of active teachers and school and school district leaders, as well as the mentoring of novice teachers.

N.J.A.C. 6A:9, Professional Licensure and Standards, was first adopted in 2004 and readopted in 2009. The chapter set forth the rules governing the preparation, licensure, and professional development of educators required by their positions to be certified. It also included rules governing the approval of educator preparation programs and their content. Finally, it included the rules delineating the organization of, powers of, duties of, and proceedings before the State Board of Examiners. On August 4, 2014, the chapter was recodified into four chapters – N.J.A.C. 6A:9, 6A:9A, 6A:9B, and 6A:9C – through a notice of administrative changes (see 47 N.J.R. 1743(a)). At that time, N.J.A.C. 6A:9C was titled “Professional Development for Teaching Staff Members and School Leaders” as it included only rules related to professional development for educators. The chapter was most recently readopted in 2015, at which time it was retitled “Professional Development.”

Existing N.J.A.C. 6A:9C sets forth the requirements for the professional development of active educators. The rules proposed for readoption with amendments and new rules govern professional development plans at the school and school district levels, as well as professional development plans for individual educators. The chapter also establishes the rules for the required mentorship of novice teachers. Professional development occurs along a continuum of rigorous pre-professional preparation, certification, and ongoing professional learning to prepare educators. The requirements in this chapter relate to how educators must be supported as they transition from candidates in educator preparation programs to novice teachers, and from novice teachers to teachers with a standard certificate, as well as throughout the rest of their experience as educators or school leaders.

The amendments proposed at N.J.A.C. 6A:9C in this rulemaking and at N.J.A.C. 6A:9, 6A:9A, and 6A:9B in separate, simultaneous rulemakings are intended to provide options to certain candidates for an instructional certificate. The proposed amendments and new rules also will implement a number of recently enacted State laws that created new endorsements for

instructional certificates or altered the requirements for existing endorsements, including the following:

- P.L. 2013, c. 68, which created pathways for military spouses to earn a certificate through reciprocity;
- P.L. 2017, c. 6, which requires educator preparation programs that lead to an instructional certificate to include instruction or clinical experience in special education and credit hours in autism spectrum disorder for the teacher of students with disabilities endorsement;
- P.L. 2017, c. 70, which revised the requirements for the school nurse endorsement;
- P.L. 2018, c. 81, which authorized the computer science endorsement to the instructional certificate;
- P.L. 2021, c. 57, which established the Alternate Route Interstate Reciprocity Pilot Program;
- P.L. 2021, c. 87, which revised the substitute credential requirements;
- P.L. 2021, c. 279, which established the early college high school program endorsement to the instructional certificate; and
- P.L. 2021, c. 420, which required alternative measures for candidates for the career and technical education endorsement to demonstrate basic skills.

Coupled with the recently adopted rules at N.J.A.C. 6A:9B-8A to create a five-year pilot program to issue limited certificates of eligibility (limited CE) or limited certificates of eligibility with advanced standing (limited CEAS) to eligible candidates to work in participating school districts, the Department anticipates that the proposed amendments and new rules to all four chapters will encourage more individuals to apply for an instructional certificate while maintaining the high quality of the State's teacher workforce. The proposed amendments and new rules added to the State's system of educator preparation, certification, mentoring, and professional development also will help alleviate existing teacher shortages that have been

amplified by the COVID-19 pandemic and will further the Department’s efforts to increase diversity in the education workforce. The amendments and new rules proposed at N.J.A.C. 6A:9C will introduce changes to professional development, including enhanced mentoring requirements, alignment of professional learning standards with standards widely recognized by New Jersey educators, and clarified professional development plans. The proposed amendments and new rules will ensure educators and school leaders are better supported, thereby increasing the ability of district boards of education to retain staff members.

Unless specified in this Summary, all amendments are proposed for clarity, for stylistic or grammatical improvement, to eliminate gendered pronouns, or to update cross-references to the New Jersey Administrative Code or New Jersey Statutes Annotated.

### **Subchapter 1. Scope and Purpose**

#### **N.J.A.C. 6A:9C-1.1 Scope**

This section provides the chapter’s scope, which is the rules governing the professional development of active teachers and school and school district leaders, as well as the rules governing teacher mentoring required for certification and under the TEACHNJ Act (N.J.S.A. 18A:6-117 et seq.).

#### **N.J.A.C. 6A:9C-1.2 Purpose**

This section includes the chapter’s purpose, which is to set forth requirements for a system of high-quality professional development that continuously serves educators’ professional learning and practice in support of positive learning outcomes for all New Jersey students and to support improved student achievement of the New Jersey Student Learning Standards (NJSLs). Educator development occurs along a continuum of rigorous pre-professional preparation, certification, and professional development to prepare educators.

### **Subchapter 2. Definitions**

## **N.J.A.C. 6A:9C-2.1 Definitions**

The section explains that all definitions at N.J.A.C. 6A:9C-2.1 also apply to this chapter.

## **Subchapter 3. Professional Development Components and Standards for Professional Learning**

### **N.J.A.C. 6A:9C-3.1 Components and Standards**

This section states that the subchapter's components and standards shall serve as indicators to guide the policies, activities, facilitation, implementation, management, and evaluation of a system of high-quality professional development.

### **N.J.A.C. 6A:9C-3.2 Components of Professional Development**

The section requires professional development to align with the Professional Standards for Teachers and the Professional Standards for School Leaders at N.J.A.C. 6A:9C-3, the standards for professional learning at N.J.A.C. 6A:9C-3.3, student learning and educator development needs, and school, school district, and/or State improvement goals. This section also requires professional development to encompass a broad range of professional learning that contributes to improved practice and establishes the components of professional learning.

The Department proposes to amend N.J.A.C. 6A:9C-3.2(d)3, which states that professional learning may be supported by external expert assistance or additional experiences that include, but are not limited to, courses, workshops, institutes, networks, and conferences provided by for-profit and nonprofit entities outside the school, such as universities, educational service agencies, technical assistance providers, networks of content specialists, and other education organizations and associations. The Department proposes to add "in-person, virtual, and/or remote" before "courses" to clarify that virtual professional learning opportunities are one option available to educators. The proposed amendment also reflects that educators need to be provided a full range of types of experiences as they pursue knowledge to improve their practice.

