

## **Public Notice**

### **Education**

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

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

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

Petitioner: Lisa Jenkins.

**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 rulemaking petition to be adopted by all New Jersey schools.

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.

Regarding the substance or nature of the request, the petition asserted that the following language should be adopted:

1. There are only two genders - male and female;
2. Only two genders; sexes will not be eliminated for any reason;
3. Schools will not separate classes dealing with human sexuality based on gender identity;
4. Students will not be taught curriculum concerning gender and gender identity as defined by the Board, this violates the free exercise of religion, the establishment clause, equal protection under the law, and denies parents' fundamental liberty interest in caring for and guiding their children;
5. Our rights and freedoms are protected under the law;

6. Students should not be forced to leave their religious beliefs at the schoolhouse door to receive a public education from the State of New Jersey; and
7. Students should not be forced to affirm, agree with, and adopt the religious views of the State.

The petition did not provide a statutory or regulatory citation for the State Board's authority to take the requested action.

The Department of Education contacted the petitioner multiple times for clarification regarding which chapter(s) in Title 6A of the New Jersey Administrative Code the petitioner would like the requested rules to be located 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).