

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

**STATE OF NEW JERSEY
219th LEGISLATURE**

ADOPTED OCTOBER 22, 2020

Sponsored by:

Assemblyman ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

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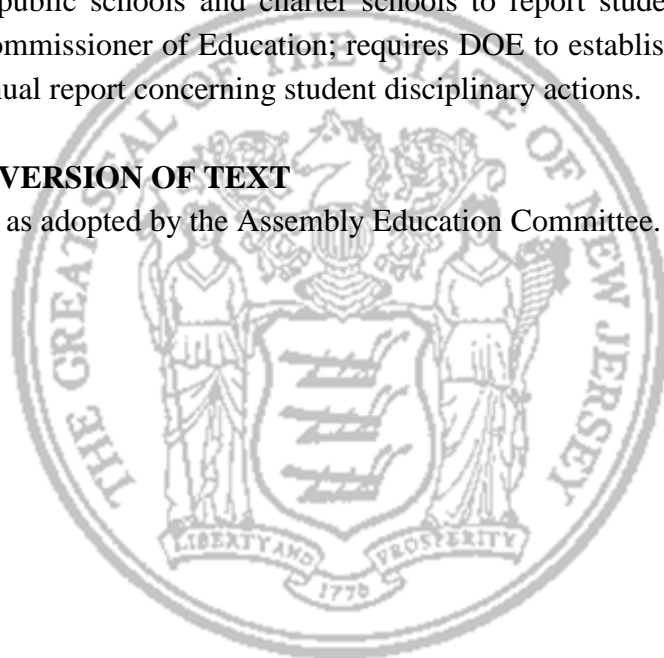
Assemblywomen Lampitt, Murphy, Jasey, Vainieri Huttie and Timberlake

SYNOPSIS

Requires public schools and charter schools to report student disciplinary actions to Commissioner of Education; requires DOE to establish database and complete annual report concerning student disciplinary actions.

CURRENT VERSION OF TEXT

Substitute as adopted by the Assembly Education Committee.



(Sponsorship Updated As Of: 11/16/2020)

1 **AN ACT** concerning student disciplinary actions and supplementing
2 chapter 37 of Title 18A of the New Jersey Statutes.

3

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

6

7 1. a. (1) A school district or charter school shall submit to
8 the Commissioner of Education a biannual report concerning every
9 student disciplinary action taken within each school operated by the
10 school district or within the charter school. In addition to any other
11 information required by the commissioner, the report shall include
12 for each school:

13 (a) a breakdown of the total student population numbers and the
14 number of students disaggregated, to the extent practicable, by race,
15 ethnicity, gender, eligibility for free or reduced price meals,
16 eligibility for special education services, and grade level;

17 (b) the total number of expulsions, and the number and
18 percentage of students who received an expulsion disaggregated, to
19 the extent practicable, by race, ethnicity, gender, eligibility for free
20 or reduced price meals, eligibility for special education services,
21 and grade level;

22 (c) the total number of in-school suspensions, and the number
23 and percentage of students who received an in-school suspension
24 disaggregated, to the extent practicable, by race, ethnicity, gender,
25 eligibility for free or reduced price meals, eligibility for special
26 education services, and grade level;

27 (d) the total number of out-of-school suspensions, and the
28 number and percentage of students who received an out-of-school
29 suspension disaggregated, to the extent practicable, by race,
30 ethnicity, gender, eligibility for free or reduced price meals,
31 eligibility for special education services, and grade level;

32 (e) the duration of the disciplinary actions imposed on the
33 students as set forth in subparagraphs (c) and (d) of this paragraph
34 and the number of prior disciplinary actions taken concerning a
35 student during the biannual reporting period.

36 (2) The commissioner shall provide each school district and
37 charter school access to a uniform data reporting system for the
38 filing of data and submission of its biannual report required under
39 paragraph (1) of this subsection. The uniform data reporting system
40 shall ensure that the biannual report does not include the personally-
41 identifiable information of any student, or require reporting by a
42 school district or charter school that would result in a breach of
43 student confidentiality, student records, or data privacy
44 requirements under any State or federal laws, rules, or regulations.

45 (3) The Superintendent of a school district or charter school
46 leader shall present the results of the biannual report to the local
47 board of education or board of trustees of the charter school at a

1 public hearing pursuant to section 1 of P.L.1982, c.163 (C.18A:17-
2 46).

3 b. The commissioner shall compile each biannual report
4 received pursuant to subsection a. of this section into a Statewide
5 annual student disciplinary action database. The database shall be
6 posted on the Internet website of the Department of Education. At a
7 minimum, the database shall aggregate State, county, and
8 districtwide totals for each category of student disciplinary action
9 data submitted pursuant to paragraph (1) of subsection a. of this
10 section.

11 c. Based on the information received pursuant to subsection a.
12 of this section, the commissioner shall submit an annual report to
13 the Governor, and to the Legislature pursuant to section 2 of
14 P.L.1991, c.164 (C.52:14-19.1), concerning the student disciplinary
15 practices of school districts and charter schools throughout the
16 State. The annual report shall be published on the Internet website
17 of the department. In addition to any other information that the
18 commissioner may deem appropriate, the annual report shall
19 include:

20 (1) an analysis of any disparities in student disciplinary actions
21 that may exist throughout the State, including those disparities
22 associated with a student's race, ethnicity, gender, eligibility for
23 free or reduced priced meals, or eligibility for special education
24 services;

25 (2) an analysis of any disparities in student disciplinary actions
26 that may exist between the various geographic areas of the State;
27 and

28 (3) a list of research-based practices and recommendations that
29 school districts and charter schools may adopt to address disparities
30 in student disciplinary actions.

31 d. As used in this section, "disciplinary action" means any
32 instance where a student is either permanently or temporarily
33 removed from the student's regular educational placement for
34 disciplinary purposes for a period of time greater than half an
35 instructional day by a school district or charter school.
36

37 2. The State Board of Education shall promulgate regulations,
38 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
39 (C.52:14B-1 et seq.), to effectuate the provisions of this act. The
40 regulations shall, at a minimum, establish uniform standards for the
41 submission of student disciplinary action data by school districts.
42

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