

# ASSEMBLY, No. 2190

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED FEBRUARY 8, 2018

**Sponsored by:**

**Assemblywoman PAMELA R. LAMPITT**

**District 6 (Burlington and Camden)**

**Assemblywoman JOANN DOWNEY**

**District 11 (Monmouth)**

**Assemblyman EDWARD H. THOMSON**

**District 30 (Monmouth and Ocean)**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**Senator SANDRA B. CUNNINGHAM**

**District 31 (Hudson)**

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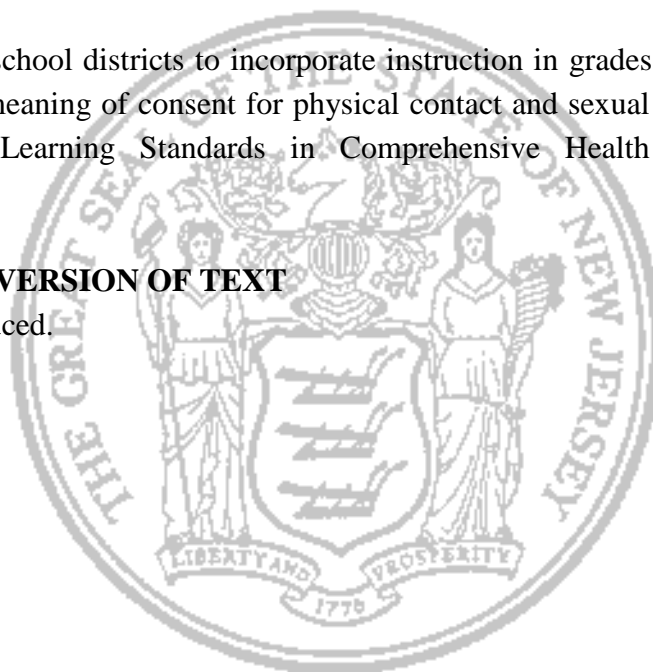
**Assemblywomen Mosquera, Vainieri Huttle, Murphy, Schepisi, DiMaso,  
Senators Gopal, Greenstein and Madden**

**SYNOPSIS**

Requires school districts to incorporate instruction in grades six through 12 on law and meaning of consent for physical contact and sexual activity as part of Student Learning Standards in Comprehensive Health and Physical Education.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 2/16/2018)**

1 AN ACT concerning instruction on the meaning of consent for  
2 physical contact and sexual activity and supplementing chapter  
3 35 of Title 18A 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. The Legislature finds and declares that:

9 a. Over the last several years, media and government attention  
10 has been focused on addressing the high rate of sexual assault on  
11 college campuses. A 2015 study by the Association of American  
12 Universities indicated that 23 percent of female undergraduates and  
13 five percent of male undergraduates experience rape or sexual  
14 assault through physical force, violence, or incapacitation.

15 b. In response to the issue of sexual assault, colleges and  
16 universities have adopted affirmative consent policies requiring a  
17 clear, unequivocal yes for sexual contact, and freshmen students are  
18 receiving more education in regard to defining consent.

19 c. While it is an important development in the fight against  
20 sexual violence that an increasing number of institutions of higher  
21 education are conducting sexual assault orientations and mandating  
22 instruction on consent, this is often too late. Statistics indicate that  
23 nearly half of American teenagers are sexually active by the time  
24 they reach the age of 17, and one in five female high school  
25 students reports being physically or sexually abused by a dating  
26 partner.

27 d. Expecting students in middle school and high school to fully  
28 grasp what sexual assault is without the necessary information and  
29 awareness on the nature and the need for consent before physical  
30 contact or sexual activity is not realistic.

31 e. Young people need an understanding of consent to live  
32 healthy, self-determined lives. They need to understand the right to  
33 say no to unwanted physical contact or sexual activity and to  
34 respect the right of another person to say no.

35 f. Ending sexual harassment and assault is currently a part of the  
36 national conversation, and taking steps to begin that conversation at  
37 an earlier point in a student's school career will advance the goal of  
38 ending sexual violence and ensure that students are well prepared to  
39 protect themselves and ensure the safety of others when they first  
40 arrive on a college campus.

41  
42 2. A school district shall incorporate age-appropriate instruction  
43 in grades six through 12 on the law and meaning of consent for  
44 physical contact and sexual activity as part of the district's  
45 implementation of the New Jersey Student Learning Standards in  
46 Comprehensive Health and Physical Education. The instruction  
47 shall be designed to increase discussion and awareness that consent  
48 is required before physical contact or sexual activity, as well as the

1 social, emotional, and relational impact surrounding sexuality, the  
2 right to say no to unwanted physical contact or sexual activity, and  
3 the virtues of respecting the right of others to say no. The  
4 Commissioner of Education shall provide school districts with age-  
5 appropriate sample learning activities and resources designed to  
6 implement this requirement.

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8 3. This act shall take effect in the first full school year following  
9 the date of enactment.

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STATEMENT

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14 This bill requires a school district to incorporate instruction in  
15 grades six through 12 on the law and meaning of consent for  
16 physical contact and sexual activity as part of the district's  
17 implementation of the New Jersey Student Learning Standards in  
18 Comprehensive Health and Physical Education. The instruction is  
19 to be designed to increase discussion and awareness that consent is  
20 required before physical contact or sexual activity, as well as the  
21 social, emotional, and relational impact surrounding sexuality, the  
22 right to say no to unwanted physical contact or sexual activity, and  
23 the virtues of respecting the right of others to say no.