## **N.J.A.C. 6A:9C-3.3 Standards for Professional Learning**

This section includes the standards that guide all professional learning for educators and school leaders.

The Department also proposes to replace the standards at existing N.J.A.C. 6A:9C-3.3(a)1 through 7 with standards for professional learning updated by Learning Forward on April 25, 2022. Learning Forward is a national professional organization that develops standards for professional learning. The Department proposes to align New Jersey’s standards for professional learning to the Learning Forward standards to stay current with the standards most used for professional learning for educators across the country. The existing standards at N.J.A.C. 6A:9C-3.3(a)1 through 7 support ongoing, embedded professional learning and incorporate equity throughout each standard. The proposed new standards also support ongoing, embedded professional learning, but have a more explicit focus on equity. The proposed standards are organized into the following three categories: rigorous content for each learner, transformational process, and conditions for success. Further, the updates include the following three distinct equity standards: equity practices, equity drivers, and equity foundations. In addition, the proposed standards reflect language from current evidence-based practices. The content of the proposed standards now align to current evidence-based practices. The following indicates the title changes between the existing and new standards.

- “Learning Communities Standards” is now “Culture of Collaborative Inquiry”;
- “Data Standard” is now “Evidence”; and
- “Outcomes” is now split into two standards as “Curriculum Assessment” and “Instruction and Professional Expertise.”

## **Subchapter 4. District-Level, School-Level, and Individual Professional Development Requirements**

## **N.J.A.C. 6A:9C-4.1 General Provisions**

This section describes the subchapter’s purpose, which is to set forth requirements for district- and school-level professional development plans; individual professional development for active teachers and school leaders; and the State Professional Learning Committee. This section also states that the subchapter applies to all active teachers, which are staff whose positions require possession of the instructional or education services certificates; all active school leaders serving on a permanent or interim basis whose positions require possession of the chief school administrator, principal, or supervisor endorsement; and school districts and to any nonpublic school that chooses to participate in the professional development requirements for teachers and school leaders and whose staff members hold positions that require the possession of the instructional, educational services, or administrative certificates.

The Department proposes to amend N.J.A.C. 6A:9C-4.1(b)2, which states the subchapter applies to all active school leaders serving on a permanent or interim basis whose positions require possession of the chief school administrator, principal, or supervisor endorsement. The Department proposes to replace “chief school administrator” with “school administrator certificate” to align the regulation with the current terminology for the certificate held by chief school administrators. The same amendment is proposed throughout the subchapter, where necessary.

## **N.J.A.C. 6A:9C-4.2 District- and School-Level Plans for Professional Development Implementation**

This section sets forth the requirements for the district- and school-level professional development plans, as well as the chief school administrator’s and the principal’s respective responsibilities in developing and implementing the plans.



## **N.J.A.C. 6A:9C-4.3 Requirements for and Implementation of School Leaders' Individual Professional Development Plans**

This section requires each school leader and chief school administrator to create, implement, and complete an individual professional development plan (PDP). This section also sets forth the requirements for a school leader's and a chief school administrator's individual PDP.

The Department proposes to relocate the last sentence of existing N.J.A.C. 6A:9C-4.3(d) and existing N.J.A.C. 6A:9C-4.3(d)1 through 3 as (d)1i, ii, and iii, respectively. The proposed relocations will delineate more clearly the responsibilities of a chief school administrator, or chief school administrator's designee, regarding a school leader's individual professional development plan.

## **N.J.A.C. 6A:9C-4.4 Requirements for and Implementation of Teachers' Individual Professional Development Plans**

This section requires each teacher to be guided by an individual PDP. This section also sets forth the requirements for a teacher's individual PDP.

The Department proposes to amend the first sentence at N.J.A.C. 6A:9C-4.4(a), which requires each teacher to be guided by an individual PDP that includes at least 20 hours per year of qualifying experiences. The Department proposes to add "that support student achievement, including achievement in academic, physical, social, and emotional learning" after "qualifying experiences." The proposed amendment will align the regulation with N.J.S.A. 18A:6-128.a, which requires ongoing professional development that supports overall student achievement, specifically including academic, physical, social, and emotional learning through an individual professional development plan.

The Department proposes to recodify existing N.J.A.C. 6A:9C-4.4(g), which states that a teacher's individual professional development plan goals may necessitate more than the recommended minimum requirements outlined in the subchapter, as N.J.A.C. 6A:9C-4.4(e). The

recodification will place this step in the correct order of the process of implementing and developing individual PDPs.

The Department proposes to amend the first sentence at N.J.A.C. 6A:9C-4.4(i)1, which requires the teacher's designated supervisor to use the teacher performance evaluation process and the professional development planning process to monitor each teacher's progress in meeting the professional development requirements and to take appropriate steps to assure such progress. The Department proposes to delete "and shall take appropriate steps to assure such progress" because the regulation already specifies that the progress is monitored through the teacher performance evaluation process and the professional development planning process.

### **Proposed New N.J.A.C. 6A:9C-4.5 Requirements for, and Implementation of, Educational Interpreters' Individual Professional Development Plans**

The Department proposes new N.J.A.C. 6A:9C-4.5 to establish rules for the individual PDPs of educational interpreters. The proposed section will require educational interpreters to be guided by an individual PDP that must include at least 10 hours per year of qualifying experiences that support improved practice. The proposed new section also will require the 10-hour annual qualifying experience to be based on the length of full-time employment and reduced by a pro rata share reflecting part-time employment, or an absence, including the use of family or medical leave. The proposed section further will require the content of each individual PDP to be developed by the educational interpreter's supervisor in consultation with the educational interpreter. Lastly, the proposed new section will apply the PDP requirements applicable to teachers at N.J.A.C. 6A:9C-4.4(c), (e), (f), (g), (h), and (j) to educational interpreter PDPs.

