

ASSEMBLY, No. 5324

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MAY 13, 2019

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Co-Sponsored by:

**Assemblywoman Vainieri Huttle, Assemblyman Karabinchak and
Assemblywoman McKnight**

SYNOPSIS

Clarifies that child may not be excluded from public school based on membership in protected category under “Law Against Discrimination” or immigration status.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/13/2019)

1 AN ACT concerning exclusion from public school and amending
2 NJ.S.18A:38-5.1.

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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. N.J.S.18A:38-5.1 is amended to read as follows:

8 18A:38-5.1. No child between the ages of four and 20 years
9 shall be excluded from any public school on account of his race,
10 creed, color, national origin, **[or]** ancestry, or other protected
11 category under subsection f. of section 11 of P.L.1945, c.169
12 (C.10:5-12), or immigration status. A member of any board of
13 education who shall vote to exclude from any public school any
14 child, on account of his race, creed, color, national origin, **[or]**
15 ancestry, or other protected category under subsection f. of section
16 11 of P.L.1945, c.169 (C.10:5-12), or immigration status shall be
17 guilty of a **[**misdemeanor, and punished by a fine of not less than
18 \$50.00 nor more than \$250.00, or by imprisonment in the county
19 jail, workhouse or penitentiary of the county in which the offense
20 has been committed, for not less than 30 days nor more than six
21 months, or by both such fine and imprisonment in the discretion of
22 the court**]** disorderly persons offense.

23 (cf: N.J.S.18A:38-5.1)

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25 2. This act shall take effect immediately.

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STATEMENT

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30 This bill amends a current section of law, N.J.S.18A:38-5.1, to
31 clarify that a school district may not exclude a child from school
32 based on any characteristic that is a protected category under the
33 “Law Against Discrimination,” P.L.1945, c.169 (C.10:5-1 et seq.),
34 or on the child’s immigration status. The bill also updates the
35 existing penalty that may be imposed upon a member of a board of
36 education if a child is excluded from public school on any of these
37 bases.

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.