

# ASSEMBLY, No. 5126

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED DECEMBER 10, 2020

**Sponsored by:**

**Assemblywoman ANGELA V. MCKNIGHT**

**District 31 (Hudson)**

**Assemblywoman PAMELA R. LAMPITT**

**District 6 (Burlington and Camden)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Co-Sponsored by:**

**Assemblyman Benson, Assemblywoman Reynolds-Jackson, Assemblyman Calabrese, Assemblywomen Downey and Timberlake**

**SYNOPSIS**

Requires Commissioner of Education to prepare learning loss report and report on public school operations during COVID-19 public health emergency.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 3/1/2021)**

1 AN ACT concerning public schooling during the COVID-19 public  
2 health emergency.

3

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

6

7 1. a. The Commissioner of Education shall require each school  
8 district to submit data on student academic outcomes within 30 days  
9 of the effective date of this act. The data shall be used by the  
10 commissioner to develop a learning loss report that identifies and  
11 quantifies the impact of the COVID-19 public health emergency on  
12 student academic outcomes.

13 The data shall be provided for all students enrolled in the school  
14 district in the time period beginning on the date of the school  
15 district's closure in March of 2020 and ending on the effective date  
16 of this act, unless otherwise specified by the commissioner.

17 b. Within 60 days of the effective date of this act, the  
18 Commissioner of Education shall prepare and submit to the  
19 Governor and to the Legislature, pursuant to section 2 of P.L.1991,  
20 c.164 (C.52:14-19.1), a learning loss report that summarizes the  
21 data collected pursuant to subsection a. of this section. The  
22 learning loss report shall:

23 (1) identify and quantify the impact of the COVID-19 public  
24 health emergency on overall student academic outcomes, and shall  
25 include an analysis disaggregated by district size, grade level, and  
26 academic subject, where practicable; and

27 (2) identify and quantify the impact of the COVID-19 public  
28 health emergency on student achievement disparities that existed  
29 prior to the public health emergency, and shall include an analysis  
30 of student academic outcomes disaggregated by race, ethnicity,  
31 gender, eligibility for free or reduced price lunch under the National  
32 School Lunch Program, eligibility for special education services,  
33 and English language learner designation, where practicable.

34 c. The commissioner's use of data collected pursuant to this  
35 section shall be restricted to the purposes of this section.

36

37 2. a. The Commissioner of Education shall require each school  
38 district to submit data and information related to the continuation of  
39 school services during the COVID-19 public health emergency.  
40 The school district shall submit the data and information to the  
41 commissioner within 90 days of the effective date of this act. The  
42 data and information shall be provided for the time period  
43 beginning on the date of the school district's closure in March of  
44 2020 and ending on the effective date of this act. The data and  
45 information shall include, but need not be limited to:

46 (1) the dates of any extended and intermittent pauses of  
47 academic instruction taken as a result of the COVID-19 public  
48 health emergency;

- 1 (2) a description of the instructional format provided by the  
2 school district, such as remote, hybrid, or in-person;
  - 3 (3) for any remote learning provided, data on the amount of  
4 class time students spent in synchronous and asynchronous learning  
5 formats;
  - 6 (4) data on class sizes for each instructional format used by the  
7 district and the amount of any small group or one-on-one  
8 instruction delivered;
  - 9 (5) the percentage of students and teachers with access to  
10 reliable Internet and technology at the beginning of the reporting  
11 period and at the time of reporting, and a description of the school  
12 district's efforts to ensure all teachers and each student in a  
13 household have access to reliable Internet and their own laptop,  
14 tablet, or device;
  - 15 (6) the four-year adjusted cohort graduation rate for each year  
16 from 2017 through 2020, and the number of 2020 high school  
17 graduates who did not meet the graduation assessment requirement  
18 that was waived by Executive Order No. 117 of 2020, and who  
19 qualified for graduation through an alternate pathway;
  - 20 (7) information on any standardized assessment administered to  
21 students in the fall of 2020;
  - 22 (8) the attendance rates and attendance policy applied by the  
23 school district;
  - 24 (9) information on the continuity of special education services  
25 during this time period including identification of any  
26 accommodations or services that were suspended, limited, or  
27 created due to the COVID-19 public health emergency;
  - 28 (10) a description of the professional development opportunities  
29 provided to school district teachers and staff;
  - 30 (11) the number of students who received free or reduced-price  
31 meals, and the number of students who received free or reduced-  
32 price meals over the same period in the prior year;
  - 33 (12) information on the type and participation rates of any  
34 district-sponsored child care programs;
  - 35 (13) information on current and projected teacher shortages,  
36 detailing shortages by school, grade level, and subject area; and
  - 37 (14) types of social-emotional supports provided to students,  
38 teachers, and staff and participation rates of these programs.
- 39 Where available, the school district shall provide data that is  
40 disaggregated by race, ethnicity, gender, eligibility for free or  
41 reduced price lunch under the National School Lunch Program,  
42 eligibility for special education services, English language learner  
43 designation, and grade level.
- 44 b. Within 120 days of the effective date of this act, the  
45 Commissioner of Education shall prepare and submit to the  
46 Governor and to the Legislature, pursuant to section 2 of P.L.1991,  
47 c.164 (C.52:14-19.1), a final report that summarizes the information  
48 and data collected pursuant to subsection a. of this section. The

