

**CHAPTER 2  
COMMISSIONER**

**Authority**

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

**Source and Effective Date**

R.2007 d.97, effective March 9, 2007.  
See: 39 N.J.R. 1250(b).

**Chapter Expiration Date**

Chapter 2, Commissioner, expires on March 9, 2012.

**Chapter Historical Note**

Chapter 2, Commissioner, was adopted as R.1997 d.321, effective August 4, 1997. See: 29 N.J.R. 3489(a).

Chapter 2, Commissioner, was readopted as R.2002 d.202, effective June 6, 2002. See: 34 N.J.R. 2328(a).

Chapter 2, Commissioner, was readopted as R.2007 d.97, effective March 9, 2007. See: Source and Effective Date. See, also, section annotations.

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**APPENDIX**

**SUBCHAPTER 1. GENERAL PROVISIONS**

**6A:2-1.1 Title and aim**

(a) By statute, the Commissioner of Education is the chief executive and administrative officer of the Department of Education, is the official agent of the State Board of Education for all purposes and is the budget request and approval officer of the Department of Education. The Commissioner is Secretary of the State Board of Education and Chairperson of the State Board of Examiners.

(b) The Commissioner is appointed by the Governor, with the advice and consent of the Senate, and serves at the pleasure of the Governor during the Governor's term of office and until his/her successor is appointed.

**6A:2-1.2 Powers and duties**

(a) The powers and duties of the Commissioner are as follows:

1. The Commissioner is empowered to decide legal controversies and disputes arising under school laws or State Board regulations and his/her decisions have the force of law;
2. To apportion State aid to local school districts;
3. To issue teacher certificates;
4. To approve vocational schools;
5. To issue rules and regulations for the classification of students with disabilities;
6. To conduct Statewide tests;
7. To prescribe minimum courses of study for elementary and high schools;
8. To withhold State aid from local school districts which fail to comply with school law or State Board regulations; and
9. To promulgate such other rules and regulations as may be authorized by statute or the State Board.

**Case Notes**

Final investigation decision rendered by the Office of Special Education Programs, pursuant to the Individuals with Disabilities Education Act, cannot be appealed to the Commissioner of Education. Board of Educ. of the Lenape Reg'l High Sch. Dist. v. New Jersey State Dep't of Educ., 399 N.J. Super. 595, 945 A.2d 125, 2008 N.J. Super. LEXIS 87 (App.Div. 2008).

**SUBCHAPTER 2. ORGANIZATION OF THE DEPARTMENT**

**6A:2-2.1 Organizational structure**

The Commissioner of Education shall develop and present to the State Board of Education for its approval an organizational chart which includes all divisions of the Department of Education and all other units for which managerial appointments require State Board approval pursuant to N.J.A.C. 6A:2-2.2. This chart shall be published in the New Jersey Register and incorporated as an Appendix to this subchapter pursuant to N.J.S.A. 52:14B-4(b).

Amended by R.2002 d.202, effective June 6, 2002.  
See: 34 N.J.R. 2328(a).

Deleted "herein by reference" preceding "as an Appendix".

In (a)1xv, deleted “to the” following “Assistant” in two places; in introductory paragraph of (a)4, added “to the” following “Assistant” in two places, and in the second sentence, deleted “the Division of” following “Commissioner for”; and in (a)5iii substituted “Strategic Initiatives and Accountability” for “Administrative and Regulatory Affairs”.

Amended by R.2007 d.97, effective March 9, 2007.

See: 39 N.J.R. 1250(b).

Rewrote (a).

Amended by R.2007 d.136, effective April 5, 2007.

See: 39 N.J.R. 1695(b).

Rewrote the section.

Amended by R.2009 d.72, effective January 30, 2009.

See: 41 N.J.R. 1017(a).

Rewrote the section.

Amended by R.2009 d.127, effective March 24, 2009.

See: 41 N.J.R. 1750(a).

