

SENATE, No. 3213

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED DECEMBER 7, 2020

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator TROY SINGLETON

District 7 (Burlington)

Co-Sponsored by:

Senators Turner and Pou

SYNOPSIS

Establishes New Jersey Community Learning Program in DOE to provide comprehensive extended learning time programs in certain communities; dedicates portion of State cannabis revenue to support program.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/16/2020)

1 **AN ACT** establishing the New Jersey Community Learning Program
2 in the Department of Education and supplementing chapter 6 of
3 Title 18A of the New Jersey Statutes.

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

7
8 1. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

10 “Assistance fund” means the New Jersey Community Learning
11 Assistance Fund established pursuant to section 5 of
12 P.L. , c. (C.) (pending before the Legislature as this bill).

13 “Commissioner” means the Commissioner of Education.

14 “Department” means the Department of Education.

15 “Impact district” means a school district that is located within an
16 impact zone.

17 “Impact zone” means any municipality, based on past criminal
18 marijuana enterprises contributing to higher concentrations of law
19 enforcement activity, unemployment, and poverty within parts of or
20 throughout the entity, that:

21 (1) has a population of 120,000 or more according to the most
22 recently compiled federal decennial census as of the effective date
23 of P.L. , c. (C.) (pending before the Legislature as this
24 bill); or

25 (2) ranks in the top 40 percent of municipalities in the State for
26 marijuana- or hashish-related arrests for violation of paragraph (4)
27 of subsection a. of N.J.S.2C:35-10 in the calendar year next
28 preceding the effective date of P.L. , c. (C.) (pending
29 before the Legislature as this bill); has a crime index total of 825 or
30 higher based upon the indexes listed in the most recently issued
31 annual Uniform Crime Report by the Division of State Police as of
32 that effective date; and has a municipal average annual
33 unemployment rate that ranks in the top 15 percent of all
34 municipalities for the calendar year next preceding that effective
35 date, based upon average annual unemployment rates estimated for
36 the relevant calendar year by the Office of Research and
37 Information in the Department of Labor and Workforce
38 Development.

39 “Non-school hour” includes any hour when school is not in
40 session, including before and after school and during the summer
41 recess.

42
43 2. a. There is established in the department the New Jersey
44 Community Learning Program to support the provision of
45 comprehensive extended learning time programs in certain areas
46 most impacted by the criminalization of cannabis.

47 b. An impact district, in collaboration with the governing body
48 of each municipality located within the district, shall establish and

1 implement an extended learning time program that endeavors to
2 close the achievement gap and provide services for enrolled
3 students during non-school hours.

4 c. An extended learning time program may provide services at
5 one or more locations, including existing school facilities and
6 approved off-site locations. An impact district shall provide
7 participating students with transportation to and from any location
8 used to deliver program services.

9
10 3. a. Within 60 calendar days following the effective date of
11 P.L. , c. (C.) (pending before the Legislature as this bill),
12 the board of education of an impact district, in collaboration with
13 the governing body of each municipality located within the district,
14 shall conduct two public hearings to receive community input
15 concerning the establishment of an extended learning time program.

16 b. Within 120 calendar days following the effective date of
17 P.L. , c. (C.) (pending before the Legislature as this bill),
18 the board of education of an impact district shall submit a program
19 plan to the commissioner. In addition to any other information that
20 the commissioner may require, the program plan shall include:

21 (1) a detailed description of the services that will be provided
22 through the program;

23 (2) a detailed description of the background and qualifications
24 of the personnel who will supervise and staff the program;

25 (3) a schedule of the days and hours during which the program
26 will operate;

27 (4) the criteria that will be used to determine eligibility for
28 student participation in the program;

29 (5) an estimate of the number of students who will participate in
30 the program;

31 (6) the locations in which academic assistance and community
32 enrichment services will be provided;

33 (7) an estimate of the annual cost of implementing the program;
34 and

35 (8) any other information that the board of education may deem
36 necessary.

37 c. (1) Within 30 calendar days of receipt, the commissioner
38 shall approve or conditionally approve the program plan submitted
39 by each impact district. If the commissioner fails to approve or
40 conditionally approve a program plan within 30 calendar days of
41 receipt, the program plan shall be deemed approved.

42 (2) If the commissioner conditionally approves a program plan,
43 the commissioner shall transmit, in writing, to the board of
44 education of the impact district each revision to the program plan
45 that shall be necessary for approval. The program plan shall be
46 deemed approved when the board of education adopts all revisions
47 contained in the conditional approval.

1 (3) An impact district shall not implement an extended learning
2 time program before the program plan has been approved by the
3 commissioner.

4 d. After approval of the program plan, the board of education
5 of an impact district may modify the extended learning time
6 program by submitting a revised program plan to the commissioner
7 for approval. The revised program plan shall be reviewed and
8 approved in the same manner as the initial program plan.

9
10 4. a. The department shall annually distribute such funding as
11 is necessary, from the assistance fund established pursuant to
12 section 5 of P.L. , c. (C.) (pending before the Legislature
13 as this bill), to each impact district to defray the full costs of
14 implementing the extended learning time program.

15 b. All funds received by an impact district pursuant to this
16 section shall be accounted for in a special revenue fund and used
17 exclusively to implement the extended learning time program.

