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P.L. 2002, CHAPTER 63, *approved August 6, 2002*
Senate, No. 256 (*First Reprint*)

1 AN ACT concerning the transfer of student records and amending
2 P.L.1986, c.160 and P.L.1995, c.395.

3

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

6

7 1. Section 1 of P.L.1986, c.160 (C.18A:36-19a) is amended to
8 read as follows:

9 1. The chief school administrator or the administrator's designee of
10 any local school district that enrolls a new student shall request, in
11 writing, the student's records from the school district of last
12 attendance within two weeks from the date that the student enrolls in
13 the new school district. The school district of last attendance shall
14 provide to the receiving district all information in the student's record
15 related to disciplinary actions taken against the student by the district
16 ¹[, as well as information in the student's record received] and notify
17 the receiving district if it has obtained any information¹ pursuant to
18 section 1 of P.L.1982, c.79 (C.2A:4A-60) ¹[, and written]. Written¹
19 consent of the parent or adult student shall not be required as a
20 condition of transfer of this information ¹; however, written notice of
21 the transfer shall be provided to the parent or adult student¹.
22 Additionally, the school district shall obtain proper identification of
23 any new student such as a certified copy of the student's certificate of
24 birth.

25 (cf: P.L.1986, c.160, s.1)

26

27 2. Section 4 of P.L.1995, c.395 (C.18A:36-25.1) is amended to
28 read as follows:

29 4. a. When a child is enrolled in a school district for the first time,
30 the superintendent shall require the child's parent or legal guardian to
31 provide a certified copy of the child's birth certificate or other proof
32 of the child's identity, within 30 days of enrollment. If the child's
33 parent or legal guardian refuses to comply with the requirement in this
34 section, the superintendent shall notify the parent or guardian, in
35 writing, that the matter will be referred to a law enforcement agency
36 if the proof of identity is not provided within 10 days of the notice.

37 b. When a child transfers from one school district to another, the
38 receiving school district shall obtain the child's school record from the
39 district from which the child has transferred, within 14 days of
40 enrollment. The school district of last attendance shall provide to the

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SED committee amendments adopted February 25, 2002.

1 receiving district all information in the child's record related to
2 disciplinary actions taken against the child by the district¹ [, as well as
3 information in the child's record received] and notify the receiving
4 district if it has obtained any information¹ pursuant to section 1 of
5 P.L.1982, c.79 (C.2A:4A-60)¹ [, and written]. Written¹ consent of
6 the parent or adult pupil shall not be required as a condition of transfer
7 of this information¹; however, written notice of the transfer shall be
8 provided to the parent or adult pupil¹. If the record has been marked
9 pursuant to section 2 of P.L.1995, c.395 (C.52:17B-9.8b), the
10 transferring school district shall forward the record to the receiving
11 school district and immediately notify the Missing Persons Unit in the
12 Department of Law and Public Safety established pursuant to section
13 2 of P.L.1983, c.467 (C.52:17B-9.7).
14 (cf: P.L.1995, c.395, s.4)

15

16 3. This act shall take effect immediately.

17

18

19

20

21 Requires that student's disciplinary records be transferred to receiving
22 district when student transfers districts.

SENATE, No. 256

STATE OF NEW JERSEY 210th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2002 SESSION

Sponsored by:

Senator ANTHONY R. BUCCO

District 25 (Morris)

Senator JOSEPH A. PALAIA

District 11 (Monmouth)

Co-Sponsored by:

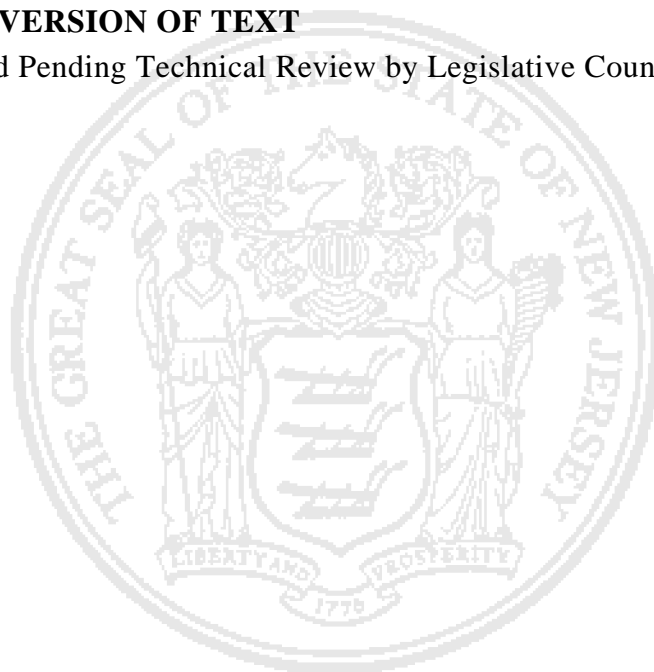
Senators Gormley, Cafiero, Matheussen and Allen

