

18A:35-4.5a and 18A:6-131.1
LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

LAWS OF: 2019 **CHAPTER:** 185

NJSA: 18A:35-4.5a and 18A:6-131.1 (Requires school districts to incorporate age-appropriate sexual abuse and assault awareness and prevention education in grades preschool through 12 as part of New Jersey Student Learning Standards in Comprehensive Health and Physical Education.)

BILL NO: A769 (Substituted for S1130)

SPONSOR(S) Ralph R. Caputo and others

DATE INTRODUCED: 1/9/2018

COMMITTEE: **ASSEMBLY:** Education
 SENATE: Education

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 5/23/2019
 SENATE: 3/25/2019

DATE OF APPROVAL: 7/19/2019

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Fourth Reprint enacted) Yes

A769

SPONSOR'S STATEMENT: (Begins on page 2 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: Yes 10/29/2018
 12/17/2018

LEGISLATIVE FISCAL ESTIMATE: No

S1130

SPONSOR'S STATEMENT: (Begins on page 2 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: Yes 10/29/2018
 12/17/2018

(continued)

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: Yes

Committee meeting of Senate Education Committee [and] Senate Labor Committee : the Committees will meet jointly to hear testimony from invited guests on the topics of: teacher sexual misconduct; the reporting of child abuse in schools; and the process for tenure charge arbitration in the case of teacher sexual misconduct [May 31, 2018, Trenton, New Jersey]

Call number: 974.90 S372, 2018f

Available online at: <http://hdl.handle.net/10929/48109>

NEWSPAPER ARTICLES: Yes

"New NJ laws mandate schools teach programs on sex assault, cut pensions for sex offenders," northjersey.com, July 19, 2019

"Laws update education on sex assault – NJ schools required to teach students about abuse, hotline," The Record, July 20, 2019

"Law mandates schools teach students about sexual abuse," The Times, July 23, 2019

"Law mandates teaching about sexual abuse," The Star-Ledger, July 23, 2019

"Sex abuse education mandated", Hunterdon County Democrat, July 25, 2019

RWH/CL

§1 –
C.18A:35-4.5a
§2 –
C.18A:6-131.1
§3 - Note

P.L. 2019, CHAPTER 185, *approved July 19, 2019*
Assembly, No. 769 (*Fourth Reprint*)

1 AN ACT concerning instruction on sexual assault prevention in
2 public schools and supplementing chapters 35 and 6 of Title 18A
3 of the New Jersey Statutes.
4

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

8 1. Each school district shall incorporate age-appropriate sexual
9 abuse and assault awareness and prevention education in grades
10 preschool through 12 as part of the district's implementation of the
11 ¹**Core Curriculum Content** New Jersey Student Learning¹
12 Standards in Comprehensive Health and Physical Education. ³**The**
13 Commissioner of Education ¹, in consultation ²with ²the New
14 Jersey Coalition Against Sexual Assault, Prevent Child Abuse New
15 Jersey, and other entities with relevant expertise, ¹ shall ¹**provide**
16 **school districts with** develop¹ age-appropriate sample learning
17 activities and resources ¹**designed** . The commissioner shall
18 provide the material to school districts¹ to implement this
19 requirement. ⁴**The Department of Children and Families, in**
20 consultation with the **The⁴ Commissioner of Education,** ⁴**in**
21 consultation with the Department of Children and Families, ⁴ **the**
22 New Jersey Coalition Against Sexual Assault, Prevent Child Abuse
23 New Jersey, the New Jersey Children's Alliance, and other entities
24 with relevant expertise, shall provide school districts with age-
25 appropriate sample learning activities and resources. ³
26

27 2. A teaching staff member may satisfy in each professional
28 development cycle one or more hours of the professional
29 development requirement established by the State Board of
30 Education through participation in training programs on sexual
31 abuse and assault awareness and prevention.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AED committee amendments adopted February 12, 2018.

²Senate SED committee amendments adopted October 18, 2018.

³Senate floor amendments adopted October 29, 2018.

