

ASSEMBLY, No. 5328

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JANUARY 29, 2021

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman MILA M. JASEY

District 27 (Essex and Morris)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Co-Sponsored by:

Assemblyman Verrelli and Assemblywoman Reynolds-Jackson

SYNOPSIS

Requires notification to school communities about COVID-19 infections; excludes members of school community infected with COVID-19 from in-person activities; and requires DOE to develop data dashboard on COVID-19 in schools.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/24/2021)

1 **AN ACT** concerning COVID-19 infection in public and nonpublic
2 schools and supplementing chapter 40 of Title 18A of the New
3 Jersey Statutes.

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

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8 1. As used in this act, "COVID-19" means the coronavirus
9 disease 2019, as announced by the World Health Organization on
10 February 11, 2020, and first identified in Wuhan, China.

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12 2. a. (1) During a public health emergency declared by the
13 Governor in response to COVID-19, pursuant to the "Emergency
14 Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), the
15 superintendent of a school district or the chief administrator of a
16 nonpublic school that receives a report of a lab-confirmed positive
17 test result of COVID-19 or a death related to COVID-19 with
18 respect to an enrolled student, employee, volunteer, student teacher,
19 or visitor shall ensure that all parents, guardians, employees,
20 students ages 18 or older, volunteers, student teachers, and visitors
21 of the school district or nonpublic school receive notice of the
22 confirmed case or death within 24 hours of the initial report. The
23 notice shall be consistent with all State and federal privacy laws.
24 The school district or nonpublic school shall not be required to
25 provide notice of a lab-confirmed positive test result of COVID-19
26 or death related to COVID-19 with respect to an enrolled student,
27 employee, volunteer, student teacher, or visitor who is not reporting
28 to or attending school or a school activity in-person.

29 (2) Each school district and nonpublic school shall designate an
30 existing employee as a primary point of contact for inquiries from
31 members of the school community on data, policies, and other
32 information pertaining to COVID-19. The school district or
33 nonpublic school shall display the contact information for the
34 designee in a prominent location on the school district's or
35 nonpublic school's website.

36 (3) Each school district and nonpublic school shall display a
37 data dashboard detailing the number of COVID-19 reports received
38 pursuant to this subsection. The dashboard shall provide separate
39 data for the number of COVID-19 reports received pursuant to this
40 subsection of students who have attended in-person activities but
41 who have not attended in-person classes. The information shall be
42 reported for each school of a school district. The data dashboard
43 shall be displayed in a prominent location on the school district's or
44 nonpublic school's website. This subsection shall not apply to a
45 school district or nonpublic school that is not operating in-person
46 classes or student activities.

47 b. A school district or nonpublic school shall, in accordance
48 with Centers for Disease Control and Prevention guidelines,

1 exclude any student, employee, volunteer, student teacher, or visitor
2 from in-person activities if the individual:

- 3 (1) self-reports experiencing symptoms of COVID-19;
4 (2) has received a lab-confirmed positive test result for COVID-
5 19; or
6 (3) is a close contact or immediate family member of an
7 individual who has received a lab-confirmed positive test result for
8 COVID-19.

9 c. Each school district and nonpublic school shall keep a
10 detailed log of visitors who enter a building of the school district or
11 nonpublic school. The log shall include the contact information of
12 each visitor and the date and time of such visits.

13 d. Each school district and nonpublic school shall notify the
14 Commissioner of Education and the Commissioner of Health upon
15 receipt of each report of a lab-confirmed positive test result of
16 COVID-19 or a death related to COVID-19 with respect to an
17 enrolled student, employee, volunteer, student teacher, or visitor of
18 the district or nonpublic school.

19 e. The school district or nonpublic school shall assist the local
20 health department in identifying an affected individual's close
21 contacts within the school district or nonpublic school. The school
22 district or nonpublic school shall designate at least one existing
23 employee to assist the local health department with contact tracing,
24 as needed.

25 The school district or nonpublic school shall not permit close
26 contacts to enter the school or its facilities during such period of
27 exclusion as is recommended by the local health department.

28 f. In the event that a school district or nonpublic school receives
29 a report of a lab-confirmed positive test result of COVID-19 or a
30 death related to COVID-19 with respect to an enrolled student,
31 employee, volunteer, student teacher, or visitor after the expiration
32 of the public health emergency declared by the Governor in
33 response to COVID-19, pursuant to the "Emergency Health Powers
34 Act," P.L.2005, c.222 (C.26:13-1 et seq.), the provisions of this
35 section shall apply only upon the direction of the Commissioner of
36 Health.

