

18A:37-16.1

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2017 **CHAPTER:** 274

NJSA: 18A:37-16.1 (Provides certain immunity to board of director members and employees of private schools for students with disabilities if they report incidents of bullying in compliance with school policy.)

BILL NO: A4457 (Substituted for S3559)

SPONSOR(S) Caride and others

DATE INTRODUCED: 1/10/2017

COMMITTEE: **ASSEMBLY:** Education

SENATE: Education

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** 3/16/2017

SENATE: 12/18/2017

DATE OF APPROVAL: 1/8/2018

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced version of bill enacted) Yes

A4457

SPONSOR'S STATEMENT: (Begins on page 2 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S3559

SPONSOR'S STATEMENT: (Begins on page 2 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

RH/CL

P.L. 2017, CHAPTER 274, *approved January 8, 2018*
Assembly, No. 4457

1 AN ACT concerning harassment, intimidation, and bullying in
2 school settings and supplementing P.L.2002, c.83 (C.18A:37-13
3 et seq.).
4

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

8 1. In the event that the State Board of Education requires
9 approved private schools for students with disabilities to develop,
10 adopt, and implement a policy prohibiting harassment, intimidation,
11 or bullying on school grounds, a member of a board of directors or
12 an employee of an approved private school for students with
13 disabilities who promptly reports an incident of harassment,
14 intimidation, or bullying to the appropriate school official
15 designated by the school's policy or to any school administrator,
16 and who makes this report in compliance with the procedures in the
17 school's policy, is immune from a cause of action for damages
18 arising from any failure to remedy the reported incident.
19

20 2. This act shall take effect immediately.
21
22

23 STATEMENT
24

25 The "Anti-Bullying Bill of Rights Act," P.L.2002, c.83
26 (C.18A:37-13 et seq.), does not explicitly apply to approved private
27 schools for students with disabilities acting under contract to
28 provide educational services on behalf of New Jersey public school
29 districts. However, State Board of Education regulations
30 promulgated to effectuate this law do include these schools and
31 require them to develop, adopt, and implement a policy prohibiting
32 harassment, intimidation, or bullying on school grounds.

33 Under this bill, board of director members and employees of
34 approved private schools for students with disabilities who
35 promptly report an incident of harassment, intimidation, or bullying
36 to the appropriate school official designated by the school's policy
37 or to any school administrator, and who make this report in
38 compliance with the procedures in the school's anti-bullying policy,
39 will be immune from a cause of action for damages arising from
40 any failure to remedy the reported incident. This provision will
41 provide the same immunity that is currently given to members of a
42 school board and school district employees under subsection c. of

1 section 4 of P.L.2002, c.83 (C.18A:37-16) of the “Anti-Bullying
2 Bill of Rights Act.”

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7 Provides certain immunity to board of director members and
8 employees of private schools for students with disabilities if they
9 report incidents of bullying in compliance with school policy.

ASSEMBLY, No. 4457

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED JANUARY 10, 2017

Sponsored by:

Assemblywoman MARLENE CARIDE

District 36 (Bergen and Passaic)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblyman TROY SINGLETON

District 7 (Burlington)

Assemblyman NICHOLAS CHIARAVALLOTTI

District 31 (Hudson)

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

Senator M. TERESA RUIZ

District 29 (Essex)

Co-Sponsored by:

