

## **Public Notice**

### **Education**

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

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

#### **Managing for Equity in Education**

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

Petitioners: Andrea DeHoyos, Jennifer Portman, David Milkes, Jill Marie Carter, Kathy Stanzione, Barbara Matz, Pam Colonna, Grace Roberts, Mary Stevens, William Riker Jr., Sue Maurer, Necia McQueen, Ann Marie Grutta, Suzanne Trautwein, Alice Chan, Dannielle E. Garcia, Anita Kitanovski, Joy Marion, Brittany Grebnov, Christine McCarthy, Mary B. Meyers, Joanne Godlewsky, Jessica Coopersmith, Sal Runfola, William H. Hemberger, Kathleen Jenco, Richard V. Matrisciano, Vincent Matrisciano, Regina Matrisciano, Tracey DiPasquale, Daniela De Simone-Kiss, Dan Brown, Gina Laughery, Christopher Fox, Anita Usmiani, Thomas Hudak, Nicole Lois, Sylvia Kocses, Barbara K. Eames, Joseph Ferrandino, Barbara Dahdah-Anderson, Barbara J. Matrisciano, Luran Hocquaux, Paul Lund, D.C., Donna Ann Young, Mark Stanzione, Janet Castro, Rosemarie Stone, Nathalie Zimmerman, Kevin Grosso, Yasmeen Muhammad, Sharon Grosso, Eugene DeBiase, James R. Sues, Robert F. Conkling, Mark Grussenmeyer, Laurie Madison, Mary McGinley, Richard Vincent, Paul and Jacqueline McKeon, Jeryl Maglio, Eric Croft, Risha Walden, Dennis Roberts, Bruce E. Young, Sherry Nardolillo, David J. Botti, Karen Lyden, Kathleen H. McCarthy, Lisa Santangelo, Rose Beth Mickel, Claire Burns, Mary Savas, Deborah Melicharek, Diane Carr, Amanda Speidel, Kyle Dupuis, Debra MacDonald, Tony Paskitti, Dana Veronica, Fran Deacon, Daniel Stevenson, Catherine M. Salvatore, Sam Stancheck, Larry Cirignano, Alana-Marie Gagliardi, Michael Pantaleo Jr., Stephen Linn, Karen Walker, Jennifer Kaplan, Harold Shack, Colin Pisano, Jeffrey

Steven Hastings, Megan Swenson-Mazur, Andrew Sangataldo, Dominick Cuzzo, Christopher Anderson, Ana Samuel, Vera Fedoroff, Barbara Sachau, Sanjeev Kulkarni, Kurt Ebert, Anthony Bocco, Christine Rossi, Katherine Tencza, Virginia Scudato, Matthew Silberstein, Thomas J. McTague, Suzanne Bocage, Helen and Daniel O'Mullan, Denise Ann Sickinger, Kenia Rivera, Audrey Souders, Jessica Hart, John Holly, Kylie Holly, Deborah Mileto, Melanie Bratton, Lisa Ferrara, Kathryn Cuddeback, Scott N. Russell, Pamela Geary, Pattie Bahrle, Nancy Wheaton, Michelle Dolasco, Brianna Turano, Jen Riccio, Denise Pavese, Rosaro Dragotta, Amy Galarowicz, Janet Coley-Lima, Pamela A. Russell, Elizabeth, Arlene F. Petri, Kevin Towers, Lisa DeMarco, Diana Tantleff, Toby Doe, Dana Kennedy, David Brown, Camile Kluge, Rhiannon Mindas, Thomas Crane, Maja Bednarski, Lois Furrevig, Alyssa Bashaw, Chris Alvarez, Scott Jones, Louis A. Perrotta, III, Laura Pence, David Americo, Michael Minaides, Robyn Miller, Michael J. Eadicicco, Vera Olinski, Christine Birmingham, Brigitte Formolo, Grace Pietrangelo, Judith Hyer, Ted Geuther, Ruben Dominguez, Ryan Day, Dian Koster, Stephanie Bally, Elizabeth Martinez, Elizabeth Erin Czar, DO, Arturo Moreno, PaulaAnn Fazio Escudero, Marguerite Ciccolella, David Chin, Ph.D., Ruth Feliciano, Danielle Dill, Jennifer Farrell, Mike DeCastro, Kristi Hanson, Rachael Hull, Dina Artale, Kimberly Pachman, Francine Abel, Carol Gaynor, Melissa Talamo, Christina Fisher, Veronica A Colombo, Martha Anderson, Tania Pinho, Kathy Muscillo, Donna Hart, Melissa Kiel, Franklyn D. Pennell, Jr., Kathy A. Mandel, Vanessa Panagiotopoulos, Shana Marie Russo, Diane Badessa, Patricia A. McTague, Christin Cerullo, Patrick Earley, Meghan Caputo, Selena Perry, Patricia L. Wenzel, Marjorie Padilla, Angela Robertson, Allan Simonovich, Edwin Lima, Lisa Werdal, Martha Torres, Keri Wilkes, Peter J. Pappas, Cassandra Anderson, Merissa Borawski, Carol Lewant, Yan Katsnelson, Timothy McQueen, Cindy Santora, Jennifer Reppert, Kerri Sirinides, Victoria Shields, Noelle Sciacca, Steven Mottola, Lauren Mottola, Joan Schiller, Jooyun Riviezzo, James Ripley, Theresa

