

ASSEMBLY, No. 2189

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 JOE DANIELSEN

District 17 (Middlesex and Somerset)

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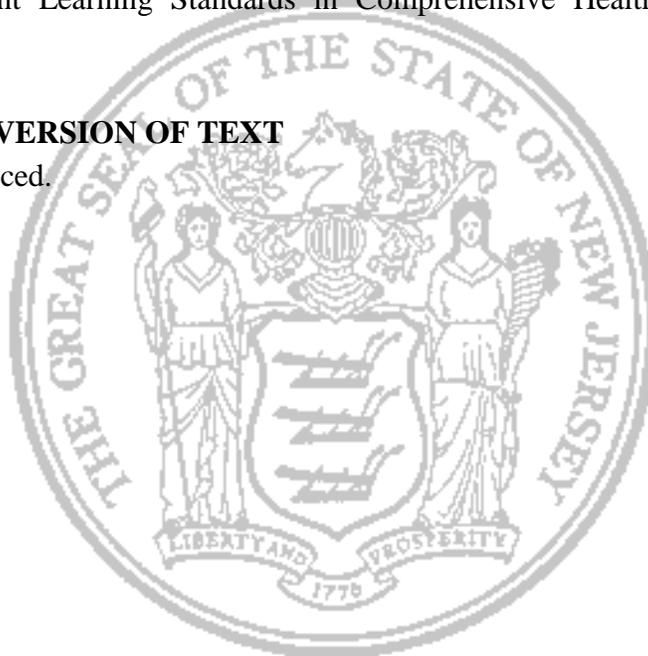
**Assemblywomen Jones, Mosquera, DiMaso, Schepisi, Assemblyman Wolfe,
Assemblywoman Murphy, Assemblyman Thomson and Assemblywoman
Vainieri Huttle**

SYNOPSIS

Requires school districts to include instruction on consequences of distributing sexually explicit images through electronic means as part of New Jersey 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 the public school curriculum and
2 supplementing chapter 35 of Title 18A of the New Jersey
3 Statutes.

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

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8 1. The Legislature finds and declares that:

9 a. The teenage practice of “sexting,” sending a sexually explicit
10 text message, is a nationwide problem that has perplexed parents,
11 school administrators, and law enforcement officials. A Study by
12 the National Campaign to Prevent Teen and Unplanned Pregnancy
13 released data which indicated that 19% of teens aged 13 to 19 had
14 sent a sexually-suggestive picture or video of themselves to
15 someone via email, cell phone, or through another form of online
16 interaction, while 31% had received a nude or semi-nude picture
17 from someone else.

18 b. What many teens do not realize is that, by law, a sexual image
19 of any person under the age of 18 is child pornography. Prosecutors
20 in several states have charged teenagers who have engaged in this
21 behavior with criminal offenses, including distribution of child
22 pornography.

23 c. Pursuant to a law which became effective in April, 2012, the
24 New Jersey Legislature provided for a diversionary program for
25 juveniles who are criminally charged for “sexting” or posting sexual
26 images and permits them to participate in a remedial education or
27 counseling program as an alternative to criminal prosecution.

28 d. Beyond the legal consequences of this behavior, however,
29 sexting also has significant non-legal consequences including, but
30 not limited to, the effect on relationships, loss of educational and
31 employment opportunities, and being barred or removed from
32 school programs and extracurricular activities.

33 e. Because of the unique characteristics of cyberspace and the
34 Internet, a single sext has the potential to cause long-term and
35 possibly unforeseen consequences, and result in severe
36 embarrassment, ridicule, cyber-bullying, and lasting mental and
37 emotional trauma.

38 f. Teachers, guidance counselors, and school officials are having
39 to contend with and care for panic-stricken and depressed victims of
40 malicious sexts who will not return to class, and may even resort to
41 self-inflicted injury or suicide.

42 g. It is imperative that students understand at a young age the
43 severity of sending sexually explicit text messages and the impact
44 that these actions have on the students themselves, their victims,
45 and the community and that they receive instruction on how and
46 why to refrain from this very dangerous behavior.

1 2. A board of education shall include instruction on the social,
2 emotional, and legal consequences of distributing sexually explicit
3 images through electronic means once during middle school in an
4 appropriate place in the curriculum as part of the school district's
5 implementation of the New Jersey Student Learning Standards in
6 Comprehensive Health and Physical Education. The Commissioner
7 of Education shall provide school districts with age-appropriate
8 sample learning activities and resources designed to implement this
9 requirement.

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

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STATEMENT

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17 This bill requires a board of education to include instruction on
18 the social, emotional, and legal consequences of distributing
19 sexually explicit images through electronic means, a practice
20 commonly referred to as "sexting," once during the middle school
21 grades in an appropriate place in the curriculum as part of the
22 district's implementation of the New Jersey Student Learning
23 Standards in Comprehensive Health and Physical Education.