

CHAPTER 256

AN ACT establishing a grant program for teachers of certain subjects, supplementing chapter 6 of Title 18A of the New Jersey Statutes, and making an appropriation.

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

C.18A:6-137 Definitions relative to grant programs for certain STEM teachers.

1. As used in sections 2 through 5 of P.L.2019, c.256 (C.18A:6-138 through C.18A:6-141):

“Eligible teacher” means an individual who is employed as a teacher in a public school and who meets one of the following criteria: (1) holds a valid and effective provisional or standard instructional certificate issued by the State Board of Examiners with an endorsement in a science field, mathematics, technology education, or computer science education; (2) is currently enrolled in a degree program or a coherent sequence of courses in science, mathematics, technology, or computer science; or (3) will enroll in a degree program or a coherent sequence of courses in science, mathematics, technology, or computer science within two years of the effective date of P P.L.2019, c.256 (C.18A:6-137 et seq.) or within two years of participating in the grant program established pursuant to section 2 of P.L.2019, c.256 (C.18A:6-138).

“Nonpublic school” means an elementary or secondary school within the State, other than a public school, offering education for grades kindergarten through 12, or any combination of them, wherein any child may legally fulfill compulsory school attendance requirements and which complies with the requirements of Title VI of the “Civil Rights Act of 1964,” Pub.L.88-352 (42 U.S.C. s.2000d et seq.).

C.18A:6-138 Grant program for certain STEM teachers established.

2. a. There is established in the Department of Education a grant program in which an eligible teacher employed by a school district may receive additional remuneration to teach science, technology, engineering, or mathematics (STEM) classes at a nonpublic school. Under the program, participating nonpublic schools shall form partnerships with eligible teachers and school districts, in which an eligible teacher employed by the district teaches STEM classes at the nonpublic school at such times and during such hours mutually agreed upon by the teacher, nonpublic school, and school district, which may include hours beyond regular public school day hours such as extended day, evening, or weekend programming.

b. The purposes of the grant program shall be to: incentivize current teachers to obtain the necessary qualifications to teach STEM subjects; incentivize individuals to enter the teaching profession to fill the demand for qualified educators in STEM subjects; assist in addressing the difficulties public and nonpublic schools face in attracting qualified educators in the STEM fields; and improve Statewide access to education in the STEM fields to address the workforce demands of New Jersey’s economy.

c. A school district annually shall notify all teachers employed by the district of the grant program, and shall submit a list of all eligible teachers that express an interest in participating in the program to the executive county superintendent by January 15 of each year. The executive county superintendent shall share the lists with nonpublic schools upon request.

C.18A:6-139 Application for participation.

3. a. A nonpublic school that wishes to participate in the grant program established under section 2 of P.L.2019, c.256 (C.18A:6-138) shall submit an application to the Commissioner of Education, in a manner and on such forms as determined by the commissioner. The

commissioner shall establish the application deadlines for each school year. In the event that the grant program is not operational by September 1, 2019, the commissioner shall allow nonpublic schools to submit applications during the course of the 2019-2020 school year for implementation of the program in that nonpublic school during the 2019-2020 school year.

An application shall include the following:

- (1) the names of the nonpublic school, school district, and eligible teacher that will form a STEM partnership under the program;
- (2) acknowledgement from both the nonpublic school and school district that the eligible teacher will teach at the nonpublic school during hours following completion of the teacher's duties at the public school, unless alternative scheduling is mutually agreed upon by the school district and nonpublic school and is reflected in a signed agreement;
- (3) the proposed schedule and grades to be taught by the eligible teacher at the nonpublic school;
- (4) the number of students, based on enrollment projections, that will receive instruction from the eligible teacher under the proposed schedule at the nonpublic school;
- (5) a certification from the nonpublic school that the eligible teacher shall provide only secular instruction at the nonpublic school; and
- (6) any other information specified by the commissioner.

