

PUBLIC NOTICE

EDUCATION

STATE BOARD OF EDUCATION

Notice of Receipt and Action on Petition for Rulemaking

Lunch Period

N.J.S.A. 34:1-21.17d.g(4)

Petitioner: Deborah Esposito.

Take notice that on October 13, 2019, the New Jersey State Board of Education (State Board) received a petition for rulemaking from the above petitioner requesting the State Board to create a new rule pursuant to N.J.S.A. 34:1-21.17d.g(4) to develop new checks and balances to ensure students have ample time to eat lunch without being punished or so afraid that they do not eat. The petitioner's request also states that students need to be provided a proper environment to eat lunch rather than in the principal's office or the school's main office.

After reviewing the petition, the Department of Education (Department) has concluded the State law cited by the petitioner is not about lunch periods for students in public schools. Rather, N.J.S.A. 34:1-21.17d.g(4) prohibits minors between the ages of 14 and 17 who work as volunteers for nonprofit organizations engaged in the construction of affordable housing from being permitted to work for more than five consecutive hours without a half-hour break. Furthermore, the State Board does not have the authority to amend State law as that is the responsibility of the New Jersey Legislature.

Therefore, the petitioner's request is denied.