⁴Senate floor amendments adopted December 17, 2018.

1 3. This act shall take effect ²**[immediately and section 1 shall first**
2 **apply to the 2018-2019 school year]** in the first full school year
3 following the date of enactment².

4

5

6

7

8 Requires school districts to incorporate age-appropriate sexual
9 abuse and assault awareness and prevention education in grades
10 preschool through 12 as part of New Jersey Student Learning
11 Standards in Comprehensive Health and Physical Education.

ASSEMBLY, No. 769

STATE OF NEW JERSEY

218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

Assemblyman THOMAS P. GIBLIN

District 34 (Essex and Passaic)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Co-Sponsored by:

Assemblywomen Tucker, Jasey, Assemblyman S.Kean, Assemblywoman N.Munoz, Assemblyman Space and Assemblywoman McKnight

SYNOPSIS

Requires school districts to incorporate age-appropriate sexual abuse and assault awareness and prevention education in grades preschool through 12 as part of Core Curriculum Content Standards in Comprehensive Health and Physical Education.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/13/2018)

1 AN ACT concerning instruction on sexual assault prevention in
2 public schools and supplementing chapters 35 and 6 of Title 18A
3 of the New Jersey Statutes.
4

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

8 1. Each school district shall incorporate age-appropriate sexual
9 abuse and assault awareness and prevention education in grades
10 preschool through 12 as part of the district's implementation of the
11 Core Curriculum Content Standards in Comprehensive Health and
12 Physical Education. The Commissioner of Education shall provide
13 school districts with age-appropriate sample learning activities and
14 resources designed to implement this requirement.
15

16 2. A teaching staff member may satisfy in each professional
17 development cycle one or more hours of the professional
18 development requirement established by the State Board of
19 Education through participation in training programs on sexual
20 abuse and assault awareness and prevention.
21

22 3. This act shall take effect immediately and section 1 shall
23 first apply to the 2016-2017 school year.
24
25

26 STATEMENT
27

28 This bill requires each school district to incorporate age-
29 appropriate sexual abuse and assault awareness and prevention
30 education in grades preschool through 12 as part of the district's
31 implementation of the Core Curriculum Content Standards in
32 Comprehensive Health and Physical Education. The bill directs the
33 Commissioner of Education to provide school districts with age-
34 appropriate sample learning activities and resources designed to
35 implement this requirement.

36 The bill also provides that a teaching staff member may satisfy in
37 each professional development cycle one or more hours of the
38 professional development requirement established by the State
39 Board of Education through participation in training programs on
40 sexual abuse and assault awareness and prevention.

41 This bill is modeled on legislation adopted in a number of other
42 states. The legislation in those states is often referred to as "Erin's
43 Law" in honor of the young woman, Erin Merryn, who was a child
44 victim of sexual abuse and has been advocating for the passage of
45 the legislation to better educate and empower children.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 769

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 13, 2018

The Assembly Education Committee reports favorably Assembly Bill No. 769 with committee amendments.

As amended, this bill requires each school district to incorporate age-appropriate sexual abuse and assault awareness and prevention education in grades preschool through 12 as part of the district's implementation of the New Jersey Student Learning Standards in Comprehensive Health and Physical Education. The bill directs the Commissioner of Education, in consultation with the New Jersey Coalition Against Sexual Assault, Prevent Child Abuse New Jersey, and other entities with relevant expertise, to develop age-appropriate sample learning activities and resources. The commissioner would provide these materials to school districts to implement this requirement.

The bill also provides that a teaching staff member may satisfy in each professional development cycle one or more hours of the professional development requirement established by the State Board of Education through participation in training programs on sexual abuse and assault awareness and prevention.

This bill was pre-filed for introduction in the 2018-2019 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amended the bill to specify that the Commissioner of Education will consult the New Jersey Coalition Against Sexual Assault, Prevent Child Abuse New Jersey, and other entities with relevant expertise when developing age-appropriate sample learning activities and resources that will be provided to school districts. The committee also made technical amendments to reference the State's current content standards.