## **Proposed New N.J.A.C. 6A:9C-4.6 Requirements for, and Implementation of, Preschool Paraprofessionals' Individual Professional Development Plans**

The Department proposes new N.J.A.C. 6A:9C-4.6 to establish rules for the individual PDPs of preschool paraprofessionals working in State-funded preschool programs. The proposed new section will require preschool paraprofessionals to be guided by an individual PDP that must include at least 20 hours per year of qualifying experiences that support improved practice. The proposed section also will require the 20-hour annual qualifying experience to be based on the length of full-time employment and reduced by a pro rata share reflecting part-time employment, or an absence, including the use of family or medical leave.

The proposed new section will further require the content of each individual PDP to be developed by the preschool paraprofessional's supervisor in consultation with the paraprofessional. The proposed new section also will require the PDP to include a coaching by a preschool instructional coach, a preschool intervention and referral specialist (PIRS), and any other coach the school district assigns to work with the preschool paraprofessional. The proposed new section will apply the PDP requirements applicable to teachers at N.J.A.C. 6A:9C-4.4(c), (e), (f), (g), (h), and (j) to preschool paraprofessionals.

### **N.J.A.C. 6A:9C-4.5 State Professional Learning Committee**

Existing N.J.A.C. 6A:9C-4.5 establishes that the State Professional Learning Committee (Committee) advises the Commissioner on the professional development requirements for teachers and school leaders. This section also sets forth the actions that the Committee may take.

The Department proposes new N.J.A.C. 6A:9C-4.7(a)3 to allow the Committee to “[d]evelop and recommend support and resources related to the standards for professional learning.” The Department proposes new N.J.A.C. 6A:9C-4.7(a)9 to allow the Committee to “[d]evelop and recommend support and resources for implementation of professional development related to equity pursuant to N.J.A.C. 6A:7-1.6.” The proposed new paragraph will

ensure that the Commissioner is able to acquire robust feedback on equity and equality professional learning from experts in the field.

The Department proposes to amend recodified N.J.A.C. 6A:9C-4.7(b), which requires the Committee to consist of at least 16 members appointed by the Commissioner. The Department proposes to recodify the second sentence, which states the Commissioner, or the Commissioner's designee, shall serve on the Committee as an ex-officio member, as N.J.A.C. 6A:9C-4.7(c)6. The Department also proposes to delete the third sentence, which sets forth how initial committee appointments are to be made, because the initial appointment already have occurred. The Department further proposes to recodify the fourth sentence, which states that each member shall serve a term of three years, renewable for one additional term, as N.J.A.C. 6A:9C-4.7(b)1. The Department proposes to delete the fifth sentence, which states “[h]owever, the 10 members who will occupy the initial abrogated terms shall be eligible to serve two additional full terms,” because the provision no longer is necessary. The Department also proposes to recodify the last sentence, which requires the Commissioner to appoint a new representative from the appropriate constituency to fill a vacancy when a membership vacancy or change in a member's representation status occurs and states the Committee may carry out its responsibilities in the interim, as N.J.A.C. 6A:9C-4.7(b)2.

The Department proposes to amend the last sentence at recodified N.J.A.C. 6A:9C-4.7(c), which states “[t]he Committee membership shall be as follows.” The Department proposes to replace “[t]he Committee membership” with “[a]t a minimum, Committee membership” because the Committee can be comprised of more than 16 members.

### **Subchapter 5. District Mentoring Program**

This subchapter includes the requirements for the mandatory district mentoring program, which outlines logistics for the district mentoring program's implementation of new teacher support and the school district's responsibilities in implementing its plan.

## **N.J.A.C. 6A:9C-5.1 Requirements for the District Mentoring Program**

This section sets forth the requirements for the district mentoring program, which include providing support to provisional and nontenured teachers based on individual needs and a comprehensive induction to school district policies and procedures for all nontenured teachers.

The Department proposes to amend N.J.A.C. 6A:9C-5.1(c)2, which requires all district boards of education that employ nontenured teachers to determine how each nontenured teacher in the first year of employment will be provided individualized supports and activities. The paragraph also states, in part, that the individualized supports and activities shall be assigned at the school district's discretion. The Department proposes to replace "assigned at the school district's discretion" with "based on the nontenured teacher's individual needs." The proposed amendment will ensure the supports for nontenured teachers are based on their individual specific needs.

The Department proposes to amend N.J.A.C. 6A:9C-5.1(d)3, which requires one-to-one mentoring that includes planned, and in-person, contact time between the mentor teacher and the novice provisional teacher holding a CE or CEAS over the course of the academic year or proportionally longer if the novice provisional teacher holds a part-time teaching assignment. The Department proposes to add "weekly" before "in-person contact time" and to replace "over the course of the academic year" with "for a minimum of 30 weeks." The proposed amendments also will ensure that one-to-one mentoring includes weekly contact time between the mentor teacher and the novice provisional teacher over a period of at least 30 weeks. This proposed amendment will establish a consistent frequency throughout the entire mentoring process to ensure that teachers receive the support they need, thereby providing local education agencies the best possible opportunity to retain novice provisional teachers.

The Department proposes to amend N.J.A.C. 6A:9C-5.1(d)4 and 5, which require the mentor teacher and the novice provisional teacher to meet once per week for the first four weeks for a novice provisional teacher holding a CE and for the first eight weeks for a novice provisional teacher holding a CEAS. The Department proposes to increase the meeting frequency

to twice per week for novice provisional teachers holding a CEAS or a CE. The proposed amendments will ensure that teachers receive the necessary support, thereby providing local education agencies the best possible opportunity to retain novice provisional teachers.

### **N.J.A.C. 6A:9C-5.2 Mentor Requirements**

This section requires the chief school administrator to oversee the mentor selection process and ensure all mentors meet specific qualifications.

The Department proposes to amend N.J.A.C. 6A:9C-5.2(a)4i, which requires, beginning academic year 2014-2015, all mentor teacher applicants shall have received a summative rating of effective or highly effective on the most recent summative evaluation. The Department proposes to delete “[b]eginning academic year 2014-2015” because the implementation timeframe has passed and all applicants must meet the requirements.

