

# ASSEMBLY, No. 4627

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED SEPTEMBER 14, 2020

**Sponsored by:**

**Assemblywoman AURA K. DUNN**

**District 25 (Morris and Somerset)**

**SYNOPSIS**

Establishes Digital Divide Solutions Grant Program in DOE to assist public schools in purchase of online instruction equipment.

**CURRENT VERSION OF TEXT**

As introduced.



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

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

7  
8       1.   a.   There is established in the Department of Education the  
9       “Digital Divide Solutions Grant Program” to assist school districts,  
10      charter schools, and renaissance schools in the purchase of online  
11      instruction equipment for the use of students who lack access to  
12      such equipment. The grant program shall award grants to each  
13      school district, charter school, and renaissance school in an amount  
14      sufficient to defray the full costs of purchasing:

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

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

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

30      c.   (1) When a school district, charter school, or renaissance  
31      school implements a program of virtual or remote instruction, the  
32      school district, charter school, or renaissance school shall, within  
33      the limits of funds received through the grant program, purchase  
34      and make available online instruction equipment, including  
35      connected devices, Wi-Fi hotspots, and mobile broadband Internet  
36      access service, as needed, to every enrolled student who lacks  
37      access to such equipment.

38       (2) The student shall return every piece of online instruction  
39      equipment to the school district, charter school, or renaissance  
40      school no later than five calendar days following the conclusion of  
41      the program of virtual or remote instruction. If a school district,  
42      charter school, or renaissance school uses the grant to provide  
43      mobile broadband Internet access service to the residence of an  
44      enrolled student, the school district, charter school, or renaissance  
45      school may suspend the service at any time following the  
46      conclusion of the program of virtual or remote instruction.

47      d.   (1) The proceeds of each grant shall be entirely dedicated to  
48      the purchase of online instruction equipment. A school district,

1 charter school, or renaissance school shall not use any portion of the  
2 grant for administrative expenses.

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

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

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

23 g. As used in this section:

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

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

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

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

41  
42 2. This act shall take effect immediately.

#### 43 44 STATEMENT

45  
46 This bill establishes the Digital Divide Solutions Grant Program  
47 within the Department of Education to assist school districts,  
48 charter schools, and renaissance schools in the purchase of online

1 instruction equipment for students who lack access to such  
2 equipment.

3 Under the program, the State would be required to award grants  
4 to each school district, charter school, and renaissance school in an  
5 amount sufficient to defray the full costs of purchasing (1) a  
6 connected device for every student who lacks access to a connected  
7 device; and (2) a Wi-Fi hotspot and mobile broadband Internet  
8 access service for every household that includes a student who lacks  
9 access to the Internet. To the extent permitted by federal law, these  
10 grants would be paid from the monies received by the State under  
11 the federal “Coronavirus Aid, Relief, and Economic Security  
12 (CARES) Act,” Pub.L.116-136, or any other financial assistance  
13 provided by the federal government to address the impact of the  
14 COVID-19 pandemic on elementary and secondary schools.  
15 However, if insufficient federal funds are available to support the  
16 full distribution of grants, the department would be required to  
17 provide the grants on a pro-rata basis.

18 Specifically, when a school district, charter school, or  
19 renaissance school implements a program of virtual or remote  
20 instruction, the public school would be required to use its grant to  
21 purchase and make available online instruction equipment,  
22 including connected devices, Wi-Fi hotspots, and mobile broadband  
23 Internet access services, as needed, to every enrolled student who  
24 lacks access to such equipment. Thereafter, the student would be  
25 required to return every piece of online instruction equipment no  
26 later than five calendar days following the conclusion of the  
27 program of virtual or remote instruction. If a school district, charter  
28 school, or renaissance school uses the grant to provide mobile  
29 broadband Internet access service to the residence of an enrolled  
30 student, the public school may suspend the service at any time  
31 following the conclusion of the program of virtual or remote  
32 instruction.

33 The bill requires the proceeds of each grant to be entirely  
34 dedicated to the purchase of online instruction equipment.  
35 Consequently, the grant may not be used to support administrative  
36 expenses. The bill also provides that every piece of online  
37 instruction equipment purchased through the grant program would  
38 be considered the property of the school district, charter school, or  
39 renaissance school.

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