SENATE EDUCATION COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 769

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 18, 2018

The Senate Education Committee reports favorably Senate Bill No. 769 (1R), with committee amendments.

As amended, this bill requires each school district to incorporate age-appropriate sexual abuse and assault awareness and prevention education in grades preschool through 12 as part of the district's implementation of the New Jersey Student Learning Standards in Comprehensive Health and Physical Education. The bill directs the Commissioner of Education, in consultation with the New Jersey Coalition Against Sexual Assault, Prevent Child Abuse New Jersey, and other entities with relevant expertise, to develop age-appropriate sample learning activities and resources. The commissioner will provide these materials to school districts to implement this requirement.

The bill also provides that a teaching staff member may satisfy in each professional development cycle one or more hours of the professional development requirement established by the State Board of Education through participation in training programs on sexual abuse and assault awareness and prevention.

The committee amended the effective date to provide that the bill will take effect in the first full school year following the date of enactment.

As amended and reported by committee, this bill is identical to Senate Bill No. 1130 which also was amended and reported by the committee on this same date.

STATEMENT TO
[Second Reprint]
ASSEMBLY, No. 769

with Senate Floor Amendments
(Proposed by Senator BUCCO)

ADOPTED: OCTOBER 29, 2018

These floor amendments provide that the Department of Children and Families, rather than the Commissioner of Education, will be the lead entity required to provide school districts with the age-appropriate sample learning activities and resources required under the bill. The Department of Children and Families, however, will consult with the Commissioner of Education. The floor amendments also add the New Jersey Children's Alliance to the list of entities with which the Department of Children and Families will consult.

STATEMENT TO
[Third Reprint]
ASSEMBLY, No. 769

with Senate Floor Amendments
(Proposed by Senator BUCCO)

ADOPTED: DECEMBER 17, 2018

This floor amendment provides that the Commissioner of Education, rather than the Department of Children and Families, will be the lead entity required to provide school districts with age-appropriate sample learning activities and resources required under the bill. The commissioner, however, will consult with the Department of Children and Families.

SENATE, No. 1130

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED JANUARY 25, 2018

Sponsored by:

Senator ANTHONY R. BUCCO
District 25 (Morris and Somerset)

Co-Sponsored by:

Senator Diegnan

SYNOPSIS

Requires school districts to incorporate age-appropriate sexual abuse and assault awareness and prevention education in grades preschool through 12 as part of Core Curriculum Content Standards in Comprehensive Health and Physical Education.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/2/2018)

1 AN ACT concerning instruction on sexual assault prevention in
2 public schools and supplementing chapters 35 and 6 of Title 18A
3 of the New Jersey Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. Each school district shall incorporate age-appropriate sexual
9 abuse and assault awareness and prevention education in grades
10 preschool through 12 as part of the district's implementation of the
11 Core Curriculum Content Standards in Comprehensive Health and
12 Physical Education. The instruction shall be provided by a school
13 nurse. The Commissioner of Education shall provide school
14 districts with age-appropriate sample learning activities and
15 resources designed to implement this requirement.

16
17 2. A teaching staff member may satisfy in each professional
18 development cycle one or more hours of the professional
19 development requirement established by the State Board of
20 Education through participation in training programs on sexual
21 abuse and assault awareness and prevention.

22
23 3. This act shall take effect immediately and section 1 shall
24 first apply to the 2018-2019 school year.

25
26
27 STATEMENT

28
29 This bill requires each school district to incorporate age-
30 appropriate sexual abuse and assault awareness and prevention
31 education in grades preschool through 12 as part of the district's
32 implementation of the Core Curriculum Content Standards in
33 Comprehensive Health and Physical Education. The instruction
34 will be provided by a school nurse. The bill directs the
35 Commissioner of Education to provide school districts with age-
36 appropriate sample learning activities and resources designed to
37 implement this requirement.