18 c. Notwithstanding any provision of P.L. , c. (C.)
19 (pending before the Legislature as this bill) to the contrary, no
20 impact district shall be required to implement an extended learning
21 time program during any year in which State funding is not
22 provided pursuant to this section.

23
24 5. a. There is established in the department a non-lapsing New
25 Jersey Community Learning Assistance Fund. All monies held in
26 the assistance fund shall be used exclusively to provide funding to
27 impact districts, as required in section 4 of P.L. , c. (C.)
28 (pending before the Legislature as this bill).

29 b. Beginning in State Fiscal Year 2022, there shall be annually
30 deposited into the assistance fund an amount determined by the
31 Cannabis Regulatory Commission, established pursuant to section
32 31 of P.L.2019, c.153 (C.24:6I-24), from the State revenue
33 collected from the tax imposed under the "Sales and Use Tax Act,"
34 P.L.1966, c.30 (C.54:32B-1 et seq.), as amended and supplemented,
35 or any other subsequent law of similar effect, on the receipts from
36 retail purchases of cannabis or products created from or which
37 included cannabis.

38 c. If in any year, the amounts deposited into the assistance fund
39 pursuant to subsection b. of this section are insufficient to support
40 the full distribution of funding to impact districts, as required in
41 section 4 of P.L. , c. (C.) (pending before the Legislature
42 as this bill), the State shall appropriate such additional amounts as
43 are necessary from the Property Tax Relief Fund to the assistance
44 fund.

45
46 6. The State Board of Education shall adopt regulations
47 pursuant to the "Administrative Procedure Act," P.L.1968, c.410

1 (C.52:14B-1 et seq.) to effectuate the provisions of
2 P.L. , c. (C.) (pending before the Legislature as this bill).

3
4 7. This act shall take effect immediately, or on the effective
5 date of an amendment to the State Constitution to legalize cannabis
6 for personal, non-medical use by adults who are 21 years of age or
7 older, whichever occurs later.

8
9
10 STATEMENT

11
12 This bill establishes the New Jersey Community Learning
13 Program in the Department of Education to support the provision of
14 comprehensive extended learning time programs in certain areas
15 most impacted by the criminalization of cannabis (“impact zones”).
16 The costs of the program would be supported by a portion of the
17 annual State revenues collected from the retail sale of recreational
18 cannabis products.

19 Under the bill, every school district located within an impact
20 zone (“impact district”) would be required to establish and
21 implement an extended learning time program. These programs
22 would endeavor to close the achievement gap and provide services
23 for enrolled students during non-school hours, including summer
24 and holiday recesses. The bill allows these services to be provided
25 at one or more locations, including existing school facilities and
26 approved off-site locations, except that the district would be
27 required to provide participating students with transportation to and
28 from any such location.

29 Following the effective date of the bill, each impact district, in
30 collaboration with the governing body of each municipality located
31 within the district, would be required to conduct two public
32 hearings to receive community input concerning the establishment
33 of an extended learning time program. Before implementing the
34 program, the board of education of an impact district would also be
35 required to submit a program plan to the commissioner for
36 approval.

37 At a minimum, the program plan would be required to include:
38 (1) a detailed description of the services that will be provided
39 through the program; (2) a detailed description of the background
40 and qualifications of the personnel who will supervise and staff the
41 program; (3) a schedule of the days and hours during which the
42 program will operate; (4) the criteria that will be used to determine
43 eligibility for student participation in the program; (5) an estimate
44 of the number of students who will participate in the program; (6)
45 the locations in which academic assistance and community
46 enrichment services will be provided; (7) an estimate of the annual
47 cost of implementing the program; and (8) any other information
48 that the board of education may deem necessary.

1 The bill requires the commissioner to approve or conditionally
2 approve each program plan within 30 calendar days of receipt. If
3 the commissioner conditionally approves a program plan, the plan
4 would be deemed approved when the board of education adopts all
5 revisions contained in the conditional approval. Thereafter, an
6 impact district may modify its extended learning time program by
7 submitting a revised program plan to the commissioner for
8 approval.

9 Under the bill, the department would be required to annually
10 distribute such funding as is necessary to each impact district to
11 defray the full costs of implementing the extended learning time
12 program. The bill requires all State funds received by an impact
13 district to be accounted for in a special revenue fund and used
14 exclusively to implement the extended learning time program. The
15 bill provides that an impact district would not be required to
16 implement an extended learning time program during any year in
17 which State funding is not provided pursuant to this bill.

18 The bill also establishes the New Jersey Community Learning
19 Assistance Fund, which would be used to distribute program
20 funding to impact districts. Beginning in State Fiscal Year 2022,
21 the bill requires the State to annually deposit into the assistance
22 fund an amount determined by the Cannabis Regulatory
23 Commission from the State revenue collected from the tax imposed
24 under the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et
25 seq.) on the retail sale of recreational cannabis products. However,
26 if in any year, these amounts are insufficient to support the full
27 distribution of funding to impact districts, the State would be
28 required to appropriate such additional amounts as are necessary
29 from the Property Tax Relief Fund to the assistance fund.

30 This bill would take effect on the date of enactment, or on the
31 effective date of an amendment to the State Constitution to legalize
32 cannabis for personal, non-medical use by adults who are 21 years
33 of age or older, whichever occurs later.