

ASSEMBLY, No. 585

STATE OF NEW JERSEY

220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

Sponsored by:

Assemblyman WILLIAM W. SPEARMAN

District 5 (Camden and Gloucester)

Assemblyman GARY S. SCHAER

District 36 (Bergen and Passaic)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

**Assemblyman Moen, Assemblywomen Sumter, Jasey, Carter, McKnight
and Timberlake**

SYNOPSIS

Establishes Safe and Equitable Remote Learning Pilot Program in DOE to support provision of remote learning safe havens by certain school districts.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT establishing the Safe and Equitable Remote Learning Pilot
2 Program and supplementing 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:

7
8 1. As used in this act:

9 “Broadband Internet service” means a mass-market retail service
10 that provides the capability to transmit data to and receive data from
11 all or substantially all Internet endpoints, including any capabilities
12 that are incidental to and enable the operation of the
13 communications service, but excluding dial-up Internet access
14 service.

15 “Eligible district” includes the Camden City School District, the
16 Newark City School District, the Passaic City School District, the
17 Paterson City School District, and the Trenton City School District.

18 “Program of hybrid instruction” means a program of instruction
19 that is provided through a mix of in-person and virtual or remote
20 instruction and is implemented in accordance with criteria to be
21 established by the Commissioner of Education and is approved by
22 the commissioner.

23

24 2. There is established in the Department of Education a Safe
25 and Equitable Remote Learning Pilot Program to assist eligible
26 school districts in the provision of remote learning safe havens, as
27 provided in sections 3 and 4 of this act.

28

29 3. a. Notwithstanding the provisions of any other law or
30 regulation concerning the approval of temporary educational
31 facilities to the contrary, when an eligible district implements a
32 program of virtual or remote instruction, as provided under section
33 9 of P.L.1996, c.138 (C.18A:7F-9), or a program of hybrid
34 instruction, the eligible district may, with the approval of the
35 executive county superintendent of schools, establish one or more
36 remote learning safe havens. Each remote learning safe haven shall
37 be used for the delivery of virtual or remote instruction to enrolled
38 students in accordance with applicable social distancing and other
39 health and safety guidelines. This act shall not be construed as to
40 permit an eligible district to provide in-person instruction at a
41 remote learning safe haven established pursuant to this act, unless
42 otherwise authorized pursuant to State law.

43 b. When an eligible district establishes a remote learning safe
44 haven, the eligible district shall be responsible for the provision of
45 broadband Internet service to the facility. The service shall be
46 sufficient for every enrolled student who is eligible for free or
47 reduced-price meals under the State school lunch program to
48 participate in virtual or remote instructional sessions at the facility.

1 c. In addition to any other requirements established by the
2 Commissioner of Education, a remote learning safe haven shall be:

3 (1) located within a building owned by the federal government,
4 the State, a political subdivision of the State, or a nonprofit
5 organization;

6 (2) staffed by appropriately licensed school personnel who have
7 undergone a criminal history record check pursuant to the
8 provisions of P.L.1986, c.116 (C.18A:6-7.1 et seq.) and are
9 approved by the board of education, during all hours of operation;
10 and

11 (3) in compliance with the applicable standards for temporary
12 educational facilities required pursuant to the State Board of
13 Education regulations.

14 d. If an eligible district establishes a remote learning safe
15 haven, the Department of Education shall, within the limits of
16 available funds, provide the eligible district with such funding as is
17 necessary to defray the costs of establishing and staffing the
18 facility, as well as providing the facility with broadband Internet
19 service. To the maximum extent possible, an eligible district shall
20 provide the remote learning safe haven such staff, resources,
21 equipment, and materials as may be necessary to establish and
22 operate the remote learning safe haven and to limit the use of staff,
23 resources, equipment, and materials of the remote learning safe
24 haven.

25
26 4. Following the expiration of the public health emergency
27 declared by the Governor in Executive Order 103 of 2020 or the
28 rescission of the declaration of the public health emergency
29 declared by the Governor in Executive Order 103 of 2020, an
30 eligible district that establishes one or more remote learning safe
31 havens pursuant to section 3 of this act may continue to use, or
32 enter into written agreements or partnerships to continue to use, the
33 remote learning safe havens for before school and after school
34 activities.

