

ASSEMBLY, No. 534

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblywomen CRECCO and FARRAGHER

1 AN ACT concerning the public school curriculum and supplementing
2 chapter 35 of Title 18A of the New Jersey Statutes.

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

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7 1. a. In each local school district, the curriculums on family life
8 education, human sexuality and AIDS/HIV education shall be
9 developed through appropriate consultation and participation of
10 teachers, school administrators, parents and guardians, physicians,
11 members of the clergy, representative members of the community, and,
12 in the case of grades 9 through 12, students in those grades.

13 b. In order to ensure that appropriate consultation occurs, each
14 board of education shall establish a family life education committee,
15 which shall consist of 15 members of the public, at least eight of whom
16 shall be parents or legal guardians of a pupil enrolled in the public
17 schools of the district. The board of education shall make every effort
18 to inform the public about the family life education committee and to
19 facilitate participation by any person in the aforementioned groups
20 who wishes to serve. The board of education shall appoint members
21 of the committee from among those individuals who apply to the board
22 for membership thereon. The committee shall select a chairman from
23 among its members. The Board Secretary may serve as secretary to
24 the committee.

25 c. Prior to the adoption or use of a program or curriculum on
26 family life education, sexuality or AIDS/HIV education, whether such
27 instruction takes place within a health class or in any other area of the
28 school program, and prior to the adoption or use of instructional or
29 supplemental materials for such a program or curriculum, including,
30 but not limited to speakers, video tapes, films, slides, handouts, books,
31 pamphlets, and teacher notes and materials or to the implementation
32 of any changes or revisions in such program, curriculum or materials,
33 the board of education shall provide all materials to the family life
34 education committee. In addition, prior to their use in the classroom,
35 the board shall make available in each school the complete curriculum

1 and all instructional and supplemental materials for review by the
2 parents and guardians of the pupils.

3 d. It shall be the responsibility of the family life education
4 committee to review the materials submitted by the board of
5 education, and to receive testimony from all members of the public
6 who wish to be heard regarding the materials. All meetings and
7 hearings of the committee shall be held pursuant to the "Open Public
8 Meetings Law," P.L.1975, c.231 (C.10:4-6 et seq.). Upon conclusion
9 of its review and the completion of the public testimony, the
10 committee shall act to approve or disapprove each element of the
11 board's proposed curriculum and supplementary materials. No
12 program or supplementary or program materials shall be utilized in any
13 classroom in the district unless it has received approval by a recorded
14 roll call vote of the majority of the members of the committee. In those
15 cases where such materials are already in use which have not been
16 reviewed by a previous family life education committee or have not
17 been available for parental review, such materials shall be immediately
18 subjected to the review as provided for herein, and their use
19 discontinued if not approved by the committee.

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21 2. The parents and guardians of pupils enrolled in the district shall
22 receive annually an outline of the curriculum for family life education,
23 sexuality, and AIDS/HIV education and a list of instructional and
24 supplementary materials for the grade of their child including
25 notification about how to receive a copy of the full curriculum and
26 review all instructional and supplementary materials prior to use in the
27 classroom. If a majority of the parents and legal guardians of children
28 in any particular grade level shall disapprove of an item of curriculum
29 or any instructional or supplemental material, the use of that item or
30 material shall be discontinued immediately.

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32 3. The use of instructional materials which have not been approved
33 in the manner provided herein or which were not made available to the
34 parents and guardians of pupils prior to use in the classroom shall be
35 considered to be conduct unbecoming an administrator or a teaching
36 staff member. The first instance of such conduct shall subject the
37 individual to the withholding of an annual increment. A second offense
38 shall result in the loss of tenure and dismissal.

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40 4. This act shall take effect immediately and shall first apply to
41 curriculum and materials proposed for the 1994-95 school year.

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STATEMENT

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45 This bill provides for the establishment of family life education
46 committees in each school district. The committee is to consist of 15

1 members, at least eight of whom must be parents or guardians of
2 pupils in the district. Prior to the adoption of a family life education
3 program, a course in sexuality or an AIDS/HIV education program,
4 or to changes in these programs, the board of education would be
5 required to submit all the materials to the committee and also make
6 them available to parents in the district. After review and public
7 hearings, the committee must approve the materials by a recorded roll
8 call vote of its full membership. Materials which are not approved
9 may not be used in the classrooms of the district.

10 The bill also provides that, prior to use in the classroom, the
11 parents and guardians of pupils enrolled in the district are to receive
12 annually an outline of the curriculum and a list of instructional
13 materials for the grade of their child including notification about how
14 to receive a copy of the full curriculum. Also, if a majority of the
15 parents in a particular grade level object to an item of curriculum or
16 instructional material, its use must be discontinued immediately.

17 Any teaching staff member who uses materials which have not been
18 approved or which have not been made available to the parents will be
19 subject to the withholding of an increment for a first offense. Any
20 subsequent offense would result in the dismissal of the teacher or
21 administrator.

22 Currently, the regulations for family life education programs require
23 consultation with the parents of pupils and with members of the
24 community; however, there is no mechanism to ensure that this
25 consultation takes place, and no penalties if it does not. This bill will
26 remedy that situation by creating a formal method for consultation
27 prior to the use of these material in the classroom.

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32 Establishes family life education committees to review and approve
33 family life education curriculum and materials.