38 The bill also provides that a teaching staff member may satisfy in
39 each professional development cycle one or more hours of the
40 professional development requirement established by the State
41 Board of Education through participation in training programs on
42 sexual abuse and assault awareness and prevention.

43 This bill is modeled on legislation adopted in a number of other
44 states. The legislation in those states is often referred to as "Erin's
45 Law" in honor of the young woman, Erin Merryn, who was a child
46 victim of sexual abuse and has been advocating for the passage of
47 the legislation to better educate and empower children.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 1130

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 18, 2018

The Senate Education Committee reports favorably Senate Bill No. 1130, with committee amendments.

As amended, this bill requires each school district to incorporate age-appropriate sexual abuse and assault awareness and prevention education in grades preschool through 12 as part of the district's implementation of the New Jersey Student Learning Standards in Comprehensive Health and Physical Education. The bill directs the Commissioner of Education, in consultation with the New Jersey Coalition Against Sexual Assault, Prevent Child Abuse New Jersey, and other entities with relevant expertise, to develop age-appropriate sample learning activities and resources. The commissioner will provide these materials to school districts to implement this requirement.

The bill also provides that a teaching staff member may satisfy in each professional development cycle one or more hours of the professional development requirement established by the State Board of Education through participation in training programs on sexual abuse and assault awareness and prevention.

The committee amended the bill to specify that the Commissioner of Education will consult with the New Jersey Coalition Against Sexual Assault, Prevent Child Abuse New Jersey, and other entities with relevant expertise, when developing age-appropriate sample learning activities and resources that will be provided to school districts. The committee amended the effective date to provide that the bill will take effect in the first full school year following the date of enactment. The committee also made technical amendments to reference the State's current content standards.

As amended and reported by committee, this bill is identical to Assembly Bill No. 769 (1R) which also was amended and reported by the committee on this same date.

STATEMENT TO
[First Reprint]
SENATE, No. 1130

with Senate Floor Amendments
(Proposed by Senator BUCCO)

ADOPTED: OCTOBER 29, 2018

These floor amendments provide that the Department of Children and Families, rather than the Commissioner of Education, will be the lead entity required to provide school districts with the age-appropriate sample learning activities and resources required under the bill. The Department of Children and Families, however, will consult with the Commissioner of Education. The floor amendments also add the New Jersey Children's Alliance to the list of entities with which the Department of Children and Families will consult.

STATEMENT TO
[Second Reprint]
SENATE, No. 1130

with Senate Floor Amendments
(Proposed by Senator BUCCO)

ADOPTED: DECEMBER 17, 2018

This floor amendment provides that the Commissioner of Education, rather than the Department of Children and Families, will be the lead entity required to provide school districts with age-appropriate sample learning activities and resources required under the bill. The commissioner, however, will consult with the Department of Children and Families.

Governor Murphy Takes Action on Legislation

07/19/2019

TRENTON – Today, Governor Phil Murphy signed the following bills and resolutions into law:

AJR26 (Downey, Houghtaling, Quijano, Mosquera, Vainieri Huttle, Benson, Jasey, McKnight/Pou, Codey) - Designates September of each year as "Youth Suicide Prevention Awareness Month" in New Jersey.

AJR87 (Murphy, Mosquera, Pinkin/Singleton, Addiego) - Designates January 11 of each year as "Alice Paul Day" in New Jersey.

A769 (Caputo, Giblin, Vainieri Huttle/A.R. Bucco, Ruiz) - Requires school districts to incorporate age-appropriate sexual abuse and assault awareness and prevention education in grades preschool through 12 as part of New Jersey Student Learning Standards in Comprehensive Health and Physical Education.

A1048 (Houghtaling, Downey, Mukherji, Holley/Turner, Stack) - Requires property tax bills to contain eligibility information on State tax relief programs.

A1190 (Jones, Giblin, Mukherji/Beach, Cruz-Perez) - Concerns appointment of person to control funeral and disposition of human remains.

A1369 (Kennedy, DeAngelo, Vainieri Huttle, Benson, Quijano/Greenstein, Addiego) - Allows for cancellation of certain service contracts without paying early termination fee if customer becomes deceased prior to end of service contract.

