

Public Notice

Education

State Board of Education

Notice of Receipt and Action on Petition for Rulemaking

State Board of Education Rulemaking Process

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N.J.A.C. 6A:6-3.1

Petitioner: Kayla Bozoti.

Take notice that on August 31, 2023, the New Jersey State Board of Education (State Board) received a petition for rulemaking from the petitioner requesting that the State Board create a rule to keep the names of humans as men or women, boy or girl.

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.

The petitioner asserted that the request was necessary because scientific and creation evidence shows that X and Y chromosomes make up male or female, which are called man or woman. The petition did not provide a statutory or regulatory citation for the State Board's authority.

When asked for clarification, the petitioner indicated that the rule should be created at N.J.A.C. 6A:6-3.1, State Board rulemaking process. The petitioner did not respond to another request for confirmation that N.J.A.C. 6A:6-3.1 was the section the petitioner would like amended.

N.J.A.C. 6A:6-3.1 sets forth the State Board's rulemaking process and does not contain rules related to the petitioner's request. Furthermore, the petition also must be denied for failure to comply with N.J.A.C. 1:30-4.1(b) and 6A:6-4.1(b).