ASSEMBLY, No. 4959

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED NOVEMBER 12, 2020

Sponsored by:
Assemblywoman LISA SWAIN
District 38 (Bergen and Passaic)
Assemblyman P. CHRISTOPHER TULLY
District 38 (Bergen and Passaic)
Assemblywoman VALERIE VAINIERI HUTTLE
District 37 (Bergen)

SYNOPSIS

Requires certain students to complete annual school climate survey on bullying and harassment.

CURRENT VERSION OF TEXT

As introduced.

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

AN ACT concerning school climate surveys and supplementing chapter 37 of Title 18A of the New Jersey Statutes.

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

1. a. A board of education shall ensure that all students in grades three through 12 annually complete a school climate survey to assess the bullying and harassment conditions in the school. The survey shall be proctored and conducted electronically via a computer utilizing a survey selected by the Commissioner of Education, and shall be administered in a manner consistent with the provisions of P.L.2001, c.364 (C.18A:36-34). The commissioner shall select one electronic survey to be administered by all school districts. The survey shall be conducted in a manner that accommodates English language learners and students with developmental disabilities, intellectual disabilities, or low reading proficiency, and that ensures the privacy of the student during the survey process and the confidentiality of the results consistent with State and federal laws applicable to the confidentiality of student records.

b. As determined by the Department of Education, boards of education shall forward data collected from surveys administered pursuant to this section to the department, provided that any data forwarded shall be aggregated and shall not contain any identifying information with regard to any individual. Data collected by the department pursuant to this subsection shall be used by the department to identify trends concerning bullying and harassment and to investigate schools that show a negative environment for students. The department shall annually publish on its website findings and recommendations that are based on collected data and investigations as to additional resources that may be necessary to address bullying and harassment in the State.

c. Prior to administering a survey on school climate pursuant to this section, a school district shall provide a copy of the survey to each student’s parent or guardian and shall obtain written consent from the student’s parent or guardian for the student’s participation in the survey.

d. In the event that a completed survey includes a report of harassment, intimidation, or bullying with student names, the school district shall perform its responsibilities under P.L.2002, c.83 (C.18A:37-13 et seq.).

2. The State Board of Education shall promulgate regulations pursuant to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), necessary to effectuate the provisions of this act.

3. This act shall take effect in the first full school year following the date of enactment.

STATEMENT

This bill requires a board of education to ensure that all students in grades three through 12 annually complete a school climate survey to assess the bullying and harassment conditions in schools. The survey will be proctored and conducted electronically via a computer and will utilize a survey selected by the Commissioner of Education. The commissioner will select one electronic survey to be administered by all school districts. The survey will be conducted in a manner that accommodates English language learners and students with developmental disabilities, intellectual disabilities, or low reading proficiency, and that ensures the privacy of the student during the survey process and the confidentiality of the results consistent with State and federal laws applicable to the confidentiality of student records.

As determined by the Department of Education, boards of education will forward data collected from the surveys to the department, provided that any data forwarded will be aggregated and will not contain any identifying information with regard to any individual. Data collected by the department will be used by the department to identify trends concerning bullying and harassment and to investigate schools that show a negative environment for students. The department will annually publish on its website findings and recommendations that are based on collected data and investigations as to additional resources that may be necessary to address bullying and harassment in the State.

Prior to administering a survey on school climate, a school district must provide a copy of the survey to each parent or guardian and obtain written consent from the student’s parent or guardian for the student’s participation in the survey.

Finally, the bill provides that in the event that a completed survey includes a report of harassment, intimidation, or bullying with student names, the school district must perform its responsibilities under the State’s school bullying law.