

18A: 35-4.3 to 18A: 35-4.5

LEGISLATIVE HISTORY CHECKLIST

(Sexual assault prevention--require public school programs)

WJSA 18A:35-4.3 to 18A: 35-4.5

LAWS OF 1979 CHAPTER 42

Bill No. S678

Sponsor(s) Lipman

Date Introduced January 26, 1978

Committee: Assembly Education

Senate Education

Amended during passage Yes ~~XX~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly February 13, 1979

Senate June 1, 1978

Date of approval March 21, 1979

Following statements are attached if available:

Sponsor statement	Yes	XX (Below)
Committee Statement: Assembly	XXX	No
Senate	Yes	XX
Fiscal Note	XXX	No
Veto message	XXX	No
Message on signing	XXX	No

Following were printed:

Reports	XXX	No
Hearings	XXX	No

Sponsor's statement:

This bill provides for the establishment of a rape prevention program in the public schools.

9/1/78

DO NOT WRITE IN THESE SPACES

[OFFICIAL COPY REPRINT]

SENATE, No. 678

STATE OF NEW JERSEY

INTRODUCED JANUARY 26, 1978

By Senator LIPMAN

Referred to Committee on Education

AN ACT concerning education and supplementing chapter 35 of Title 18A of the New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. The Department of Education **in consultation with the ad-*
2 *visory committee provided for in section 2 of this act,** shall develop
3 and establish guidelines for the teaching of ***[rape]*** **sexual as-*
4 *sault** prevention techniques for utilization by local school districts
5 in the establishment of a ***[rape]*** **sexual assault** prevention
6 education program. Such program shall be adapted to the age and
7 understanding of the pupils and shall be emphasized in appropriate
8 places of the curriculum sufficiently for a full and adequate treat-
9 ment of the subject.

1 **2. The Commissioner of Education, in consultation with the*
2 *Department of Community Affairs, Division on Women, shall ap-*
3 *point an advisory council to assist and advise the State Board of*
4 *Education in the development and implementation of educational*
5 *programs for the prevention of sexual assault.*

6 *The advisory council shall consist of 15 members chosen from*
7 *among the legal, law enforcement, medical and educational com-*
8 *munities, and shall also include representatives of community-based*
9 *groups providing services and assistance to victims of sexual as-*
10 *sault. Each shall be appointed for a 2-year term and shall serve*
11 *without compensation.**

1 ***[2.]*** **3.** One year after the effective date of this act each
2 board of education ***[shall]*** **may** establish a ***[rape]*** **sexual*
3 *assault** prevention education program in accordance with the
4 guidelines developed by the department*; *provided, however, that*
5 *no child shall be compelled to participate in said program upon*
6 *written objection on religious or moral grounds by the parent or*
7 *guardian of said child*.*

1 ***[3.]*** **4.** This act shall take effect July 1 next following its
2 enactment.

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

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 678

STATE OF NEW JERSEY

DATED: MAY 15, 1978

PROVISIONS:

The Senate Education Committee favorably reports this bill which requires that the Department of Education develop curriculum guidelines for the teaching of techniques for the prevention of sexual assault, and that these programs be made available to local school districts.

FISCAL IMPLICATIONS:

None.

COMMITTEE AMENDMENTS:

The following amendments were developed by the committee after consultation with the Division on Women, the State Department of Education and the Essex County prosecutor's office:

1. An advisory council should be established to advise the State Department of Education in developing an appropriate curriculum. The council shall consist of 15 members chosen from the legal, law enforcement, medical and educational communities. The members will be chosen by the Commissioner of Education in consultation with the

Division on Women.

2. The term "rape" has been changed to "sexual assault" which is the proper legal terminology.

3. The adoption of the program by local boards of education would not be mandatory. Further, if a parent or guardian objects to the program on religious or moral grounds, the child would be excused from participation.

POSITIONS ON THE PROPOSED LEGISLATION:

The Department of Education and the Division on Women support this legislation as amended.