

New Jersey Department of Education



Chapter 3 Readoption with Amendments

Office of Controversies and Disputes

Division of Legal and External Services

April 3, 2024





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)



Overview of Proposed Amendments

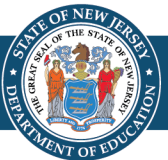


The goals of the proposed amendments are to:

- 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 commenter requests that the Department amend N.J.A.C. 6A:3-5.1(b)(3), (b)(4), and (c)(3) to give tenured employees more time to respond to tenure charges filed with boards of education. Specifically, the commenter proposes allowing 15 days instead of 10 days to respond to inefficiency charges, and allowing 21 days instead of 15 days to respond to other charges.

Response:

- The Department declines to extend the deadlines. The current deadlines provide tenured employees with ample time to competently respond to tenure charges. Moreover, altering the deadlines could hinder the ability of boards of education to comply with N.J.S.A. 18A:6-13, which requires boards to make determinations regarding tenure charges within 45 days.



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Thank You!

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