Loda, Denise Hirschhorn, Kristina Pawelko, Melissa Silva, Tom Lewandowski, Christine Flaherty, Maria Argen, Grazyna Zwiercan, Jennifer Bida, Alma V. Conkling, Kristin Tencza, Tatiana Garcia, Eveleth Roderer, Adriel Bastos, Alicja Nowicka, Krystyna Dudej, Brian Edwards, Carol Eng, Nikole Braud, Stephen Murray, Christine Fusco, Jean Barrett, Donna Marie Suszynski, Wildenys Lozada, Paul C. Szesko, Mark Bishop, Taryn McGrane, Daniel Morales, Carolyn Hill, Christina Fochi, Stephen Farrell, Gina Salzman, Drew Cifrodelli, Christopher Antonio Jimenez-Ferreto, Erin Sweeny, Nisha Mathew, Rachelle Hearst, Lori Mears, Frank Petrino, Lauren Blauvelt, Kristine Monaco, Vanessa Petrucelli, Marisa Perilli Soto, Evelyn Kaveski, Hilary Jersey, Matthew Timmerman, Dorothy Turse, Linda Dougherty, Ann Michele Dillon, Philip Salerno, Natalie Timmerman, Renee Martins, Kristine Wark, James R. Bosma, Lenore Conklin Mohamed, Kenya Warren, Dina Salerno, Karen Speer, Cindy Brennan, Shulamit Lazarus, Maria Carin, Sandra Mei Armstrong, Renee Travers, John Owen, Adam Braun, Elizabeth Trebus, Elisa DeVitto, Jessica Mascolo, Carol Gallentine, James Sarkar, Sue Cappel, Katalina Sánchez, Nancie Shauger, Heather O'Neill, Mary Ferns, Maria Quigley, Charissa Murray, Isabel Nieves de Caimares, Michael Inganamort, Kholood Ziada, Amr Eldessouky, Inas Hassan, Hoda Sayed, Safya Eldessouky, Nivien Eltarrani, Faten Attiah, Embarek Alwedi, Munera, Mariam Gandour, Hayat Jaoudar, Mohamed Abdallah Mahmoud Hassan, Amanie Khalil, Edwin Black, Alshaimaa Mohamed Abdelfattah, Samina Yasin, Ahmed Bedewy, Joseph Belnome, Touria Ansaisse, Saleh Elahwal, Salma Kaleem, Andrew S. Craven, Hala Eldessouky, Wagdy Ziada, Mohamed Nassim, Hazem Adham, Intesar Awadallah, Tarek Warraky, Imran Siddiqui, Ahmed Amer, Mariam Saleeb, Sana Ali, Yasir Farooq, Hader Hamza, Jasur Koshchanov, Maged Hegazy, George Saleeb, Hayat Ouziatine, Hossam Elfeky, Iman Rezk, Sanaa El Maslouhi, Asmae Raissi, Sherry Samuel, Alsaied Alboraey, Trista Kay, Hoda Sheishaa, Adel Mansour, Diane Smith, Diane Potts, and Carlo Fioranelli.

**Take notice** that on August 23, 24, 25, 27, 28, 30, and 31, and September 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, 2023, the New Jersey State Board of Education (State Board) received petitions for rulemaking from the above petitioners, requesting the State Board repeal amendments adopted at N.J.A.C. 6A:7, as part of the recent readoption with amendments (see 55 N.J.R. 1877(a)), or repeal the chapter in its entirety.

The purpose of N.J.A.C. 6A:7 is to ensure all students, regardless of housing status, socioeconomic status, immigration status, or any protected category as stated at N.J.S.A. 10:5-1 et seq., such as race, creed, color, national origin, ancestry, age, marital status, civil union status, domestic partnership status, affectional or sexual orientation, genetic information, pregnancy or breastfeeding, sex, gender identity or expression, religion, disability, atypical hereditary cellular or blood trait, service in the Armed Forces of the United States, or nationality, are provided equal access to educational activities and programs by district boards of education. The educational activities and programs include the teaching of challenging curriculum based on the New Jersey Student Learning Standards (NJSLS), differentiated instruction, formative assessments aligned to the NJSLS, qualified teachers, and professional standards for teachers and school leaders. The rules specify standards for district boards of education in establishing policies and procedures for the provision of educational activities and programs for all students, pursuant to: Article I, Paragraph 5 of the New Jersey State Constitution; the New Jersey Law Against Discrimination (NJLAD) (N.J.S.A. 10:5-1 et seq.); N.J.S.A. 18A:35-1 et seq., 18A:36-20, and 18A:38-5.1; Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq. and 2000e et seq.); Title IX of Education Amendments of 1972 (20 U.S.C. §§ 1681 et seq.); Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §§ 701 et seq.); and the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. §§ 1400 et seq.).

Notices acknowledging receipt of the petitions were published in the October 2, 2023, New Jersey Register at 55 N.J.R. 2148(a) and the October 16, 2023, New Jersey Register at 55 N.J.R. 2204(b), 2205(a), 2206(b), and 2207(a). In accordance with applicable law, the President of the State Board has reviewed the petitions and, in consultation with the Commissioner, has determined that further deliberations are required before taking action on the petitions. The State Board has received more than 370 petitions seeking changes to, or the repeal of, N.J.A.C. 6A:7. Given the volume of petitions related to N.J.A.C. 6A:7, additional time is necessary to allow the Department to fully evaluate all of the petitions and coordinate the final action on the requests.

Accordingly, pursuant to N.J.A.C. 1:30-4.2(a)3 and 6A:6-4.2(b)3, this matter will be referred for further deliberations for a period not to exceed 90 days.