



STATE OF NEW JERSEY DEPARTMENT OF EDUCATION

Statement by Acting Education Commissioner Allen-McMillan May 4, 2022 State Board of Education Meeting New Jersey Student Learning Standards-Comprehensive Health and Physical Education (NJSLS-CHPE)

Good morning President Goldenberg, Vice President Mulvihill, members of the State Board of Education, and members of the public. I would like to take a few minutes to provide additional context and comment to the discourse that has been playing out in our education community in recent weeks regarding New Jersey's Student Learning Standards.

Specifically, I have heard most frequently regarding the following topics:

- The appropriateness of certain performance expectations in the 2020 New Jersey Comprehensive Health and Physical Education Student Learning Standards, particularly performance expectations related to gender expression, gender stereotypes, and sexual development;
- The appropriateness of recently signed legislation regarding instruction on diversity, equity, and inclusion, and instruction on the contributions of LGBTQ individuals and persons with disabilities;
- The boundary where State requirements end, and local school district discretion begins, regarding instructional content delivered to students; and
- The importance of parental input and the opportunity for parents and caregivers to excuse their children from instruction in topics of health or sex education that they believe would be more appropriate to address in the privacy of their own homes.

These are all topics of crucial importance to the academic, social, emotional, and personal development of our students. The topics deserve honest, direct, and empathetic dialogue. Over the past month, I have spoken with many concerned stakeholders, and I thank them for their time and compassion. Too often, however the language used to discuss these topics has veered from productive and enriching to misguided or misinformed.

To clarify, Department regulations require school districts to implement curricula and instruction aligned to the New Jersey Student Learning Standards. The New Jersey Student Learning Standards in Comprehensive Health and Physical Education are structured around three standards: Standard 2.1, Personal and Mental Health; Standard 2.2, Physical Wellness; and Standard 2.3, Safety. Within each of those three standards are a series of "Performance Expectations." The Performance Expectations are the most fundamental unit of the New Jersey Student Learning Standards; they are the statements that describe what students should know and be able to do by the end of specified grade levels. They are the most direct and specific descriptions of "what students must be taught."

The New Jersey Student Learning Standards include performance expectations batched under uniting "core ideas" organized under a series of Disciplinary Concepts. All components in the organizational framework I just

described *must* be reflected in a Local Educational Agency's curriculum. Each LEA must implement curriculum and instruction that address each performance expectation by the end of the specified grade levels.

This leaves considerable room for local district discretion, and, critically, for the voices of parents and families. It is the responsibility of each local district board of education – through meaningful, ongoing, and direct consultation with families – to select, adopt, and implement curricula that reflect both the New Jersey Student Learning Standards and the priorities and values of the school community. Further, it is LEAs that develop or select curriculum materials, based on their local curriculum development and review process. The Department does not review, approve, or actively endorse instructional materials. LEAs decide when instructional content gets introduced to students, within the specified grade bands. LEAs determine in what sequence to bundle the performance expectations, how long to spend on each performance expectation, and select the lesson plans, formative assessments, and other instructional materials that are used to deliver that content. These are among the most foundational academic decisions that a LEA makes to guide the educational and social development of their students, and as I have said repeatedly, it is critical to include parents along every step of that decision-making process. And, recognizing that some families prefer to have these conversations privately, once those decisions are made and implemented and instruction begins, parents retain the right to excuse their children from those portions of health, family life, or sex education that conflict with their moral beliefs.

I am a parent of three myself. I have had the benefit of watching my children grow while attending New Jersey public schools. I have wielded my voice as a parent to guide their education to ensure it comports with our family's values. I have also sat on a local Board of Education, heard the testimony of concerned parents, and worked with my Board colleagues to ensure that our decisions reflect the families we serve. I have been a district administrator, working day-in day-out to ensure that we implement our education programs consistent with the input of our families. All of that said, to those parents and stakeholders who say they deserve a voice in their child's education: I wholeheartedly agree. That value is enshrined in our laws, reflected in our regulatory process, and should be reflected in every LEA's academic decision-making process.

But for the critics who say that health and sex education, as outlined in our standards, should not be taught in our schools: I must wholeheartedly disagree. It is a disservice, and actively harmful, to deny our students medically-accurate, age- and developmentally-appropriate information about their bodies and about the personal and interpersonal relationships that shape childhood, adolescence and young adulthood. Cultural and sex education help children develop healthy relationships, create and maintain a positive sense of self, and interact effectively, respectfully, and safely with others.

In the youngest grades, this includes addressing the implicit and explicit messages that children receive about gender norms and stereotypes: that science is for boys and the arts are for girls. That boys play with trucks and girls play with dolls. That only girls wear pink. These stereotypes are real, and they are harmful: they can impede a child's academic growth, self-worth, and mental health. They can shape, and narrow, a young child's expectations of what career paths are available to her or him, how she or he can pursue her or his interests in the world, and healthy ways to express herself or himself. It is important for schools to counter these dangerous messages by affirming that every child, regardless of gender, has the ability to live their life in a way that suits them, can pursue any interest and career path they choose unburdened by societal gender expectations, and deserves respect no matter their identity or expression. Girls must be taught they have the right to pursue careers in STEM, and boys must be taught that they have the right to pursue careers in the arts. Contrary to misinformation articulated in recent weeks, these standards convey self-worth and acceptance on all students, an essential foundation for academic success.

