

## **Public Notice**

### **Education**

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

#### **Notice of Receipt of Petitions for Rulemaking**

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

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

Petitioners: 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, and Christine Rossi.

**Take notice** that on August 31 and September 1 and 2, 2023, the New Jersey State Board of Education (State Board) received petitions for rulemaking from the above petitioners, requesting the State Board repeal N.J.A.C. 6A:7.

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.).

Petitioners Tony Paskitti, Daniel Stevenson, Stephen Linn, Jeffrey Steven Hastings, Megan Swenson-Mazur, Dominick Cuzzo, Christopher Anderson, Ana Samuel, Barbara Sachau, and Anthony Bocco asserted that the amendments adopted as part of the recent readoption (see 55 N.J.R. 1877(a)) are unconstitutional, anti-science, a violation of religious freedom, and harmful to children.

Petitioners Tony Paskitti and Dana Veronica asserted that public schooling is the right of all citizen taxpayers. The petitioners further asserted that schools are necessary to teach reading, writing, and arithmetic, and have expanded to biology and other sciences, but schools have no mandate to teach fluid, multi-influential societal constructs, or political missions, especially to parental-dependent minors.

Petitioner Fran Deacon asserted that the adopted amendments are an attack on the family and are harmful to children and to society as a whole. The petitioner also asserted that no

legislator, teacher, or administrator can take that place in a child's life by impinging upon or removing parental rights.

Petitioners Catherine M. Salvatore and Harold Shack asserted that the chapter is unconstitutional, a violation of religious freedom, and harmful to children.

Petitioner Sam Stancheck asserted that the chapter eliminates male and female references and "equality" in legal and governmental forms, takes away parental rights, and harms children.

Petitioner Larry Cirignano asserted that it should be required for parents to be notified about their children and that parents are responsible for all medical decisions and they certainly should know about bullying, depression, suicide attempts, and gender identity.

Petitioner Alana-Marie Gagliardi asserted that the chapter is an egregious overreach of the government on the rights of parents and children and is an unethical use of political power that must be put to an end immediately.

Petitioners Michael Pantaleo Jr., Jennifer Kaplan, and Vera Fedoroff asserted that the chapter is government overreach. Petitioners Jennifer Kaplan and Vera Fedoroff also asserted that the chapter is unconstitutional and harms children.

Petitioner Karen Walker asserted that the chapter violates parental rights and is harmful to children.

Petitioner Colin Pisano asserted that the chapter is unconstitutional and harmful to children and teachers.

Petitioner Andrew Sangataldo asserted that the chapter harms children and is anti-science.

Petitioner Sanjeev Kulkarni asserted that the chapter violates parents' rights by making it illegal for schools to notify parents if children want to change gender identities, pronouns, names, bathroom preferences, and participation in sports teams.

Petitioner Kurt Ebert asserted that the chapter is unconstitutional because it violates parents' rights and falls outside of the constitutional definition and parameters of State government.

Petitioner Christine Rossi asserted that the chapter represents government overreach and it violates parents' rights.

Petitioner Anthony Bocco also asserted that the chapter is socialist in nature.

In accordance with N.J.A.C. 1:30-4.2, the Department of Education shall subsequently mail to the petitioners, and file with the Office of Administrative Law, a notice of action on the petition.