

ASSEMBLY, No. 1283

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

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Assemblywoman Fantasia and Assemblyman Webber

SYNOPSIS

Directs State Board of Education to rescind New Jersey Student Learning Standards in Comprehensive Health and Physical Education and directs boards of education to establish Parental Advisory Committees and adopt standards for health instruction.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 10/28/2024)

1 **AN ACT** concerning New Jersey Student Learning Standards in
2 Comprehensive Health and Physical Education, supplementing
3 chapter 35 of Title 18A of the New Jersey Statutes, and
4 amending various parts of the statutory law.

5
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

8
9 1. (New section) a. The State Board of Education shall
10 rescind the New Jersey Student Learning Standards in
11 Comprehensive Health and Physical Education adopted by the
12 board on June 3, 2020. The board shall be prohibited from adopting
13 any future Student Learning Standards in Comprehensive Health
14 and Physical Education or from mandating any similar curriculum
15 requirements or standards in the subjects of health and physical
16 education.

17 b. Each local board of education shall establish a Parental
18 Advisory Committee to work with the board and school district
19 personnel in the development of curriculum standards for the
20 instruction of students in the subjects of health and physical
21 education. Members of the committee shall be reflective of the
22 parents and guardians of students enrolled in the district. Any
23 meeting of the committee shall be open to members of the public.
24 The recommendations of the committee shall be posted on the
25 school district's website for public inspection.

26 c. Within 180 days of the enactment of P.L. , c. (C.)
27 (pending before the Legislature as this bill), each local board of
28 education shall adopt curriculum standards for the instruction of
29 students in the subjects of health and physical education.

30
31 2. Section 1 of P.L.2005, c.310 (C.18A:6-111) is amended to
32 read as follows:

33 1. The Legislature finds and declares that:

34 a. Suicide is a leading cause of death for young people in this
35 State. According to the Center for Health Statistics in the New
36 Jersey Department of Health and Senior Services, between 1999
37 and 2001 more than 1,500 young people ages 13 to 18 made suicide
38 attempts which resulted in hospitalization. More than 50 of these
39 attempts were fatal. When young people up to 24 years of age are
40 added to the equation, the number of attempted suicides rises to
41 3,000 and the number of fatalities rises to nearly 200.

42 b. A suicide can devastate a community. According to the
43 National Alliance for the Mentally Ill (NAMI), suicide severely
44 impacts the families and friends left behind, who often wrongly live
45 with extreme shame and guilt over not having prevented the death of

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 their loved one. Moreover, many attempts which do not result in
2 death nonetheless end in serious injury to the victims and lifelong
3 trauma to their families and those who know them.

4 c. A person who is considering suicide may exhibit behavioral
5 warning signs. If someone notices the warning signs of suicide, it
6 may be possible to avert a tragedy. With the possible exception of a
7 parent, no one is better situated than a teacher to detect these signs
8 and to initiate appropriate steps to prevent a suicide attempt. Proper
9 training for teaching staff members can thus save pupils' lives and
10 save the families and friends of would-be victims the trauma of a
11 suicide or suicide attempt. Moreover, early identification of
12 depression and other problems may help to reduce the number of
13 young people who commit or attempt to commit suicide once they
14 have left school and entered adulthood.

15 d. It is therefore appropriate for the Legislature to require **[:]**
16 the State Board of Education to require instruction in suicide
17 prevention as part of any continuing education which public school
18 teaching staff members must complete to maintain their
19 certification **];** and inclusion of suicide prevention awareness in the
20 Core Curriculum Content Standards in Comprehensive Health and
21 Physical Education**].**

22 (cf: P.L.2005, c.310, s.1)

23
24 3. Section 3 of P.L.2005, c.310 (C.18A:6-113) is amended to
25 read as follows:

26 3. **【Within 180 days of the effective date of this act, the State**
27 **Board of Education】** Each local board of education shall **【revise the**
28 **Core Curriculum Content Standards in Comprehensive Health and**
29 **Physical Education to】** , as part of its implementation of curriculum
30 standards in health and physical education adopted pursuant to
31 section 1 of P.L. , c. (C.) (pending before the Legislature as
32 this bill), provide for instruction in suicide prevention in an
33 appropriate place in the curriculum of elementary school, middle
34 school, and high school pupils.

