

(a)

**DIVISION OF FIRE SAFETY
Notice of Readoption
Residential Disability Identification Emblems
Readoption: N.J.A.C. 5:76**

Authority: N.J.S.A. 52:17B-139.12 and 52:27D-25hh.
Authorized By: Charles A. Richman, Commissioner, Department of Community Affairs.
Effective Date: July 6, 2017.
New Expiration Date: July 6, 2024.

Take notice that, pursuant to the provisions of Executive Order No. 66 (1978) and N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 5:76 were scheduled to expire on September 15, 2017. These rules assist emergency service responders in locating persons with disabilities in residential emergencies. In addition, these rules apply to all disabled persons who apply to the Division of Fire Safety for residential disability identification emblems, ensuring public safety, and welfare.
The Department of Community Affairs has reviewed the rules and has determined that they should be readopted without change. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period.

EDUCATION

(b)

**STATE BOARD OF EDUCATION
Controversies and Disputes
Readoption with Amendments: N.J.A.C. 6A:3
Adopted New Rule: N.J.A.C. 6A:3-5.7**

Proposed: April 3, 2017, at 49 N.J.R. 587(a).
Adopted: July 5, 2017, by the New Jersey State Board of Education, Kimberley Harrington, Commissioner, Department of Education, Secretary, State Board of Education.
Filed: July 5, 2017, as R.2017 d.146, **without change**.
Authority: N.J.S.A. 18A:6-9 and 10, 18A:7-4, 18A:7A-15 and 42.a(3), 18A:7F-9 and 12, 18A:11-3, 18A:12-29, 18A:20-36, 18A:26-10, 18A:28-8, 18A:29-4 and 14, 18A:33-2, 18A:38-1 and 13, 18A:39-28 et seq., 18A:54-4, and 18A:60-1; and P.L. 2007, c. 260, and P.L. 2012, c. 26.
Effective Dates: July 5, 2017, Readoption;
August 7, 2017, Amendments and New Rule.
Expiration Date: July 5, 2024.

Summary of Comments and Agency Responses:
No comments were received.

Federal Standards Statement

The rules readopted with amendments and a new rule are not inconsistent with nor exceed any Federal standards or requirements since no such standards or requirements address the mechanism prescribed by this chapter.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 6A:3.

Full text of the adopted amendments and new rule follows:

SUBCHAPTER 1. GENERAL PROVISIONS

6A:3-1.1 Purpose and scope

(a) This chapter sets forth the rules of procedure for the filing of petitions with the Commissioner of Education to hear and decide

controversies and disputes arising under school laws in accordance with N.J.S.A. 18A:6-9.

(b) This chapter also establishes special rules of procedure for specific types of controversies in accordance with the requirements of the following statutes:

1. The filing of tenure charges pursuant to N.J.S.A. 18A:6-10 through 17.5;

2.-6. (No change.)

(c) This chapter shall not apply to district boards of education seeking restoration of budget reductions by governing bodies or boards of school estimate. In accordance with N.J.S.A. 18A:7F-5.e(3), such restorations shall be sought pursuant to the provisions of N.J.A.C. 6A:23A-9.7.

(d) This chapter shall not apply to appeals of decisions of the State Board of Examiners suspending or revoking teaching certificates, decisions of the School Ethics Commission finding violation of the School Ethics Act, interlocutory decisions of the State Board of Examiners or the School Ethics Commission, or requests for relief arising out of legal decisions of the State Board of Education. In accordance with P.L. 2008, c. 36, such appeals and requests shall be made pursuant to the provisions of N.J.A.C. 6A:4.

6A:3-1.2 Definitions

The words and terms used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

...
“Commissioner” means the Commissioner of Education or a designated assistant commissioner to whom the Commissioner has delegated the authority to hear and decide a controversy or dispute pursuant to N.J.S.A. 18A:4-33 and 34.

...
“Department” means the New Jersey Department of Education.

...
“Filing” means receipt of an original paper by an appropriate officer of the Department. With the prior approval of the Director of the Office of Controversies and Disputes, and generally up to a maximum of 10 pages, filings may be made by facsimile when they otherwise conform to requirements for submission and are accompanied by a statement that the original document will follow by mail or hand delivery. Parties requesting return of a stamped copy of any filing must include an extra copy of the document, together with a self-addressed envelope stamped with sufficient postage for this purpose. Filings received after the close of business (4:15 P.M.) shall be deemed filed on the next business day.

...
“Interested person(s)” means a person(s) who will be substantially, specifically, and directly affected by the outcome of a controversy before the Commissioner.

...
“State district superintendent” means the superintendent of a school district under State intervention, as appointed or retained pursuant to N.J.S.A. 18A:7A-3 et seq.

6A:3-1.3 Filing and service of petition of appeal

(a) To initiate a contested case for the Commissioner’s determination of a controversy or dispute arising under the school laws, a petitioner shall prepare a petition of appeal conforming to the requirements of N.J.A.C. 6A:3-1.4 and serve such petition upon each respondent, together with any supporting papers the petitioner may include with the petition. The petitioner then shall file proof of service on each respondent, the telephone numbers (and fax numbers and e-mail addresses where available) of the petitioner and each respondent, and the original petition and supporting materials, if any, with the Commissioner c/o the Director, Office of Controversies and Disputes, New Jersey Department of Education, 100 River View Plaza, PO Box 500, Trenton, New Jersey 08625-0500. In no case shall a petitioner submit materials to the Commissioner that have not been served upon each respondent.

1.-2. (No change.)

3. A petitioner shall notify the Office of Controversies and Disputes of any change in address, telephone number, fax number, or e-mail address prior to transmittal of a matter to the OAL.

(b) A petitioner shall name as a party any person or entity indispensable to the hearing of a contested case. Failure to name an