

**SENATE, No. 2117**

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**STATE OF NEW JERSEY**

**221st LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Senator HOLLY T. SCHEPISI**

**District 39 (Bergen)**

**Co-Sponsored by:**

**Senator Holzapfel**

**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.



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

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

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

29

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

32       1. The Legislature finds and declares that:

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

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

**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 of 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 P.L. , c.  
41 (C. ) (pending before the Legislature as this bill). **【The**  
42 **Commissioner of Education, in consultation with the Department of**  
43 **Children and Families, the New Jersey Coalition Against Sexual**  
44 **Assault, Prevent Child Abuse New Jersey, the New Jersey**  
45 **Children's Alliance, and other entities with relevant expertise, shall**

1 provide school districts with age-appropriate sample learning  
2 activities and resources】.

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

4  
5 6. Section 6 of P.L.2011, c.64 (C.18A:35-4.23a) is amended to  
6 read as follows:

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

15 b. The dating violence education shall include, but not be  
16 limited to, information on the definition of dating violence,  
17 recognizing dating violence warning signs, and the characteristics  
18 of healthy relationships.

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

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

28 e. As used in this section:

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

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

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

37  
38 7. Section 1 of P.L.2007, c.22 (C.18A:35-4.26) is amended to  
39 read as follows:

40 1. Each board of education that operates an educational  
41 program for elementary school students shall offer instruction in  
42 gang violence prevention and in ways to avoid membership in  
43 gangs. The instruction shall take place as part of the district's  
44 implementation of 【the Core Curriculum Content Standards in  
45 Comprehensive Health and Physical Education, and the  
46 comprehensive health and physical education curriculum  
47 framework shall provide school districts with sample materials that

1 may be used to support implementation of the instructional  
2 requirement】 its curriculum standards in health and physical  
3 education adopted pursuant to section 1 of P.L. , c. (C. )  
4 (pending before the Legislature as this bill).  
5 (cf: P.L.2007, c.22, s.1)

6  
7 8. Section 1 of P.L.2014, c.36 (C.18A:35-4.28) is amended to  
8 read as follows:

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

22 b. 【The provisions of subsection a. of this section shall first be  
23 effective with the 2014-2015 grade nine class.】 (Deleted by  
24 amendment, P.L. , c. ) (pending before the Legislature as this  
25 bill)  
26 (cf: P.L.2014, c.36, s.1)

27  
28 9. Section 2 of P.L.2018, c.80 (C.18A:35-4.33) is amended to  
29 read as follows:

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

43  
44 10. Section 2 of P.L.2019, c.16 (C.18A:35-4.38) is amended to  
45 read as follows:

46 2. A school district shall incorporate age-appropriate  
47 instruction in grades six through 12 on the law and meaning of

1 consent for physical contact and sexual activity as part of the  
2 district's implementation of **【the New Jersey Student Learning**  
3 **Standards in Comprehensive Health and Physical Education】** its  
4 curriculum standards in health and physical education adopted  
5 pursuant to section 1 of P.L. , c. (C. ) (pending before the  
6 Legislature as this bill). The instruction shall be designed to  
7 increase discussion and awareness that consent is required before  
8 physical contact or sexual activity, as well as the social, emotional,  
9 and relational impact surrounding sexuality, the right to say no to  
10 unwanted physical contact or sexual activity, and the virtues of  
11 respecting the right of others to say no. **【The Commissioner of**  
12 **Education shall provide school districts with age-appropriate**  
13 **sample learning activities and resources designed to implement this**  
14 **requirement】**.

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

16  
17 11. Section 1 of P.L.2019, c.222 (C.18A:35-4.39) is amended to  
18 read as follows:

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

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

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

45  
46 12. Section 1 of P.L.2019, c.250 (C.18A:35-4.40) is amended to  
47 read as follows:

1       1. The **【Department of Education】** local board of education  
2 shall **【review the New Jersey Student Learning Standards for**  
3 **Comprehensive Health and Physical Education to】** , as part of its  
4 implementation of the curriculum standards in health and physical  
5 education adopted pursuant to section 1 of P.L. , c. (C. )  
6 (pending before the Legislature as this bill), ensure that information  
7 on the provisions of the "New Jersey Safe Haven Infant Protection  
8 Act," P.L.2000, c.58 (C.30:4C-15.5 et seq.) shall be included  
9 therein to public school students in grades 9 through 12.  
10 (cf: P.L.2019, c.250, s.1)

11  
12       13. Section 1 of P.L.1999, c.128 (C.18A:35-5.4) is amended to  
13 read as follows:

14       1. Each board of education which operates an educational  
15 program for students in grades 7 through 12 shall offer instruction  
16 in breast self-examination. The instruction shall take place as part  
17 of the district's implementation of **【the Core Curriculum Content**  
18 **Standards in Comprehensive Health and Physical Education, and**  
19 **the comprehensive health and physical education curriculum**  
20 **framework shall provide school districts with sample activities that**  
21 **may be used to support implementation of the instructional**  
22 **requirement】** 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).  
25 (cf: P.L.1999, c.128, s.1)

26  
27       14. Section 1 of P.L.2016, c.46 (C.18A:40A-2.1) is amended to  
28 read as follows:

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

39       b. **【Within 120 days of the effective date of this act, the**  
40 **department shall issue a written report to the Governor, to the State**  
41 **Board of Education, and to the Legislature as provided under**  
42 **section 2 of P.L.1991, c.164 (C.52:14-19.1), with its determination**  
43 **on whether the Core Curriculum Content Standards in**  
44 **Comprehensive Health and Physical Education adequately**  
45 **incorporate the most recent evidence-based standards and practices**  
46 **pursuant to subsection a. of this section. If the department**  
47 **determines that the Core Curriculum Content Standards in**



1 Comprehensive Health and Physical Education need to be revised, it  
2 shall propose the revisions to the State board within 12 months of  
3 the report's submission.】 (Deleted by amendment, P.L. , c. )  
4 (pending before the Legislature as this bill)  
5 (cf: P.L.2016, c.46, s.1)  
6

7 15. This act shall take effect on the 180th day after the date of  
8 enactment.  
9

#### 10 11 STATEMENT 12

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

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