



NEW JERSEY

New Jersey received \$4,891,689 in federal funding for abstinence-only-until-marriage programs in Fiscal Year 2005.¹

New Jersey Sexuality Education Law and Policy

New Jersey law mandates at least 150 minutes of health education during each school week in grades one through twelve. In addition, high school students must acquire 3 ¾ credits of health education each year. School districts must align their health education curricula with the New Jersey Department of Education's *Core Curriculum Content Standards*.

One of the four required health education standards, *Standard 2.4: Human Relationships and Sexuality*, addresses three subject areas: relationships, sexuality, and pregnancy and parenting. Learning expectations within *Standard 2.4* focus on abstinence and helping students to identify and address internal and external pressures to become sexually active. *Standard 2.4* also mandates that instruction in middle and high school classes address the use of contraceptive methods and risk reduction strategies as well as the implications of their use. *Standard 2.4* also requires including information about sexual orientation. In addition to *Standard 2.4*, sexuality related information is also included in *Standard 2.1: Wellness* and *Standard 2.3: Drugs and Medicines*. *Standard 2.1* includes sexually transmitted disease (STD)- and HIV/AIDS-prevention education, and *Standard 2.3* addresses the impact of alcohol and drug use on the incidence of sexual assault, STDs, and unintended pregnancy.

In addition, the *New Jersey Comprehensive Health Education and Physical Education Curriculum*, put out by the New Jersey Department of Education, includes detailed suggestions for teaching about HIV/AIDS, STDs, and teen pregnancy prevention.

State law also requires that:

Any instruction concerning the use of contraceptives or prophylactics such as condoms shall also include information on their failure rates for preventing pregnancy, HIV, and other sexually transmitted diseases in actual use among adolescent populations and shall clearly explain the difference between risk reduction through the use of such devices and risk elimination through abstinence.

New Jersey allows parents or guardians to remove their children from any or all parts of sexuality, STD-prevention, and HIV/AIDS-prevention education or any topic that conflicts with their "sincerely held beliefs." This is referred to as an "opt-out" policy. Local boards of education must establish procedures by which students may be removed from class, and alternative assignments must be created.

See New Jersey Statutes Amended 18A:35-4.7, 18A:35-4.20, and 18A:35-4.21; New Jersey Administrative Code 6A:8-3.1; and *New Jersey Comprehensive Health Education and Physical Education Curriculum*.

Recent Legislation

Parenting Education Instruction Legislation Introduced

Introduced in January 2006 and referred to the Assembly Committee on Education, Assembly Bill 814 would require that instruction on parenting, including responsibilities and obligations, be included in any family life education course.

Comprehensive Family Life Education Bill Introduced

Assembly Bill 901 was introduced in January 2006 and assigned to the Assembly Committee on Education. The bill would require each board of education in the state to offer comprehensive family life education. AB 901 defines family life education as, “education regarding human development and sexuality, including education on family planning and sexually transmitted diseases, that is medically accurate and age-appropriate; respects community values and encourages parental communication; promotes responsible sexual behavior and addresses both abstinence and the use of contraception; promotes individual responsibility and involvement regarding sexuality; and teaches skills for responsible decision-making regarding sexuality.”

AB 901 would also repeal the current New Jersey law requiring that such courses stress abstinence as the only completely reliable means for eliminating STDs and avoiding pregnancy.

Legislation Would Allow Students to Opt-Out

Senate Bill 979 allows a student enrolled in health, family life, or sexual education programs at a school that requires these classes to be excused from the requirements upon presenting a signed statement that such classes are in conflict with his/her religious or moral beliefs. The student cannot be penalized for being excused. The bill has been assigned to the Senate Committee on Education.

Events of Note

The Garden State Supports Equality for LGBTQ People 2005; New Jersey

In contrast to the forty states that currently ban same-sex marriage, a recent poll of New Jersey residents shows strong support for legalizing same-sex marriage as well as protecting other rights of lesbian, gay, bisexual, transgender, and questioning (LGBTQ) people. New Jersey law already recognizes many rights for same-sex couples, including the ability to enter into domestic partnerships. Advocates hope that with the positive results of this poll, this trend will continue.

