

ASSEMBLY, No. 4509

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED AUGUST 10, 2020

Sponsored by:

Assemblywoman MILA M. JASEY

District 27 (Essex and Morris)

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

Co-Sponsored by:

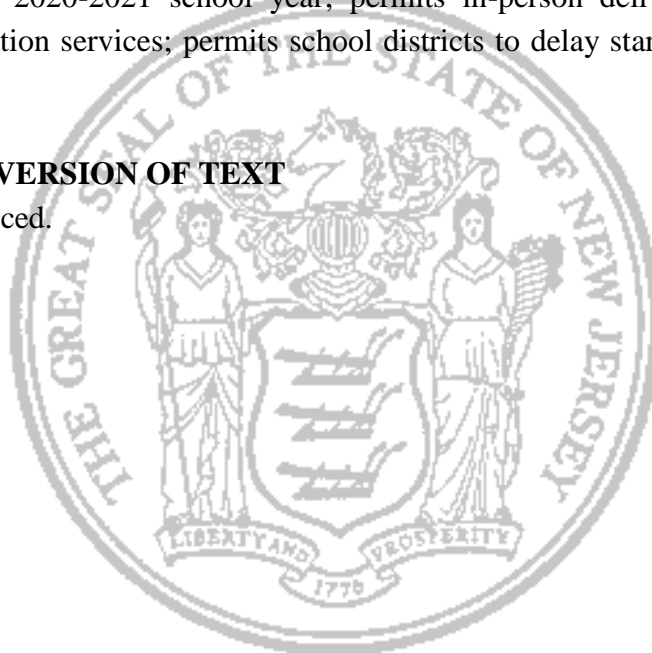
Assemblyman Kennedy, Assemblywomen Vainieri Huttle and Reynolds-Jackson

SYNOPSIS

Requires school districts to provide virtual or remote instruction for beginning of 2020-2021 school year; permits in-person delivery of certain special education services; permits school districts to delay start of 2020-2021 school year.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 8/27/2020)

1 AN ACT concerning the reopening of public schools in the 2020-
2 2021 school year.

3

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

6

7 1. a. (1) Notwithstanding any law, rule, or regulation to the
8 contrary, a school district shall begin the 2020-2021 school year
9 with a program of virtual or remote instruction only, except that a
10 school district may provide in-person instruction to students who
11 are in special education self-contained programs or who receive
12 other intensive special education services, as determined by the
13 school district in conjunction with the students' child study teams
14 and in accordance with the students' individualized education
15 programs. The Department of Education shall collect and
16 disseminate to school districts resources and materials concerning
17 best practices and digital tools for the delivery of virtual or remote
18 instruction, including technology that may be used to ensure
19 security for online assessments of students.

20 (2) During the period in which virtual or remote instruction only
21 is provided to students pursuant to this subsection, a school district
22 may conduct outdoor events in which students, parents or
23 guardians, and teachers have the opportunity to meet each other and
24 engage in activities meant to foster a relationship between students
25 and their teachers and classmates. The outdoor events may include
26 the delivery of certain curriculum content, as deemed appropriate
27 by the school district. The outdoor events shall comply with health
28 and safety guidance issued by appropriate State and federal
29 agencies to limit the transmission of COVID-19.

30 (3) Beginning on October 31, 2020, the reopening of schools for
31 in-person instruction shall be reevaluated on a monthly basis by the
32 Governor, in consultation with the Commissioner of Education and
33 the Commissioner of Health. The decision by the Governor to
34 reopen schools for in-person instruction shall be contingent upon a
35 number of factors in order to ensure the health and safety of
36 students and school staff including, but not limited to, what stage of
37 reopening the State is in and public health data regarding the spread
38 and transmission of COVID-19 in communities across the State. A
39 school district shall develop its own guidelines and plans for in-
40 person instruction that adhere to guidance issued by appropriate
41 State and federal agencies, for use when the decision is made to
42 reopen schools for in-person instruction.

43 In the event that the Governor decides to reopen schools for in-
44 person instruction, a school district may choose to continue to
45 provide a program of virtual or remote instruction only.

46 b. Notwithstanding any law, rule, or regulation to the contrary,
47 a school district may delay the beginning of the 2020-2021 school
48 year by up to two weeks from the district's regularly scheduled start

1 date. In the event that a school district chooses to delay the
2 beginning of its school year, the district shall, during the time in
3 which the district chooses to delay the school year, conduct
4 professional development training for teachers on the delivery of
5 virtual or remote instruction.

6

7 2. This act shall take effect immediately.

8

9

10 STATEMENT

11

12 This bill would require that school districts provide only a
13 program of virtual or remote instruction to students at the beginning
14 of the 2020-2021 school year. Notwithstanding the requirement for
15 virtual or remote instruction, in-person instruction may be delivered
16 to students in special education self-contained programs or to
17 students who receive other intensive special education services, as
18 determined by the school district in conjunction with the child study
19 teams and in accordance with the students' individualized education
20 programs. The bill requires the Department of Education to collect
21 and disseminate to school districts resources and materials
22 concerning best practices and digital tools for the delivery of virtual
23 or remote instruction. During the period in which virtual or remote
24 instruction only is provided to students, a school district may
25 conduct outdoor events in which students, parents or guardians, and
26 teachers have the opportunity to meet each other and engage in
27 activities meant to foster a relationship between students and their
28 teachers and classmates. The outdoor events may include the
29 delivery of certain curriculum content, as deemed appropriate by
30 the school district.

31 The bill also provides that, beginning on October 31, 2020, the
32 reopening of schools for in-person instruction will be reevaluated
33 on a monthly basis by the Governor, in consultation with the
34 Commissioners of Education and Health. The decision to reopen
35 schools for in-person instruction will be contingent upon a number
36 of factors in order to ensure the health and safety of students and
37 school staff. A school district will develop its own guidelines and
38 plans for in-person instruction. However, a school district has the
39 option under the bill to continue to provide a program of virtual or
40 remote instruction only, even if the Governor reopens schools for
41 in-person instruction.

42 Lastly, under the bill, a school district has the option to delay the
43 beginning of the 2020-2021 school year by up to two weeks from
44 the district's regularly scheduled start date. If a school district
45 chooses to delay the beginning of its school year, the district is
46 required during that time to conduct professional development
47 training for teachers on the delivery of virtual or remote instruction.

A4509 JASEY, LAMPITT

4

1 The purpose of the bill is to protect the health and safety of
2 students, school staff, and their families. The bill will also act to
3 conserve school district resources associated with the purchase of
4 personal protective equipment, cleaning supplies, and staff costs
5 related to enhanced cleaning that may not actually be able to protect
6 individuals from infection.