

ASSEMBLY, No. 3976

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED JUNE 20, 2016

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman SEAN T. KEAN

District 30 (Monmouth and Ocean)

Co-Sponsored by:

Assemblyman Rible

SYNOPSIS

Requires Attorney General to provide assistance to public schools in legal proceedings related to reduction in federal aid in certain cases if school is compliant with NJ Law Against Discrimination.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/16/2016)

1 AN ACT requiring the Attorney General to provide assistance to
2 certain public schools and supplementing chapter 59 of Title 18A
3 of the New Jersey Statutes.

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

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8 1. The Legislature finds and declares that:

9 a. New Jersey has a history of providing broad civil rights
10 protections, including protections for transgender individuals.

11 b. The “Law Against Discrimination,” P.L.1945, c.169 (C.10:5-
12 1 et seq.), was amended in 2006 to specifically provide that “gender
13 identity or expression” is a protected class against discrimination in
14 this State.

15 c. Public schools in New Jersey also have an important
16 responsibility to create and sustain an environment that protects the
17 privacy rights of all students.

18 d. This act will further this State’s public policy of protecting
19 students against discrimination, while also recognizing and
20 protecting the privacy rights of all students.

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22 2. The Attorney General shall provide assistance to any school
23 district or charter school in a legal proceeding directly related to an
24 action by the federal government to reduce or eliminate federal aid
25 to the school district or charter school in response to alleged
26 noncompliance with the significant guidance in the Dear Colleague
27 Letter on Transgender Students issued by the United States
28 Department of Justice and the United States Department of
29 Education on May 13, 2016. The assistance provided by the
30 Attorney General may be legal or financial, or any other type of
31 assistance deemed appropriate by the Attorney General. The
32 assistance shall only be provided if the Attorney General finds that
33 the policy of the school district or charter school on the treatment of
34 transgender students:

35 a. comports with the “Law Against Discrimination,” P.L.1945,
36 c.169 (C.10:5-1 et seq.); and

37 b. includes a reasonable means of determining that a student is
38 transgender, such as evidence of medical treatment or evidence that
39 the student is not attempting to access a sex-segregated facility of
40 the school district or charter school for the purpose of violating the
41 privacy rights of any other student.

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43 3. This act shall take effect immediately.

STATEMENT

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This bill requires the Attorney General to provide assistance to any school district or charter school in a legal proceeding directly related to an action by the federal government to reduce or eliminate its federal aid under certain circumstances. Under the bill, the assistance may be legal or financial, or any other type of assistance deemed appropriate by the Attorney General. In order to provide the assistance, the Attorney General must first find that the policy of the school district or charter school on the treatment of transgender students:

- comports with New Jersey’s “Law Against Discrimination,” P.L.1945, c.169 (C.10:5-1 et seq.); and
- includes a reasonable means of determining that a student is transgender, such as evidence of medical treatment or evidence that the student is not attempting to access a sex-segregated facility of the school district or charter school for the purpose of violating the privacy rights of any other student.