

SENATE, No. 2773

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED AUGUST 3, 2020

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

SYNOPSIS

Requires DOE to select three vendors for diagnostic tools to measure certain benchmarks in students; requires school districts to use selected tools; and requires DOE to provide federal funds to districts for procuring these tools.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 8/20/2020)

1 **AN ACT** concerning the Department of Education and vendors for
2 certain student diagnostic tools.

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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. a. Within 30 days of the effective date of this act, the
8 Department of Education shall issue a request for qualifications
9 from vendors interested in contracting with school districts to
10 provide an academic and wellness tool for use in assisting school
11 districts in measuring both academic benchmarks and social and
12 emotional benchmarks in students. The request for qualifications
13 shall clearly set forth the department's baseline requirements for the
14 diagnostic tool and shall seek such submissions and information
15 from vendors as deemed necessary by the department.

16 After reviewing the qualifications submitted by vendors pursuant
17 to this section, and no more than 30 days following the issuance of
18 the request for qualifications from vendors, the department shall
19 select the three vendors providing the diagnostic tools that best
20 meet the department's baseline requirements included in the request
21 for qualifications. When releasing the list of the three vendors, the
22 department shall include a statement setting forth the criteria
23 applied by the department in selecting the vendors. The department
24 shall make the list of vendors available to school districts in a
25 prominent location on the department's Internet website.

26 b. A school district shall use one of the academic and wellness
27 diagnostic tool selected by the department. The purpose of the
28 diagnostic tool is to assist school leaders, teachers, and parents in
29 assessing and addressing the needs of students. The diagnostic tool
30 shall not be used for teacher evaluation purposes.

31 Upon application, a school district may be granted a waiver of
32 the requirement to use one of the diagnostic tools that have been
33 selected by the department, if the school district demonstrates to the
34 department's satisfaction that it is using a comparable diagnostic
35 tool.

36 c. A school district shall provide data resulting from the use of
37 the diagnostic tool to the department. The data shall be provided in
38 a manner and form determined by the department and shall not
39 include any personally identifiable information. The department
40 shall compile the data provided by school districts into a
41 comparative report. Compiled data from the report that is made
42 available to the public shall not be presented in a manner that
43 allows for the identification of individual school districts.

44 d. The department shall use moneys received under the
45 "Coronavirus Aid, Relief, and Economic Security Act" (CARES
46 Act), Pub.L. 116-136, through the Elementary and Secondary
47 School Emergency Relief Fund (ESSERF), to assist school districts

1 and minimize their costs in procuring academic and wellness tools
2 to measure academic benchmarks and social and emotional
3 benchmarks in students.

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5 2. This act shall take effect immediately.

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STATEMENT

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10 This bill requires that within 30 days of its effective date, the
11 Department of Education must issue a request for qualifications
12 (RFQ) from vendors interested in contracting with school districts
13 to provide an academic and wellness tool to assist the districts in
14 measuring both academic benchmarks and social and emotional
15 benchmarks in students. The RFQ is required to state clearly the
16 department's baseline requirements for the diagnostic tool. Under
17 the RFQ, vendors will be asked to provide such submissions and
18 information as deemed necessary by the department. After
19 reviewing the qualifications submitted by the vendors, and no more
20 than 30 days after the issuance of the RFQ, the department will
21 select those three vendors that provide the diagnostic tools that best
22 meet the department's baseline requirements. The department will
23 post the list of vendors on its Internet website.

24 The bill requires a school district to use one of the diagnostic
25 tools selected by the department for the purpose of assisting school
26 leaders, teachers, and parents in assessing and addressing the needs
27 of students. The bill stipulates that the diagnostic tool may not be
28 used for teacher evaluation purposes. The bill also permits a
29 district to receive a waiver from the department to use a diagnostic
30 tool other than one of the department's selections, provided that the
31 district can demonstrate that it is a comparable tool.

32 The bill requires school district to submit data resulting from the
33 use of the diagnostic tool to the department, in a manner and form
34 determined by the department. The department will compile the
35 data into a comparative report.

36 The department is required to use moneys received under the
37 federal "Coronavirus Aid, Relief, and Economic Security Act"
38 (CARES Act), Pub.L. 116-136, through the Elementary and
39 Secondary School Emergency Relief Fund (ESSERF) to assist
40 districts in procuring the tools described in the bill and in
41 minimizing the costs to the districts.