September 3, 2013

TO: Chief School Administrators
                Charter School Lead Persons
                Private Schools for Students with Disabilities

FROM: Robert J. Cicchino, Director
                Office of Fiscal Accountability and Compliance

SUBJECT: Policy Change – Remove Requirement to Include Board Resolution when
                Submitting Emergent Hire Form

On June 30, 1998, the statute governing the criminal history record check process, (N.J.S.A.18A:6-7.1 et seq.) was amended to include a provision to allow for emergent hiring if the educational facility could demonstrate to the Commissioner of Education that special circumstances existed. The request must include the following: (1) a description of the vacant position that needs to be filled; (2) a statement describing the board's or contract service provider's good faith efforts to fill the position on a timely basis or a statement describing the unanticipated need for the applicant's employment and (3) a sworn statement by the applicant attesting that the applicant has not been convicted or does not have a charge pending for a crime or any other offense enumerated in the statute or a record of alcohol and drug related motor vehicle violations.

Following enactment of the provision, a decision was made to have the superintendent of the educational facility obtain a "board resolution" prior to submitting a request to the then county superintendents. The policy to obtain a "board resolution" has become a burden given that the board normally meets on a monthly basis and the facilities often have to wait until the meeting to obtain the resolution. The requirement for the "board resolution" is not required by statute. Therefore, it should not be a condition for submitting the emergent hire request.

RJC/CHC/cc/Remove requirement for board resolution for emergent hiring
c: Members, State Board of Education
    Senior Staff
    Executive County Superintendents
    Executive Directors for Regional Achievement Centers
    Executive County School Business Administrators
    NJ LEE Group
    Garden State Coalition of Schools