Fifty-five percent of respondents agreed with the statement that, “gay couples should have the same freedom as heterosexual couples to marry.” An even higher percentage (61%) stated that the legislature should support the New Jersey Supreme Court if the Court finds that same-sex couples have a constitutional right to marry. This was partially due to a strong belief among respondents that the New Jersey legislature should spend their energy on other areas. The poll also found strong support for non-discrimination laws protecting transgender people as well as women and people of color.

According to Steve Goldstein, chair of Garden State Equality, “if marriage equality prevails at the state Supreme Court and national anti-gay activists think of coming here. They will meet their Waterloo. New Jersey marches to a different drummer and the beat of equality. New Jersey is the state that doesn’t hate.”²

The poll was commissioned and released by Garden State Equality, a statewide organization supporting equal rights for LGBTQ people, and was conducted by Zogby International. Zogby asked 804 registered and likely voters their opinions on a variety of LGBTQ civil right issues.³

New Jersey’s Youth: Statistical Information of Note⁴

- In 2005, 44% of female high school students and 44% of male high school students in New Jersey reported ever having had sexual intercourse compared to 46% of female high school students and 48% of male high school students nationwide.
- In 2005, 3% of female high school students and 7% of male high school students in New Jersey reported having had sexual intercourse before age 13 compared to 4% of female high school students and 9% of male high school students nationwide.
- In 2005, 10% of female high school students and 14% of male high school students in New Jersey reported having had four or more lifetime sexual partners compared to 12% of female high school students and 17% of male high school students nationwide.
- In 2005, 35% of female high school students and 31% of male high school students in New Jersey reported being currently sexually active (defined as having had sexual intercourse in the three months prior to the survey) compared to 35% of female high school students and 33% of male high school students nationwide.
- In 2005, among those high school students who reported being currently sexually active, 65% of females and 79% of males in New Jersey reported having used condoms the last time they had sexual intercourse compared to 56% of females and 70% of males nationwide.
- In 2005, among those high school students who reported being currently sexually active, 18% of females and 13% of males in New Jersey reported having used birth control pills the last time they had sexual intercourse compared to 21% of females and 15% of males nationwide.
- In 2005, among those high school students who reported being currently sexually active, 19% of females and 25% of males in New Jersey reported having used alcohol or drugs the last time they had sexual intercourse compared to 19% of females and 28% of males nationwide.
- In 2000, New Jersey’s abortion rate was 47 per 1,000 women ages 15–19 compared to a teen abortion rate of 24 per 1,000 nationwide.⁵

- In 2003, women ages 15–19 accounted for 18% of the 32,762 total abortions performed in New Jersey.⁶
- In 2002, New Jersey’s birth rate was 27 per 1,000 women ages 15–19 compared to a teen birth rate of 43 per 1,000 nationwide.⁷

Title V Abstinence-Only-Until-Marriage Funding

New Jersey received \$914,495 in Title V abstinence-only-until-marriage funding in Fiscal Year 2005. The Title V abstinence-only-until-marriage grant requires states to provide three state-raised dollars or the equivalent in services for every four federal dollars received. The state match may be provided in part or in full by local groups. New Jersey contributes \$31,987 towards the matching fund; the remainder of the match is provided by sub-grantees.

There are nine sub-grantees: Camden County Chapter, American Red Cross; Catholic Community Services; Community Health Care; Cumberland County Department of Health; Freedom Foundation of NJ; Free Teens USA, Inc; Montclair State University, Project HOPE; Peer Challenge; and St. Peter’s Medical Center. Sub-grantees use a variety of curricula including: *Sex Can Wait*, *Best Friends*, *Removing the Risk*, *Choosing the Best*, *Adolescent Fertility Awareness*, and *Abstinence Pick and Choose*.

