

[First Reprint]

ASSEMBLY SUBSTITUTE FOR
ASSEMBLY COMMITTEE SUBSTITUTE FOR
Assembly, Nos. 1184 and 4414

STATE OF NEW JERSEY
219th LEGISLATURE

ADOPTED NOVEMBER 16, 2020

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Reynolds-Jackson, McKnight, Assemblyman Freiman, Assemblywoman
Swain, Assemblymen Tully and Danielsen**

SYNOPSIS

Requires School Report Card to include demographic breakdown of students who receive disciplinary actions; requires Commissioner of Education to establish Statewide database concerning certain disciplinary actions.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on November 15, 2021, with amendments.

(Sponsorship Updated As Of: 12/9/2021)

1 **AN ACT** concerning student disciplinary actions and amending
2 P.L.1995, c.235 and P.L.1982, c.163.

3

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

6

7 1. Section 3 of P.L.1995, c.235 (C.18A:7E-3) is amended to
8 read as follows:

9 3. Report cards issued pursuant to section 2 of this act shall
10 include, but not be limited to, the following information for:

11 a. the school district and for each school within the district, as
12 appropriate:

13 (1) results of the elementary assessment programs;

14 (2) results of the Early Warning Test;

15 (3) results of the High School Proficiency Test;

16 (4) daily attendance records for students and professional staff;

17 (5) student graduation and dropout rates;

18 (6) annual student scores on the Scholastic Aptitude Test;

19 (7) total student enrollment, percentage of limited English
20 proficient students, percentage of students in advanced placement
21 courses, and any other school characteristics which the
22 commissioner deems appropriate;

23 (8) instructional resources including teacher/student ratio,
24 average class size and amount of instructional time per day, as
25 calculated by formulas specified by the commissioner;

26 (9) a written narrative by the school principal or a designee
27 which describes any special achievements, events, problems or
28 initiatives of the school or district;

29 (10) data identifying the number and nature of all reports of
30 harassment, intimidation, or bullying;

31 (11) indicators of student career readiness;

32 (12) the number and percentage of students who were
33 chronically absent, as defined in rules and regulations promulgated
34 by the Commissioner of Education within 90 days of the effective
35 date of P.L.2018, c.23 (C.18A:38-25.1 et al.), including the number
36 and percentage of students who were chronically absent
37 disaggregated by multiple student subgroups to be determined by
38 the commissioner; and

39 (13) the number **【and】**, percentage, and demographics,
40 including race, gender, disability, ¹【and】¹ grade level, ¹and
41 eligibility for free or reduced price lunch under the National School
42 Lunch Program,¹ of students who received ¹【a disciplinary】¹
43 【suspension】 ¹【action, including suspensions, expulsions, law
44 enforcement referrals, and arrests by category of offense】 one or

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:

¹Assembly AAP committee amendments adopted November 15, 2021.

1 more suspensions or expulsions or who were reported to or arrested
2 by law enforcement, by category of offense, pursuant to the
3 provisions of the Uniform State Memorandum of Agreement
4 Between Education and Law Enforcement Officials¹; and

5 b. the school district, as appropriate:

6 (1) per pupil expenditures and State aid ratio;

7 (2) percent of budget allocated for salaries and benefits of
8 administrative personnel;

9 (3) percent of budget allocated for salaries and benefits of
10 teachers;

11 (4) percentage increase over the previous year for salaries and
12 benefits of administrative and instructional personnel;

13 (5) the number of administrative personnel and the ratio of
14 administrative personnel to instructional personnel;

15 (6) a profile of the most recent graduating class concerning
16 their educational or employment plans following graduation; and

17 (7) any other information which the commissioner deems
18 appropriate.

19 For the purposes of this section, the Commissioner of Education
20 shall establish a uniform methodology for the reporting of the data
21 concerning administrative personnel on a full-time equivalent basis.
22 (cf: P.L.2018, c.23, s.1)

23
24 2. Section 3 of P.L.1982, c.163 (C.18A:17-48) is amended to
25 read as follows:

26 3. a. The Commissioner of Education shall each year submit a
27 report to the Education Committees of the Senate and General
28 Assembly detailing the extent of violence, vandalism, and
29 harassment, intimidation, or bullying in the public schools and
30 **【making recommendations to alleviate the problem】** documenting
31 steps taken to verify and validate school district reporting. The
32 report shall be made available annually to the public no later than
33 October 1, and shall be posted on the department's website.

34 b. The Commissioner of Education shall each year compile the
35 information reported by each school district to the Department of
36 Education pursuant to section 1 of P.L.1982, c.163 (C.18A:17-46)
37 into a Statewide database. The database shall be posted on the
38 department's Internet website. At a minimum, the database shall
39 provide school level totals for each category of student disciplinary
40 actions, including in-school suspensions, out-of-school suspensions,
41 expulsions, ¹use of physical restraint or seclusion techniques,¹
42 referrals to law enforcement, and arrests, as well as demographic
43 information of the students who received the disciplinary action.
44 (cf: P.L.2010, c.122, s.8)

45
46 3. This act shall take effect immediately and shall first apply to
47 the first full school year following the date of enactment.