Rewrote (a)3ii; deleted former (a)3vi; recodified former (a)3vii and (a)3viii as (a)3vi and (a)3vii; deleted former (a)4iii; and recodified former (a)4iv and (a)4v as (a)4iii and (a)4iv.

#### **6A:2-2.5 Public information requests**

Members of the public may obtain general information from the Department of Education by writing to or telephoning the Public Information Office, Department of Education, PO Box 500, Trenton, NJ 08625-0500, (609) 292-4041.

STATE OF NEW JERSEY  
DEPARTMENT OF EDUCATION

State Board of Education

Commissioner

Deputy Commissioner

Chief of Staff

Office of the State Board

Special Assistant to the Commissioner

Division of Finance  
Asst Cmmsr

Division of Field Services  
Asst Cmmsr

Division of Early Childhood Education  
Asst Cmmsr

Division of Educational Standards and Programs  
Asst Cmmsr

Division of District and School Improvement  
Asst Cmmsr

Division of Student Services  
Asst Cmmsr

Office of Fiscal Accountability and Compliance  
Asst to Cmmsr

Office of School Funding

Office of Controversies and Disputes

Office of Fiscal Policy and Planning

Office of School Ethics

Office of Student Transportation and Shared Services

Office of Budget Review and Fiscal Monitors

County Offices (21)

Office of Preschool Education

Office of K-3 Education

Office of Research and Evaluation

Office of State Assessments

Office of Academic Standards and 21<sup>st</sup> Century Skills

Office of Language Arts Literacy Education

Office of Math and Science Education

Office of Professional Standards, Licensing, and Higher Education Collaboration

Office of Career and Technical Education

Office of Charter Schools

Office of Abbott Services

Office of Equity

Office of Improvement and Innovation

Office of Leadership Development

Office of Program Planning and Accountability/ Specialized Populations

Office of Special Education Programs

Office of Educational Support Services

Katzenbach School for the Deaf

Office of Administration

Office of School Facilities

Office of Educational and Information Technology

Office of Legislative Services

Office of Public Information

Office of EEO/ Affirmative Action

Office of State Budget and Accounting

Office of Grants Management

Office of Human Resources

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3/18/09

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Repeal and New Rule, R.1998 d.490, effective September 4, 1998.  
See: 30 N.J.R. 3643(b).  
Repeal and New Rule, R.1999 d.152, effective April 19, 1999.  
See: 31 N.J.R. 1312(a).  
Repeal and New Rule, R.1999 d.172, effective May 6, 1999.  
See: 31 N.J.R. 1482(b).  
Repeal and New Rule, R.2000 d.51, effective January 7, 2000.  
See: 32 N.J.R. 1764(a).  
Repeal and New Rule, R.2000 d.201, effective April 20, 2000.  
See: 32 N.J.R. 446(a).  
Repeal and New Rule, R.2001 d.16, effective December 7, 2000.  
See: 33 N.J.R. 29(a).  
Repeal and New Rule, R.2001 d.365, effective October 1, 2001.  
See: 33 N.J.R. 3480(a).

Repeal and New Rule, R.2002 d.202, effective June 6, 2002.  
See: 34 N.J.R. 2328(a).  
Repeal and New Rule, R.2005 d.180, effective May 11, 2005.  
See: 37 N.J.R. 2009(b).  
Repeal and New Rule, R.2005 d.254, effective July 8, 2005.  
See: 37 N.J.R. 2860(b).  
Repeal and New Rule, R.2007 d.97, effective March 9, 2007.  
See: 39 N.J.R. 1250(b).  
Repeal and New Rule, R.2007 d.136, effective April 5, 2007.  
See: 39 N.J.R. 1695(b).  
Repeal and New Rule, R.2009 d.72, effective January 30, 2009.  
See: 41 N.J.R. 1017(a).  
Repeal and New Rule, R.2009 d.127, effective March 24, 2009.  
See: 41 N.J.R. 1750(a).