

NEW JERSEY REGISTER

VOLUME 40, ISSUE 4

ISSUE DATE: FEBRUARY 19, 2008

**EDUCATION**

40 N.J.R. 891(a)

**STATE BOARD OF EDUCATION**

**Notice of Action on Petition for Rulemaking**

**N.J.A.C. 6A:9-11.12**

**Eligibility and Qualifications of Persons for Appointment as Coaches for Teams Competing in Interscholastic Competitions and Events**

Petitioner: Dr. John A. Ravally, on behalf of the Board of Education of the Borough of Point Pleasant Beach

**Take notice** that on November 23, 2007, the New Jersey State Board of Education received a petition for rulemaking to amend N.J.A.C. 6A:9-11.12, Swimming and water safety. The petitioner, Dr. John Ravally, requested that the State Board amend the rules pertaining to the eligibility for the swimming and water safety endorsement.

The petitioner states that in 2005, the rule governing the eligibility standards for teachers of swimming and diving at N.J.A.C. 6A:9-11.12 was amended to require those seeking to teach swimming and water safety in New Jersey's public schools hold a standard New Jersey instructional certificate. The petitioner also states that simultaneously, the rule governing the eligibility standards of persons assigned to coach swimming or diving, pursuant to N.J.A.C. 6A:9-5.18, was also amended to require a coach of swimming or diving activities to meet the requirements set forth in the amended version of N.J.A.C. 6A:9-11.12. The petitioner seeks to have the applicable code amended so that coaches of swimming or diving teams will no longer be required to be the holders of standard instructional certificates but rather the holder of a county substitute credentials like other coaches governed by the provisions of N.J.A.C. 6A:9-6.5. The petitioner also seeks to amend current N.J.A.C. 6A:9-5.18 so that persons assigned to coach swimming or diving teams be required to meet the requirements set forth at N.J.A.C. 6A:9-11.12(a)2 through 4 and 11.12(b). Notice of receipt of the petition was published at 40 N.J.R. 212(a).

In accordance with applicable law, the Department of Education concluded its review and agrees with the petitioner in its intent but will recommend specific code language for the amendment to N.J.A.C. 6A:9-11.12, which differs from that suggested by the petitioner. The Department agrees that the circumstances and activities involved in coaching interscholastic swimming teams are completely different from those involved with teaching a non-swimmer how to swim. The Department also agrees with the need to make the hiring and certification rules for swimming and diving consistent with those for coaches of other athletic team, while still recognizing the additional essential requirements for water safety skills necessary to ensure the safety of participating students.

However, the Department is concerned that swimming and diving activities lend themselves to drowning hazards not present in other athletic activities. Therefore, any person hired to work with such activities regardless of title should be suitably certified in water safety skills. For this reason, the Department will propose to amend the language in N.J.A.C. 6A:9-11.12 so as to encompass coaches, head coaches, assistant coaches or any persons employed by school districts under the regulations for athletic personnel and assigned to work with students engaged in swimming or diving activities.

At the April 2, 2008 public meeting of the New Jersey State Board of Education, the Department of Education will present for consideration a readoption with amendments of N.J.A.C. 6A:9, Professional Licensure and Standards. This rulemaking activity will include a proposal to amend N.J.A.C. 6A:9-11.12 in response to the petition for rulemaking received by Dr. John A. Ravally, on behalf of the Board of Education of the Borough of Point Pleasant Beach.