



# New Jersey Department of Education

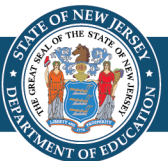


## Chapter 3 Readoption with Amendments

Office of Controversies and Disputes

Division of Legal and External Services

November 1, 2023





# Purpose of N.J.A.C. 6A:3

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- The rules establish procedures for the filing of petitions with the Commissioner to hear and determine all controversies and disputes arising under the school laws, in accordance with N.J.S.A. 18A:6-9.
- The rules also establish special procedures for specific types of controversies, including, but not limited to:
  - Tenure charges (N.J.S.A. 18A:6-10)
  - Denials of entitlement to attend school due to residency laws (N.J.S.A. 18A:38-1)



# Overview of Proposed Amendments



The goals of the proposed amendments are to:

- Ensure consistency with current practice;
- Provide clear direction to the public; and
- Streamline the processing of petitions.

Changes include:

- Eliminating the requirement that filings be received by 4:15 P.M.;
- Eliminating notary requirements; and
- Eliminating requirements related to the use of filing by fax.





# Response to Public Comments



## Comment:

- The current version of *N.J.A.C. 6A:3-1.14(a)* suggests that the Commissioner does not decide streamline tenure appeals of charter school employees, while *N.J.A.C. 6A:11-6.4* provides that the Commissioner shall decide such appeals. The commenter proposed harmonizing these provisions.

## Response:

- Revise *N.J.A.C. 6A:3-1.14(a)* to clarify that the provision only applies to matters that have been transmitted to the Office of Administrative Law.
- Add new paragraph *N.J.A.C. 6A:3-1.1(e)* to clarify that Chapter 3 does not apply to streamline tenure appeals.



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# Thank You!

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