

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 3123

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 16, 2021

The Senate Education Committee favorably reports Senate Bill No. 3123 with committee amendments.

As amended, this bill establishes the Safe and Equitable Remote Learning Pilot Program in the Department of Education to support the remote learning safe havens by certain eligible districts, including the Camden City School District, the Newark City School District, the Passaic City School District, the Paterson City School District, and the Trenton City School District.

The bill provides that when an eligible district implements a program of virtual or remote instruction or a program of hybrid instruction approved by the Commissioner of Education, the district may, with the approval of the executive county superintendent of schools, establish one or more remote learning safe havens. Each remote learning safe haven would be used for the delivery of remote instruction to enrolled students in accordance with applicable social distancing and other health and safety guidelines. Under the bill, the district would be required to provide broadband Internet service to the facility. The bill requires this service to be sufficient for every enrolled student who is eligible for free or reduced-price meals under the State school lunch program to participate in remote instructional sessions at the facility.

In addition to any other requirements established by the Commissioner of Education, each remote learning safe haven would be required to be: (1) located within a building owned by the federal government, the State, a political subdivision of the State, or a nonprofit organization; (2) staffed by appropriately licensed school personnel who have undergone a criminal history record check and are approved by the board of education, during all hours of operation; and (3) in compliance with the applicable standards for temporary educational facilities required pursuant to the State Board of Education regulations. The regulatory standards for temporary educational facilities are currently established at N.J.A.C.6A:26-8.1.

If an eligible district establishes a remote learning safe haven, the department would be required to provide the district with such funding as is necessary to defray the costs of establishing and staffing the facility, as well as providing the facility with broadband Internet

service. To the maximum extent possible, an eligible district would provide the remote learning safe haven such staff, resources, equipment and materials as may be necessary to establish and operate the remote learning safe haven and to limit the use of staff, resources, equipment, and materials of the remote learning safe haven.

The bill provides that, following the expiration of the public health emergency declared pursuant to Executive Order 103 of 2020 or the rescission of the declaration of the public health emergency declared in that executive order, an eligible district that establishes one or more remote learning safe havens may continue to use, or enter into written agreements or partnerships to continue to use, the remote learning safe havens for before school and after school activities.

Lastly, the bill requires that the Department of Education collect certain information from eligible districts that establish a remote learning safe haven. Within 30 days of the end of any school year in which an eligible district establishes a remote learning safe haven, the department would submit a report to the Governor, and to the Legislature, containing the information collected from the eligible districts and the department's recommendation on the advisability of continuing and expanding the Safe and Equitable Remote Learning Pilot Program.

As amended and reported by the committee, this bill is identical to Assembly Bill No. 4789 (1R), which was reported by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- Add the Newark City School District as an eligible district;
- replace references throughout the bill to “mobile broadband Internet access service” with “broadband Internet service”;
- rename the “Safe and Equitable Remote Learning Program” to the “Safe and Equitable Remote Learning Pilot Program”;
- delete section 3 of the bill, which generally held that an eligible district implementing a program of virtual or remote instruction would be responsible for the provision of mobile broadband Internet access service to the residence of every enrolled student who is eligible for free or reduced-price meals and who lacks access to mobile broadband Internet access service;
- specify that licensed school personnel staffing the remote learning safe haven are required to undergo a criminal history record check;
- require that a remote learning safe haven be in compliance with the applicable standards for temporary educational facilities;
- require that, to the maximum extent possible, an eligible district would provide the remote learning safe haven such staff, resources, equipment, and materials as may be necessary to establish and operate the remote learning safe haven;

- provide that, following the expiration or the rescission of the declaration of the public health emergency declared pursuant to Executive Order 103 of 2020, an eligible district that establishes one or more remote learning safe havens may continue to use, or enter into written agreements or partnerships to continue to use, the remote learning safe havens for before school and after school activities; and
- include certain reporting provisions.