

## **Public Notice**

### **Education**

#### **State Board of Education**

#### **Notice of Receipt and Action on Petition for Rulemaking**

#### **Title 6A of the New Jersey Administrative Code**

Petitioners: Teresa Burckhard, Kathleen Pringle, Jen Brown, Mary Pat Chiswick, Tomasz Dytko, Jessica Haspel, Ruy A. Pitta, Kaitlyn McCabe, Candace Heuer, and Colleen Kirley Noonan.

**Take notice** that on August 31, and September 2, 4, 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 something but did not identify an existing chapter or regulation at Title 6A of the New Jersey Administrative Code.

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 Teresa Burckhard sought the repeal of "Parents need to know. And quit trying to throw this down childrens (*sic*) throats." Regarding the substance or nature of the request, the petitioner asserted the following: Parents have the right to know and keep this out of schools; stop pushing this down the children's throats.

Petitioner Kathleen Pringle requested the repeal of "Violates religious freedom" and "this bill." The petition asserted "Government overreach, harms children" as the substance or nature of the request.

Petitioner Jen Brown requested the repeal of "Gender neutral ruling." Regarding the substance or nature of the request, the petition demanded that "the new BOE policy for innocent children be reversed."

Petitioner Mary Pat Chiswick requested the repeal of “Parental Rights” and asserted “Damaging to children” as the substance or nature of the request.

Petitioner Tomasz Dytko requested the repeal of “Unconstitutional” and asserted “Anti science” as the substance or nature of the request.

Petitioner Jessica Haspel requested the repeal of “Parental rights, goes against religion.” The petition also asserted “Parental rights, children should be taught these things at home not in school. Religious freedom” as the substance and nature of the request.

Petitioner Ruy A. Pitta requested the repeal of removing “male” and “female” from the list of arbitrarily acceptable words that the State and educators will use. The petition also sought the repeal of prohibiting educators, including administrators, from telling parents their child has decided to adopt a different gender identity. Regarding the substance and nature of the request, the petition asserted the rule infringes on parental rights by having the State hide important information about their children concerning an important, life-changing, irreversible path that children should not be allowed to undertake until they are adults.

Petitioner Kaitlyn McCabe requested the repeal of “Gender-neutral and gender choice rather than consistent with biological sex.” The petition provided, as the substance and nature of the request, information about the difference between men and women and indicated that teachers should be more open with parents about changes they see in children so teachers and parents can work as a team in the best interest of students.

Petitioner Candace Heuer requested the repeal of “Male female” and asserted that “A human is born male or female it should stay until over the age of 18 to make a change in civil court” as the substance and nature of the request.

Petitioner Colleen Kirley Noonan requested the repeal of “Return to previous rulings.” The petition asserted “Let the parents decide this not the government” as the substance and nature of the request.

None of the petitions provided a statutory or regulatory citation for the State Board’s authority to take the requested action.

The Department of Education contacted the petitioners for clarification regarding which regulation(s) and/or chapter(s) in Title 6A of the New Jersey Administrative Code, the petitioners would like repealed but did not receive responses with any clarification.

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