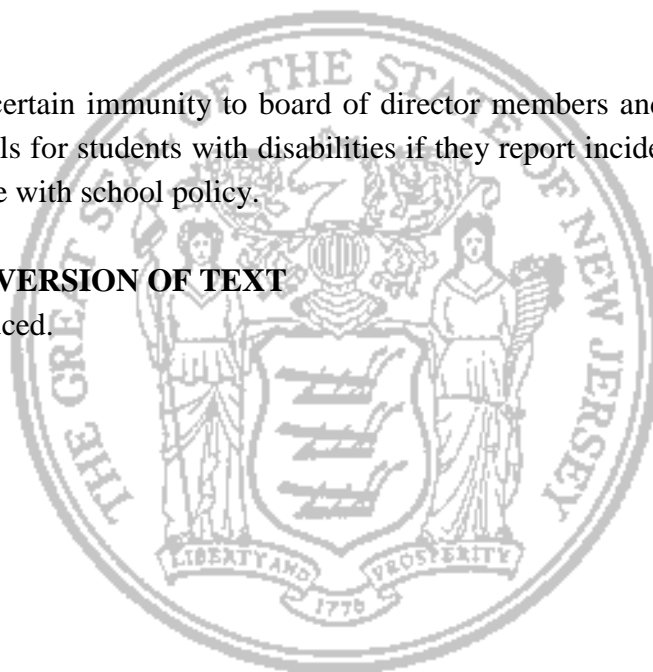
Assemblywoman McKnight, Senators Oroho and Madden

SYNOPSIS

Provides certain immunity to board of director members and employees of private schools for students with disabilities if they report incidents of bullying in compliance with school policy.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/19/2017)

1 AN ACT concerning harassment, intimidation, and bullying in
2 school settings and supplementing P.L.2002, c.83 (C.18A:37-13
3 et seq.).

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16 and who makes this report in compliance with the procedures in the
17 school's policy, is immune from a cause of action for damages
18 arising from any failure to remedy the reported incident.

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25 The "Anti-Bullying Bill of Rights Act," P.L.2002, c.83
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27 schools for students with disabilities acting under contract to
28 provide educational services on behalf of New Jersey public school
29 districts. However, State Board of Education regulations
30 promulgated to effectuate this law do include these schools and
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41 provide the same immunity that is currently given to members of a
42 school board and school district employees under subsection c. of
43 section 4 of P.L.2002, c.83 (C.18A:37-16) of the "Anti-Bullying
44 Bill of Rights Act."

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4457

STATE OF NEW JERSEY

DATED: FEBRUARY 13, 2017

The Assembly Education Committee reports favorably Assembly Bill No. 4457.

The “Anti-Bullying Bill of Rights Act,” P.L.2002, c.83 (C.18A:37-13 et seq.), does not explicitly apply to approved private schools for students with disabilities acting under contract to provide educational services on behalf of New Jersey public school districts. However, State Board of Education regulations promulgated to effectuate this law do include these schools and require them to develop, adopt, and implement a policy prohibiting harassment, intimidation, or bullying on school grounds.

Under this bill, board of director members and employees of approved private schools for students with disabilities who promptly report an incident of harassment, intimidation, or bullying to the appropriate school official designated by the school’s policy or to any school administrator, and who make this report in compliance with the procedures in the school’s anti-bullying policy, will be immune from a cause of action for damages arising from any failure to remedy the reported incident. This provision will provide the same immunity that is currently given to members of a school board and school district employees under subsection c. of section 4 of P.L.2002, c.83 (C.18A:37-16) of the “Anti-Bullying Bill of Rights Act.”

SENATE EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4457

STATE OF NEW JERSEY

DATED: NOVEMBER 30, 2017

The Senate Education Committee favorably reports Assembly Bill No. 4457.

The “Anti-Bullying Bill of Rights Act,” P.L.2002, c.83 (C.18A:37-13 et seq.), does not explicitly apply to approved private schools for students with disabilities acting under contract to provide educational services on behalf of New Jersey public school districts. However, State Board of Education regulations promulgated to effectuate this law do include these schools and require them to develop, adopt, and implement a policy prohibiting harassment, intimidation, or bullying on school grounds.

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As reported by the committee, this bill is identical to Senate Bill No. 3559, which also was reported by the committee on this same date.

SENATE, No. 3559

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED NOVEMBER 30, 2017

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

Senator M. TERESA RUIZ

District 29 (Essex)

Co-Sponsored by:

Senators Oroho and Madden

SYNOPSIS

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