The Department proposes to delete N.J.A.C. 6A:9C-5.2(a)4i(1), which sets forth the process for a mentor applicant to demonstrate a record of success in the classroom if the applicant did not receive a summative evaluation rating for academic year 2013-2014 by the start of academic year 2014-2015. Since all of the timeframes have passed, this process is no longer necessary. The Department proposes to recodify existing N.J.A.C. 6A:9C-5.2(a)4i(2) as (a)4ii.

### **N.J.A.C. 6A:9C-5.3 District Mentoring Plan**

This section sets forth the chief school administrator’s responsibilities with regard to developing, implementing, and reporting on the district mentoring plan.

The Department proposes to relocate the second sentence at existing N.J.A.C. 6A:9C-5.3(a), which requires the district mentoring plan to include logistics for its implementation and to describe school district’s responsibilities pursuant to this subchapter, as N.J.A.C. 6A:9C-5.3(b) and (b)1 and 2. The Department also proposes new N.J.A.C. 6A:9C-5.3(b)3 to require that district mentoring plans include “[f]ormal and informal resources and supports to guide novice

provisional teachers throughout the entire provisional period.” The proposed new rule will ensure that novice provisional teachers are provided the resources necessary to be successful and to increase staff retention.

The Department proposes to recodify existing N.J.A.C. 6A:9C-5.3(a)1 as (c).

The Department proposes recodify existing N.J.A.C. 6A:9C-5.3(a)2, which requires the chief school administrator to share the district mentoring plan with each school improvement panel and states that the panel must oversee the school-level implementation of the district mentoring plan and communicate the plan to all nontenured teachers and their mentors, as N.J.A.C. 6A:9C-5.3(d)1 and 2. The Department also proposes, at new N.J.A.C. 6A:9C-5.3(d)1, to require the chief school administrator to collaborate annually with each school improvement panel to review the district mentoring plan, consider ways to support the plan at the school level, and take steps to ensure that all new teachers are receiving the necessary professional supports instead of only sharing the district mentoring plan with the school improvement panel as required at existing N.J.A.C. 6A:9C-5.3(a)2. The proposed amendments will align the regulation with N.J.S.A. 18A:6-120.b.

The Department proposes new N.J.A.C. 6A:9C-5.3(e) to require the chief school administrator, or the chief school administrator’s designee, to make available to all staff an electronic copy of the current district mentoring plan. The proposed new regulation will ensure that all staff have access to the expectations of the mentoring plan in an electronic format.

#### **N.J.A.C. 6A:9C-5.4 Mentoring and Evaluation by Approved Agencies**

This section authorizes approved agencies and designated staff to provide services, evaluations, and recommendations for provisional Teachers of Supplemental Instruction in Reading and Mathematics, Grades K-8 in their employ.

As the Department has provided a 60-day comment period on this notice of proposal, the notice is excepted from the rulemaking calendar requirement, pursuant to N.J.A.C. 1:30-3.3(a)5.

## **Social Impact**

The rules proposed for readoption with amendments and new rules will have a positive social impact on school districts, approved private schools for students with disabilities, students, teaching staff members, and school leaders by providing the requirements for a system of high-quality professional development and mentoring that continuously serves educators' professional learning and practice in support of positive learning outcomes for all New Jersey students. The proposed amendments and new rules added to the mentoring requirements and professional development requirements will increase a district board of education's ability to retain quality educators. The Department does not expect the rules proposed for readoption with amendments and new rules will have significant additional or differing effects compared to the current chapter.

The proposed amendments and new rules added to the standards for professional learning incorporate current research and provide a clear description of what teachers and school leaders need to be effective, as they support all students in reaching the goal of being ready to enter college and the workforce in today's world. The professional development rules and teacher mentoring rules ensure teachers and school leaders receive appropriate levels of support so, in turn, the teachers and school leaders can provide greater support to students.

## **Economic Impact**

The Department does not anticipate the rules proposed for readoption with amendments and new rules will create additional costs for school districts, approved private schools for students with disabilities, school leaders, or individual educators. The rules proposed for readoption with amendments and new rules will have an economic impact on the preschool paraprofessionals and educational interpreters because it is proposed that they each have an individualized professional development plan that includes 20 and 10 hours of professional development per year, respectively. The estimated cost for preschool paraprofessionals is \$300.00 annually and for educational interpreters, \$200.00 annually. However, the Department proposes to



readopt with amendments the mentoring requirements at N.J.A.C. 6A:9C-5, which currently result in a cost of \$550.00 for a candidate holding a CEAS, and \$1,000 for a candidate holding a CE. Mentor requirements remain an essential tool for inducting and developing a novice teacher; therefore, the resulting costs are necessary to ensure that all novice teachers receive the guidance and support necessary to develop into effective educators.

### **Jobs Impact**

It is not anticipated that jobs will be either generated or lost as a result of the rules proposed for readoption with amendments and new rules.

### **Agriculture Industry Impact**

The rules proposed for readoption with amendments and new rules will have no impact on the agriculture industry.

### **Federal Standards Analysis**

The rules proposed for readoption with amendments and new rules will further align New Jersey's regulations with Federal requirements under the Every Student Succeeds Act (P.L. 114-95) and ensure New Jersey's public school system prepares students for postsecondary education and the 21st century workplace. The rules proposed for readoption with amendments and new rules are in compliance with both Federal regulations and State statutes.

### **Regulatory Flexibility Impact Analysis**

Approved private schools for students with disabilities (APSSDs) could be considered small businesses as that term is defined by the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The rules proposed for readoption with amendments and new rules apply to approximately 140 APSSDs. The rules proposed for readoption with amendments and new rules impose reporting, recordkeeping, or other compliance requirements by requiring APSSDs to maintain statements of

assurance for mentoring plans and professional development plans. The rules proposed for readoption with amendments and new rules reflect the minimal amount of paperwork and recordkeeping appropriate to strike a balance between the need to ensure that mentoring and professional development are provided in an appropriate manner, and the desire to minimize the burden on small businesses. No professional services should be necessary to comply with the rules proposed for readoption with amendments and new rules. There are no capital costs and minimal or no compliance costs associated with the rules proposed for readoption with amendments and new rules. There should be no adverse economic impact on small businesses.

