

SENATE, No. 2603

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JUNE 25, 2020

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

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: 6/25/2020)

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

40 f. It is imperative that the State immediately provide the funding
41 necessary for the acquisition by school districts, charter schools,
42 and renaissance schools of the technology necessary to ensure that
43 each enrolled student has the tools necessary to participate in the
44 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 that
4 are allocated funds under the CARES Act may use those funds for
5 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 P.L. , c. (pending
11 before the Legislature as this bill), the commissioner shall distribute
12 to a school district, charter school, or renaissance school the amount
13 of funds necessary for the acquisition by the school district, charter
14 school, or renaissance school of a connected device for each
15 enrolled student who does not have access to a connected device.

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

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

29
30 3. This act shall take effect immediately.

31 32 33 STATEMENT

34
35 This bill requires the Commissioner of Education to distribute to
36 school districts, charter schools, and renaissance schools, within 30
37 days of the bill’s effective date, the amount of funding necessary for
38 the acquisition of connected devices for all enrolled students who
39 do not have access to such devices. The bill defines a “connected
40 device” as a laptop computer, tablet computer, or similar device that
41 is capable of connecting to broadband Internet access service, either
42 by receiving such service directly or through the use of Wi-Fi.

43 The bill includes a provision requiring a school district, charter
44 school, or renaissance school that receives funding under the bill’s
45 provisions to reimburse the Department of Education for that
46 funding from any moneys received under the federal “Coronavirus
47 Aid, Relief, and Economic Security (CARES) Act,” Pub.L. 116-
48 136, or any other federal assistance available to address the impact

1 of COVID-19 on schools. This bill is intended to address the
2 barriers to remote learning that many students are experiencing, so
3 that all students may fully participate in the virtual classroom
4 experience.