35 (cf: P.L.2005, c.310, s.3)

36
37 4. Section 3 of P.L.2008, c.48 (C.18A:7F-4.3) is amended to
38 read as follows:

39 3. a. **【The State Board of Education】** Each local board of
40 education, in consultation with the organ procurement organizations
41 designated pursuant to 42 U.S.C.s.1320b-8 to serve in the State of
42 New Jersey, shall **【review the Core Curriculum Content Standards**
43 **for Comprehensive Health and Physical Education to】** , as a part of
44 its implementation of curriculum standards in health and physical
45 education adopted pursuant to section 1 of P.L. , c. (C.)
46 (pending before the Legislature as this bill), ensure that information

1 about organ donation is included therein to students in grades 9
2 through 12 **】, beginning with the 2009-2010 school year】.**

3 (1) The goals of the instruction shall be:

4 (a) to emphasize the benefits of organ and tissue donation to the
5 health and well-being of society generally, and to individuals whose
6 lives are saved by organ and tissue donations, so that students will
7 be motivated to make an affirmative decision to register as a donor
8 when they become adults;

9 (b) to fully address myths and misunderstandings regarding
10 organ and tissue donation;

11 (c) to explain the options available to adults, including the
12 option of designating a decision-maker to make the donation
13 decision on one's behalf; and

14 (d) to instill an understanding of the consequences when an
15 individual does not make a decision to become an organ donor and
16 does not register or otherwise record a designated decision-maker;

17 (2) The instruction shall inform students that **】beginning five**
18 **years from the date of enactment of P.L.2008, c.48 (C.26:6-66 et**
19 **al.),】** the New Jersey Motor Vehicle Commission will not issue or
20 renew a New Jersey driver's license or personal identification card
21 unless a prospective or renewing licensee or card holder makes an
22 acknowledgement regarding the donor decision pursuant to section
23 8 of P.L.2008, c.48 (C.39:3-12.4).

24 b. The Commissioner of Education, through the non-public
25 school liaison in the Department of Education, shall make any
26 related instructional materials available to private schools educating
27 students in grades 9 through 12, or any combination thereof. Such
28 schools are encouraged to use the instructional materials at the
29 school; however, nothing in this subsection shall be construed to
30 require such schools to use the materials.

31 (cf: P.L.2008, c.48, s.3)

32

33 5. Section 1 of P.L.2019, c.185 (C.18A:35-4.5a) is amended to
34 read as follows:

35 1. Each school district shall incorporate age-appropriate sexual
36 abuse and assault awareness and prevention education in grades
37 preschool through 12 as part of the district's implementation of **】the**
38 **New Jersey Student Learning Standards in Comprehensive Health**
39 **and Physical Education】** its curriculum standards in health and
40 physical education adopted pursuant to section 1 of
41 P.L. , c. (C.) (pending before the Legislature as this bill).

42 **【The Commissioner of Education, in consultation with the**
43 **Department of Children and Families, the New Jersey Coalition**
44 **Against Sexual Assault, Prevent Child Abuse New Jersey, the New**
45 **Jersey Children's Alliance, and other entities with relevant**
46 **expertise, shall provide school districts with age-appropriate sample**
47 **learning activities and resources】.**

48 (cf: P.L.2019, c.185, s.1)

1 6. Section 6 of P.L.2011, c.64 (C.18A:35-4.23a) is amended to
2 read as follows:

3 6. a. **【Beginning with the 2011-2012 school year, each】** Each
4 school district shall incorporate dating violence education that is
5 age appropriate into the health education curriculum as part of the
6 district's implementation of **【the Core Curriculum Content**
7 **Standards in Comprehensive Health and Physical Education】** its
8 curriculum standards in health and physical education adopted
9 pursuant to section 1 of P.L. , c. (C.) (pending before the
10 Legislature as this bill) for students in grades 7 through 12.

11 b. The dating violence education shall include, but not be
12 limited to, information on the definition of dating violence,
13 recognizing dating violence warning signs, and the characteristics
14 of healthy relationships.

15 c. **【To assist school districts in developing a dating violence**
16 **education program, the Department of Education shall recommend**
17 **educational resources on dating violence.】** (Deleted by amendment,
18 P.L. , c.) (pending before the Legislature as this bill)

19 d. Upon written request to the school principal, a parent or
20 legal guardian of a student less than 18 years of age, shall be
21 permitted within a reasonable period of time after the request is
22 made, to examine the dating violence education program instruction
23 materials developed by the school district.

24 e. As used in this section:

25 "Dating partner" means any person involved in an intimate
26 association with another individual that is primarily characterized
27 by the expectation of affectionate involvement, whether casual,
28 serious, or long-term.

29 "Dating violence" means a pattern of behavior where one person
30 threatens to use, or actually uses physical, sexual, verbal, or
31 emotional abuse to control a dating partner.

32 (cf: P.L.2011, c.64, s.6)

33

34 7. Section 1 of P.L.2007, c.22 (C.18A:35-4.26) is amended to
35 read as follows:

36 1. Each board of education that operates an educational
37 program for elementary school students shall offer instruction in
38 gang violence prevention and in ways to avoid membership in
39 gangs. The instruction shall take place as part of the district's
40 implementation of **【the Core Curriculum Content Standards in**
41 **Comprehensive Health and Physical Education, and the**
42 **comprehensive health and physical education curriculum**
43 **framework shall provide school districts with sample materials that**
44 **may be used to support implementation of the instructional**
45 **requirement】** its curriculum standards in health and physical
46 education adopted pursuant to section 1 of P.L. , c. (C.)
47 (pending before the Legislature as this bill).