SYNOPSIS

Requires that student's disciplinary records be transferred to receiving district when student transfers districts.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



S256 BUCCO, PALAIA

2

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12 attendance within two weeks from the date that the student enrolls in
13 the new school district. The school district of last attendance shall
14 provide to the receiving district all information in the student's record
15 related to disciplinary actions taken against the student by the district,
16 as well as information in the student's record received pursuant to
17 section 1 of P.L.1982, c.79 (C.2A:4A-60), and written consent of the
18 parent or adult student shall not be required as a condition of transfer
19 of this information. Additionally, the school district shall obtain proper
20 identification of any new student such as a certified copy of the
21 student's certificate of birth.

22 (cf: P.L.1986, c.160, s.1)

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25 read as follows:

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27 the superintendent shall require the child's parent or legal guardian to
28 provide a certified copy of the child's birth certificate or other proof
29 of the child's identity, within 30 days of enrollment. If the child's
30 parent or legal guardian refuses to comply with the requirement in this
31 section, the superintendent shall notify the parent or guardian, in
32 writing, that the matter will be referred to a law enforcement agency
33 if the proof of identity is not provided within 10 days of the notice.

34 b. When a child transfers from one school district to another, the
35 receiving school district shall obtain the child's school record from the
36 district from which the child has transferred, within 14 days of
37 enrollment. The school district of last attendance shall provide to the
38 receiving district all information in the child's record related to
39 disciplinary actions taken against the child by the district, as well as
40 information in the child's record received pursuant to section 1 of
41 P.L.1982, c.79 (C.2A:4A-60), and written consent of the parent or
42 adult pupil shall not be required as a condition of transfer of this
43 information. If the record has been marked pursuant to section 2 of

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 P.L.1995, c.395 (C.52:17B-9.8b), the transferring school district shall
2 forward the record to the receiving school district and immediately
3 notify the Missing Persons Unit in the Department of Law and Public
4 Safety established pursuant to section 2 of P.L.1983, c.467
5 (C.52:17B-9.7).

6 (cf: P.L.1995, c.395, s.4)

7

8 3. This act shall take effect immediately.

9

10

11

STATEMENT

12

13 This bill amends various parts of the statutory law to require that
14 when a student transfers school districts, the district of last attendance
15 shall provide to the receiving district all information in the student's
16 record concerning disciplinary actions taken against the student by the
17 district, as well as information in the record concerning juvenile
18 offenses received pursuant to section 1 of P.L.1982, c.79. P.L.1982,
19 c.79 provides that the principal of a school where a juvenile offender
20 is enrolled may be provided with certain information pertaining to the
21 juvenile, such as the offense with which the juvenile has been charged.
22 This law also provides that such information may be maintained in
23 records by the school if authorized through Department of Education
24 regulations.

25 In addition, this bill specifies that written consent of the parent or
26 adult student is not required as a condition of transfer of this
27 information. This would override current departmental regulation
28 which requires written parental consent.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 256

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 25, 2002

The Senate Education Committee reports favorably Senate Bill No. 256 with committee amendments.

As amended, this bill requires that when a student transfers from one school district to another school district, the district of last attendance must provide to the receiving district all information in the student's record concerning disciplinary actions taken against the student by the district and notify the receiving district if it has obtained any information concerning juvenile offenses received pursuant to section 1 of P.L.1982, c.79. P.L.1982, c.79 specifies that the principal of a school where a juvenile offender is enrolled may be provided with certain information pertaining to the juvenile, such as the offense with which the juvenile has been charged. This law also provides that the information may be maintained in records by the school if authorized through Department of Education regulations.

In addition, the bill specifies that while written consent of the parent or adult student is not required as a condition of transfer of the information, written notice of the transfer shall be provided to the parent or adult student.

The committee amended the bill to provide that notice of any information received by the school district of last attendance concerning juvenile offenses, rather than the information itself, would be provided to the receiving district. In addition, the parent or adult student would receive written notice of the transfer.