One of the sub-grantees, Peer Challenge, brought its “Wheel of Misfortune” to a middle school health fair to promote abstinence-until-marriage using messages of shame and fear.⁸ Another sub-grantee, the Cumberland County Department of Health, uses the *Choosing the Best* program. SIECUS reviewed *Choosing the Best LIFE* and found that it names numerous physical and psychological consequences of premarital sexual activity, suggests that sexually active teens will never have happy futures, and implies that only teens with low self-esteem and poor judgment become sexually active. For example, *Choosing the Best LIFE* states that, “relationships often lower the self-respect of both partners—one feeling used, the other feeling like the user. Emotional pain can cause a downward spiral leading to intense feelings of lack of worthlessness.”⁹

SIECUS reviewed *Choosing the Best PATH* and found that it provides endless information on the negative consequences of premarital sexual activity and utilizes a variety of tactics to suggest that teens should feel guilty, embarrassed, and ashamed of sexual behavior. For example, *Choosing the Best PATH* asks students: “How does being sexually active as a teen affect how a person feels about himself or herself?” The suggested answer is: “Can feel sad about losing virginity, loss of self-respect, blames self for getting pregnant or contracting an STD.” It goes on to say, “sexual activity also can lead to the trashing of a person’s reputation, resulting in the loss of friends.”¹⁰

Another sub-grantee, Free Teens, designed an abstinence-only-until-marriage curriculum that is used in 38 states and more than 70 countries. The organization works with other abstinence-only-until-marriage groups, including the Institute for American Values, the National Fatherhood Initiative, and the Abstinence Clearinghouse. On the group’s website, one eighth grade Free Teens participant notes, “the Free Teens club is very interesting. . . . We listened to a couple of stories. The stories were sad enough to let me know that I’m not having sex until I’m married and achieved my goals.”¹¹ Free Teens USA, Inc. also has connections with the Reverend Sun Myung Moon’s Unification Church. Although the organization claims not to have ties to Moon or his church, documents obtained through the Freedom of Information Act reveal that the director, chief financial officer, and some board members are former or present high-ranking Unification Church officials.¹² Moon and his Unification Church have publicly made anti-gay, misogynistic, and anti-Semitic statements.

Community-Based Abstinence Education (CBAE)¹³ and Adolescent Family Life Act (AFLA) Grantees

There are four CBAE grantees in New Jersey: Columbus Hospital, Impact Community Development Corp, Free Teens USA (receives two grants), and Several Sources Foundation (receives two grants). There is one AFLA grantees in New Jersey: Freedom Foundation of NJ.

Several Sources Foundation runs different organizations that endorse anti-choice and abstinence-only-until-marriage messages. On its website, Several Sources founder Kathy DiFiore states, “all of our labors for the Lord try to keep His Word and His Love alive for those who come to us seeking our help.”¹⁴ Several Sources Foundation also runs a website called Silent Scream, which includes a video claiming to be footage of the abortion of an 11-week-old fetus.

The organization’s abstinence websites are www.chastitycall.org and www.thechoicegame.com. *The Choice Game* is supported by its CBAE grants. In November 2003, this program was implemented in public high schools in Newark, NJ. The program, which was previously used in Catholic schools throughout New Jersey, is set to reach 10,000 students between July 2001 and July 2005.¹⁵

Classes are 90 minutes long and are held once a week for nine weeks. The program includes six CD-ROMS with interactive “soap operas.” Students direct the players in the soap operas in order to see the consequences of their decisions. At the end of the nine-week program, participants are asked to sign a pledge promising to remain abstinent until they marry. If they sign this pledge, they receive a sterling silver ring to wear on their wedding finger.

Research has found that under certain conditions these pledges may help some adolescents delay sexual intercourse. When they work, pledges help this select group of adolescents delay the onset of sexual intercourse for an average of 18 months—far short of marriage. Researchers found that pledges only worked when taken by a small group of students. Pledges taken by a whole class were ineffective. More importantly, the studies also found that those young people who took a pledge were one-third less likely to use contraception when they did become sexually active than their peers who had not pledged. These teens are therefore more vulnerable to the risks of unprotected sexual activity such as unintended pregnancy and STDs, including HIV/AIDS. Further research has confirmed that although some students who take pledges delay intercourse, ultimately they are equally as likely to contract an STD as their non-pledging peers. The study also found that the STD rates were higher in communities where a significant proportion (over 20%) of the young people had taken virginity pledges.¹⁶

According to a promotional brochure, “*The Choice Game* has been selected to educate young people in schools, youth detention centers, hospitals, and community-based organizations in New York, Ohio, Georgia, and Kansas.”¹⁷

