

PUBLIC NOTICES

CIVIL SERVICE

(a)

CHAIRPERSON OF THE CIVIL SERVICE COMMISSION

Notice of Action on Petition for Rulemaking Purpose, Scope, and Definitions

N.J.A.C. 4A:1-1.3

Petitioner: Bergen County Sheriff's Office.

Take notice that on May 2, 2025, the Chair/Chief Executive Officer (CEO) of the Civil Service Commission (Commission) received a petition for rulemaking from the Bergen County Sheriff's Office seeking an amendment at N.J.A.C. 4A:1-1.3 that would add a definition for the term "working day," a term found at N.J.S.A. 11A:6-2, 3, and 5; and in various provisions of Title 4A of the New Jersey Administrative Code. The petitioner proposes a definition that would limit one "working day" to no more than eight hours, regardless of the number of hours worked in a given shift, based on the Commission's decision in *In the Matter of Raul Mier* (CSC, decided October 7, 2015). A notice acknowledging receipt of the petition was published in the New Jersey Register at 57 N.J.R. 1338(a) on June 16, 2025.

Subsequently, the Commission and the petitioner agreed to an extension until November 28, 2025, for the Commission to deliberate on the petition for rulemaking, consistent with the requirements at N.J.A.C. 1:30-4.2(b). A notice of action on petition for rulemaking reflecting this extension was published in the New Jersey Register on July 21, 2025 at 57 N.J.R. 1619(b).

Take further notice that this notice of action on petition for rulemaking is being filed with the Office of Administrative Law (OAL) "out-of-time," in that the provisions at N.J.A.C. 1:30-4.2(b) provide that such notice of action should have been filed at the conclusion of the deliberation period agreed upon by the parties (or by November 28, 2025). The reason the filing was not accomplished by November 28, 2025, is administrative oversight, and the failure to file the same by such date was neither purposeful nor willful.

Take further notice that, in that N.J.A.C. 1:30-4.2(b) states that the referral of the petition for further deliberation for a specific period of more than 90 days may be agreed upon, in writing, by the petitioner and the agency, the Commission requested and secured the consent of the petitioner to continue deliberations beyond November 28, 2025, to January 14, 2026. However, the Commission was able to conclude deliberations in advance of January 14, 2026, and before a notice of action regarding this extension could be filed with the OAL in accordance with N.J.A.C. 1:30-4.2(b).

Take further notice that the Chair/CEO certifies that this petition was duly considered pursuant to law, and, upon due deliberation, has decided to deny the rule petition for the following reasons:

The Bergen County Sheriff's Office proposed a definition for the term "working day" at N.J.A.C. 4A:1-1.3 that would have provided one definition for employees assigned a standard workweek of seven consecutive days and a distinct definition for employees assigned a work period greater than seven days, such as a 28-day cycle. *Id.* The Bergen County Sheriff's Office asserted that a definition for the term "working day" at N.J.A.C. 4A:1-1.3 was necessary based upon the decision of the Public Employment Relations Commission (PERC) in *In the Matter of Local 26 and Borough of Lodi*, P.E.R.C. No. 2025-6 (September 26, 2024), which held that because "working days" was not a term defined within the Civil Service law or rules, the issue of sick leave entitlements for local police officers who worked 12-hour shifts could be subject to negotiation and arbitration. *Ibid.*

After a period of careful research and deliberation, the Commission agrees that there is a need to provide greater clarity to the meaning of the term "working day" within Title 4A. However, the Commission has determined that this objective will be best served by denying the instant

petition and evaluating whether to propose, at a later time, amendments setting forth appropriately tailored definitions within applicable chapters of Title 4A. In doing so, the Commission observes that the definitions set forth at N.J.A.C. 4A:1-1.3 are comparatively simple singular delineations of each term set forth therein, while a definition for the term "working day" would be more complex and, in turn, inconsistent with the structure of that section. Additionally, since the term "working day" has significance for different purposes, including disciplinary actions and benefit entitlements, having a definition tailored to its application within each respective chapter of Title 4A could help to maximize clarity in the interpretation of each relevant provision referencing the term.

Accordingly, the Chair/CEO cannot recommend to the Civil Service Commission, an amendment to Civil Service rules as requested by the petitioner. In accordance with the provisions at N.J.A.C. 1:30-4.2 and 4A:1-1.4, a copy of this notice has been mailed to the petitioner.

EDUCATION

(b)

STATE BOARD OF EDUCATION

Notice of Receipt of Petition for Rulemaking New Jersey Educator Preparation Programs Certificate of Eligibility Educator Preparation Programs for Documented Areas of Teacher Shortage

N.J.A.C. 6A:9A

Petitioner: Robert Goodman, Ed.D., Executive Director, New Jersey Center for Teaching and Learning Inc. (NJCTL)

Take notice that on January 6, 2026, the State Board of Education (State Board) received a petition for rulemaking from the above petitioner, requesting the State Board adopt new rules at N.J.A.C. 6A:9A to restore rules as they existed at N.J.A.C. 6A:9A-5.6 prior to being readopted with amendments in 2023.

N.J.A.C. 1:30-4.1(b) and 6A:6-4.1(b) require a petition for rulemaking to state the substance or nature of the rulemaking that is requested, the reasons for the request and the petitioner's interest in the request, and references to the authority of the agency to take the requested action.

The petitioner seeks to adopt former N.J.A.C. 6A:9A-5.6, which allowed certificate of eligibility (CE) educator preparation programs to be developed to serve school districts to place teachers in documented areas of teacher shortage. The former section also allowed CE educator preparation programs to be established by New Jersey colleges and universities, educational organizations, or other entities approved by the Commissioner of Education (Commissioner). The former section further established the requirements for CE educator preparation programs for documented areas of teacher shortage to be approved by the Commissioner and for candidates seeking admission into the programs.

The section was amended effective May 1, 2023 (see 55 N.J.R. 843(a)) to replace the section heading with "Add-on endorsement programs for mathematics and science." The Department of Education (Department) stated in the notice of proposal (see 54 N.J.R. 2242(a)) that the former heading did not capture the intent of the specialized programs, which were designed for certified teachers to gain content knowledge in high-need subject areas and not new teachers seeking a CE through the existing pathway. As part of the 2023 re-adoption with amendments at N.J.A.C. 6A:9A, the Department changed the purpose of N.J.A.C. 6A:9A-5.6 to allow existing approved educator preparation programs within New Jersey colleges and universities, educational organizations, or other entities approved by the Commissioner to establish add-on endorsement programs designed to prepare current certified teachers to earn a CE in mathematics and/or science.