

ASSEMBLY, No. 798

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblywoman FARRAGHER and Assemblyman ARNONE

1 AN ACT concerning the reporting of pupil assaults upon public school
2 employees and amending P.L.1979, c.189.

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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. Section 2 of P.L.1979, c.189 (C.18A:37-2.1) is amended to read
8 as follows:

9 2. a. Any pupil who commits an assault, as defined pursuant to
10 N.J.S.2C:12-1, upon a teacher, administrator, board member or other
11 employee of a board of education, acting in the performance of his
12 duties and in a situation where his authority to so act is apparent, or
13 as a result of the victim's relationship to an institution of public
14 education of this State, shall be immediately suspended from school
15 consistent with procedural due process pending expulsion proceedings
16 before the local board of education. Said proceedings shall take place
17 no later than 21 calendar days following the day on which the pupil is
18 suspended.

19 b. Whenever a teacher, administrator, board member or other
20 employee of a board of education makes an allegation that he has been
21 assaulted by a pupil, the principal shall file a written report of the
22 alleged assault with the district's superintendent of schools. The
23 superintendent to whom the alleged assault is reported or, if there is
24 no superintendent in the district, the principal who received the
25 allegation from the employee, shall report the alleged assault to the
26 board of education of the district at its next regular meeting.

27 Any person who fails to file a report of an alleged assault as
28 required pursuant to this subsection shall be liable to disciplinary
29 action by the board of education of the district and the board shall

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

Matter underlined thus is new matter.

1 report to the county superintendent of schools the disciplinary action
2 it imposes.

3 (cf: P.L.1979, c.189, s.2)

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5 2. This act shall take effect immediately.

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STATEMENT

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10 This bill requires that whenever a teacher, administrator, board
11 member or other employee of a board of education makes an allegation
12 that he has been assaulted by a pupil, the principal shall file a written
13 report of the alleged assault with the superintendent of schools. The
14 superintendent is then to report the alleged assault to the board of
15 education at its next regular meeting.

16 Under the bill's provisions, any person who fails to file a report of
17 an alleged assault shall be liable to disciplinary action by the board of
18 education of the district and the board must report to the county
19 superintendent of schools the disciplinary action which it imposes.

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25 Requires the filing of a written report of any alleged pupil assault upon
a school employee.