

**SENATE, No. 2188**

**STATE OF NEW JERSEY**  
**220th LEGISLATURE**

INTRODUCED MARCH 7, 2022

**Sponsored by:**

**Senator ANTHONY M. BUCCO**

**District 25 (Morris and Somerset)**

**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**

As introduced.



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:*

7  
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.

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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.