

18A:6-7

**LEGISLATIVE HISTORY CHECKLIST**  
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(School employees--personnel files--  
removal of child abuse charges)

**NJSA:** 18A:6-7

**LAWS OF:** 1995 **CHAPTER:** 34

**BILL NO:** A510

**SPONSOR(S):** Murphy

**DATE INTRODUCED:** Pre-filed

**COMMITTEE:** **ASSEMBLY:** Education  
**SENATE:** Education

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:** **ASSEMBLY:** May 9, 1994  
**SENATE:** January 19, 1995

**DATE OF APPROVAL:** March 1, 1995

**FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:**

**SPONSOR STATEMENT:** Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** Yes  
**SENATE:** Yes

**FISCAL NOTE:** No

**VETO MESSAGE:** No

**MESSAGE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

**REPORTS:** No

**HEARINGS:** No

KBG:pp

ASSEMBLY, No. 510  
STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel  
PRE-FILED FOR INTRODUCTION IN THE 1994 SESSION

By Assemblywoman MURPHY

1 AN ACT concerning the retention of certain records by school  
2 districts and supplementing chapter 6 of Title 18A of the New  
3 Jersey Statutes.

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

7 1. When a complaint made against a school employee alleging  
8 child abuse or neglect is investigated by the Division of Youth  
9 and Family Services, the division shall notify the school district  
10 and the employee of its findings. Upon receipt of a finding by the  
11 division that such a complaint is unfounded, the school district  
12 shall remove any references to the complaint and investigation by  
13 the division from the employee's personnel records. A complaint  
14 made against a school employee that has been classified as  
15 unfounded by the Division of Youth and Family Services shall not  
16 be used against the employee for any purpose relating to  
17 employment, including but not limited to, discipline, salary,  
18 promotion, transfer, demotion, retention or continuance of  
19 employment, termination of employment or any right or privilege  
20 relating to employment.

21 2. Within one year of the enactment of this act, school  
22 districts shall review employee personnel files and remove all  
23 references to complaints and investigations by the Division of  
24 Youth and Family Services of child abuse and neglect that have  
25 been classified by the division as unfounded or unsubstantiated  
26 without concerns.

27 3. This act shall take effect immediately.

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STATEMENT

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32 This bill provides that when a complaint made against a school  
33 employee alleging child abuse or neglect is investigated by the  
34 Division of Youth and Family Services, the division shall notify  
35 the school district and the employee of its findings. If the  
36 division's finding is that the complaint is unfounded, the school  
37 district must remove any references to the complaint and  
38 investigation from the employee's personnel records and the  
39 complaint may not be used against the employee for any purpose  
40 relating to employment. The bill requires school districts to  
41 review employee personnel files within one year of the bill's  
42 enactment and remove all references to complaints and  
43 investigations by the Division of Youth and Family Services of  
44 child abuse and neglect that have been classified by the division  
45 as unfounded or unsubstantiated without concerns.

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3 Requires the removal from personnel files of school employees of  
4 any reference to unfounded complaints of child abuse and neglect.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 510

STATE OF NEW JERSEY

DATED: MARCH 21, 1994

The Assembly Education Committee favorably reports Assembly Bill No. 510.

This bill provides that when a complaint made against a school employee alleging child abuse or neglect is investigated by the Division of Youth and Family Services, the division shall notify the school district and the employee of its findings. If the division's finding is that the complaint is unfounded, the school district must remove any references to the complaint and the investigation from the employee's personnel records and the complaint may not be used against the employee for any purpose relating to employment.

The bill also requires school districts to review employee personnel files within one year of the bill's enactment and to remove all references to complaints and investigations by the Division of Youth and Family Services of child abuse and neglect that have been classified by the division as unfounded or unsubstantiated without concerns.

This bill was prefiled for introduction in the 1994-95 legislative session. As reported, the bill includes the changes required by technical review which has been performed.

SENATE EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 510

STATE OF NEW JERSEY

DATED: JUNE 2, 1994

The Senate Education Committee favorably reports Assembly Bill No. 264.

This bill provides that when a complaint made against a school employee alleging child abuse or neglect is investigated by the Division of Youth and Family Services, the division shall notify the school district and the employee of its findings. If the division's finding is that the complaint is unfounded, the school district must remove any references to the complaint and the investigation from the employee's personnel records, and the complaint may not be used against the employee for any purpose relating to employment.

The bill also requires school districts to review employee personnel files within one year of the bill's enactment and to remove all references to complaints and investigations by the Division of Youth and Family Services of child abuse and neglect that have been classified by the division as unfounded or unsubstantiated without concerns.