b. The commissioner shall establish selection criteria for the awarding of grants under the program, including consideration of the application information submitted pursuant to subsection a. of this section. To the maximum extent possible, the commissioner shall select at least three nonpublic schools in each of the northern, central, and southern regions of the State to participate in the program, and nothing shall prohibit more than three nonpublic schools in each region of the State from participating. During the program's operation, the program may be expanded beyond the nonpublic schools that were initially selected to participate, as determined by the commissioner and subject to the availability of funds.

c. The commissioner shall award grants under the program based upon review of the applications and subject to the limit of funds appropriated or otherwise made available for the program. Approved grant funds shall be allocated by the Department of Education to the school district of each eligible teacher participating in the program. The school district shall use the funds to provide compensation to a participating eligible teacher pursuant to this subsection. The commissioner shall establish the amount of each grant awarded for an eligible teacher, subject to the following:

- (1) A participating teacher shall receive an amount equal to the teacher's annual salary as calculated on a per-hour basis multiplied by the number of hours the teacher teaches STEM classes at a nonpublic school under the program.
- (2) In the event that sufficient funds are not appropriated to fully fund the compensation to be provided to participating eligible teachers pursuant to paragraph (1) of this subsection, the commissioner shall apportion the amount appropriated among the participating eligible teachers in proportion to the compensation each participating eligible teacher would have received had the full amount been appropriated.
- (3) Payments received by a participating teacher under the grant program shall not be considered "compensation" under N.J.S.18A:66-2.

d. Funds appropriated for the grant program shall be used exclusively for the hiring of eligible teachers to teach STEM classes at a participating nonpublic school, and the eligible teacher shall teach only the classes stipulated under the program.

e. If at any time a participating nonpublic school determines that a participating eligible teacher is not in compliance with the program or is violating the nonpublic school's code of

conduct, the nonpublic school may submit information to the commissioner supporting its determination, and request that the teacher be removed from participation in the program at the nonpublic school. The information submitted shall demonstrate noncompliance with the program, the nonpublic school's code of conduct, or the nonpublic school's faculty handbook. After reviewing the information, the commissioner may terminate the teacher's participation in the program at that nonpublic school.

f. The grant program established pursuant to section 2 of P.L.2019, c.256 (C.18A:6-138) shall not infringe upon the collective bargaining agreement between the majority representative of the collective negotiations unit in which the participating eligible teacher is a member and the school district in which the teacher is employed.

g. Any appropriation for the grant program made in a fiscal year that is not expended in that fiscal year shall be available to be used for the same purpose in the subsequent fiscal years.

C.18A:6-140 Report.

4. At the conclusion of each school year, a nonpublic school participating in the grant program established pursuant to section 2 of P.L.2019, c.256 (C.18A:6-138) shall submit a report to the Commissioner of Education containing information on the school's implementation of the program. The report shall include, but need not be limited to, information regarding: (1) the days and classroom hours that the participating eligible teacher taught in the nonpublic school; (2) any scheduling obstacles that were encountered and how they were addressed; (3) any recommendations to improve the program and its effectiveness; and (4) any observational information pertinent to the program.

C.18A:6-141 Continuation of grant program.

5. The grant program established pursuant to section 2 of P.L.2019, c.256 (C.18A:6-138) shall remain operational for at least four years and shall continue thereafter until such time as the Commissioner of Education determines that the program is not effective in achieving its purposes and provides a report to the Governor, and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), stating the reasons for his determination. The report shall contain information supporting the commissioner's determination that the program is not effective and shall provide recommendations regarding the establishment of new programs that would effectuate purposes similar to those of the grant program and which take into account access to STEM teachers at public schools and nonpublic schools. The report shall be submitted no later than April 1 of the fiscal year preceding the year in which the commissioner recommends ending the program. Nothing shall prohibit the commissioner from submitting a report to the Governor and the Legislature at any time which contains recommendations for improvements to the grant program.

6. There is appropriated from the General Fund to the Department of Education the sum of \$5,000,000 to effectuate the provisions of sections 1 through 5 of P.L.2019, c.256 (C.18A:6-137 through C.18A:6-141).

7. This act shall take effect immediately.

Approved August 23, 2019.