

ASSEMBLY, No. 366

STATE OF NEW JERSEY 220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

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SYNOPSIS

Establishes Digital Divide Solutions Grant Program in DOE to assist public schools in purchase of connected devices and Internet access for students during periods of remote instruction.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT establishing the Digital Divide Solutions Grant Program
2 and supplementing chapter 6 of Title 18A of the New Jersey
3 Statutes.

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

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8 1. a. There is established in the Department of Education the
9 “Digital Divide Solutions Grant Program” to assist school districts,
10 charter schools, and renaissance schools in the purchase of online
11 instruction equipment for the use of students who lack access to
12 such equipment. The grant program shall award grants to each
13 school district, charter school, and renaissance school in an amount
14 sufficient to defray the full costs of purchasing:

15 (1) a connected device for every enrolled student who lacks
16 access to a connected device;

17 (2) a Wi-Fi hotspot and mobile broadband Internet access
18 service, as necessary, for every household that includes an enrolled
19 student whose residence lacks access to the Internet;

20 (3) device peripherals including, but not limited to, cases,
21 computer mice, and headsets for each connected device; and

22 (4) device insurance to cover theft and breakage, extended
23 warranties, off-site configuration, device management licensing,
24 and delivery costs.

25 b. To the extent permitted by federal law, the grants awarded
26 pursuant to subsection a. of this section shall be paid from the
27 monies received by the State under the federal “Coronavirus Aid,
28 Relief, and Economic Security (CARES) Act,” Pub.L.116-136, or
29 any other financial assistance provided by the federal government to
30 address the impact of the COVID-19 pandemic on elementary and
31 secondary schools. If insufficient federal funds are available to
32 support the distribution of grants in accordance with subsection a.
33 of this section, the department shall provide the grants on a pro-rata
34 basis.

35 c. (1) When a school district, charter school, or renaissance
36 school implements a program of virtual or remote instruction
37 pursuant to section 9 of P.L.1996, c.138 (C.18A:7F-9), the school
38 district, charter school, or renaissance school shall, within the limits
39 of funds received through the grant program, purchase and make
40 available online instruction equipment, including connected
41 devices, Wi-Fi hotspots, mobile broadband Internet access service,
42 device peripherals, and device insurance, as needed, to every
43 enrolled student who lacks access to such equipment.

44 (2) The student shall return every piece of online instruction
45 equipment to the school district, charter school, or renaissance
46 school no later than five calendar days following the conclusion of
47 the program of virtual or remote instruction. If a school district,
48 charter school, or renaissance school uses the grant to provide

1 mobile broadband Internet access service to the residence of an
2 enrolled student, the school district, charter school, or renaissance
3 school may suspend the service at any time following the
4 conclusion of the program of virtual or remote instruction.

5 d. (1) 95 percent of the proceeds of each grant shall be
6 dedicated to the purchase of online instruction equipment. Five
7 percent of the proceeds of each grant shall be used to provide
8 professional development opportunities for student family members
9 to learn about Internet safety, basic device troubleshooting,
10 recommendations for supporting and monitoring student device
11 usage, and maintaining an effective learning environment in the
12 home. A school district, charter school, or renaissance school shall
13 not use any portion of the grant for administrative expenses.

14 (2) Every piece of online instruction equipment purchased
15 through the grant program shall be considered the property of the
16 school district, charter school, or renaissance school.

17 e. Within one year of receiving the grant, each school district,
18 charter school, and renaissance school shall submit a report to the
19 Commissioner of Education. In addition to any other information
20 required by the commissioner, the report shall indicate every piece
21 of online instruction equipment that was purchased under the grant
22 program, as well as the number of enrolled students who continue to
23 lack access to online instruction equipment.

24 f. Notwithstanding any provision of P.L.1968, c.410
25 (C.52:14B-1 et seq.), or any other law to the contrary, the
26 commissioner may adopt, immediately upon filing with the Office
27 of Administrative Law and no later than the 90th day after the
28 effective date of this act, such rules and regulations as the
29 commissioner deems necessary to implement the provisions of this
30 section, which regulations shall be effective for a period not to
31 exceed 12 months. The regulations shall thereafter be amended,
32 adopted, or readopted by the commissioner in accordance with the
33 provisions of P.L.1968, c.410 (C.52:14B-1 et seq.).

