

P.L. 2021, CHAPTER 387, *approved January 18, 2022*
Senate, No. 1020 (*Third Reprint*)

1 **AN ACT** concerning student ¹**【discipline and supplementing chapter**
2 37 of Title 18A of the New Jersey Statutes**】** disciplinary actions
3 and amending P.L.1995, c.235 and P.L.1982, c.163¹.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 ¹**【**1. a. Each school district and charter school shall submit to
9 the Commissioner of Education a monthly discipline report for each
10 school in the district or charter school. The discipline report shall
11 include:

12 (1) the total number of student expulsions, and the number and
13 percentage of students expelled disaggregated by race, ethnicity,
14 gender, and eligibility for free or reduced price lunch under the
15 National School Lunch Program;

16 (2) the total number of in-school suspensions, and the number
17 and percentage of students who received an in-school suspension
18 disaggregated by race, ethnicity, gender, and eligibility for free or
19 reduced price lunch under the National School Lunch Program; and

20 (3) the total number of out-of-school suspensions, and the
21 number and percentage of students who received an out-of-school
22 suspension disaggregated by race, ethnicity, gender, and eligibility
23 for free or reduced price lunch under the National School Lunch
24 Program.

25 b. Each school district and charter school shall publish on its
26 website an annual discipline report for each school in the district or
27 charter school. The report shall include aggregate data based on
28 reports submitted to the commissioner pursuant to subsection a. of
29 this section.

30 The school district or charter school shall ensure in publishing its
31 report that it is in compliance with all federal and State laws, rules,
32 and regulations pertaining to the privacy of student education
33 records.**】**¹
34

35 ¹1. Section 3 of P.L.1995, c.235 (C.18A:7E-3) is amended to
36 read as follows:

37 3. Report cards issued pursuant to section 2 of this act shall
38 include, but not be limited to, the following information for:

39 a. the school district and for each school within the district, as
40 appropriate:

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SED committee amendments adopted December 7, 2020.

²Senate floor amendments adopted January 28, 2021.

³Assembly AAP committee amendments adopted November 15, 2021.

- 1 (1) results of the elementary assessment programs;
- 2 (2) results of the Early Warning Test;
- 3 (3) results of the High School Proficiency Test;
- 4 (4) daily attendance records for students and professional staff;
- 5 (5) student graduation and dropout rates;
- 6 (6) annual student scores on the Scholastic Aptitude Test;
- 7 (7) total student enrollment, percentage of limited English
- 8 proficient students, percentage of students in advanced placement
- 9 courses, and any other school characteristics which the
- 10 commissioner deems appropriate;
- 11 (8) instructional resources including teacher/student ratio,
- 12 average class size and amount of instructional time per day, as
- 13 calculated by formulas specified by the commissioner;
- 14 (9) a written narrative by the school principal or a designee
- 15 which describes any special achievements, events, problems or
- 16 initiatives of the school or district;
- 17 (10) data identifying the number and nature of all reports of
- 18 harassment, intimidation, or bullying;
- 19 (11) indicators of student career readiness;
- 20 (12) the number and percentage of students who were
- 21 chronically absent, as defined in rules and regulations promulgated
- 22 by the Commissioner of Education within 90 days of the effective
- 23 date of P.L.2018, c.23 (C.18A:38-25.1 et al.), including the number
- 24 and percentage of students who were chronically absent
- 25 disaggregated by multiple student subgroups to be determined by
- 26 the commissioner; and
- 27 (13) the number **【and】** , percentage , and demographics,
- 28 including race, gender, disability, grade level, and eligibility for
- 29 free or reduced price lunch under the National School Lunch
- 30 Program, of students who received **【a disciplinary suspension】** one
- 31 or more suspensions or expulsions ³**【²**, who were subjected to the
- 32 use of physical restraint or seclusion techniques. ²**】³** or who were
- 33 reported to or arrested by law enforcement, by category of offense,
- 34 pursuant to the provisions of the Uniform State Memorandum of
- 35 Agreement Between Education and Law Enforcement Officials; and
- 36 b. the school district, as appropriate:
 - 37 (1) per pupil expenditures and State aid ratio;
 - 38 (2) percent of budget allocated for salaries and benefits of
 - 39 administrative personnel;
 - 40 (3) percent of budget allocated for salaries and benefits of
 - 41 teachers;
 - 42 (4) percentage increase over the previous year for salaries and
 - 43 benefits of administrative and instructional personnel;
 - 44 (5) the number of administrative personnel and the ratio of
 - 45 administrative personnel to instructional personnel;
 - 46 (6) a profile of the most recent graduating class concerning
 - 47 their educational or employment plans following graduation; and

1 (7) any other information which the commissioner deems
2 appropriate.

3 For the purposes of this section, the Commissioner of Education
4 shall establish a uniform methodology for the reporting of the data
5 concerning administrative personnel on a full-time equivalent
6 basis.¹
7 (cf: P.L.2018, c.23, s.1)
8

9 ¹2. Section 3 of P.L.1982, c.163 (C.18A:17-48) is amended to
10 read as follows:

11 3. a. The Commissioner of Education shall each year submit a
12 report to the Education Committees of the Senate and General
13 Assembly detailing the extent of violence, vandalism, and
14 harassment, intimidation, or bullying in the public schools and
15 【making recommendations to alleviate the problem】 documenting
16 steps taken to verify and validate school district reporting. The
17 report shall be made available annually to the public no later than
18 October 1, and shall be posted on the department's website.

19 b. The Commissioner of Education shall each year compile the
20 information reported by each school district to the Department of
21 Education pursuant to section 1 of P.L.1982, c.163 (C.18A:17-46)
22 into a Statewide database. The database shall be posted on the
23 department's Internet website. At a minimum, the database shall
24 provide school level totals for each category of student disciplinary
25 actions, including in-school suspensions, out-of-school suspensions,
26 expulsions, ²use of physical restraint or seclusion techniques,²
27 referrals to law enforcement, and arrests, as well as demographic
28 information of the students who received the disciplinary action.¹
29 (cf: P.L.2010, c.122, s.8)
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31 ¹**【2.】 3.**¹ This act shall take effect immediately and shall first
32 apply to the first full school year following the date of enactment.
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37 Requires School Report Card to include demographic breakdown
38 of students who receive disciplinary actions; requires Commissioner
39 of Education to establish Statewide database concerning certain
40 disciplinary actions.