

[Third Reprint]

**SENATE, No. 2564**

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**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

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INTRODUCED MAY 14, 2018

**Sponsored by:**

**Senator SHIRLEY K. TURNER**

**District 15 (Hunterdon and Mercer)**

**Senator TROY SINGLETON**

**District 7 (Burlington)**

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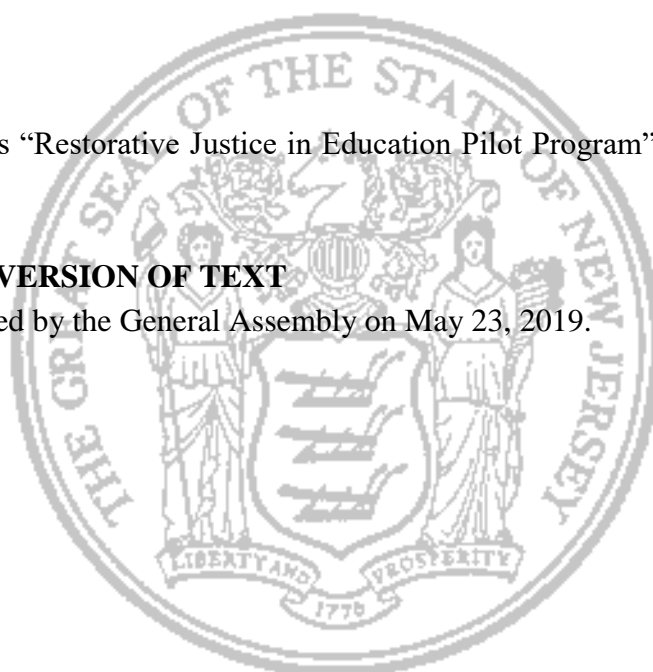
**Senators Ruiz, Pou, Assemblyman Zwicker, Assemblywomen Reynolds-Jackson, Speight and Vainieri Huttie**

**SYNOPSIS**

Establishes “Restorative Justice in Education Pilot Program” in Department of Education.

**CURRENT VERSION OF TEXT**

As amended by the General Assembly on May 23, 2019.



**(Sponsorship Updated As Of: 11/26/2019)**

1 AN ACT concerning restorative justice in the public schools and  
2 supplementing chapter 37 of Title 18A of the New Jersey  
3 Statutes.

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

7  
8 1. As used in this act <sup>1</sup>**["restorative"]**:  
9 "Adverse childhood experiences" means severe childhood  
10 stressors that, when experienced prenatal to three years old, affect  
11 brain development and which are proven to be powerful  
12 determinants of physical, mental, social, and behavioral health  
13 across a lifespan. Adverse childhood experiences may include, but  
14 are not limited to, child physical or sexual abuse, child emotional  
15 abuse, child physical or emotional neglect, alcohol or other  
16 substance abuse in the home, mental illness or suicidal behaviors in  
17 the home, incarceration of a family member, exposure to violence in  
18 the home or community, and parental divorce or separation.

19 "Restorative"<sup>1</sup> justice" means a system of dispute resolution tools  
20 that allow all parties of a dispute to be involved in defining the  
21 harm and devising remedies while giving the necessary attention to  
22 community safety, victims' needs, and the need for offender  
23 accountability. Restorative justice practices shall include, but need  
24 not be limited to, student or community court, restorative circles,  
25 mediation, and conferencing.

26 <sup>1</sup>"Trauma-informed approach" means an approach that  
27 recognizes the signs and symptoms of trauma in students, families,  
28 staff, and others, and which responds by fully integrating  
29 knowledge about trauma into policies, procedures, and practices for  
30 the purposes of promoting resiliency and healing, resisting the  
31 recurrence of trauma, and improving educational outcomes.<sup>1</sup>

32  
33 2. <sup>3</sup>**["The"]** Within six months of the effective date of this act,  
34 the<sup>3</sup> Commissioner of Education shall establish a <sup>1</sup>["five-year"]  
35 three-year<sup>1</sup> "Restorative Justice in Education Pilot Program" to  
36 implement restorative justice practices in the public schools. The  
37 program shall address school discipline issues through the  
38 implementation of restorative justice practices <sup>1</sup>that include a  
39 trauma-informed approach<sup>1</sup>. The goals of the pilot program shall be  
40 to:

41 a. reduce racial disparities in school discipline which result in  
42 an inequitable loss of classroom time among certain student groups,  
43 thereby boosting the academic outcomes of these students;

**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SED committee amendments adopted March 4, 2019.

<sup>2</sup>Senate floor amendments adopted March 25, 2019.

<sup>3</sup>Assembly floor amendments adopted May 23, 2019.

1       b. improve the socioemotional and behavioral responses of  
2 students through the use of more appropriate, and less punitive,  
3 interventions, thereby establishing a more supportive and inclusive  
4 school culture; and

5       c. reduce recidivism rates among students who violate the  
6 school district code of conduct through the use of more effective  
7 and targeted restorative justice interventions.

