

# RULE ADOPTIONS

## COMMUNITY AFFAIRS

(a)

### DIVISION OF CODES AND STANDARDS

#### Notice of Administrative Changes

#### Uniform Construction Code

#### Radon Hazard Subcode

#### New Jersey Municipalities in Tier 1

#### N.J.A.C. 5:23-10 Appendix 10-A

Take notice that the list of municipalities in Tier 1, issued by the Department of Environmental Protection (DEP) and incorporated into the radon hazard subcode, N.J.A.C. 5:23-10, as Appendix 10-A, has been amended by DEP. This notice of administrative changes, published pursuant to N.J.A.C. 1:30-2.7, incorporates those amendments into the Appendix.

Full text of the changed rule follows (additions indicated in boldface thus; deletion indicated in brackets [thus]):

APPENDIX 10-A

New Jersey Municipalities in Tier 1

<u>County</u>	<u>Municipality</u>	
...		
Camden	<b>Lawnside Borough</b>	Runnemede
	Magnolia	Somerdale
Cumberland	Bridgeton	<b>Lawrence Township</b>
	Greenwich	<b>Upper Deerfield Township</b>
Gloucester	Deptford	<b>South Harrison Township</b>
	East Greenwich	Swedesboro
	Greenwich	Wenonah
	Harrison	Woolwich
Hunterdon	All municipalities except [Kingswood and] Union	
...		
Monmouth	Allentown	Marlboro
	Colts Neck	<b>Millstone Township</b>
	Freehold Borough	Roosevelt
	Freehold Township	Shrewsbury Borough
	Holmdel	Shrewsbury Township
	Little Silver	Upper Freehold

Morris	Chester Borough	Morris
	Chester Township	Morris Plains
	Dover	Morristown
	Harding	Mount Olive
	Jefferson	Randolph
	<b>Kinnelon Borough</b>	Riverdale
	Long Hill	Roxbury
	Mendham Borough	Victory Gardens
	Mendham Township	Washington
	Mine Hill	Wharton
...		
Salem	<b>Mannington Township</b>	Woodstown
	Pilesgrove	
Somerset	Bernardsville	Millstone
	Bernards	Montgomery
	Branchburg	Peapack & Gladstone
	<b>Bridgewater Township</b>	Rocky Hill
	Far Hills	Somerville
	Hillsborough	Warren
	Franklin	Watchung
...		

## MILITARY AND VETERANS' AFFAIRS

(b)

### OFFICE OF THE ADJUTANT GENERAL

#### Leaves Of Absence for Military Duty for and by Members of the Organized Militia

#### Readoption with Amendments: N.J.A.C. 5A:2

Proposed: October 6, 2014, at 46 N.J.R. 1994(a).  
 Adopted: May 20, 2015, by Brigadier General Michael L. Cunniff, the Adjutant General, Commissioner, Department of Military and Veterans' Affairs.

Filed: July 21, 2015, as R.2015 d.136, **without change**.

Authority: N.J.S.A. 38A:3-6(o) and 38A:4-4.

Effective Dates: July 21, 2015, Readoption;  
 August 17, 2015, Amendments.

Expiration Date: July 21, 2022.

#### Summary of Public Comment and Agency Response:

**No public comments were received.**

#### Federal Standards Statement

The rules readopted with amendments are a clarification of N.J.S.A. 38A:4-4, which requires paid leaves of absence, which are not required by Federal law. Federal law only requires that employers grant employees excused leaves of absence for military service. See 38 U.S.C. §§ 4301 et

seq. The New Jersey Legislature has provided benefits in addition to those required by Federal law in recognition of the sacrifices members of New Jersey's organized militia in serving both the State and the Nation.

**Full text** of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 5A:2.

**Full text** of the adopted amendments follows:

#### SUBCHAPTER 1. GENERAL PROVISIONS

##### 5A:2-1.1 Scope

(a) (No change.)

(b) Members of other Reserve Components of the Armed Forces to include the Army Reserve, Navy Reserve, Air Force Reserve, Coast Guard Reserve, Marine Corps Reserve, and members of the National Guard of other states whose employers are the State of New Jersey, a county, school district, municipality, board, commission, or authority should refer to New Jersey Civil Service Commission rule on military leave for guidance. See N.J.A.C. 4A:6-1.11.

(c) For members of the organized militia, this chapter should be read in conjunction with the Civil Service Commission rule on military leave. See N.J.A.C. 4A:6-1.11.

(d) (No change.)

