

ASSEMBLY HIGHER EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5640

STATE OF NEW JERSEY

DATED: OCTOBER 22, 2026

The Assembly Higher Education Committee reports favorably Assembly Bill No. 5640.

This bill requires each four-year institution of higher education to annually provide to each incoming first-year and transfer student enrolled in an undergraduate degree program of the institution training on affirmative consent and the requirements of the federal Title IX law.

Specifically, the student training provided by an institution is required to include, but not be limited to, information on: (1) the responsibility of each person involved in a sexual activity to ensure that the person has the affirmative consent of the involved participants to engage in the sexual activity, and the necessity that each person understand that affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time; (2) the institution's policy to prevent and report sexual assault, domestic violence, dating violence, and stalking; and (3) the reporting and investigatory procedures required under Title IX.

An institution may provide the required training in an interactive, online format to incoming first-year students who are enrolled solely in an online learning program.

Finally, each institution is required to regularly assess, and if necessary, update, the student training provided to ensure its effectiveness and relevance for students.