34 g. As used in this section:

35 “Connected device” means a laptop computer, tablet computer,
36 or similar device that is capable of connecting to broadband Internet
37 access service, either by receiving such service directly or through
38 the use of Wi-Fi.

39 “Mobile broadband Internet access service” means a mass-
40 market retail service by wire or radio that provides the capability to
41 transmit data to and receive data from all or substantially all
42 Internet endpoints, including any capabilities that are incidental to
43 and enable the operation of the communications service, but
44 excluding dial-up Internet access service.

45 “Online instruction equipment” means the equipment necessary
46 for a student to participate in online instruction services at locations
47 other than a school, and includes a connected device, Wi-Fi hotspot,
48 and mobile broadband Internet access service.

1 “Wi-Fi hotspot” means a device that is capable of receiving
2 mobile broadband Internet access service and sharing such service
3 with another device through the use of Wi-Fi.
4

5 2. This act shall take effect immediately and shall be
6 retroactive to March 18, 2020.
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9 STATEMENT
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11 This bill establishes the Digital Divide Solutions Grant Program
12 within the Department of Education to assist school districts,
13 charter schools, and renaissance schools in the purchase of online
14 instruction equipment for students who lack access to such
15 equipment.

16 Under the program, the State would be required to award grants
17 to each school district, charter school, and renaissance school in an
18 amount sufficient to defray the full costs of purchasing (1) a
19 connected device for every student who lacks access to a connected
20 device; (2) a Wi-Fi hotspot and mobile broadband Internet access
21 service, as necessary, for every household that includes a student
22 who lacks access to the Internet; (3) device peripherals such as
23 cases, computer mice, and headsets for each connected device; and
24 (4) device insurance to cover theft and breakage, extended
25 warranties, off-site configuration, device management licensing,
26 and delivery costs. To the extent permitted by federal law, these
27 grants would be paid from the monies received by the State under
28 the federal “Coronavirus Aid, Relief, and Economic Security
29 (CARES) Act” or any other financial assistance provided by the
30 federal government to address the impact of the COVID-19
31 pandemic on elementary and secondary schools. However, if
32 insufficient federal funds are available to support the full
33 distribution of grants, the department would be required to provide
34 the grants on a pro-rata basis.

35 Specifically, when a school district, charter school, or
36 renaissance school implements a program of virtual or remote
37 instruction, the public school would be required to use its grant to
38 purchase and make available online instruction equipment,
39 including connected devices, Wi-Fi hotspots, mobile broadband
40 Internet access service, device peripherals, and device insurance, as
41 needed, to every enrolled student who lacks access to such
42 equipment. Thereafter, the student would be required to return
43 every piece of online instruction equipment no later than five
44 calendar days following the conclusion of the program of virtual or
45 remote instruction. If a school district, charter school, or
46 renaissance school uses the grant to provide mobile broadband
47 Internet access service to the residence of an enrolled student, the

1 public school may suspend the service at any time following the
2 conclusion of the program of virtual or remote instruction.

3 The bill requires that 95 percent of the proceeds of each grant be
4 dedicated to the purchase of online instruction equipment with the
5 remaining five percent of grant proceeds used to provide
6 professional development opportunities for student family members
7 to learn about Internet safety, basic device troubleshooting,
8 recommendations for supporting and monitoring student device
9 usage, and maintaining an effective learning environment in the
10 home. The grant may not be used to support administrative
11 expenses. The bill also provides that every piece of online
12 instruction equipment purchased through the grant program would
13 be considered the property of the school district, charter school, or
14 renaissance school.

15 The bill also requires each school district, charter school, and
16 renaissance school to submit a report to the Commissioner of
17 Education within one year of receiving the grant. In addition to any
18 other information required by the commissioner, the report would
19 indicate every piece of online instruction equipment that was
20 purchased under the grant program, as well as the number of
21 enrolled students who continue to lack access to online instruction
22 equipment.

23 The bill would take effect immediately and be retroactive to
24 March 18, 2020, which was the date in which schools were first
25 closed in response to the COVID-19 public health emergency
26 pursuant to Executive Order No. 104 of 2020.