Like other subjects, as students age, health and sex education must build over time, equipping students to understand themselves and the world around them. In the pre-pubescent years, this means ensuring that students understand the feelings and emotions associated with puberty, in time for them to process and communicate about those changes when they come. The rapid physical and emotional development that children undergo during puberty can put them at risk for bullying, social isolation, and increased need for mental health supports; to reduce these risks, it is critical for upper elementary instruction to emphasize that developmental changes and feelings are normal.

And as students prepare to enter high school, it means providing the information they need to safely navigate the increasingly complex and intimate relationships that accompany teenage years. Being able to define different types of sex and providing knowledge about one's anatomy is necessary for students to make safe, informed decisions. Further, it is necessary to protect students from social pressures and risks of dating violence. Crucially, providing this information is necessary to empower students to communicate clearly when their trust and privacy has been violated. Simply put, we cannot expect our students to be able to report sexual abuse if they lack the language and understanding necessary to describe sexual abuse. To withhold this information threatens the safety and positive development of our students.

For these reasons, I firmly support the 2020 New Jersey Student Learning Standards in Comprehensive Health and Physical Education. I recognize that the Department can strengthen our efforts to clarify the meaning and scope of the standards for educators; I am proud of the work we have done thus far to do that, and I am committed to continuing and building on that work as necessary. I also recognize that there are some lesson plans and other support materials that I, personally, as a mom and as a former teacher, administrator, and board member, would not select for me or my children's classrooms. They would not be my personal choices. But as Commissioner, I reinforce the authority of the Department of Education to adopt required academic standards, the responsibility of every LEA to select and implement standards-aligned materials that advance their values, and the right of every parent to opt-out of certain instruction as outlined in the law.

Finally, it is worthwhile to disentangle the New Jersey Student Learning Standards, and two pieces of recently signed legislation that have received some public attention.

In January 2019, Governor Murphy signed legislation into law requiring boards of education to include instruction on the political, economic, and social contributions of persons with disabilities and LGBTQ people in an appropriate place in middle and high school curriculum. That legislation can apply to all content areas – not just Comprehensive Health and Physical education.

Separately, in March 2021 – nine months after the adoption of the 2020 Comprehensive Health and Physical Education standards – Governor Murphy signed legislation into law requiring school districts to incorporate instruction on diversity and inclusion in an appropriate place in the K-12 curriculum. The law specifies that this instruction must highlight and promote diversity, equity, and inclusion, commonly referred to as “D.E.I.”; examine the impact of unconscious bias and economic disparities; and encourage safe, welcoming, inclusive environments for all students.

The science on the benefits of inclusive environments as outlined in the DEI law is clear. Each student can ascend socially, emotionally, and academically and, ultimately, thrive given the right conditions. These conditions include a constructive web of positive, caring relationships with peers and adults to support students and enable them to explore, discover, and take intellectual risks. This web of relationships—the place where students' interests and passions are ignited—is foundational to students' development of competence and, ultimately, confidence and self-direction. Additionally, research shows that strong and supportive

relationships in which a student feels trust and worth are the antidotes to stress and trauma, and a key to becoming resilient and emotionally strong—both critical attributes in today’s world.

Being part of a healthy school community is as important as any great academic lesson plan to assure that each student is prepared to live a meaningful life. It’s a simple formula: all children learn best when they feel like they belong and that their community values them. The Department of Education strongly adheres to these fundamental values and beliefs in our ongoing aspiration to create a more equitable and inclusive educational community—a healthy community in which students will develop the skills, knowledge, and disposition to be able to contribute to our democracy as productive, engaged, informed members of a larger society comprised of many different people with many different perspectives and ideologies. This is the educational system that our students and families deserve, and that our democracy requires and needs to thrive. There is a wide range of resources that can be used to develop curricula, facilitate professional learning and engage community stakeholders in conversations on incorporating diversity and inclusion throughout the kindergarten through twelfth grade learning environment. Some of these resources are available on our website. The Department remains committed to providing any additional information or resources that LEAs need as they continue to implement the standards ahead of the 2022-2023 school year.

The Department is deeply committed to ensuring that schools are safe, welcoming and inclusive environments for all students regardless of race, ethnicity or country of origin, sexual and gender identities, mental and physical abilities, or religious beliefs. Our partnership with parents, families and communities is fundamental as we work together toward the realization of this vision. When students belong to a healthy community, they are stronger, more resilient, more united and more prepared for life. These are the hallmarks of a New Jersey public school education.

Thank you.