48 (cf: P.L.2007, c.22, s.1)

1 8. Section 1 of P.L.2014, c.36 (C.18A:35-4.28) is amended to
2 read as follows:

3 1. a. Notwithstanding the provisions of any law, rule, or
4 regulation to the contrary, the board of education of a public school
5 district that includes grades 9 through 12, or the board of trustees of
6 a charter school that includes grades 9 through 12, shall provide
7 instruction in cardiopulmonary resuscitation and the use of an
8 automated external defibrillator to each student prior to graduation
9 as part of the district's implementation of **【the Core Curriculum**
10 **Content Standards in Comprehensive Health and Physical**
11 **Education】** its curriculum standards in health and physical
12 education adopted pursuant to section 1 of P.L. , c. (C.)
13 (pending before the Legislature as this bill). The board of
14 education, or board of trustees, may select a no-cost, non-
15 certification instructional program to meet this requirement.

16 b. **【The provisions of subsection a. of this section shall first be**
17 **effective with the 2014-2015 grade nine class.】** (Deleted by
18 amendment, P.L. , c.) (pending before the Legislature as this
19 bill)
20 (cf: P.L.2014, c.36, s.1)
21

22 9. Section 2 of P.L.2018, c.80 (C.18A:35-4.33) is amended to
23 read as follows:

24 2. A board of education shall include instruction on the social,
25 emotional, and legal consequences of distributing and soliciting
26 sexually explicit images through electronic means once during
27 middle school in an appropriate place in the curriculum as part of
28 the school district's implementation of **【the New Jersey Student**
29 **Learning Standards in Comprehensive Health and Physical**
30 **Education】** its curriculum standards in health and physical
31 education adopted pursuant to section 1 of P.L. , c. (C.)
32 (pending before the Legislature as this bill). **【The Commissioner of**
33 **Education shall provide school districts with age-appropriate**
34 **sample learning activities and resources designed to implement this**
35 **requirement.】**
36 (cf: P.L.2018, c.80, s.2)
37

38 10. Section 2 of P.L.2019, c.16 (C.18A:35-4.38) is amended to
39 read as follows:

40 2. A school district shall incorporate age-appropriate
41 instruction in grades six through 12 on the law and meaning of
42 consent for physical contact and sexual activity as part of the
43 district's implementation of **【the New Jersey Student Learning**
44 **Standards in Comprehensive Health and Physical Education】** its
45 curriculum standards in health and physical education adopted
46 pursuant to section 1 of P.L. , c. (C.) (pending before the
47 Legislature as this bill). The instruction shall be designed to

1 increase discussion and awareness that consent is required before
2 physical contact or sexual activity, as well as the social, emotional,
3 and relational impact surrounding sexuality, the right to say no to
4 unwanted physical contact or sexual activity, and the virtues of
5 respecting the right of others to say no. **【The Commissioner of**
6 **Education shall provide school districts with age-appropriate**
7 **sample learning activities and resources designed to implement this**
8 **requirement】.**

9 (cf: P.L.2019, c.16, s.2)

10
11 11. Section 1 of P.L.2019, c.222 (C.18A:35-4.39) is amended to
12 read as follows:

13 1. a. A school district shall ensure that its health education
14 programs for students in grades kindergarten through 12 recognize
15 the multiple dimensions of health by including mental health and
16 the relation of physical and mental health so as to enhance student
17 understanding, attitudes, and behaviors that promote health, well-
18 being, and human dignity. The instruction in mental health shall be
19 adapted to the age and understanding of the students and shall be
20 incorporated as part of the district's implementation of **【the New**
21 **Jersey Student Learning Standards in Comprehensive Health and**
22 **Physical Education】** its curriculum standards in health and physical
23 education adopted pursuant to section 1 of P.L. , c. (C.)
24 (pending before the Legislature as this bill). The instruction shall
25 include, as appropriate, information on substance abuse provided
26 pursuant to the implementation of these standards and to section 1
27 of P.L.2016, c.46 (C.18A:40A-2.1).

