

# ASSEMBLY JUDICIARY COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 798**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: NOVEMBER 17, 1997

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 798.

This bill requires that whenever a teacher, administrator, board member, other employee of a board of education, or a labor representative on behalf of an employee makes an allegation in writing that the person has been assaulted by a pupil, the principal shall file a written report of the alleged assault with the superintendent of schools. The superintendent is then to report the alleged assault to the board of education at its next regular meeting. The committee adopted amendments to provide that the name of the pupil who allegedly committed the assault shall be kept confidential at this public board of education meeting because the matter is merely an allegation at that time. Since there may be no substantiation of the alleged assault at the time of the board's next meeting the committee felt that protecting the identity of the pupil in the public forum was important. The name may be known to the members of the board.

Under the bill's provisions, any person who fails to file a report of an alleged assault may be liable to disciplinary action by the board of education of the district. The bill originally provided that the board must report to the county superintendent of schools the disciplinary action which it imposes but the committee amendments remove this requirement.

The committee amended the bill to conform it to the amendments adopted by the Senate committee to include a labor representative who makes an allegation on behalf of an employee, to require that the allegation be in writing, and to make the liability for disciplinary action an option rather than a mandate.

This bill was prefiled for introduction in the 1996 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed. The section of law is amended to conform to the provisions of section 5 of P.L.1995, c. 128.

This bill is identical to Senate, No. 1072 (2R).