

September 22, 2022

**SENATE BILL NO. 896**  
**(Third Reprint)**

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 896 (Third Reprint) with my recommendations for reconsideration.

Senate Bill No. 896 (Third Reprint) would prohibit the State Board of Education from requiring completion of a Commissioner of Education approved performance-based assessment, including, but not limited to, the educative Teacher Performance Assessment ("edTPA"), as a condition of eligibility for a certificate of eligibility with advanced standing, certificate of eligibility, or standard certificate. The bill further makes it permissive for educator preparation programs ("EPPs") to require candidates to complete a performance-based assessment, but also states that these EPPs may not consider whether a candidate has completed a Commissioner of Education approved performance-based assessment when making a determination as to whether to recommend a candidate to the Commissioner of Education for certification.

Under current State Board of Education regulations, in order to be eligible to receive a certificate of eligibility or certificate of eligibility with advanced standing, a teaching candidate must pass a Commissioner of Education approved performance-based assessment, currently the edTPA. The test, which is designed to assess whether prospective educators have the skills to teach, has been cited by many stakeholders as being a poor measure of teacher quality and thus needlessly standing in the way of getting more teachers in the classroom.

I applaud the sponsors for attempting to address perceived barriers to the teaching profession, particularly as we combat a nationwide teacher shortage. I also share their specific concerns about the edTPA assessment, which a number of states have moved

away from using in recent years. However, efforts to facilitate the certification of prospective educators must not come at the expense of teacher quality. The high caliber of New Jersey's teachers is one of the primary reasons why New Jersey's school system is consistently ranked as one of the best in the nation.

Performance-based assessments require teacher candidates to demonstrate their pedagogical skills and ability to teach students and are an important indicator of classroom readiness. EPPs have historically required pre-service teachers to meet specific teaching standards through performance-based assessments and evaluations during student teaching. A performance-based assessment aligned to New Jersey's Professional Standards for Teachers ensures teacher preparation reaches beyond theory, and through practice, as pre-service teachers are required to demonstrate their pedagogical skills with students in a real classroom setting.

Given the value of performance-based assessments, I cannot support making them an optional component of the teaching certification process. However, I believe the process can be improved by transferring the authority to select performance-based assessments from the Commissioner of Education to the EPPs themselves. EPPs know their candidates best and are best positioned to select or create the most appropriate performance-based assessment for candidates in their programs.

I am therefore recommending amendments to maintain these assessments within the EPPs, with the requirement beginning for teaching candidates who complete their EPP in the Spring of 2024. This is very similar to the approach taken in New York this past spring, where the State Board of Regents eliminated the edTPA requirement for certification and instead required that EPPs

integrate a teacher performance assessment into their programs. My amendments also define performance-based assessment in a way that is similar to the definition used by the New York State Board of Regents.

Importantly, my recommendations retain the language eliminating the State Board of Education's ability to require candidates to complete a Commissioner of Education approved performance-based assessment, including the edTPA, as a condition of certification. This means that the State's current edTPA requirement will be eliminated as soon as the Legislature concurs with my recommended changes, and I am able to sign the revised bill into law. I am hopeful that the Legislature will act swiftly. I am also appreciative of the many stakeholders in the education field that engaged in a number of discussions with my staff over the past few months, and I am confident that because of this collaborative engagement, my recommended changes represent a reasonable and practical path forward.

Therefore, I herewith return Senate Bill No. 896 (Third Reprint) and recommend that it be amended as follows:

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|---------------------------------------|---|
| <u>Page 3, Section 1, Line 5:</u>     | Delete "may" and insert "shall"   |
| <u>Page 3, Section 1, Line 7:</u>     | After "program" insert ", embedded within the educator preparation program, beginning with candidates who will complete their educator preparation program in the Spring of 2024" |
| <u>Page 3, Section 1, Line 7:</u>     | Delete "The performance-based"  |
| <u>Page 3, Section 1, Lines 8-18:</u> | Delete in their entirety  |
| <u>Page 3, Section 1, Line 19:</u>    | Delete "c." and insert "b."   |
| <u>Page 3, Section 1, Line 29:</u>    | After "certificate" insert ", verified in a manner determined by the Commissioner"  |
| <u>Page 3, Section 1, Line 30:</u>    | Delete "d." and insert "c."   |

Page 3, Section 1, Line 39:

After "program." insert  
"'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."

Page 3, Section 1, Line 42:

After "requirements." insert  
"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."

[seal]

Respectfully,

/s/ Philip D. Murphy

Governor

Attest:

/s/ Kate McDonnell

Senior Deputy Chief Counsel to the Governor