

ASSEMBLY, No. 3800

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MAY 2, 2022

Sponsored by:

Assemblyman HAROLD "HAL" J. WIRTHS

District 24 (Morris, Sussex and Warren)

Assemblyman PARKER SPACE

District 24 (Morris, Sussex and Warren)

Assemblyman CHRISTIAN E. BARRANCO

District 26 (Essex, Morris and Passaic)

Co-Sponsored by:

**Assemblymen DiMaio, Auth, Scharfenberger, McGuckin, Catalano,
S.Kean, Clifton, Webber and Sauickie**

SYNOPSIS

“Parents’ Bill of Rights Act”; requires public school and school district provide certain information to parents and guardians and obtain parental consent prior to taking certain actions.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/4/2022)

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1 AN ACT concerning a parent's rights over their child's education
2 and supplementing chapter 36 of Title 18A of the New Jersey
3 Statutes.

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

7

8 1. This act shall be known and may be cited as the "Parents'
9 Bill of Rights Act."

10

11 2. a. No public school or school district shall interfere with or
12 deny the parent or guardian of an enrolled student the following
13 rights:

14 (1) to fully review copies of the curricula, books, and other
15 educational materials used by the public school or school district
16 that are available to the student;

17 (2) to access, as permitted by law, all records generated by the
18 public school or school district that concern the student;

19 (3) to access, as permitted by law, the names and professional
20 qualifications of teachers, guest lecturers, and outside presenters
21 who engage with students at the school the student attends;

22 (4) to access, as permitted by law, the names of any outside
23 entity that collects and transmits data concerning the student by the
24 public school or school district, including any outside entity,
25 accreditor, marketing consultancy, or third-party clearinghouse to
26 which student data, whether anonymized or not, is transferred;

27 (5) to access, as permitted by law, the names of all third-party
28 individuals and organizations that receive contracts or other funding
29 through the public school or school district;

30 (6) to be heard at school board meetings or other governance
31 hearings pertaining to the public school or school district;

32 (7) to be notified, as permitted by law, of situations affecting the
33 safety of the student at school, that include, but are not limited to,
34 the following incidents:

35 (a) physical assaults occurring within 1000 feet of the school;

36 (b) sexual assaults occurring within 1000 feet of the school;

37 (c) appearances of weapons within 1000 feet of the school;

38 (d) drug use or possession within 1000 feet of the school;

39 (e) police investigations within 1000 feet of the school; and

40 (f) crimes, including misdemeanors, for which a teacher or
41 other public school or school district employee have been charged,
42 whether such offenses were committed on or off of school or
43 district property; and

44 (8) to visit, as permitted by law, the student at school during
45 school hours.

46 b. A public school shall, prior to the start of each school year,
47 provide the parent or guardian of an enrolled student with the class

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1 syllabi and reading list for each class for which the student is
2 registered.

3 c. No public school or school district may require a parent or
4 guardian to sign a nondisclosure agreement as a condition of
5 accessing curricular materials, books, or other educational
6 materials.

7 d. A public school or school district shall obtain written
8 consent from a parent or guardian of an enrolled student prior to:

9 (1) collecting biometric data or other sensitive personal
10 information from the student;

11 (2) permitting the attendance of the student at a school
12 assembly, field trip, or other extracurricular activity; and

13 (3) using videographic, photographic, or audio depictions of the
14 student by the public school or school district.

15

16 3. a. A parent or guardian who is denied one or more of the
17 rights identified in section 2 of this act may bring a civil action in
18 any court of competent jurisdiction for injunctive relief.

19 b. If a school district or public school threatens or denies one
20 or more of the rights identified in section 2 of this act, the Office of
21 the Attorney General may seek an injunction against the school
22 district or public school.

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24 4. This act shall take effect immediately.

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STATEMENT

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29 This bill establishes the “Parents’ Bill of Rights Act.” The bill
30 prohibits a public school or school district from interfering with or
31 denying the rights of parents and guardians of enrolled students,
32 including the right to review copies of the curricula, books, and
33 other educational materials used by the public school or school
34 district that are available to the student; the right to access, as
35 permitted by law, all records generated by the public school or
36 school district that concern the student, the names and professional
37 qualifications of teachers, guest lecturers, and outside presenters
38 who engage with students at the school attended by the student, the
39 names of any outside entity that collects and transmits data
40 concerning the student by the public school or school district, and
41 the names of all third-party individuals and organizations that
42 receive contracts or other funding through the public school or
43 school district; the right to be heard at school board meetings or
44 other governance hearings pertaining to the public school or school
45 district; the right to be notified, as permitted by law, of certain
46 situations affecting the safety of the student at school; and the right,
47 as permitted by law, to visit the student at school during school
48 hours.

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1 Under the bill, a public school is required, prior to the start of
2 each school year, to provide the parent or guardian of an enrolled
3 student with the class syllabi and reading list for each class for
4 which the student is registered. The bill prohibits public schools
5 and school districts from requiring a parent or guardian to sign a
6 nondisclosure agreement as a condition of accessing curricular
7 materials, books, or other educational materials. The bill also
8 requires public schools and school districts to obtain written
9 consent from a parent or guardian of an enrolled student prior to
10 collecting biometric data or other sensitive personal information
11 from the student; prior to permitting the attendance of the student at
12 a school assembly, field trip, or other extracurricular activity; and
13 prior to using videographic, photographic, or audio depictions of
14 the student by the public school or school district.

15 The bill provides that a parent or guardian who is denied one or
16 more of the rights identified under the provisions of the bill may
17 bring a civil action in any court of competent jurisdiction for
18 injunctive relief. The bill also provides the Office of the Attorney
19 General with the authority to seek an injunction against the public
20 school or school district if the school or district threatens or denies
21 one or more of the rights identified in the bill.