

# New Jersey Department of Education



## Chapter 3 Readoption with Amendments

Office of Controversies and Disputes

Division of Legal and External Services

September 6, 2023





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



- 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)



# Key Areas in Chapter 3

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1. Filing and answering petitions;
2. Filing and answering tenure charges;
3. Transmittal of cases to the Office of Administrative Law or an arbitrator; and
4. Issuance of written decisions.



# General Overview: Goals of Proposed Amendments



1. Ensure consistency with current practice, particularly the significant increase in filings by email.
2. Provide clear direction to the public to make filing petitions easier, more efficient, and less costly.
3. Streamline the processing of petitions and improve the time period for transmitting matters to the Office of Administrative Law for further proceedings.



# General Overview: Summary of Proposed Amendments



Changes include:

- Eliminating the requirement that filings be received by 4:15 P.M.
  - This provision has caused confusion for members of the public, and it is no longer necessary in light of the increased use of email filing.
- Eliminating notary requirements
  - As notaries may charge for their services, removing this provision makes filing a petition completely free.
- Eliminating requirements related to the use of filing by fax.



# Thank You!



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