ASSEMBLY, No. 5324 STATE OF NEW JERSEY 218th LEGISLATURE

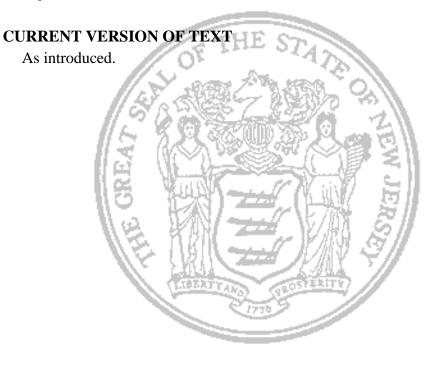
INTRODUCED MAY 13, 2019

Sponsored by: Assemblywoman PAMELA R. LAMPITT District 6 (Burlington and Camden) Assemblyman RAJ MUKHERJI District 33 (Hudson) Assemblywoman YVONNE LOPEZ District 19 (Middlesex)

Co-Sponsored by: Assemblywoman Vainieri Huttle, Assemblyman Karabinchak and Assemblywoman McKnight

SYNOPSIS

Clarifies that child may not be excluded from public school based on membership in protected category under "Law Against Discrimination" or immigration status.



(Sponsorship Updated As Of: 12/13/2019)

A5324 LAMPITT, MUKHERJI

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1 AN ACT concerning exclusion from public school and amending 2 NJ.S.18A:38-5.1. 3 4 **BE IT ENACTED** by the Senate and General Assembly of the State 5 of New Jersey: 6 7 1. N.J.S.18A:38-5.1 is amended to read as follows: 18A:38-5.1. No child between the ages of four and 20 years 8 9 shall be excluded from any public school on account of his race, 10 creed, color, national origin, [or] ancestry, or other protected category under subsection f. of section 11 of P.L.1945, c.169 11 (C.10:5-12), or immigration status. A member of any board of 12 13 education who shall vote to exclude from any public school any 14 child, on account of his race, creed, color, national origin, [or] 15 ancestry, or other protected category under subsection f. of section 16 11 of P.L.1945, c.169 (C.10:5-12), or immigration status shall be 17 guilty of a misdemeanor, and punished by a fine of not less than 18 \$50.00 nor more than \$250.00, or by imprisonment in the county 19 jail, workhouse or penitentiary of the county in which the offense 20 has been committed, for not less than 30 days nor more than six 21 months, or by both such fine and imprisonment in the discretion of 22 the court disorderly persons offense. 23 (cf: N.J.S.18A:38-5.1) 24 25 2. This act shall take effect immediately. 26 27 **STATEMENT** 28 29 30 This bill amends a current section of law, N.J.S.18A:38-5.1, to 31 clarify that a school district may not exclude a child from school 32 based on any characteristic that is a protected category under the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.), 33 34 or on the child's immigration status. The bill also updates the 35 existing penalty that may be imposed upon a member of a board of 36 education if a child is excluded from public school on any of these 37 bases.

EXPLANATION – Matter enclosed in **bold-faced brackets** [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.