

Public Notice

Education

State Board of Education

Notice of Action on Petition for Rulemaking

Fiscal Accountability, Efficiency, and Budgeting Procedures

Additional Measures to Ensure Effective and Efficient Expenditures of District Funds

N.J.A.C. 6A:23A-5

Petitioner: Gerald Reiner.

Take notice that on February 6, 2020, the New Jersey State Board of Education (State Board) received a petition for rulemaking from the above petitioner, requesting the State Board add new rules at N.J.A.C. 6A:23A-5 to require school districts to certify the availability of funds for an entire project before beginning a new project, such as new construction or a boiler replacement.

The petitioner specifically requested the State Board adopt a new section at N.J.A.C. 6A:23A-5 to apply to school districts the rules at N.J.A.C. 5:30-5.3, 5.4, and 5.5, as amended by the Local Finance Board in 2017, that ensure local units prove sufficient funds are available when incurring an obligation.

A notice acknowledging receipt of the petition was published in the March 16, 2020, New Jersey Register at 52 N.J.R. 535(a). In accordance with applicable law, the Department of Education (Department) reviewed the petition and has determined that additional time is needed to deliberate about this petition. Due to the declared Public Health Emergency and State of Emergency in the State of New Jersey (see Executive Order No. 103 (Murphy)) and the resulting shift in the duties of Department employees to respond to the declared emergencies, the Department needs additional time to consider the requested amendments.

Accordingly, pursuant to N.J.A.C. 1:30-4.2(a)3 and 6A:6-4.2(b)3, this matter will be referred for further deliberation for a period not to exceed 90 days.

A copy of this public notice is being mailed to the petitioner.