

ASSEMBLY, No. 4414

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JULY 20, 2020

Sponsored by:

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

Co-Sponsored by:

Assemblywoman Murphy

SYNOPSIS

Requires public schools to report all student disciplinary actions; requires DOE to establish database and compile annual report concerning disparities in student disciplinary actions.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/19/2020)

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 monthly 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 (a) the total number of expulsions, and the number and
13 percentage of students who received an expulsion disaggregated, to
14 the extent practicable, by race, ethnicity, gender, LGBTQ status,
15 eligibility for free or reduced price meals, eligibility for special
16 education services, and grade level;

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

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

28 (d) the total number of detentions, and the number and
29 percentage of students who received a detention disaggregated, to
30 the extent practicable, by race, ethnicity, gender, LGBTQ status,
31 eligibility for free or reduced price meals, eligibility for special
32 education services, and grade level; and

33 (e) the category of infraction that resulted in the imposition of
34 each disciplinary action, the nature and duration of the disciplinary
35 action imposed on the student as a result of the infraction, and the
36 number of prior disciplinary actions taken against the student.

37 (2) The commissioner shall provide each school district and
38 charter school with a uniform document upon which each monthly
39 report required under this subsection shall be submitted. The
40 uniform document shall ensure that the monthly report does not
41 include the personally-identifiable information of any student.

42 (3) Upon written request of the parent, guardian, or other person
43 having legal custody of a student who attends a school district or
44 charter school, the school district or charter school shall provide a
45 copy of the monthly report.

46 b. The commissioner shall compile each monthly report
47 received pursuant to subsection a. of this section into a Statewide

1 student disciplinary action database. The database shall be posted
2 on the Internet website of the department. At a minimum, the
3 database shall aggregate State, county, and districtwide totals for
4 each category of student disciplinary action data submitted pursuant
5 to subsection a. of this section.

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

15 (1) an analysis of any disparities in student disciplinary actions
16 that may exist throughout the State, including those disparities
17 associated with a student's race, ethnicity, gender, LGBTQ status,
18 eligibility for free or reduced priced meals, or eligibility for special
19 education services;

20 (2) an analysis of any disparities in student disciplinary actions
21 that may exist between the various geographic areas of the State;
22 and

23 (3) a list of recommendations that school districts and charter
24 schools may adopt to address disparities in student disciplinary
25 actions.

26 d. The State Board of Education shall promulgate regulations,
27 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
28 (C.52:14B-1 et seq.), to effectuate the provisions of this section.
29 The regulations shall, at a minimum, establish uniform standards for
30 the submission of student disciplinary action data by school
31 districts, including but not limited to, the categories of infractions
32 that shall be reported under subparagraph (e) of paragraph (1) of
33 subsection a. of this section.

34
35 2. This act shall take effect immediately and shall first apply to
36 the first full school year following the date of enactment.
37

38 39 STATEMENT 40

41 This bill requires each school district and charter school to
42 provide monthly reports to the Commissioner of Education
43 concerning every student disciplinary action taken at the school.
44 The bill also requires the Department of Education to create a
45 Statewide database and complete an annual report to analyze any
46 disparities in student disciplinary practices that may exist
47 throughout the State.

1 Under the bill, the monthly report submitted by a school district
2 or charter school would be required, at a minimum, to include: (1)
3 the number of expulsions, in-school suspensions, out-of-school
4 suspensions, and detentions, respectively, and the number and
5 percentage of students who received each form of punishment
6 disaggregated, to the extent practicable, by race, ethnicity, gender,
7 LGBTQ status, eligibility for free or reduced price meals, eligibility
8 for special education services, and grade level; and (2) the category
9 of infraction that resulted in the imposition of each disciplinary
10 action, the nature and duration of the disciplinary action imposed on
11 the student as a result of the infraction, and the number of prior
12 disciplinary actions taken against the student.

13 The bill requires the commissioner to provide a uniform
14 document to each school district and charter school upon which the
15 monthly report would be submitted. The parent, guardian, or other
16 person having legal custody of a student who attends a school
17 district or charter may also obtain a copy of the monthly report by
18 submitting a written request to the school.

19 The bill also requires the department to compile the monthly
20 reports of each school district and charter school into a Statewide
21 student disciplinary action database to be posted on the
22 department's website. At a minimum, the database would be
23 required to aggregate State, county, and district-wide totals for each
24 category of student disciplinary action data included in the monthly
25 report.

26 Additionally, the bill requires the commissioner to compile, and
27 post on the department's website, an annual report concerning the
28 student disciplinary practices of school districts and charter schools
29 throughout the State. In addition to any other information that the
30 commissioner may deem appropriate, the bill requires the annual
31 report to include: (1) an analysis of any disparities in student
32 disciplinary actions that may exist throughout the State, including
33 those disparities associated with a student's race, ethnicity, gender,
34 LGBTQ status, eligibility for free or reduced priced meals, or
35 eligibility for special education services; (2) an analysis of any
36 disparities in student disciplinary actions that may exist between the
37 various geographic areas of the State; and (3) a list of
38 recommendations that school districts and charter schools may
39 adopt to address disparities in student disciplinary actions.