

SENATE, No. 3214

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED DECEMBER 7, 2020

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Senators A.M.Bucco, Singleton, Diegnan and Brown

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: 12/17/2020)

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
20 P.L.1991, c.164 (C.52:14-19.1), a learning loss report that
21 summarizes the data collected pursuant to subsection a. of this
22 section. The 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
47 P.L.1991, c.164 (C.52:14-19.1), a final report that summarizes the
48 information and data collected pursuant to subsection a. of this

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

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

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7 3. This act shall take effect immediately.

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10 STATEMENT

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

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

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

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

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

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

1 the date of the school district's closure in March of 2020 and ending
2 on the bill's effective date. Under the bill, the required data will
3 include, but need not be limited to:

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

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

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