Federal and State Funding for Abstinence-Only-Until-Marriage Programs in FY 2005

Abstinence-Only-Until-Marriage Grantee Length of Grant	Amount of Grant	Type of Grant (includes Title V, CBAE, and AFLA)
New Jersey Department of Health and Senior Services www.state.nj.us/health	\$914,495 federal \$31,987 state	Title V
Camden County Chapter, American Red Cross www.camdenredcross.org	\$80,132	Title V sub-grantee
Catholic Community Services www.ccsnewark.org	\$95,000	Title V sub-grantee
Community Health Care www.sjhs.com/communityservices	\$79,890	Title V sub-grantee
Cumberland County Department of Health	\$26,955	Title V sub-grantee
Freedom Foundation of NJ DUAL GRANTEE 2005–2006	\$120,000 \$293,156	Title V sub-grantee AFLA
Free Teens USA, Inc TRIPLE GRANTEE 2002–2005 TRIPLE GRANTEE 2005–2008 www.freeteensusa.org	\$115,000 \$475,280 \$800,000	Title V sub-grantee CBAE CBAE

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Abstinence-Only-Until-Marriage Grantee	Amount of Grant	Type of Grant (includes Title V, CBAE, and AFLA)
Length of Grant		
Montclair State University, Project HOPE	\$90,503	Title V sub-grantee
Peer Challenge	\$100,570	Title V sub-grantee
St. Peter's Medical Center	\$84,255	Title V sub-grantee
Columbus Hospital 2004–2007 www.cathedralhealth.org/columbus	\$393,500	CBAE
Impact Community Development Corp 2004–2007 www.impactcdc.org	\$439,307	CBAE
Several Sources Foundation 2002–2005 DUAL GRANTEE 2005–2008 www.severalsourcesfd.org	\$775,951 \$800,000	CBAE CBAE

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New Jersey Organizations that Support Comprehensive Sexuality Education

ACLU of New Jersey
P.O. Box 32159
Newark, NJ 07102
Phone: 973-642-2084
www.aclu-nj.org

Family Planning Association
of New Jersey
210 West State St.
Trenton, NJ 08608
Phone: (609) 393-8423

HiTOPS, Inc.
21 Wiggins St.
Princeton, NJ 08540
Phone: (609) 683-5155
www.hitops.org

Hyacinth AIDS Foundation
317 George St., Suite 203
New Brunswick, NJ 08901
Phone: (732) 246-0204
www.hyacinth.org

NARAL ProChoice New Jersey
127 Route 206 Suite 25B
Hamilton, NJ 08610
Phone: (609) 581-7171
www.prochoicenj.org

Network for Family Life Education
Rutgers University
41 Gordon Rd., Suite A
Piscataway, NJ 08854
Phone: (732) 445-7929

New Jersey Lesbian and Gay Coalition
PO Box 11335
New Brunswick, NJ 08906
Phone: (732) 828-6772
www.njlgc.org

New Jersey NOW
110 W. State St.
Trenton, NJ 08608
Phone: (609) 393-0156
www.nownj.org

New Jersey Religious Coalition for
Reproductive Choice
PO Box 13
Mt. Freedom, NJ 07974
Phone: (973) 656-9494
www.njrcrc.org

Planned Parenthood of Greater Northern
New Jersey
196 Speedwell Ave.
Morristown, NJ 07960
Phone: (973) 539-9580
www.ppgnnj.org

New Jersey Organizations that Oppose Comprehensive Sexuality Education

New Jersey Christian Coalition
560 Hoover Ave.
Township of Washington, NJ 07676
Phone: (201) 358-1382
www.njchristiancoalition.org

New Jersey Committee for Life
490 Somerset St.
North Plainfield, NJ 07060
Phone: (908) 753-5311
www.njcfl.org

New Jersey Family Policy Council
PO Box 6011
Parsippany, NJ 07054
Phone: (973) 781-1414
www.njfpcc.org

New Jersey Right to Life
113 North Ave. West
Cranford, NJ 07016
Phone: (908) 276-6620
www.njrtrl.org

Newspapers in New Jersey

Asbury Park Press
Nancy Kearney
Education Editor
3601 State Route 66
Neptune, NJ 07753
Phone: (732) 643-4281