1 final report shall be a comprehensive overview of the continuation  
2 of school services during the COVID-19 public health emergency.

3 c. The commissioner's use of data collected pursuant to this  
4 section shall be restricted to the purposes of this section.

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6 3. This act shall take effect immediately.

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STATEMENT

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11 This bill requires the Commissioner of Education to prepare two  
12 reports on the impact of the COVID-19 public health emergency on  
13 public schooling. The first report will be a learning loss report that  
14 identifies and quantifies the impact of the COVID-19 public health  
15 emergency on student academic outcomes. The second report will  
16 be a report on the continuation of school services during the same  
17 period.

18 Under the bill, the commissioner must collect data on student  
19 academic outcomes from all school districts within thirty days of  
20 the bill's effective date. The commissioner will require each  
21 school district to submit the required data within 30 days of the  
22 bill's effective date. The data must be provided for all students  
23 enrolled in the school district in the time period beginning on the  
24 date of the school district's closure in March of 2020 and ending on  
25 the bill's effective date, unless otherwise specified by the  
26 commissioner. The bill directs the commissioner to prepare  
27 and submit a report to the Governor and to the Legislature within 60  
28 days of the bill's effective date. The learning loss report must:

29 (1) identify and quantify the impact of the COVID-19 public  
30 health emergency on overall student academic outcomes, and  
31 include an analysis disaggregated by district size, grade level, and  
32 academic subject, where practicable; and

33 (2) identify and quantify the impact of the COVID-19 public  
34 health emergency on student achievement disparities that existed  
35 prior to the public health emergency, and include an analysis of  
36 student academic outcomes disaggregated by race, ethnicity,  
37 gender, eligibility for free or reduced price lunch under the National  
38 School Lunch Program, eligibility for special education services,  
39 and English language learner designation, where practicable.

40 The bill restricts the commissioner's use of the collected data to  
41 the bill's purposes.

42 The bill also directs the commissioner to require each school  
43 district to submit data and information related to the continuation of  
44 school services during the COVID-19 public health emergency.  
45 The school district must submit the data and information to the  
46 commissioner within 90 days of the bill's effective date. The data  
47 and information must be provided for the time period beginning on  
48 the date of the school district's closure in March of 2020 and ending

1 on the bill's effective date. Under the bill, the required data will  
2 include, but need not be limited to:

- 3 • the dates of any extended and intermittent pauses of  
4 academic instruction taken as a result of the COVID-19  
5 public health emergency;
- 6 • a description of the instructional format provided by the  
7 school district;
- 8 • for any remote learning provided, data on the amount of  
9 class time students spent in synchronous and asynchronous  
10 learning formats;
- 11 • data on class sizes for each instructional format used by the  
12 district and the amount of any small group or one-on-one  
13 instruction delivered;
- 14 • data and information on student and teacher access to  
15 reliable Internet and technology;
- 16 • high school graduation rates;
- 17 • information on any standardized assessment administered to  
18 students in the fall of 2020;
- 19 • the attendance rates and attendance policy applied by the  
20 school district;
- 21 • information on the continuity of special education services;
- 22 • a description of the professional development opportunities  
23 provided to school district teachers and staff;
- 24 • the number of students who received free or reduced-price  
25 meals;
- 26 • information on any district-sponsored child care programs;
- 27 • information on current and projected teacher shortages; and
- 28 • types of social-emotional supports provided to students,  
29 teachers, and staff and participation rates of these programs.

30 Where available, the school district must provide data that is  
31 disaggregated by race, ethnicity, gender, eligibility for free or  
32 reduced price lunch under the National School Lunch Program,  
33 eligibility for special education services, English language learner  
34 designation, and grade level.

35 The bill provides that within 120 days of the bill's effective date,  
36 the commissioner must prepare and submit to the Governor and the  
37 Legislature a final report that summarizes the collected information.  
38 The final report will be a comprehensive overview of the  
39 continuation of school services during the COVID-19 public health  
40 emergency. The bill limits the commissioner's use of the collected  
41 data and information to the bill's purposes.