#### SUBCHAPTER 2. MILITARY LEAVE

##### 5A:2-2.1 General policy

(a) Employers that are the State or a board, commission, authority, or other instrumentality of the State or a county, school district, or municipality of the State are required to grant leaves of absence to members of the organized militia in accordance with N.J.S.A. 38A:4-4, which provides:

1. A permanent or full-time temporary officer or employee of the State or of a board, commission, authority, or other instrumentality of the State or of a county school district or municipality who is a member of the organized militia shall be entitled, in addition to pay received, if any, as a member of the organized militia, to a leave of absence from his or her respective duties without loss of pay or time on all days during which he or she shall be engaged in any period of State or Federal active duty provided, however, that the leaves of absence for Federal active duty or active duty for training shall not exceed 90 work days in the aggregate in any one calendar year. Any leave of absence for such duty in excess of 90 work days shall be without pay but without loss of time.

2.-3. (No change.)

(b) Leaves of absence with pay are not authorized for Inactive Duty Training. Inactive Duty Training (IDT) is defined by Army, Air Force, National Guard, and State rules and regulations and includes, but is not limited to:

1. Unit Training Assemblies/Periods (UTA/UTP): This training is commonly known as weekend drill or battle assembly;

2. Rescheduled Unit Training Assemblies/Periods (RUTA/RUTP): This training is a makeup period for a UTA/UTP;

3. Multiple Unit Training Assemblies/Period (MUTA/MUTP): This training is for multiple UTAs/UTPs;

4. Split Unit Training Assemblies/Periods (SUTA/SUTP): This training is a makeup period for a UTA/UTP;

5. Additional Flight/Flying Training Period (AFTP): Additional time authorized for flight training/validation;

6. Readiness Management Assemblies/Periods (RMA/RMP): Used to plan, manage, and/or prepare for training;

7. Additional Training Assemblies/Periods (ATA/ATP): Used to accomplish administrative actions in support of training;

8. Additional Unit Training Assembly/Period (AUTA/AUTP): Additional time authorized for training and instruction;

9. Proficiency Training (PT);

10. Training Period Preparation Assembly (TPPA);

11. Equivalent Training Assembly/Period (ETA/ETP): This training is a makeup period for a UTA/UTP;

12. Junior Leader Training for Civil Disturbance (JLTCD): This training is in addition to IDT for Junior Leaders to train on civil disturbance;

13. Additional Simulation Training Assembly/Period (ASTA/ASTP): Additional time authorized for training/validation on simulator devices; and

14. Inactive Duty Funeral Honors (IDFH): This is for performance or duty as a participant during a military funeral honors.

(c) Employees are entitled to leaves of absence without pay but without loss of time for inactive duty training as identified in (b) above.

## EDUCATION

### (a)

#### STATE BOARD OF EDUCATION

##### Commissioner

##### Reporting Responsibilities; Public Information Requests

##### Adopted Amendments: N.J.A.C. 6A:2-2.4 and 2.5

Adopted: July 13, 2015, by the State Board of Education, David C. Hespe, Commissioner, Department of Education and Secretary, State Board of Education.

Filed: July 13, 2015, as R.2015 d.128.

Authority: N.J.S.A. 18A:4-22 and 52:14B-3(1).

Effective Date: July 13, 2015.

Expiration Date: November 15, 2019.

These organizational rules are exempt from the notice and public comment requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and are effective upon filing with the Office of Administrative Law, pursuant to N.J.S.A. 52:14B-4(b).

**Full text** of the adopted amendments follows (additions indicated in the boldface **thus**; deletions indicated in brackets [thus]):

##### 6A:2-2.4 Reporting responsibilities

(a) The following senior managers report directly to the Commissioner/[Assistant Commissioner of Operations]:

1.-3. (No change.)

4. The Chief Academic Officer. The following organizational units and/or their chief officers report directly to the Chief Academic Officer:

i. The [Director] **Administrator** of the [Office of Academic Standards] **Division of Early Childhood Education**;

ii. The Director of the Office of [Literacy] **Teaching & Learning Support**;

iii. The Director of the Office of [Science, Technology, Engineering, and Mathematics (STEM)] **Primary Education**;

iv. The [Administrator] **Director** of the [Division of Early Childhood Education] **Office of Intermediate Education**;

v. **The Director of the Office of Secondary Education**;

vi. **The Director of the Office of Academic Initiatives & Fiscal Accountability**;

vii. **The Director of the Office of Career Readiness**;

Recodify existing v. and vi. as **viii. and ix.** (No change in text.)

5. The Chief Innovation Officer/Assistant Commissioner for the Division of Charter Schools, School Choice, Technology, Turnarounds. The following organizational units and/or their chief officers report directly to the Chief Innovation Officer/Assistant Commissioner for the Division of Charter Schools, School Choice, Technology, Turnarounds:

i.-iv. (No change.)

v. **The Director of the Office of Project Management**;

[v.] **vi. The Director of the Office of School Innovation**; and

[vi.] **vii.** (No change in text.)

6. The Assistant Commissioner of the Division of [Student Services and Career Readiness] **Learning Supports and Specialized Services**. The following organizational units and/or their chief officers report