

SENATE, No. 2476

STATE OF NEW JERSEY
216th LEGISLATURE

INTRODUCED OCTOBER 14, 2014

Sponsored by:

Senator GERALD CARDINALE

District 39 (Bergen and Passaic)

Senator JAMES BEACH

District 6 (Burlington and Camden)

SYNOPSIS

Permits use of virtual instruction to meet minimum 180-day school year requirement under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



S2476 CARDINALE, BEACH

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1 AN ACT concerning the school calendar and amending P.L.1996,
2 c.138.

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

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7 1. Section 9 of P.L.1996, c.138 (C.18A:7F-9) is amended to read
8 as follows:

9 9. a. In order to receive any State aid pursuant to P.L.2007,
10 c.260 (C.18A:7F-43 et al.), a school district, county vocational
11 school district, or county special services school district shall
12 comply with the rules and standards for the equalization of
13 opportunity which have been or may hereafter be prescribed by law
14 or formulated by the commissioner pursuant to law, including those
15 implementing P.L.1996, c.138 (C.18A:7F-1 et al.) and P.L.2007,
16 c.260 (C.18A:7F-43 et al.) or related to the core curriculum content
17 standards required by P.L.2007, c.260 (C.18A:7F-43 et al.), and
18 shall further comply with any directive issued by the commissioner
19 pursuant to section 6 of P.L.1996, c.138 (C.18A:7F-6). The
20 commissioner is hereby authorized to withhold all or part of a
21 district's State aid for failure to comply with any rule, standard or
22 directive. No State aid shall be paid to any district which has not
23 provided public school facilities for at least 180 days during the
24 preceding school year, but the commissioner, for good cause shown,
25 may remit the penalty.

26 b. Notwithstanding the provisions of subsection a. of this section
27 to the contrary, in the event that a district is required to close the
28 schools of the district for more than three school days due to
29 weather or other emergency condition, the commissioner shall
30 allow the district to apply to the 180-day requirement established
31 pursuant to subsection a. of this section, one or more days of virtual
32 instruction provided to students on the day or days the schools of
33 the district were closed if the program of virtual instruction meets
34 such criteria as may be established by the commissioner. A district
35 that wants to use a program of virtual instruction to meet the 180-
36 day requirement in accordance with this subsection shall submit its
37 proposed program of virtual instruction to the commissioner by July
38 1 of each school year.

39 c. The commissioner shall define virtual instruction and
40 establish guidelines for its use in accordance with the provisions of
41 subsection b. of this section.

42 (cf: P.L.2007, c.260, s.32)

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44 2. This act shall take effect immediately.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

STATEMENT

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Under current law, a school district, county vocational school district, or county special services school district must be open for 180 days each school year in order to qualify for State aid. In the event that a school district does not meet this requirement, the Commissioner of Education will withhold State aid in the succeeding year. While the law does allow the commissioner to remit the penalty for good cause shown, the exemption has been rarely applied.

This bill would allow a school district, county vocational school district, or county special services school district to meet the 180-day requirement in a year with an excessive number of unexpected school closures due to weather or other emergencies through the use of virtual instruction. Specifically, in the event that a district is required to close its schools for more than three school days due to weather or other emergency condition, the commissioner will allow the district to apply to the 180-day requirement one or more days of virtual instruction provided to students on the day or days the schools of the district were closed if the program meets such criteria as may be established by the commissioner. A district that wants to use a program of virtual instruction to meet the 180-day requirement must submit its proposed program of virtual instruction to the commissioner by July 1 of each school year. The bill directs the commissioner to define virtual instruction and establish guidelines for its use in accordance with the bill's provisions.