35
36 5. a. In any school year in which an eligible district establishes
37 a remote learning safe haven pursuant to the provisions of this act,
38 the Department of Education shall collect information on the
39 program including, but not limited to:

40 (1) the number of students who engaged in virtual or remote
41 instruction in a remote learning safe haven during the school year;

42 (2) the costs of establishing a remote learning safe haven in each
43 eligible district and the amounts provided by the department to
44 eligible districts pursuant to subsection d. of section 3 of this act;

45 (3) the number of school personnel who staffed the remote
46 learning safe havens in each eligible district, including any
47 additional costs incurred by eligible districts to provide such staff;
48 and

- 1 (4) a description of each remote learning safe haven established
2 pursuant to the provisions of this act.
- 3 b. Within 30 days of the end of any school year in which an
4 eligible district establishes a remote learning safe haven pursuant to
5 the provisions of this act, the department shall submit a report to the
6 Governor, and to the Legislature pursuant to section 2 of P.L.1991,
7 c.164 (C.52:14-19.1). The report shall contain the information
8 collected by the department pursuant to subsection a. of this section
9 and the department's recommendation on the advisability of
10 continuing the Safe and Equitable Remote Learning Pilot Program
11 and expanding the program for implementation in additional school
12 districts.
- 13
- 14 6. Notwithstanding any provision of P.L.1968, c.410
15 (C.52:14B-1 et seq.), or any other law to the contrary, the
16 Commissioner of Education may adopt, immediately upon filing
17 with the Office of Administrative Law and no later than the 90th
18 day after the effective date of this act, such rules and regulations as
19 the commissioner deems necessary to implement the provisions of
20 this act, which regulations shall be effective for a period not to
21 exceed 12 months. The regulations shall thereafter be amended,
22 adopted, or readopted by the commissioner in accordance with the
23 provisions of P.L.1968, c.410 (C.52:14B-1 et seq.).
- 24
- 25 7. This act shall take effect immediately.
- 26
- 27

28 STATEMENT

29

30 This bill establishes the Safe and Equitable Remote Learning
31 Pilot Program in the Department of Education to support the remote
32 learning safe havens by certain eligible districts, including the
33 Camden City School District, the Newark City School District, the
34 Passaic City School District, the Paterson City School District, and
35 the Trenton City School District.

36 The bill provides that when an eligible district implements a
37 program of virtual or remote instruction or a program of hybrid
38 instruction approved by the Commissioner of Education, the district
39 may, with the approval of the executive county superintendent of
40 schools, establish one or more remote learning safe havens. Each
41 remote learning safe haven would be used for the delivery of remote
42 instruction to enrolled students in accordance with applicable social
43 distancing and other health and safety guidelines. Under the bill,
44 the district would be required to provide broadband Internet service
45 to the facility. The bill requires this service to be sufficient for
46 every enrolled student who is eligible for free or reduced-price
47 meals under the State school lunch program to participate in remote
48 instructional sessions at the facility.

1 In addition to any other requirements established by the
2 Commissioner of Education, each remote learning safe haven would
3 be required to be: (1) located within a building owned by the federal
4 government, the State, a political subdivision of the State, or a
5 nonprofit organization; (2) staffed by appropriately licensed school
6 personnel who have undergone a criminal history record check
7 pursuant and are approved by the board of education, during all
8 hours of operation; and (3) in compliance with the applicable
9 standards for temporary educational facilities required pursuant to
10 the State Board of Education regulations. The regulatory standards
11 for temporary educational facilities are currently established at
12 N.J.A.C.6A:26-8.1.

13 If an eligible district establishes a remote learning safe haven,
14 the department would be required to provide the district with such
15 funding as is necessary to defray the costs of establishing and
16 staffing the facility, as well as providing the facility with broadband
17 Internet service. To the maximum extent possible, an eligible
18 district would provide the remote learning safe haven such staff,
19 resources, equipment and materials as may be necessary to establish
20 and operate the remote learning safe haven and to limit the use of
21 staff, resources, equipment, and materials of the remote learning
22 safe haven.

23 The bill provides that, following the expiration of the public
24 health emergency declared pursuant to Executive Order 103 of 2020
25 or the rescission of the declaration of the public health emergency
26 declared in that executive order, an eligible district that establishes
27 one or more remote learning safe havens may continue to use, or
28 enter into written agreements or partnerships to continue to use, the
29 remote learning safe havens for before school and after school
30 activities.

31 Lastly, the bill requires that the Department of Education to
32 collection certain information from eligible districts that establish a
33 remote learning safe haven. Within 30 days of the end of any
34 school year in which an eligible district establishes a remote
35 learning safe haven, the department would submit a report to the
36 Governor, and to the Legislature, containing the information
37 collected from the eligible districts and the department's
38 recommendation on the advisability of continuing and expanding
39 the Safe and Equitable Remote Learning Pilot Program.