

ASSEMBLY, No. 4415

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JULY 20, 2020

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblywoman ELIANA PINTOR MARIN

District 29 (Essex)

Co-Sponsored by:

Assemblyman Benson, Assemblywoman Vainieri Huttie and Assemblyman Verrelli

SYNOPSIS

Requires DOE to provide funds to school districts for acquisition of technology devices to address digital divide and requires districts to reimburse DOE from available federal funds.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 7/20/2020)

1 **AN ACT** concerning the accessibility of technology for remote
2 learning by public school students.

3

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

6

7 1. The Legislature finds and declares that:

8 a. On March 16, 2020, Governor Murphy issued Executive
9 Order 104 which closed all K-12 school buildings beginning on
10 March 18, 2020, as part of the State’s mitigation strategy to combat
11 COVID-19 and reduce the rate of community spread. The
12 Governor on May 4, 2020 announced that the school buildings
13 would remain closed for in-person instruction for the remainder of
14 the 2019-2020 school year.

15 b. Although school buildings were closed, school districts,
16 charter schools, and renaissance schools continued to be responsible
17 for the provision of high quality, standards-based instruction to
18 their students by means of virtual or remote instruction.

19 c. While schools are required to provide equitable access to
20 instruction for all students, the reliance on virtual and remote
21 instruction during the COVID-19 school closures has limited the
22 ability of certain students to receive the same level of education
23 services as their classmates, due to inadequate access to technology.

24 d. As part of the effort during the school closures to ensure the
25 continuity of critical school services, such as remote instruction,
26 school health-related closure plans were required to be developed
27 on the local level. These plans, in part, require school districts to
28 account for measuring and addressing any ongoing digital divide
29 which exists in the district. The Department of Education has also
30 undertaken surveys to understand the extent of the problem and the
31 number of students in the State that are continuing to experience
32 barriers to virtual and remote learning. According to the
33 department, there are approximately 89,000 students who are still
34 without access to virtual and remote learning.

35 e. Despite efforts at the local and State levels, the digital
36 divide, which was evident at the outset when schools first closed
37 due to the COVID-19 pandemic, continues to be a significant issue
38 that threatens to increase the educational disparities experienced by
39 low-income students.

40 f. It is imperative that the State immediately provide the
41 funding necessary for the acquisition by school districts, charter
42 schools, and renaissance schools of the technology necessary to
43 ensure that each enrolled student has the tools necessary to
44 participate in the virtual classroom experience.

45 g. The federal government is making federal funds available
46 under the “Coronavirus Aid, Relief, and Economic Security Act”
47 (CARES Act), Pub.L. 116-136, through the Elementary and

1 Secondary School Emergency Relief Fund (ESSERF) to address the
2 impact that the COVID-19 pandemic has had on schools.

3 h. School districts, charter schools, and renaissance schools
4 that are allocated funds under the CARES Act may use those funds
5 for items to bridge the digital divide. The funds received under the
6 CARES Act, or any other federal assistance available to address the
7 impact of COVID-19 on K-12 schools, are expected to be used to
8 offset any State funds provided for this purpose.

9
10 2. a. Within 30 days of the effective date of
11 P.L. , c. (pending before the Legislature as this bill), the
12 commissioner shall distribute to a school district, charter school, or
13 renaissance school the amount of funds necessary for the
14 acquisition by the school district, charter school, or renaissance
15 school of a connected device for each enrolled student who does not
16 have access to a connected device.

17 b. A school district, charter school, or renaissance school shall
18 reimburse the Department of Education for funding received
19 pursuant to subsection a. of this section from any funds received by
20 the school district, charter school, or renaissance school under the
21 federal “Coronavirus Aid, Relief, and Economic Security (CARES)
22 Act,” Pub.L. 116-136, or any other federal assistance available to
23 address the impact of COVID-19 on elementary and secondary
24 schools, within the limit of federal funds provided and to the extent
25 permitted by law.

26 c. As used in this section, “connected device” means a laptop
27 computer, tablet computer, or similar device that is capable of
28 connecting to broadband Internet access service, either by receiving
29 such service directly or through the use of Wi-Fi.

30
31 3. This act shall take effect immediately.

32
33

34 STATEMENT

35
36 This bill requires the Commissioner of Education to distribute to
37 school districts, charter schools, and renaissance schools, within 30
38 days of the bill’s effective date, the amount of funding necessary for
39 the acquisition of connected devices for all enrolled students who
40 do not have access to such devices. The bill defines a “connected
41 device” as a laptop computer, tablet computer, or similar device that
42 is capable of connecting to broadband Internet access service, either
43 by receiving such service directly or through the use of Wi-Fi.

44 The bill includes a provision requiring a school district, charter
45 school, or renaissance school that receives funding under the bill’s
46 provisions to reimburse the Department of Education for that
47 funding from any moneys received under the federal “Coronavirus

1 Aid, Relief, and Economic Security (CARES) Act,” Pub.L. 116-
2 136, or any other federal assistance available to address the impact
3 of COVID-19 on schools. This bill is intended to address the
4 barriers to remote learning that many students are experiencing, so
5 that all students may fully participate in the virtual classroom
6 experience.