

SENATE, No. 3725

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MAY 6, 2021

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Senator Pou

SYNOPSIS

Establishes “Summer Earn and Learn Pilot Program.”

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/20/2021)

1 **AN ACT** establishing a “Summer Earn and Learn Pilot Program” in
2 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. The Legislature finds and declares that:

9 a. School closures and the transition to virtual instruction as a
10 result of the coronavirus disease 2019 (COVID-19) pandemic have
11 impacted students and families across the State both inside the
12 classroom and within the home;

13 b. Students have had to adapt to new learning challenges, while
14 also lending additional support to their families in various ways,
15 including providing support to younger siblings and taking on
16 additional employment responsibilities;

17 c. As a result of these added responsibilities, students are often
18 faced with having to decide between attending school and obtaining
19 employment to supplement wages to help support their families;

20 d. The lack of access to in-person instruction and the added
21 responsibilities shouldered by students over the course of the
22 COVID-19 pandemic have resulted in student learning loss across
23 subject matter and grade level;

24 e. While the summer vacation period typically offers students
25 the opportunity to obtain employment both for financial
26 compensation and exposure to different jobs and industries,
27 providing students with access to supplemental learning assistance
28 over summer vacation will allow students and school districts,
29 charter schools, and renaissance schools to address COVID-19-
30 related learning loss; and

31 f. The “Summer Earn and Learn Pilot Program” will provide
32 students with access to supplemental learning assistance and help
33 students obtain career-building employment opportunities so that
34 students need not choose between financial security and attending
35 school.

36
37 2. As used in this act:

38 “Career-building employment opportunity” means employment
39 with a private or governmental agency or entity, taking place over
40 summer vacation during the time-periods in which a student is not
41 engaged in supplemental learning assistance under the “Summer
42 Earn and Learn Pilot Program” established pursuant to section 3 of
43 this act.

44 “Good academic standing” means a grade point average of a 3.0
45 or higher on a scale of 4.0, or its equivalent.

46 “Pilot program” means the “Summer Earn and Learn Pilot
47 Program” established pursuant to section 3 of this act.

1 “Supplemental learning assistance” means a course of
2 instruction, taking place for at least three hours, five days a week
3 over the summer vacation, both virtually or in-person, designed to
4 help address COVID-19-related learning loss.

5
6 3. a. There is established in the Department of Education a
7 three-year “Summer Earn and Learn Pilot Program.” The purpose
8 of the pilot program shall be to ensure that school districts, charter
9 schools, and renaissance schools have the ability to provide students
10 access to supplemental learning assistance and paid career-building
11 employment opportunities.

12 b. The Department of Education, in consultation with the
13 Department of Labor and Workforce Development, shall develop
14 guidelines governing the implementation of the pilot program and
15 shall distribute the guidelines to each school district, charter school,
16 and renaissance school in the State. The guidelines shall include
17 information concerning:

18 (1) the student application procedure for admittance into the
19 pilot program that includes the eligibility criteria required pursuant
20 to section 5 of this act;

21 (2) the subject matter to be included as part of the supplemental
22 learning assistance;

23 (3) the type of work that may be performed as part of a career-
24 building employment opportunity, which shall include, but need not
25 be limited to, providing tutoring services to students throughout the
26 State. A student that seeks to obtain a career-building employment
27 opportunity that involves providing tutoring services to students
28 throughout the State shall be in good academic standing while
29 enrolled in the pilot program;

30 (4) the agencies and entities with which a student may engage in
31 career-building employment opportunities;

32 (5) performance standards related to the career-building
33 employment opportunities, including the total number of hours of
34 employment a student may perform as part of the pilot program;

35 (6) the total stipend amount to be provided to a student and the
36 process by which the stipend shall be paid to a student over the
37 course of the pilot program. Such stipend amount shall be based
38 upon student age and shall be at a rate of not less than the State
39 minimum wage rate as of January 1 of each year in which the pilot
40 program is offered; and

41 (7) any other information the Commissioner of Education, in
42 consultation with the Commissioner of Labor and Workforce
43 Development, deems necessary.

44 c. (1) The Department of Education, in consultation with the
45 Department of Labor and Workforce Development, shall establish
46 partnerships with private and governmental agencies and entities in

1 order to assist students in obtaining career-building employment
2 opportunities under the pilot program.

3 (2) The Department of Education shall establish and maintain a
4 list of the agencies and entities with which the department has
5 partnered pursuant to the provisions of paragraph (1) of this
6 subsection. The Departments of Education and Labor and
7 Workforce Development shall make the list publicly available on
8 the departments' Internet websites.

9 (3) A student may seek a career-building employment
10 opportunity with an agency or entity not contained on the list
11 established pursuant to paragraph (2) of this subsection. A student
12 seeking a career-building employment opportunity pursuant to the
13 provisions of this paragraph shall obtain the approval of the
14 principal or other chief administrative officer of the school in which
15 the student is enrolled prior to beginning any work under the pilot
16 program.

17

18 4. A school district, charter school, or renaissance school that
19 wishes to participate in the pilot program shall submit
20 documentation to the Department of Education alerting the
21 department of the school district's, charter school's, or renaissance
22 school's intent to participate in the pilot program. The
23 documentation shall include the following:

24 a. the number of students who applied to participate in the
25 program;

26 b. the subject matter of the instruction to be provided to
27 students as part of the supplemental learning assistance;

28 c. a list of agencies and entities with which participating
29 students will engage in career-building employment opportunities;
30 and

31 d. any other documentation the Commissioner of Education
32 deems necessary.