8  
9       3. <sup>2</sup>**[a.]<sup>2</sup>** A school district that wants to participate in the pilot  
10 program shall submit an application to the commissioner. The  
11 application shall identify one school within the school district to  
12 implement the restorative justice model under the pilot program.  
13 The application shall include:

14       <sup>2</sup>**[(1)] a.<sup>2</sup>** a description of the school including the number of  
15 enrolled students; the in-school and out-of-school student  
16 suspension rates, and any other relevant data collected on student  
17 disciplinary actions; absenteeism rates; academic performance  
18 indicators, including the percentage of students not meeting  
19 expectations on State assessments; and the percentage of enrolled  
20 students who qualify for a free or reduced price lunch under the  
21 federal School Lunch Program;

22       <sup>2</sup>**[(2)] b.<sup>2</sup>** a description of which restorative justice practices  
23 will be implemented at the school <sup>1</sup>and the trauma-informed  
24 approach to be utilized<sup>1</sup>;

25       <sup>2</sup>**[(3)] c.<sup>2</sup>** a description of how school administrators plan to  
26 develop faculty and student support for the restorative justice model  
27 of school discipline to be implemented;

28       <sup>2</sup>**[(4)] d.<sup>2</sup>** a preliminary schedule and description of faculty  
29 trainings on the use of restorative justice practices <sup>1</sup>including a  
30 trauma-informed approach.<sup>1</sup> and a statement indicating the school  
31 district's commitment to collecting ongoing feedback from both  
32 students and faculty on the program's impact;

33       <sup>2</sup>**[(5)] e.<sup>2</sup>** the identification of a faculty member who shall  
34 serve as a school-based coordinator of the pilot program and who  
35 shall collect, analyze, and report on the program's implementation  
36 and outcomes to school district stakeholders and the commissioner;  
37 and

38       <sup>2</sup>**[(6)] f.<sup>2</sup>** any other information the commissioner deems  
39 appropriate.

40       <sup>2</sup>**[b.]** A school district under full or partial State intervention  
41 shall be ineligible to participate in the pilot program. <sup>2</sup>**]**

42  
43       4. a. After reviewing the applications submitted pursuant to  
44 section 3 of this act, the commissioner shall select five districts in  
45 each of the southern, central, and northern regions of the State to  
46 participate in the program.

1       b. The commissioner shall provide such guidance, support, and  
2 training to participating schools as may be necessary to effectuate  
3 the purposes of this act.

4       c. The commissioner shall award grants, within the limit of  
5 available State appropriations, to participating school districts to be  
6 used to support the development and implementation of restorative  
7 justice practices in the selected schools, including for any necessary  
8 trainings and materials. The commissioner shall determine the  
9 amount of each grant awarded under the program and may award  
10 multi-year grants.

11  
12       5. The principal of a school selected to participate in the pilot  
13 program shall be required to limit the number and duration of  
14 student expulsions and suspensions to the greatest extent  
15 practicable. The principal shall demonstrate a commitment to  
16 exhausting other forms of non-exclusionary discipline prior to using  
17 out-of-school suspensions or expulsions, unless otherwise required  
18 by law or unless a student's continuing presence in school poses a  
19 threat to school safety or a disruption to other students' learning  
20 opportunities.

21  
22       6. A school district selected to participate in the pilot program  
23 shall provide ongoing professional development to teachers and  
24 other staff employed in the school in which the restorative justice  
25 model is being implemented on: <sup>1</sup>how to understand, recognize, and  
26 respond to students and their families who are impacted by the  
27 effects of trauma and adverse childhood experiences;<sup>1</sup> the adverse  
28 consequences of the exclusion of students from school and their  
29 involvement in the juvenile justice system; effective classroom  
30 management strategies; culturally responsive discipline; and  
31 developmentally appropriate disciplinary methods that promote a  
32 positive and healthy school climate.

33  
34       7. A school district selected to participate in the pilot program  
35 <sup>3</sup>~~shall~~ may<sup>3</sup> seek and apply for any grant or aid from the federal  
36 government, or any appropriate nonprofit organization, foundation  
37 or trust, or any other public or private source that might be or may  
38 become available for programs in furtherance of the purposes of  
39 this act.

40  
41       8. Each school district shall prepare and submit to the  
42 commissioner a report on its experience with and the effects of the  
43 pilot program. The report shall include, to the greatest extent  
44 feasible, quantifiable measures of the program impact including, but  
45 not limited to, the number of faculty trainings on restorative justice  
46 practices <sup>1</sup>and the use of a trauma-informed approach<sup>1</sup>, discipline  
47 rates, absenteeism rates, and academic performance indicators.

1       9. There is established within the Department of Education a  
2 fund to be known as the “Restorative Justice Education Fund.” The  
3 fund shall be used to provide grants to participating schools  
4 pursuant to subsection c. of section 4 of this act. The fund shall be  
5 annually credited with the moneys appropriated by the Legislature.  
6

7       10. At the conclusion of the pilot program, the commissioner  
8 shall submit a report to the Governor and, pursuant to section 2 of  
9 P.L.1991, c.164 (C.52:14-19.1), the Legislature. The report shall  
10 contain information on the implementation of the pilot program and  
11 shall include the commissioner’s recommendation on the feasibility  
12 of expanding the program to other school districts in the State. The  
13 report shall also include copies of the reports submitted to the  
14 commissioner by the pilot school districts pursuant to section 8 of  
15 this act.  
16

17       11. This act shall take effect immediately.