### **Housing Affordability Impact Analysis**

The rules proposed for readoption with amendments and new rules will have an insignificant impact on the affordability of housing in New Jersey. There is an extreme unlikelihood the rules proposed for readoption with amendments and new rules would evoke a change in the average costs associated with housing in the State, as the rules proposed for readoption with amendments and new rules impact the continuing education and training of educators, school districts, and APSSDs in New Jersey.

### **Smart Growth Development Impact Analysis**

The rules proposed for readoption with amendments and new rules will have an insignificant impact on smart growth. There is an extreme unlikelihood the rules proposed for readoption with amendments would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan in New Jersey because the rules proposed for readoption with amendments and new rules concern the continuing education and training of educators, school districts, and APSSDs in New Jersey.

## **Racial and Ethnic Community Criminal Justice and Public Safety Impact**

There is an extreme unlikelihood the proposed rules for readoption with amendments and new rules would have an impact on pretrial detention, sentencing, probation, or parole policies concerning juveniles and adults in the State because the proposed amendments and new rules concern continuing education and training of educators, school districts, and APSSDs in New Jersey. Accordingly, no further analysis is required.

**Full text** of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 6A:9C.

**Full text** of the proposed amendments and new rules follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

### **Subchapter 1. Scope and Purpose**

#### **6A:9C-1.1 Scope**

This chapter sets forth the rules governing professional development for active teachers, [and] **school district leaders**, and school leaders. [It] **This chapter** also contains the rules governing teacher mentoring required for [certification and under] **a certificate pursuant to** the TEACHNJ Act (N.J.S.A. 18A:6-[127]**117 et seq.**).

#### Subchapter 3. Professional Development Components and Standards for Professional Learning

##### 6A:9C-3.2 Components of professional development

(a)–(c) (No change.)

(d) Professional learning may be supported by external expert assistance or additional experiences that:

1.-2. (No change.)

3. Include, but are not limited to, **in-person, virtual, and/or remote** courses, workshops, institutes, networks, and conferences provided by for-profit and nonprofit entities outside the school such as universities, educational service agencies, technical assistance providers, networks of content specialists, and other education organizations and associations.

#### 6A:9C-3.3 Standards for professional learning

- (a) Professional learning that increases educator effectiveness and improves results for all students shall be guided by the following standards:

- [1. Learning communities: Occurs within learning communities committed to continuous improvement, collective responsibility, and goal alignment;
2. Leadership: Requires skillful leaders who develop capacity, advocate, and create support systems for professional learning;
3. Resources: Requires prioritizing, monitoring, and coordinating resources for educator learning;
4. Data: Uses a variety of sources and types of student, educator, and system data to plan, assess, and evaluate professional learning;
5. Learning designs: Integrates theories, research, and models of human learning to achieve its intended outcomes;
6. Implementation: Applies research on change and sustains support for implementation of professional learning for long-term change; and
7. Outcomes: Aligns its outcomes with educator performance and the NJSLs.]

1. **Rigorous content for each learner:**

- i. **Equity practices: Professional learning results in equitable opportunities and excellent outcomes for all students when educators understand their students' historical, cultural, and societal contexts;**

**embrace student assets through instruction; and foster relationships with students, families, and communities;**

- ii. Curriculum, assessment, and instruction: Professional learning results in equitable opportunities and excellent outcomes for all students when educators prioritize high-quality curriculum and instructional materials for students, assess student learning, and understand curriculum and implement through instruction; and**
- iii. Professional expertise: Professional learning results in equitable opportunities and excellent outcomes for all students when educators apply the NJSLs and research to their work, develop the expertise essential to their roles, and prioritize coherence and alignment in their learning;**

**2. Transformational process:**

- i. Equity drivers: Professional learning results in equitable opportunities and excellent outcomes for all students when educators prioritize equity in professional learning practices, identify and address their own biases and beliefs, and collaborate with diverse colleagues;**
- ii. Evidence: Professional learning results in equitable opportunities and excellent outcomes for all students when educators create expectations regarding, and build capacity for, the use of evidence from multiple sources to plan educator learning, and measure and report the impact of professional learning;**
- iii. Learning designs: Professional learning results in equitable opportunities and excellent outcomes for all students when educators set relevant and contextualized learning goals, ground their work in research and theories about learning, and implement evidence-based learning designs; and**

- iv. **Implementation: Professional learning results in equitable opportunities and excellent outcomes for all students when educators understand and apply research on change management, engage in feedback processes, and implement and sustain professional learning; and**
3. **Conditions for success:**
- i. **Equity foundations: Professional learning results in equitable opportunities and excellent outcomes for all students when educators establish expectations for equity, create structures to ensure equitable opportunities for access to learning, and sustain a culture of support for all staff;**
  - ii. **Culture of collaborative inquiry: Professional learning results in equitable opportunities and excellent outcomes for all students when educators engage in continuous improvement, build collaboration skills and capacity, and share responsibility for improving learning for all students;**
  - iii. **Leadership: Professional learning results in equitable opportunities and excellent outcomes for all students when educators establish a compelling and inclusive vision for professional learning, sustain coherent support to build educator capacity, and advocate for professional learning by sharing the importance and evidence of the impact of professional learning; and**
  - iv. **Resources: Professional learning results in equitable opportunities and excellent outcomes for all students when educators allocate resources for professional learning, prioritize equity in their resource decisions, and monitor the use and impact of resource investments.**

## Subchapter 4. District-Level, School-Level, And Individual Professional Development Requirements

### 6A:9C-4.1 General provisions

- (a) (No change.)
- (b) This subchapter applies to:
  - 1. All active teachers, defined as staff whose positions require possession of the instructional or education services certificates in accordance with N.J.A.C. 6A:9B-8 through [11] **11A** and [13] **14**;
  - 2. All active school leaders serving on a permanent or interim basis whose positions require possession of [the chief] **a school administrator[,]** **certificate, or a principal[,]** or supervisor endorsement, in accordance with N.J.A.C. 6A:9B-12 **and 13**; and
  - 3. School districts and to any nonpublic school that chooses to participate in the professional development requirements for teachers and school leaders [in] **pursuant to** this subchapter and whose staff members hold positions that require the possession of the instructional, educational services, or administrative certificates. Hereinafter in this subchapter, the terms “district board of education,” “school district,” or “school leaders” include the applicable staff or governing bodies of nonpublic schools that choose to participate in the professional development requirements for teachers and school leaders in the subchapter.
- (c) (No change.)

