



Evesham Township School District

Meland Administration Building, 25 South Maple Avenue, Marlton, NJ 08053

www.evesham.k12.nj.us · (856) 983-1800 · Fax #

(856) 983-2939

Dr. Justin Smith, Superintendent

Mr. John Recchinti, School Business Administrator

Ms. Danielle T. Magulick, Director of Curriculum & Instruction

Mr. Richard G. Dantine, Jr., Director of Personnel

Dr. Jennifer Bland, Director of Special Services

October 12, 2022

Re: *N.J.A.C. 6A:9B-4.3* Certified Staff Reporting Requirements for Arrests

To All Certified Staff:

In accordance with *N.J.A.C. 6A:9B-4.3* and Evesham Township Board of Education Policy 3159, I am required to annually provide you with the information listed below.

Please be advised that the New Jersey Administrative Code regulations require every certified staff member to report to me, as Superintendent, his or her arrest or indictment within fourteen (14) days of receiving the same and report the final disposition of any charge within seven (7) days. The regulation *N.J.A.C. 6A:9B-4.3(c)* specifically states:

All certificate holders shall report to their superintendent their arrest or indictment for any crime or offense within 14 calendar days of the arrest or indictment. The report shall include the date of arrest or indictment and charge(s) lodged against the certificate holder. Certificate holders arrested or indicted for any crime or offense shall report to their superintendent the disposition of any charge within seven calendar days of disposition. Failure to comply with these reporting requirements may be deemed "just cause" pursuant to *N.J.A.C. 6A:9B-4.4*....

As Superintendent, I am required to report certain incidents or infractions involving certified staff to the Board of Examiners under *N.J.A.C. 6A:9B-4.3(a)*. The following are occurrences, incidents or infractions I must report:

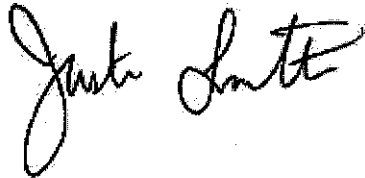
1. When tenured teaching staff members who are accused of criminal offenses or unbecoming conduct resign or retire from their positions;
2. When nontenured teaching staff members, including substitute teachers, who are accused of criminal offenses or unbecoming conduct resign, retire or are removed from their positions;

Making the world a better place,
one student at a time

3. When a certificate holder fails to maintain any license, certificate or authorization pursuant to N.J.A.C. 6A:9B that is mandated in order for the holder to serve in a position;
4. When I become aware that a certificate holder has been convicted of a crime or criminal offense while in the district's employ; or
5. When I receive a report from the State of New Jersey, Department of Children and Families, substantiating allegations of abuse or neglect or establishing "concerns" regarding a certificated teaching staff member.

It is my hope that we will never have to put these notification requirements to use. However, if you find yourself in any of these situations, as a certificate holder, you must report the situation(s) to me.

Sincerely,

A handwritten signature in black ink that reads "Justin Smith". The signature is written in a cursive style with a large initial "J" and "S".

Dr. Justin Smith
Superintendent of Schools

POLICY

Evesham Township

Board of Education

Section: Teaching Staff Members

3159. SCHOOL DISTRICT REPORTING RESPONSIBILITIES

Date Created: November 2010

Date Edited: December 2019

3159- SCHOOL DISTRICT REPORTING RESPONSIBILITIES

The Board of Education and all certificate holders shall adhere to the reporting requirements outlined in N.J.A.C. 6A:9B-4.3 and N.J.S.A. 18A:16-1.3. For the purposes of this Policy, "certificate holders" shall include all individuals who hold certificates, credentials, certificates of eligibility (CEs), and certificates of eligibility with advanced standing (CEASs) issued by the New Jersey State Board of Examiners. For purposes of this Policy, the term "certificate" shall include all standard, emergency and provisional certificates, all credentials, and all CEAs and CEASs issued by the New Jersey State Board of Examiners.

All certificate holders shall report an arrest or indictment for any crime or offense to the Superintendent within fourteen calendar days of their arrest or indictment in accordance with the provisions of N.J.A.C. 6A:9B-4.3. The report submitted to the Superintendent shall include the date of arrest or indictment and charge(s) lodged against the certificate holder. Such certificate holders shall also report to the Superintendent the disposition of any charge within seven calendar days of the disposition. Failure to comply with these reporting requirements may be deemed "just cause" for revocation or suspension of certification pursuant to N.J.A.C. 6A:9B-4.4. The school district shall make these reporting requirements known to all new employees upon initial employment and to all employees on an annual basis.

The Superintendent shall notify the New Jersey State Board of Examiners when:

1. Tenured teaching staff members who are accused of criminal offenses or unbecoming conduct resign or retire from their positions;
2. Non Tenured teaching staff members, including substitute teachers, who are accused of criminal offenses or unbecoming conduct resign, retire, or are removed from their positions;

3. A certificate holder fails to maintain any license, certificate, or authorization that is mandated pursuant to N.J.A.C. 6A:9B for the holder to serve in a position;
4. The Superintendent becomes aware that a certificate holder has been convicted of a crime or criminal offense while in the district's employ; or
5. The Superintendent has received a report from the Department of Children and Families substantiating allegations of abuse or neglect, or establishing "concerns" regarding a certificated teaching staff member.

The school district shall cooperate with the New Jersey State Board of Examiners in any proceeding arising from an order to show cause issued by the New Jersey State Board of Examiners and based on information about the certificate holder that the school district provided.

The Superintendent shall also notify the New Jersey State Board of Examiners, in accordance with the provisions of N.J.S.A. 18A:16-1.3, whenever a nontenured, certificated employee is dismissed prior to the end of the school year for just cause as a result of misconduct in office. This notification requirement shall not apply in instances where the employee's contract is not renewed. The Superintendent will comply with the additional notice requirements to the New Jersey State Board of Examiners in the event it is subsequently determined by a disciplinary grievance arbitration, a court, or an administrative tribunal of competent jurisdiction that the basis for the dismissal did not constitute misconduct in office. In addition, whenever the Superintendent notifies the New Jersey State Board of Examiners of an employee's dismissal for reasons of misconduct in accordance with the provisions of N.J.S.A. 18A:16-1.3, the employee shall receive a simultaneous copy of the notifying correspondence.

In the event the Board of Education determines, pursuant to a tenure charge finding under N.J.S.A. 18A:6-10 or a disorderly person conviction under N.J.S.A. 9:6-8.14, that a teaching staff member has failed to report an allegation of child abuse in accordance with State law or regulations, the Board shall submit a report to the New Jersey State Board of Examiners that outlines its findings. The New Jersey State Board of Examiners shall review the certification of the teaching staff member to determine if the teaching staff member's failure to report warrants the revocation or suspension of his/her certificate. In accordance with N.J.S.A. 9:6-8.14, any person failing to report an act of child abuse, having reasonable cause to believe that an act of child abuse has been committed, may be deemed a disorderly person.

N.J.S.A. 9:6-8.14; 18A:6-10; 18A:6-38.5; 18A:16-1.3
N.J.A.C. 6A:9B-4.3; 6A:9B-4.4

Adopted: 18 November 2010

Revised: 27 October 2016, 19 December 2019