This bill was pre-filed for introduction in the 2002 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 256

STATE OF NEW JERSEY

DATED: MAY 23, 2002

The Assembly Education Committee favorably reports Senate Bill No. 256 (1R).

This bill requires that when a student transfers from one school district to another school district, the district of last attendance must provide to the receiving district all information in the student's record concerning disciplinary actions taken against the student by the district and notify the receiving district if it has obtained any information concerning juvenile offenses received pursuant to section 1 of P.L.1982, c.79. P.L.1982, c.79 specifies that the principal of a school where a juvenile offender is enrolled may be provided with certain information pertaining to the juvenile, such as the offense with which the juvenile has been charged. This law also provides that the information may be maintained in records by the school if authorized through Department of Education regulations.

In addition, the bill specifies that while written consent of the parent or adult student is not required as a condition of transfer of the information, written notice of the transfer shall be provided to the parent or adult student. Currently, under State Board of Education regulations, the written consent of the parent or adult student is required in order to forward such information.

ASSEMBLY, No. 1146

STATE OF NEW JERSEY 210th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2002 SESSION

Sponsored by:

Assemblyman DAVID W. WOLFE

District 10 (Monmouth and Ocean)

Assemblyman JOSEPH R. MALONE, III

District 30 (Burlington, Mercer, Monmouth and Ocean)

SYNOPSIS

Requires that student's disciplinary records be transferred to receiving district when student transfers districts.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



A1146 WOLFE, MALONE

2

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14 provide to the receiving district all information in the student's record
15 related to disciplinary actions taken against the student by the district,
16 as well as information in the student's record received pursuant to
17 section 1 of P.L.1982, c.79 (C.2A:4A-60), and written consent of the
18 parent or adult student shall not be required as a condition of transfer
19 of this information. Additionally, the school district shall obtain proper
20 identification of any new student such as a certified copy of the
21 student's certificate of birth.

22 (cf: P.L.1986, c.160, s.1)

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29 of the child's identity, within 30 days of enrollment. If the child's
30 parent or legal guardian refuses to comply with the requirement in this
31 section, the superintendent shall notify the parent or guardian, in
32 writing, that the matter will be referred to a law enforcement agency
33 if the proof of identity is not provided within 10 days of the notice.

34 b. When a child transfers from one school district to another, the
35 receiving school district shall obtain the child's school record from the
36 district from which the child has transferred, within 14 days of
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Matter underlined thus is new matter.

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2 forward the record to the receiving school district and immediately
3 notify the Missing Persons Unit in the Department of Law and Public
4 Safety established pursuant to section 2 of P.L.1983, c.467
5 (C.52:17B-9.7).
6 (cf: P.L.1995, c.395, s.4)

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STATEMENT

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13 This bill amends various parts of the statutory law to require that
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24 regulations.

25 In addition, this bill specifies that written consent of the parent or
26 adult student is not required as a condition of transfer of this
27 information. This would override current departmental regulation
28 which requires written parental consent.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1146

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 28, 2002

The Assembly Education Committee favorably reports Assembly Bill No. 1146 with committee amendments.

This bill amends various parts of the statutory law to require that when a student transfers school districts, the district of last attendance is to provide to the receiving district all information in the student's record concerning disciplinary actions taken against the student by the district. In addition, the district of last attendance is to notify the receiving district if it has obtained any information concerning juvenile offenses pursuant to section 1 of P.L.1982, c.79. P.L.1982, c.79 provides that the principal of a school where a juvenile offender is enrolled may be provided with certain information pertaining to the juvenile, such as the offense with which the juvenile has been charged. This law also provides that such information may be maintained in records by the school if authorized through Department of Education regulations.

In addition, this bill specifies that written consent of the parent or adult student is not required as a condition for the transfer of this information; however, written notice of the transfer is to be provided to the parent or adult student. Currently, under State Board of Education regulations, the written consent of the parent or adult student is required in order to forward such information.

The committee amended the bill to require the district of last attendance to notify the receiving district if it has obtained any information concerning juvenile offenses pursuant to section 1 of P.L.1982, c.79, instead of requiring the district of last attendance to send that information to the receiving district. In addition, the district of last attendance is required to provide a written notice of the transfer of records to the parent or adult student.

This bill was pre-filed pending technical review. As reported, the bill includes the changes required by technical review which has been performed.