### 6A:9C-4.2 District- and school-level plans for professional development implementation

- (a) (No change.)
- (b) The chief school administrator, or **the chief school administrator’s** designee, shall oversee the development and implementation of the school district plan to address school

districts' professional development needs. [and] **The chief school administrator, or the chief school administrator's designee**, shall review on an annual basis, the school district plan to assess its effectiveness and revise it, as necessary, to meet the school district's learning goals for students, teachers, and school leaders. When overseeing and reviewing the school district plan, the chief school administrator, or **the chief school administrator's designee**, shall:

1.–2. (No change.)

3. Plan, support, and implement professional learning that addresses the NJSLS, and that align with the standards for professional learning [in] **at** N.J.A.C. 6A:9C-3.3 and the Professional Standards for Teachers and the Professional Standards for School Leaders [in] **at** N.J.A.C. 6A:9-3;

4. (No change.)

5. Present the plan to the district board of education to review for fiscal impact; [and]

6. Certify [annually to the Department, through a statement of assurance,] that the school district is meeting the requirements for the school district plan as set forth in this section and that it includes requirements of the district mentoring plan pursuant to N.J.A.C. 6A:9C-5.3. **The chief school administrator, or the chief school administrator's designee, shall submit the certification annually to the Department through a statement of assurance; and**

[(c)] **7.** School districts sending to the same middle and/or high school may form a regional consortium to develop one districtwide plan [based on] **that incorporates** the sending schools' plans.

[(d)] **(c)** The principal shall oversee the development and implementation of a plan for school-level professional development. [and] **The principal** shall ensure:

1.–2. (No change.)

[(e)] **(d)** (No change in text.)



6A:9C-4.3 Requirements for, and implementation of, school leaders' individual professional development plans

- (a) Each school leader shall create, implement, and complete an individual professional development plan (PDP) that:
  - 1. Aligns with the Professional Standards for School Leaders set forth [in] **at** N.J.A.C. 6A:9-3.4 and the standards for professional learning [in] **at** N.J.A.C. 6A:9C-3.3;
  - 2.-5. (No change.)
- (b) Each school leader's individual PDP shall be developed by October 31, except:
  - 1. If the school leader is hired after October 1, the PDP shall be developed within 25 working days of [his or her] **the school leader's** hire.
- (c) Each chief school administrator shall develop an individual PDP for review by [his or her] **the** district board of education. In developing the individual PDP, the following process shall be followed:
  - 1. [Each] **The** district board of education shall review [each] **the** chief school administrator's individual PDP, including the individual training needs pursuant to (a)5 above[, and]. **The district board of education** shall ensure the individual PDP aligns to school district goals and to the school district's plan for professional development.
  - 2. The chief school administrator shall submit annually to the district board of education evidence of progress toward completion of the individual PDP. The chief school administrator also shall submit every three to five years, depending on the length of [his or her] **the chief school administrator's** contract with the district board of education, summative evidence of plan completion.
  - 3. The chief school administrator may appeal to the executive county superintendent if [he or she] **the chief school administrator** disagrees with the district board of education

regarding PDP contents or progress toward completion. The executive county superintendent shall have final decision-making authority on all such matters.

(d) Each leader whose position requires a **school administrator**, principal, or supervisor endorsement, [or whose position requires a chief school administrator endorsement] but who does not serve as a chief school administrator of a school district[,], shall develop, in collaboration with [his or her] **the leader's** designated supervisor, an individual PDP. [and] **The leader** shall provide [evidence] to [his or her] **the leader's** designated supervisor **evidence** of progress toward fulfillment of [his or her plan] **the individual PDP**.

1. Each chief school administrator, **or the chief school administrator's** designee shall:

[1.] **i.** Review each [principal's, supervisor's, or other school] leader's [individual] PDP, including the [individual] training needs pursuant to (a)5 above, and [shall] ensure [it] **the individual PDP** aligns to school and school district goals, and the school district's plan for professional development;

[2.] **ii.** Meet with [the principal, supervisor, or other school] **each** leader at mid-year to assess progress toward [his or her] **their individual PDP's** completion or modification; and

[3.] **iii.** (No change in text.)

(e) The school leader's designated supervisor, or the district board of education in the case of the chief school administrator, shall:

1. (No change.)

2. Maintain accurate records of each school leader's progress in meeting the individual professional development requirements, pursuant to this subchapter.

Such records shall include a copy of each school leader's current PDP and timeline, as well as any documentation and evidence showing the school leader's progress toward meeting the [plan's] **individual PDP's** requirements.

- (f) If a school leader leaves the employ of one New Jersey school district and is hired by another, the school leader's designated supervisor **in the new school district**, or the district board of education in the case of the chief school administrator, shall ensure a revised individual PDP appropriate to the new assignment is developed in collaboration with the school leader.

6A:9C-4.4 Requirements for, and implementation of, teachers' individual professional development plans

- (a) [Each] **Pursuant to N.J.S.A. 18A:6-128.a, each** teacher shall be guided by an [individualized] **individual** professional development plan (PDP), [pursuant to N.J.S.A. 18A:6-128.a,] which shall include at least 20 hours per year of qualifying experiences **that support student achievement, including achievement in academic, physical, social, and emotional learning**. The 20-hour annual requirement shall be based on the length of full-time employment and reduced by a pro rata share reflecting part-time employment, or an absence, including the use of family or medical leave.
- (b) The content of each individual PDP shall be developed by each teacher's supervisor in consultation with the teacher. [and] **The individual PDP** shall align with the Professional Standards for Teachers [in] **at** N.J.A.C. 6A:9-3 and the standards for professional learning [in] **at** N.J.A.C. 6A:9C-3.3.
- (c) Each teacher's individual PDP shall be updated annually no later than October 31, except:
1. If the teacher is hired after October 1, the PDP shall be developed within 25 working days [of his or her] **after the teacher's hire**.
- (d) (No change.)
- (e) **A teacher's individual PDP goals may necessitate more than the recommended minimum requirements set forth in this subchapter.**
- [(e)] (f) Progress on the individual PDP shall be discussed at the annual summary conference, pursuant to N.J.A.C. 6A:10-2.4, but may [occur] **be discussed** more frequently throughout the year.