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38 3. a. The Commissioner of Education, in consultation with the
39 Commissioner of Health, shall oversee the development and
40 maintenance of a data dashboard that collects and tracks the
41 information received from school districts and nonpublic schools
42 pursuant to section 2 of this act. The information maintained in the
43 data dashboard shall include, by county:

- 44 (1) the number of reports received of lab-confirmed positive test
45 results of COVID-19 with respect to enrolled students, employees,
46 volunteers, student teachers, and visitors of school districts and
47 nonpublic schools;

1 (2) the number of reports received of lab-confirmed positive test
2 results of COVID-19 with respect to enrolled students of school
3 districts and nonpublic schools who attended in-person activities
4 but did not attend in-person classes; and

5 (3) the number of reports received of deaths related to COVID-
6 19 with respect to enrolled students, employees, volunteers, student
7 teachers, and visitors of school districts and nonpublic schools.

8 b. The data dashboard developed pursuant to subsection a. of
9 this section shall be prominently displayed on the website of the
10 Department of Education and shall be updated each business day.
11 The data dashboard shall include a mechanism for an individual to
12 make a report to the department of a school district that fails to
13 meet its reporting obligations pursuant to subsection d. of section 2
14 of this act.

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16 4. This act shall take effect immediately.
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19 STATEMENT 20

21 This bill requires school districts and nonpublic schools to
22 provide information to their school communities on the number of
23 students, employees, and other members of the school community
24 who are infected with, or have died as a result of, COVID-19. The
25 bill also requires school districts and nonpublic schools to exclude
26 any member of the school community who is infected with COVID-
27 19, or at certain risk of infection, from in-person activities in
28 accordance with CDC guidelines.

29 Under the bill, if a school district or nonpublic school receives a
30 report of a lab-confirmed positive test result of COVID-19 or a
31 death related to COVID-19 with respect to an enrolled student,
32 employee, volunteer, student teacher, or visitor, they must ensure
33 that all parents, guardians, employees, students ages 18 or older,
34 volunteers, student teachers, and visitors of the school district or
35 nonpublic school receive notice of the confirmed case or death
36 within 24 hours of the initial report. The notice must be consistent
37 with all State and federal privacy laws. The school district or
38 nonpublic school will not be required to provide notice of a lab-
39 confirmed positive test result of COVID-19 or death related to
40 COVID-19 with respect to an enrolled student, employee,
41 volunteer, student teacher, or visitor who is not reporting to or
42 attending school or a school activity in-person.

43 The bill also provides that each school district and nonpublic
44 school must designate an existing employee as a primary point of
45 contact for inquiries from members of the school community on
46 data, policies, and other information pertaining to COVID-19.
47 Additionally, the bill directs each school district and nonpublic

1 school to display a data dashboard detailing the number of COVID-
2 19 reports received pursuant to the bill.

3 Under the bill, a school district or nonpublic school must exclude
4 from in-person activities, in accordance with CDC guidance, any
5 student, employee, volunteer, student teacher, or visitor who:

6 (1) self-reports experiencing symptoms of COVID-19;

7 (2) has received a lab-confirmed positive test result for COVID-
8 19; or

9 (3) is a close contact or immediate family member of an
10 individual who has received a lab-confirmed positive test result for
11 COVID-19.

12 The bill also directs each school district and nonpublic school to
13 keep a detailed log of visitors who enter a building of the school
14 district or nonpublic school.

15 The bill directs each school district and nonpublic school to
16 notify the Commissioner of Education and the Commissioner of
17 Health upon receipt of each report of a lab-confirmed positive test
18 result of COVID-19 or a death related to COVID-19 with respect to
19 an enrolled student, employee, volunteer, student teacher, or visitor
20 of the district or nonpublic school. The school district or nonpublic
21 school must also assist the local health department in identifying an
22 affected individual's close contacts within the school district or
23 nonpublic school. The school district or nonpublic school is
24 directed to designate at least one existing employee to assist the
25 local health department with contact tracing, as needed.

26 The school district or nonpublic school shall not permit close
27 contacts to enter the school or its facilities during such period of
28 exclusion as is recommended by the local health department.

29 Finally, the bill directs the Commissioner of Education, in
30 consultation with the Commissioner of Health, to oversee the
31 development and maintenance of a data dashboard that collects and
32 tracks the information received from school districts and nonpublic
33 schools pursuant to the bill.

34 The data dashboard must be prominently displayed on the
35 website of the Department of Education and will be updated each
36 business day. The data dashboard must also include a mechanism
37 for an individual to make a report to the department of a school
38 district that fails to meet its reporting obligations pursuant to the
39 bill's provisions.