

New Jersey Department of Education

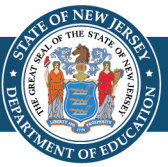


Proposed Substantial Changes to Chapter 32: School District Operations

New Jersey State Board of Education

Division of Field Support and Services

January 5, 2022





N.J.A.C. 6A:32-12.1(c)1 (slide 1 of 2)



(c) School districts that are not subject to the *Abbott v. Burke* decisions at 153 N.J. 480 (1998) and 177 N.J. 578 (2003) (“*Abbott* decisions”) or the provisions at N.J.A.C. 6A:13-3.2 shall maintain a maximum enrollment for a kindergarten classroom of 25 students per teacher. ...

1. School districts that are not subject to the *Abbott* decisions or the provisions at N.J.A.C. 6A:13-3.2 may submit a written request to the executive county superintendent for permission to increase the number of students in a kindergarten classroom, provided another teacher, an [[auxiliary teacher,]] or a [[teacher aide]] **paraprofessional** is employed full-time to provide for the increased size.



N.J.A.C. 6A:32-12.1(c)1 (slide 2 of 2)



- This provision currently outlines kindergarten class size and staffing requirements.
- Commenters stated that “auxiliary teacher,” as the phrase is used in this provision, was not defined and is confusing.
- The Department is proposing to replace the terms “auxiliary teacher” and “teacher aid” with paraprofessional which is defined in N.J.A.C. 6A:32-2.1. This will provide greater clarity to the field and supports the section's purpose.



N.J.A.C. 6A:32-13.1(c)3 and 13.2(b)3



- **Virtual and remote instruction:** 6A:32-13.1(c) currently outlines the conditions under which a district may count days of virtual or remote instruction towards the 180-day requirement under P.L.2020, c.27.
- Specifically, these sections require the district and APSSD to submit a plan for virtual and remote instruction that meets the Commissioner-established criteria.
- **Agency-initiated changes:** Provide detail on the Commissioner-established criteria, aligned to plan requirements under P.L.2020, c.27, that district boards of education must use when creating their annual virtual or remote instruction plans.



Examples of Commissioner-established Criteria for the Local Education Agency Plan



The plan for virtual or remote instruction includes how the Local Education Agency and Approved Private Schools for Students with Disabilities will:

- Deliver instruction equitably and ensure access to virtual or remote instruction;
- Address the needs of students with disabilities and English language learners;
- Account for attendance during virtual or remote instruction;
- Ensure safe delivery of meals;
- Describe how the school district is communicating with the family when a student is not participating in online instruction;
- Ensure the maintenance of buildings; and
- Address any district specific factors, such as accelerated learning, social and emotional health of staff and students, transportation, and extra-curricular programs.





N.J.A.C. 6A:32-5.1(e) *(slide 1 of 2)*



(e) [The holder of] **An employee who holds** an emergency or **provisional** certificate shall not be entitled to seniority rights, but the years of employment under the emergency or **provisional** certificate shall count toward seniority when [he or she] **the employee** becomes the holder of a standard certificate[[. Upon acquisition of a standard certificate,]] [any period of service under a provisional certificate] as defined [in] **at** N.J.A.C. 6A:9, Professional Standards[, shall also be counted toward seniority].



N.J.A.C. 6A:32-5.1(e) (slide 2 of 2)



- This section outlines the seniority rights of emergency and provisionally certificated staff.
- OAL mistakenly deleted a portion of the second sentence upon publication in the Register for the comment period.
“Upon acquisition of a standard certificate”
- Agency-initiated change to incorporate the omitted language into the rule text.



Thank You!



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