[f] (g) Evidence of progress toward meeting the requirements of the teacher's individual PDP may be provided by the teacher [and/or his or her] **or the teacher's** designated supervisor[, and]. **The evidence** shall be reviewed as part of each annual summary conference.

[g] A teacher's individual PDP goals may necessitate more than the recommended minimum requirements outlined in this subchapter.]

(h) Additional hours of qualifying experiences may be required for teachers in **schools identified by the Commissioner as** low-performing [schools, as determined by the Commissioner].

(i) The teacher's designated supervisor shall:

1. Use the teacher performance evaluation process and the professional development planning process to monitor each teacher's progress in meeting the professional development requirements [and shall take appropriate steps to assure such progress]. If a teacher's progress is found to be inadequate, the teacher's designated supervisor shall take appropriate remedial action by applying sound and accepted principles of progressive supervision and other appropriate means; and
2. Maintain accurate records of each teacher's progress in meeting the individual professional development requirements, pursuant to N.J.A.C. 6A:9C-4.3 and this section. Such records shall include a copy of each teacher's current PDP and timeline, as well as any documentation and evidence showing the teacher's progress toward meeting the [plan's] **PDP's** requirements.

(j) (No change.)

#### **6A:9C-4.5 Requirements for, and implementation of, educational interpreters' individual professional development plans**

(a) **Each educational interpreter shall be guided by an individual professional development plan (PDP), which shall include at least 10 hours per year of qualifying experiences that support improved practice. The 10-hour annual qualifying experience shall be based on**

**the length of full-time employment and reduced by a pro rata share reflecting part-time employment or an absence, including the use of family or medical leave.**

- (b) The content of each individual PDP shall be developed by the educational interpreter's supervisor in consultation with the educational interpreter.**
- (c) PDP requirements for a teacher at N.J.A.C. 6A:9C-4.4(c), (e), (f), (g), (h), and (j) shall apply to an educational interpreter.**

**6A:9C-4.6 Requirements for, and implementation of, preschool paraprofessional's individual professional development plans**

- (a) Each preschool paraprofessional working in a State-funded preschool program shall be guided by an individual professional development plan (PDP), which shall include at least 20 hours per year of qualifying experiences that support improved practice. The 20-hour annual qualifying experience shall be based on the length of full-time employment and reduced by a pro rata share reflecting part-time employment or an absence, including the use of family or medical leave.**
- (b) The content of each individual PDP shall be developed by the preschool paraprofessional's supervisor in consultation with the preschool paraprofessional and shall include coaching by a preschool instructional coach, a preschool intervention and referral specialist (PIRS), and any other coach the school district assigns to work with the preschool paraprofessional.**
- (c) PDP requirements for a teacher at N.J.A.C. 6A:9C-4.4(c), (e), (f), (g), (h), and (j) shall apply to a preschool paraprofessional.**

6A:9C-[4.5]4.7 State Professional Learning Committee

- (a) The State Professional Learning Committee (**Committee**) shall advise the Commissioner on the professional development requirements for teachers and school leaders [as defined in this subchapter]. Specifically, the Committee may:
1. Develop and recommend a periodic review process for school district plans for professional development [for districts in need of improvement] to ensure that professional learning opportunities: address the NJSLs; are aligned to the professional standards [in] **at** N.J.A.C. 6A:9C-3.3; and target teacher and school leader professional learning needs as identified in the school district performance report;
  2. (No change.)
  3. **Develop and recommend support and resources related to the standards for professional learning;**
- [3.] 4. (No change in text.)
- [4.] 5. Develop and recommend a periodic audit process for school district mentoring plans to assure mentoring plans requirements [pursuant to] **at** N.J.A.C. 6A:9C-5 are met;
- [5.] 6. (No change in text.)
- [6.] 7. Recommend and develop guidance for the implementation of teachers' and school leaders' individual PDPs to assure plans address the NJSLs, align to the Professional Standards for Teachers and **the** Professional Standards for School Leaders, and reflect State, school district, and individual educator needs;
- [7.] 8. Recommend criteria for school district use in the selection of professional development providers; [and]
9. **Develop and recommend support and resources for implementation of professional development related to equity, pursuant to N.J.A.C. 6A:7-1.6; and**
- [8.] 10. (No change in text.)
- (b) The [State Professional Learning] Committee shall consist of at least 16 **members**

appointed [members] **by the Commissioner.** [The Commissioner or his or her designee shall serve on the Committee as an ex-officio member. Initial committee appointments shall be made as follows: five shall be appointed for one-year terms, five shall be appointed for two-year terms, and six shall be for three-year terms. Each member shall serve a term of three years, renewable only for a second term. However, the 10 members who will occupy the initial abrogated terms shall be eligible to serve two additional full terms. When a membership vacancy or change in a member's representation status occurs, the Commissioner shall appoint a new representative from the appropriate constituency to fill the vacancy, but the State Professional Learning Committee may carry out its responsibilities in the interim.]

