

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

## SENATE, No. 2268

with committee amendments

# STATE OF NEW JERSEY

DATED: OCTOBER 13, 2022

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2268 (1R), with committee amendments.

As amended, this bill requires the Commissioner of Education to prepare two reports on the impact of the COVID-19 public health emergency on public schooling. The first report will be a learning loss report that identifies and quantifies the impact of the COVID-19 public health emergency on student academic outcomes. The second report will be a report on the continuation of school services during the same period.

Under the bill, the commissioner is required to review data provided by school districts on student academic outcomes to develop a learning loss report. Pursuant to P.L.2022, c.49, the learning loss report will be part of the Statewide effort to analyze, understand, and address the COVID-19 pandemic's impact on learning loss and create tangible strategies and tools to mitigate the impact on student academic success.

The bill directs the commissioner to prepare and submit a report to the Governor and to the Legislature by May 31, 2023. The learning loss report must:

(1) identify and quantify the impact of the COVID-19 public health emergency on overall student academic outcomes, and include an analysis disaggregated by district size, grade level, and academic subject, where practicable; and

(2) identify and quantify the impact of the COVID-19 public health emergency on student achievement disparities that existed prior to the public health emergency, and include an analysis of student academic outcomes disaggregated by race, ethnicity, gender, eligibility for free or reduced price lunch under the National School Lunch Program, eligibility for special education services, and English language learner designation, where practicable.

The bill also directs the commissioner to review school district data and information related to the continuation of school services during the COVID-19 public health emergency. The data and information reviewed will be for the time period beginning on the

date of the school district's closure in March of 2020 and ending on the bill's effective date. Under the bill, the data to be reviewed will include, but need not be limited to:

- the dates of any extended and intermittent pauses of academic instruction taken as a result of the COVID-19 public health emergency;
- a description of the instructional format provided by the school district;
- for any remote learning provided, data on the amount of class time students spent in synchronous and asynchronous learning formats;
- data on class sizes for each instructional format used by the district and the amount of any small group or one-on-one instruction delivered;
- data and information on student and teacher access to reliable Internet and technology;
- high school graduation rates;
- information on any standardized assessment administered to students between March of 2020 and the fall of 2021;
- the attendance rates and attendance policy applied by the school district;
- information on the continuity of special education services;
- a description of the professional development opportunities provided to school district teachers and staff;
- the number of students who received free or reduced-price meals;
- information on any district-sponsored child care programs;
- information on current and projected teacher shortages; and
- types of social-emotional supports provided to students, teachers, and staff and participation rates of these programs.

Where available, the commissioner is directed to review data that is disaggregated by race, ethnicity, gender, eligibility for free or reduced price lunch under the National School Lunch Program, eligibility for special education services, English language learner designation, and grade level.

The bill provides that by September 30, 2023, the commissioner must prepare and submit to the Governor and the Legislature a final report that summarizes the collected information. The final report will be a comprehensive overview of the continuation of school services during the COVID-19 public health emergency.

#### COMMITTEE AMENDMENTS:

The committee amended the bill to clarify that the learning loss report to be developed pursuant to the bill's provisions is to be prepared, pursuant to P.L.2022, c.49, as part of the Statewide effort that is already occurring to understand the impact of the COVID-19 pandemic on student learning loss. The committee also removed

requirements in the bill regarding the submission of new data to the Commissioner of Education for the preparation of the reports on learning loss and the continuation of school services during the COVID-19 public health emergency. Such data has already been collected by the commissioner and is available for use in the bill's reports. Finally, the committee removed provisions in the bill restricting the use of data collected pursuant to the bill, as data collection is no longer required in the amended bill.

**FISCAL IMPACT:**

The Office of Legislative Services determines that this bill may lead to an indeterminate increase in State expenditures to the Department of Education (DOE) in FY 2023 and FY 2024 related to the development of the learning loss report and the report on public school operations during the COVID-19 public health emergency. The OLS notes that the FY 2023 Appropriations Act includes a \$1 million appropriation for the Learning Loss Report, which may be sufficient to cover some, if not all, of the potential additional expense that the DOE would incur to develop that report. The DOE may incur additional cost increases to the extent that new staff would be hired to develop the reports required under the bill or to the extent that existing staff would allocate time towards the development of the reports.