33

34 5. To be eligible to participate in the pilot program, a student
35 shall submit documentation verifying the student:

36 a. is a resident of New Jersey;

37 b. has reached the minimum age for employment in the State;
38 and

39 c. is enrolled in a school district, charter school, or renaissance
40 school in the State.

41

42 6. The stipend provided to students pursuant to the provisions
43 of this act shall, to the extent permitted by federal law, be paid from
44 the monies received by the State or a school district under the
45 federal "Coronavirus, Aid, Relief, and Economic Security (CARES)
46 Act," Pub.L.116-136, the federal "Coronavirus Response and Relief
47 Supplemental Appropriations (CRRSA) Act, 2021," Pub.L.116-260,

1 the federal “American Rescue Plan (ARP) Act,” Pub.L.117-2, or
2 any other federal funding provided to address the impact of the
3 COVID-19 pandemic as it becomes available.

4
5 7. Two years following the establishment of the pilot program,
6 the Commissioner of Education shall submit a report to the
7 Governor, and to the Legislature pursuant to section 2 of P.L.1991,
8 c.164 (C.52:14-19.1). The report shall contain information on the
9 implementation of the pilot program and the commissioner’s
10 recommendation on the advisability of continuing or expanding the
11 program.

12
13 8. a. A school district, charter school, or renaissance school
14 that offers supplemental learning assistance to students during
15 summer vacation pursuant to the provisions of this act, shall not be
16 considered in-session for purposes of P.L.1940, c.153 (C.34:2-21.1
17 et. seq.).

18 b. Notwithstanding the provisions of section 8 of P.L.1940,
19 c.153 (C.34:2-21.8), section 9 of P.L.1940, c.153 (C.34:2-21.9),
20 section 10 of P.L.1940, c.153 (C.34:2-21.10), or any other law, rule,
21 or regulation to the contrary, for purposes of participation in the
22 pilot program established pursuant to section 3 of this act, the
23 issuing officer of a school district may, for a student required to
24 obtain an employment certificate, age certificate, or special permit
25 pursuant to the provisions of P.L.1940, c.153 (C.34:2-21.1 et seq.)
26 in order to obtain employment in the State, issue an employment
27 certificate, age certificate, or special permit to a student or parent,
28 as applicable, who submits all paperwork required pursuant to the
29 provisions of P.L.1940, c.153 (C.34:2-21.1 et seq.) through the mail
30 or electronically.

31
32 9. This act shall take effect immediately.

33 34 35 STATEMENT

36
37 This bill establishes the “Summer Earn and Learn Pilot Program”
38 in the Department of Education. The purpose of the pilot program
39 is to ensure that school districts, charter schools, and renaissance
40 schools have the ability to provide students access to supplemental
41 learning assistance and paid career-building employment
42 opportunities.

43 Under the bill, the Department of Education (DOE), in
44 consultation with the Department of Labor and Workforce
45 Development (DOLWD) will develop, and distribute to each school
46 district, charter school, and renaissance school in the State, program
47 guidelines that include, but are not limited to: (1) a student

1 application procedure; (2) the subject matter to be included as part
2 of the supplemental learning assistance; (3) the type of work that
3 may be performed as part of a career-building employment
4 opportunity; (4) the agencies and entities with which a student may
5 engage in career-building employment opportunities; (5) career-
6 building employment opportunity related performance standards;
7 and (6) total stipend amounts.

8 The bill requires the DOE, in consultation with the DOLWD, to
9 establish partnerships with private and governmental agencies and
10 entities in order to assist students in obtaining career-building
11 employment opportunities. The DOE will establish and maintain a
12 list of these partnerships, which list will be posted on the DOE's
13 and DOLWD's Internet websites. A student can obtain a career-
14 building employment opportunity with an agency or entity not
15 contained on the list, but is required to obtain the approval of the
16 principal or other chief administrative officer of the school in which
17 the student is enrolled prior to beginning any work with such an
18 agency or entity.

19 Under the bill, a school district, charter school, or renaissance
20 school that wishes to participate in the pilot program must submit
21 documentation to the DOE alerting the department of the school
22 district's, charter school's, or renaissance school's intent to
23 participate in the pilot program. To be eligible to participate in the
24 pilot program, a student must: (1) be a resident of New Jersey, (2)
25 have reached the minimum age for employment under the laws of
26 the State, and (3) be enrolled in a school district, charter school, or
27 renaissance school in the State.

28 The bill requires, to the extent permitted by federal law, that the
29 stipends provided pursuant to the provisions of the bill be paid from
30 monies received by the State or a school district, under the federal
31 "Coronavirus, Aid, Relief, and Economic Security (CARES) Act,"
32 the federal "Coronavirus Response and Relief Supplemental
33 Appropriations (CRRSA) Act, 2021," the federal "American Rescue
34 Plan (ARP) Act," or any other federal funding provided to address
35 the impact of the coronavirus pandemic as it becomes available.

36 Under the bill, two years following the implementation of the
37 pilot program, the Commissioner of Education must submit a report
38 to the Governor and to the Legislature on the implementation of the
39 pilot program and include information on the commissioner's
40 recommendation as to the advisability of continuing or expanding
41 the program.

42 The bill provides that a school district, charter school, or
43 renaissance school that offers supplemental learning assistance to
44 students during summer vacation pursuant to the provisions of the
45 bill is not considered in-session for purposes of certain areas of
46 current law governing child labor. The bill also provides that, for a
47 student required to obtain an employment certificate, age certificate,

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1 or special permit in order to obtain employment in the State, the
2 issuing officer of a school district may, for purposes of participation
3 in the pilot program established under the bill, issue the
4 employment certificate, age certificate, or special permit to a
5 student or parent, as applicable, when the documentation needed for
6 such a certificate or permit is submitted through the mail or
7 electronically.