- 1. Each member shall serve a term of three years, renewable for one additional term.**
- 2. When a membership vacancy or change in a member's representation status occurs, the Commissioner shall appoint a new representative from the appropriate constituency to fill the vacancy in accordance with (c) below. The Committee may continue to carry out its responsibilities while vacancies are being filled.**

(c) [The Commissioner shall appoint all members and may invite nominations from professional associations and other interested parties.] The Commissioner shall ensure all major organizations representing teachers and school leaders have representation on the Committee. **The Commissioner may invite nominations from professional associations and other interested parties. At a minimum,** Committee membership shall be as follows:

1. Six teachers, with at least one from a charter school and at least one [each] from **each of** the following levels: high school, middle school, and elementary school;
- 2.–3. (No change.)
4. Two representatives from educator preparation programs, with at least one member representing an alternate-route educator preparation provider; [and]
5. One parent or community member[.]; **and**

**6. The Commissioner, or the Commissioner’s designee, serving as an ex-officio member.**

- (d) The [State Professional Learning] Committee shall replace the Professional Teaching Standards Board and the State Advisory Committee on Professional Development for School Leaders for the purpose of meeting the statutory requirements [in] **at** N.J.S.A. 18A:26-2.9 and 18A:26-8.2, respectively.

Subchapter 5. District Mentoring Program

6A:9C-5.1 Requirements for district mentoring program

(a)–(b) (No change.)

- (c) All district boards of education that employ nontenured teachers shall determine how each nontenured teacher in [his or her] **the** first year of employment, which shall be equal to at least 30 weeks, shall be provided with the following supports:

1. (No change.)

2. Individualized supports and activities, which shall be [assigned at the school district’s discretion] **based on the nontenured teacher’s individual needs** and shall be aligned with the Professional Standards for Teachers at N.J.A.C. 6A:9-3.3, the standards for professional learning at N.J.A.C. 6A:9C-3.3, and the school district’s Commissioner-approved teaching practice instrument. The supports and activities shall be guided by:

i.–iii. (No change.)

- iv. Goals of the school and school district plans for professional development as described [in] **at** N.J.A.C. 6A:9C-4.2; and

3. One-to-one mentoring, which is required for each novice provisional teacher as set forth [in] **at** (d) below.



- (d) A district board of education shall provide an individual mentor to work one-to-one with a novice provisional teacher. [and] **The district board of education shall** ensure:
- 1.–2. (No change.)
  3. The one-to-one mentoring includes planned, **weekly**, in-person contact time between the mentor teacher and the novice provisional teacher holding a CE or CEAS [over the course of the academic year] **for a minimum of 30 weeks**, or proportionally longer if the novice provisional teacher holds a part-time teaching assignment;
  4. The mentor teacher and the novice provisional teacher holding a CEAS meet at least [once] **twice** per week for the first four weeks of the teaching assignment;
  5. The mentor teacher and the novice provisional teacher holding a CE meet at least [once] **twice** per week for the first eight weeks of the teaching assignment.
    - i. (No change.)
  6. (No change.)
- (e) (No change.)
- (f) District boards of education shall budget State funds appropriated for the novice teacher mentoring program.
1. Subject to [the] availability [of funds], the Department shall appropriate State funds based on the number of novice teachers employed each year by a district board of education.
  - 2.–3. (No change.)
  4. If no State funds are available to pay the costs of mentoring fees, candidates who are required to complete a provisional period of teaching to obtain a standard [certification] **certificate** shall be responsible for payment of mentoring fees during the first provisional year. The employing school district may pay the cost of mentoring fees.
- (g) (No change.)

## 6A:9C-5.2 Mentor requirements

- (a) The chief school administrator shall oversee the mentor selection process and ensure the individual mentor of a novice provisional teacher meets the following minimum requirements:

1.–3. (No change.)

4. Demonstrates a record of success in the classroom;

- i. [Beginning academic year 2014-2015, all] **All** mentor teacher applicants shall have received a summative rating of effective or highly effective on the most recent summative evaluation, pursuant to N.J.A.C. 6A:10.

[(1) If a mentor teacher applicant has not yet received a summative evaluation rating for academic year 2013-2014 by the start of academic year 2014-2015, the mentor applicant shall have demonstrated a record of success in the classroom as measured by a rating of effective or highly effective on the school district's Commissioner-approved practice instrument.]

[(2) **ii.** A mentor teacher applicant in a school or school district not required pursuant to N.J.A.C. 6A:10-1 to issue summative evaluations shall demonstrate at least one year of effective teaching on [his or her] **their** most recent evaluation as determined by [his or her] **the mentor teacher's** supervisor;

5.–7. (No change.)

## 6A:9C-5.3 District mentoring plan

- (a) The chief school administrator, or **the chief school administrator's** designee, shall develop a district mentoring plan as part of the school district's professional development plan (PDP), pursuant to N.J.A.C. 6A:9C-4.4.

- (b) The district mentoring plan shall include: [logistics]

1. **Logistics** for its implementation; [and describe the]

2. **The school district’s responsibilities pursuant to this subchapter[.]; and**
3. **Formal and informal resources and supports to guide novice provisional teachers throughout the entire provisional period.**

[1.] (c) The chief school administrator shall submit the district mentoring plan to the district board of education for review of its fiscal impact.

[2. The chief school administrator or designee shall share the district mentoring plan with each school improvement panel, which shall oversee the school-level implementation of the district mentoring plan and shall communicate the plan to all nontenured teachers and their mentors.]

[3.] (d) The chief school administrator, or **the chief school administrator’s** designee, annually shall review the plan and revise it, as necessary, based on feedback from mentor logs, each school improvement panel, and data on teacher and student performance.

1. **The chief school administrator, or the chief school administrator’s designee, shall collaborate annually with each school improvement panel to review the district mentoring plan, consider ways to support the plan at the school level, and take steps to ensure that all new teachers are receiving the necessary professional supports.**
2. **Each school improvement panel shall oversee the school-level implementation of the district mentoring plan and shall communicate the plan to all nontenured teachers and their mentors.**

(e) **The chief school administrator, or the chief school administrator’s designee, shall make available to all staff an electronic copy of the current district mentoring plan.**

6A:9C-5.4 Mentoring and evaluation by approved agencies

An approved agency and its designated staff shall be authorized to provide the services, evaluations, and recommendations specified [within] at N.J.A.C. 6A:9B-8.6, 8.7, and 8.9 for provisional Teachers of Supplemental Instruction in Reading and Mathematics, Grades K-8 in their employ.