SENATE, No. 3609

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED APRIL 19, 2021

Sponsored by:
Senator ANTHONY M. BUCCO
District 25 (Morris and Somerset)
Senator BRIAN P. STACK
District 33 (Hudson)

SYNOPSIS

Establishes Digital Divide Solutions Grant Program in DOE to assist public schools in purchase of connected devices and Internet access for students during periods of remote instruction.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 4/19/2021)

AN ACT establishing the Digital Divide Solutions Grant Program and supplementing chapter 6 of Title 18A of the New Jersey Statutes.

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

1. a. There is established in the Department of Education the "Digital Divide Solutions Grant Program" to assist school districts, charter schools, and renaissance schools in the purchase of online instruction equipment for the use of students who lack access to such equipment. The grant program shall award grants to each school district, charter school, and renaissance school in an amount sufficient to defray the full costs of purchasing:

(1) a connected device for every enrolled student who lacks access to a connected device;

(2) a Wi-Fi hotspot and mobile broadband Internet access service, as necessary, for every household that includes an enrolled student whose residence lacks access to the Internet;

(3) device peripherals including, but not limited to, cases, computer mice, and headsets for each connected device; and

(4) device insurance to cover theft and breakage, extended warranties, off-site configuration, device management licensing, and delivery costs.

b. To the extent permitted by federal law, the grants awarded pursuant to subsection a. of this section shall be paid from the monies received by the State under the federal "Coronavirus Aid, Relief, and Economic Security (CARES) Act," Pub.L.116-136, or any other financial assistance provided by the federal government to address the impact of the COVID-19 pandemic on elementary and secondary schools. If insufficient federal funds are available to support the distribution of grants in accordance with subsection a. of this section, the department shall provide the grants on a pro-rata basis.

c. (1) When a school district, charter school, or renaissance school implements a program of virtual or remote instruction pursuant to section 9 of P.L.1996, c.138 (C.18A:7F-9), the school district, charter school, or renaissance school shall, within the limits of funds received through the grant program, purchase and make available online instruction equipment, including connected devices, Wi-Fi hotspots, mobile broadband Internet access service, device peripherals, and device insurance, as needed, to every enrolled student who lacks access to such equipment.

(2) The student shall return every piece of online instruction equipment to the school district, charter school, or renaissance school no later than five calendar days following the conclusion of the program of virtual or remote instruction. If a school district, charter school, or renaissance school uses the grant to provide

mobile broadband Internet access service to the residence of an enrolled student, the school district, charter school, or renaissance school may suspend the service at any time following the conclusion of the program of virtual or remote instruction.

d. (1) 95 percent of the proceeds of each grant shall be dedicated to the purchase of online instruction equipment. Five percent of the proceeds of each grant shall be used to provide professional development opportunities for student family members to learn about Internet safety, basic device troubleshooting, recommendations for supporting and monitoring student device usage, and maintaining an effective learning environment in the home. A school district, charter school, or renaissance school shall not use any portion of the grant for administrative expenses.

(2) Every piece of online instruction equipment purchased through the grant program shall be considered the property of the school district, charter school, or renaissance school.

e. Within one year of receiving the grant, each school district, charter school, and renaissance school shall submit a report to the Commissioner of Education. In addition to any other information required by the commissioner, the report shall indicate every piece of online instruction equipment that was purchased under the grant program, as well as the number of enrolled students who continue to lack access to online instruction equipment.

f. Notwithstanding any provision of P.L.1968, c.410 (C.52:14B-1 et seq.), or any other law to the contrary, the commissioner may adopt, immediately upon filing with the Office of Administrative Law and no later than the 90th day after the effective date of this act, such rules and regulations as the commissioner deems necessary to implement the provisions of this section, which regulations shall be effective for a period not to exceed 12 months. The regulations shall thereafter be amended, adopted, or readopted by the commissioner in accordance with the provisions of P.L.1968, c.410 (C.52:14B-1 et seq.).

g. As used in this section:

"Connected device" means a laptop computer, tablet computer, or similar device that is capable of connecting to broadband Internet access service, either by receiving such service directly or through the use of Wi-Fi.

"Mobile broadband Internet access service" means a mass-market retail service by wire or radio that provides the capability to transmit data to and receive data from all or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up Internet access service.

"Online instruction equipment" means the equipment necessary for a student to participate in online instruction services at locations other than a school, and includes a connected device, Wi-Fi hotspot, and mobile broadband Internet access service.

"Wi-Fi hotspot" means a device that is capable of receiving mobile broadband Internet access service and sharing such service with another device through the use of Wi-Fi.

2. This act shall take effect immediately and shall be retroactive to March 18, 2020.

STATEMENT

This bill establishes the Digital Divide Solutions Grant Program within the Department of Education to assist school districts, charter schools, and renaissance schools in the purchase of online instruction equipment for students who lack access to such equipment.

Under the program, the State would be required to award grants to each school district, charter school, and renaissance school in an amount sufficient to defray the full costs of purchasing (1) a connected device for every student who lacks access to a connected device; (2) a Wi-Fi hotspot and mobile broadband Internet access service, as necessary, for every household that includes a student who lacks access to the Internet; (3) device peripherals such as cases, computer mice, and headsets for each connected device; and (4) device insurance to cover theft and breakage, extended warranties, off-site configuration, device management licensing, and delivery costs. To the extent permitted by federal law, these grants would be paid from the monies received by the State under the federal "Coronavirus Aid, Relief, and Economic Security (CARES) Act" or any other financial assistance provided by the federal government to address the impact of the COVID-19 pandemic on elementary and secondary schools. However, if insufficient federal funds are available to support the full distribution of grants, the department would be required to provide the grants on a pro-rata basis.

Specifically, when a school district, charter school, or renaissance school implements a program of virtual or remote instruction, the public school would be required to use its grant to purchase and make available online instruction equipment, including connected devices, Wi-Fi hotspots, mobile broadband Internet access service, device peripherals, and device insurance, as needed, to every enrolled student who lacks access to such equipment. Thereafter, the student would be required to return every piece of online instruction equipment no later than five calendar days following the conclusion of the program of virtual or remote instruction. If a school district, charter school, or renaissance school uses the grant to provide mobile broadband Internet access service to the residence of an enrolled student, the

public school may suspend the service at any time following the conclusion of the program of virtual or remote instruction.

The bill requires that 95 percent of the proceeds of each grant be dedicated to the purchase of online instruction equipment with the remaining five percent of grant proceeds used to provide professional development opportunities for student family members to learn about Internet safety, basic device troubleshooting, recommendations for supporting and monitoring student device usage, and maintaining an effective learning environment in the home. The grant may not be used to support administrative expenses. The bill also provides that every piece of online instruction equipment purchased through the grant program would be considered the property of the school district, charter school, or renaissance school.

The bill also requires each school district, charter school, and renaissance school to submit a report to the Commissioner of Education within one year of receiving the grant. In addition to any other information required by the commissioner, the report would indicate every piece of online instruction equipment that was purchased under the grant program, as well as the number of enrolled students who continue to lack access to online instruction equipment.

The bill would take effect immediately and be retroactive to March 18, 2020, which was the date in which schools were first closed in response to the COVID-19 public health emergency pursuant to Executive Order No. 104 of 2020.