Asbury Park Press
Pat McDaniel
Health & Medicine Editor
3601 State Route 66
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Home News Tribune
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The Hudson Reporter Newspapers
Education Editor
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- ¹ This refers to the fiscal year for the Federal Government, which begins on October 1 and ends on September 30. The fiscal year is designated by the calendar year in which it ends; for example, Fiscal Year 2005 begins on October 1, 2004 and ends on September 30, 2005.
- ² Garden State Equality, “By 55-40 Percent, New Jersey Favors Marriage For Gays—the State’s Highest Support Ever, Bucking National Trend,” Press Release published 4 May 2005, [accessed 16 May 2005](http://www.gardenstateequality.org/poll.htm), <<http://www.gardenstateequality.org/poll.htm>>.
- ³ Ibid.
- ⁴ Unless otherwise cited, all statistical information comes from: Danice K. Eaton, et. al., “Youth Risk Behavior Surveillance—United States, 2005,” *Surveillance Summaries, Morbidity and Mortality Weekly Report*, vol. 55, no. SS-5 (9 June 2006): 1-108, accessed 8 June 2006, <<http://www.cdc.gov/HealthyYouth/yrbs/index.htm>>.
- ⁵ U.S. *Teenage Pregnancy Statistics: Overall Trends, Trends by Race and Ethnicity and State-by-State Information* (New York: Alan Guttmacher Institute, February 2004), accessed 28 January 2005, <http://www.guttmacher.org/pubs/state_pregnancy_trends.pdf>.
- ⁶ *Reported Induced Terminations of Pregnancy by Selected Characteristics New Jersey Occurrences, 2003* (Trenton, NJ: Department of Health and Senior Services, 2004), accessed 4 February 2005, <<http://www.state.nj.us/health/chs/itop/itop2003.htm>>.
- ⁷ *National Vital Statistics Reports 52.10* (Hyattsville, MD: National Center for Health Statistics, 2003), 48, accessed 4 February 2005, <<http://www.cdc.gov/nchs/births.htm#stat%20tables>>.
- ⁸ “Dennis Twp. Middle School Health Fair 2003 February 21st,” *The Talon: Dennis Township Middle School Newsletter*, February 2003, accessed 3 January 2005, <<http://dennis.capemayschools.com/MrDiCarlo/Talon.htm>>.
- ⁹ Bruce Cook, *Choosing the Best LIFE* (Marietta, GA: Choosing the Best, Inc., 2000). For more information, see SIECUS’ review of *Choosing the Best LIFE* at <http://www.communityactionkit.org/curricula_reviews.html>.
- ¹⁰ Bruce Cook, *Choosing the Best PATH* (Marietta, GA: Choosing the Best Inc., 2000). For more information, see SIECUS’ review of *Choosing the Best PATH* at <http://www.communityactionkit.org/curricula_reviews.html>.
- ¹¹ *Let Me Tell You About Free Teens*, Free Teens USA, Inc., (2004), accessed 3 January 2004, <<http://www.freeteens.org/stories/letmetellyou.htm>>.
- ¹² John Gorenfeld, “Bad Moon on the Rise,” *Salon.com*, 24 September 2003, accessed 3 January 2005, <<http://www.salon.com/news/feature/2003/09/24/moon/print.html>>.
- ¹³ In Fiscal Year 2004 SPRANS—CBAE was administered within the U.S. Department of Health and Human Services (HHS) by the Maternal and Child Health Bureau. In Fiscal Year 2005 this funding stream was moved to HHS’ Administration for Children and Families and is now referred to simply as Community-Based Abstinence Education (CBAE).
- ¹⁴ *Several Sources Foundation*, Several Sources Foundation (October 2004), accessed 22 February 2005, <<http://www.severalsourcesfd.org/>>.
- ¹⁵ *The Choice Game Curriculum*, The Choice Game (January 2005), accessed 10 January 2005, <<http://www.thechoicegame.com/>>.
- ¹⁶ Peter Bearman and Hannah Brückner, “Promising the Future: Virginity Pledges and the Transition to First Intercourse.” *American Journal of Sociology* 106.4 (2001): 859-912.; Peter Bearman and Hannah Brückner, “After the promise: The STD consequences of adolescent virginity pledges,” *Journal of Adolescent Health* 36.4 (2005): 271-278.
- ¹⁷ *The Choice Game Curriculum Brochure*, The Choice Game (2003), accessed 8 February 2005, <<http://www.thechoicegame.com/broch-teacher.html>>.