28 b. **【The State Board of Education】** Each local board of
29 education shall **【review and update the New Jersey Student**
30 **Learning Standards in Comprehensive Health and Physical**
31 **Education to】** ensure **【the incorporation of】** its curriculum
32 standards in health and physical education include instruction in
33 mental health in an appropriate place in the curriculum for students
34 in grades kindergarten through 12. **【In its review, the State board**
35 **shall consult with mental health experts including, but not limited**
36 **to, representatives from the Division of Mental Health and**
37 **Addiction Services in the Department of Human Services.】**

38 (cf: P.L.2019, c.222, s.1)

39
40 12. Section 1 of P.L.2019, c.250 (C.18A:35-4.40) is amended to
41 read as follows:

42 1. The **【Department of Education】** local board of education
43 shall **【review the New Jersey Student Learning Standards for**
44 **Comprehensive Health and Physical Education to】** , as part of its
45 implementation of the curriculum standards in health and physical
46 education adopted pursuant to section 1 of P.L. , c. (C.)
47 (pending before the Legislature as this bill), ensure that information

1 on the provisions of the "New Jersey Safe Haven Infant Protection
2 Act," P.L.2000, c.58 (C.30:4C-15.5 et seq.) shall be included
3 therein to public school students in grades 9 through 12.
4 (cf: P.L.2019, c.250, s.1)

5
6 13. Section 1 of P.L.1999, c.128 (C.18A:35-5.4) is amended to
7 read as follows:

8 1. Each board of education which operates an educational
9 program for students in grades 7 through 12 shall offer instruction
10 in breast self-examination. The instruction shall take place as part
11 of the district's implementation of **the Core Curriculum Content**
12 **Standards in Comprehensive Health and Physical Education, and**
13 **the comprehensive health and physical education curriculum**
14 **framework shall provide school districts with sample activities that**
15 **may be used to support implementation of the instructional**
16 **requirement** its curriculum standards in health and physical
17 education adopted pursuant to section 1 of P.L. , c. (C.)
18 (pending before the Legislature as this bill).
19 (cf: P.L.1999, c.128, s.1)

20
21 14. Section 1 of P.L.2016, c.46 (C.18A:40A-2.1) is amended to
22 read as follows:

23 1. a. **The Department of Education, in consultation with the**
24 **Division of Addiction Services in the Department of Human**
25 **Services, shall review the Core Curriculum Content Standards in**
26 **Comprehensive Health and Physical Education to** Each local board
27 of education shall ensure that guidance for substance abuse
28 instruction its curriculum standards in health and physical
29 education adopted pursuant to section 1 of P.L. , c. (C.)
30 (pending before the Legislature as this bill) incorporates the most
31 recent evidence-based standards and practices for substance abuse
32 instruction.

33 b. **Within 120 days of the effective date of this act, the**
34 **department shall issue a written report to the Governor, to the State**
35 **Board of Education, and to the Legislature as provided under**
36 **section 2 of P.L.1991, c.164 (C.52:14-19.1), with its determination**
37 **on whether the Core Curriculum Content Standards in**
38 **Comprehensive Health and Physical Education adequately**
39 **incorporate the most recent evidence-based standards and practices**
40 **pursuant to subsection a. of this section. If the department**
41 **determines that the Core Curriculum Content Standards in**
42 **Comprehensive Health and Physical Education need to be revised, it**
43 **shall propose the revisions to the State board within 12 months of**
44 **the report's submission.** (Deleted by amendment, P.L. , c.)
45 (pending before the Legislature as this bill)
46 (cf: P.L.2016, c.46, s.1)

15. This act shall take effect on the 180th day after the date of enactment.

STATEMENT

This bill directs the State Board of Education to rescind the New Jersey Student Learning Standards in Comprehensive Health and Physical Education, which were most recently adopted by the board on June 3, 2020. Under the bill, the board will be prohibited from adopting any future Student Learning Standards in Comprehensive Health and Physical Education or from mandating any similar curriculum requirements or standards in the subjects of health and physical education. The bill directs each local board of education to establish a Parental Advisory Committee to work with the board and school district personnel in the development of curriculum standards for the instruction of students in the subjects of health and physical education. Under the bill, committee membership is required to be reflective of the parents and guardians of students enrolled in the district. The bill requires any meeting of the committee to be open to members of the public and requires that the committee's recommendations are posted on the school district's website for public inspection. The bill directs local boards of education to, within 180 days of the bill's enactment, adopt curriculum standards for the instruction of students in the subjects of health and physical education.

The bill amends numerous sections of law that pertain to the development of, or requirements within, the New Jersey Student Learning Standards in Comprehensive Health and Physical Education. The bill maintains these instruction requirements, but provides that the instruction will be given as part of a local school district's implementation of the curriculum standards in health and physical education adopted by the local board pursuant to the bill's provisions. These sections of law require public school instruction on the topics of: suicide prevention; organ donation; sexual abuse and assault; dating violence; gang violence; cardiopulmonary resuscitation; sexting; consent for physical contact and sexual activity; mental health; the "New Jersey Safe Haven Infant Protection Act"; breast self-examination; and substance abuse. The bill removes any provisions within these sections of law that require the Department of Education to provide sample learning activities, resources, or materials to local school districts on these topics.