

Public Notice

Education

State Board of Education

Notice of Receipt and Action on Petition for Rulemaking

Managing for Equity in Education

N.J.A.C. 6A:7

Petitioners: Joseph Ferrandino, Sharon Lally, and Theresa Bhardwaj.

Take notice that on August 31, and September 1 and 5, 2023, the New Jersey State Board of Education (State Board) received petitions for rulemaking from the petitioners requesting that the State Board repeal N.J.A.C. 6A:7.

N.J.A.C. 1:30-4.1(b) and 6A:6-4.1(b) require a petition for rulemaking to include the substance or nature of the rulemaking that is requested, the reasons for the request and the petitioner's interest in the request, and references to the agency's authority to take the requested action.

Petitioner Joseph Ferrandino requested the repeal of "Teaching our children subcultures that defy our religious values is no *[sic]* the NJEA jod *[sic]* teaching them to read *[sic]* write and do arithmetic is." The petition asserted that children in America belong to their parents not the State and that this is not a socialist, communist country as the substance or nature of the request.

Petitioner Sharon Lally asserted that students should not be required to leave their religious views at the school door and that it would include agreeing to affirm "this gender identity ideology" as the substance or nature of the request.

Petitioner Theresa Bhardwaj provided "6A:7" as the substance or nature of the request. The petition also asserted that the reason for the request is "Unconstitutional/Religious grounds."

None of the three petitions provides a statutory or regulatory citation for the State Board's authority to take the requested action.

The Department of Education (Department) contacted petitioners Joseph Ferrandino and Sharon Lally multiple times for clarification regarding the regulation(s) or chapter(s) in Title 6A of the New Jersey Administrative Code they would like repealed but did not receive responses. The Department also contacted petitioner Theresa Bhardwaj multiple times for clarification whether the petitioner sought the repeal of N.J.A.C. 6A:7 in its entirety or the recently adopted amendments but did not receive a response.

Therefore, the petition must be denied for failure to comply with N.J.A.C. 1:30-4.1(b) and 6A:6-4.1(b).