A1428 (McKnight, Chaparro, Chiaravalloti, Vainieri Huttle/Ruiz, Cunningham) - Requires Department of Education to develop guidelines for school districts concerning child trafficking awareness and prevention.

A3766 (Armato, Houghtaling, Murphy, Jones/Corrado) - Requires public officer or employee to forfeit pension upon conviction for corruption of public resources, sexual contact, lewdness, or sexual assault when offense involves or touches upon public office or employment.

A5162 (Speight, Reynolds-Jackson/Beach) - Permits county board of chosen freeholders to increase membership of county board of elections.

A5456 (Armato, Kennedy, Speight/Greenstein, Bateman) - Authorizes NJ Infrastructure Bank to expend certain sums to make loans for environmental infrastructure projects for FY2020.

A5457 (Danielsen, Swain, Milam/Codey) - Appropriates funds to DEP for environmental infrastructure projects for FY2020.

A5462 (Milam, Speight, Murphy/Smith) - Modifies powers and duties of New Jersey Infrastructure Bank.

S692 (Ruiz, Sarlo/Jasey, Caputo, Holley) - Prohibits the DOE from regulating maximum salary amount school district may pay its superintendent of schools and codifies standards for contract review.

S756 (Diegnan, Turner/Calabrese, Sumter, Pinkin) - Updates notice of elections requirements to include information for voter to obtain polling place locations.

S858 (Turner, Diegnan/Jasey, Caputo) - Requires teachers of health and physical education in grades kindergarten through six in public schools to possess appropriate endorsement to instructional certificate.

S954 (Vitale, Singleton, Madden/Conaway, Moriarty, Sumter, McKnight, Mukherji, Downey) - Enters New Jersey in enhanced multistate Nurse Licensure Compact.

S1373 (Andrzejczak/Land, Milam) - Expands option of governmental home health care agency to partner with non-governmental providers to deliver health care services.

S1707 (Oroho, Bateman, Andrzejczak/Space, Wirths) - Exempts governmental entities acquiring lands for open space located in a deed-authorized common interest community from paying community fees if, at time of acquisition, community has never been formed or has been dissolved or discontinued.

S1761 (Weinberg, Singleton/Pintor Marin, Lampitt, Pinkin, Munoz, McKeon) - Expands the Address Confidentiality Program to include victims of sexual assault and stalking; and reproductive health service patients and providers.

S1799 (A.R. Bucco/A.M. Bucco, Murphy, Caputo) - Increases membership of fire safety commission in DCA.

S2472 (Singleton, Murphy/Conaway, Timberlake) - Requires certain real estate licensees to complete courses of study concerning fair housing and housing discrimination.

S2489 (Cruz-Perez, Turner/Mosquera, Jones, Holley, McKnight, Downey) - Requires board of education to post information about child abuse hotline in each school.

S2575 (Diegnan, Greenstein/Karabinchak, Reynolds-Jackson) - Establishes task force to examine and make recommendations regarding implementation of "Anti-Bullying Bill of Rights Act."

S2944 (Ruiz, Cunningham/Pintor Marin, McKnight, Chiaravalloti) - Permits certain council members to appoint up to four fulltime equivalent aides; allows these aide positions to be divided into part-time positions.

S2994 (Ruiz/Freiman, McKeon, Schaer) – Concerns refunds following terminations or cancellations of guaranteed asset protection waivers.

S3043 (Madden, Oroho/Mosquera, Pintor Marin) - Clarifies that family day care providers or other persons who are subjects of criminal history record back checks have access to disqualifying information.

S3452 (Ruiz, Pou/Lopez, Holley, Schaer) - Requires certain consumer reporting agencies to make consumer reports available to consumers in Spanish and certain other languages.

S3899 (Ruiz/Burzichelli) - Allows TPAF retiree to be employed, without TPAF reenrollment, by school district as certificated superintendent or administrator for more than two years when in best interests of school district.