

Fiscal Year 2021 Revised Budget Proposal Questions for the Department of Education

1. Addressing the Digital Divide

In July, the Governor announced a three-pronged initiative to expand student access to digital devices and internet connectivity using federal CARES Act funding and charitable donations. As part of this initiative, the New Jersey Economic Development Authority issued a Request for Information to solicit ideas and donations to address the digital divide. The Governor also announced that federal CARES Act funding will be dedicated to addressing the digital divide.

Under the FY 2021 Revised Budget Proposal, the State will dedicate \$60 million in federal CARES Act funding to expand access to online instruction equipment during the 2020-2021 school year. This funding includes: (1) \$10 million from the State set-aside of monies from the Elementary and Secondary Schools Emergency Relief (ESSER) Fund; and (2) \$50 million from the Coronavirus Relief Fund (CRF), including \$44 million for public schools and \$6 million for nonpublic schools.

The department also issued guidance in July to outline the perimeters of a Digital Divide formula grant program. According to this guidance, the department will use federal CARES Act funds to distribute \$54 million in one-time Digital Divide grants to help public schools purchase online instruction equipment. The OLS assumes that this grant program will be supported through the combined distribution of (1) the \$10 million dedicated from the ESSER; and (2) the \$44 million dedicated to public schools from the CRF.

- **Question:** How many students currently lack access to connective devices and/or home internet connectivity, respectively? What is the estimated cost of purchasing the online instruction equipment necessary for each of these students to participate in remote instruction?

The New Jersey Department of Education's digital divide initiative based each district's estimated device need on a combination of the district's low-income student population and its June survey [responses](#). Specifically, each district's device need was defined as its actual reported number of devices needed or its number of economically disadvantaged students, whichever was lower. Through this process, the New Jersey Department of Education (Department) estimated the number of devices needed statewide as 231,176. The Department provided or identified sufficient funds to cover the entirety of districts' estimated needs.

Over the last month and a half, nearly all eligible districts have submitted digital divide grant applications. In their applications, districts state that, supported by the grant, they will purchase about 150,000 standalone learning devices, which include laptops and tablets, and about 43,000 hotspots or combination hotspot/learning devices, the most common way to connect students to the internet.

The grant process thereby provided our most up to date measure of the digital divide. After taking into account the availability of other federal funds, such as CARES Act ESSER or Title 1-A funding, districts identified approximately 193,000 students most in need of a

device, connectivity, or both device and connectivity. This grant provides the resources necessary to equip those students with devices and connectivity.

For all of its programs, the Department relies on districts to maintain direct contact with students and their families because districts have a better understanding of the needs within the district, and dedicated staff resources to devote to the ongoing, direct contact needed to resolve an issue that is so intimately related to family circumstances. Additionally, each district has individualized technology platforms that coordinate with the district's local educational plans, such as their curriculum, as well as a process for physically distributing and maintaining devices for students. The tracking of students who lack devices or adequate broadband is therefore best suited for the individual district. The Department's [Checklist for the Re-Opening of School 2020-2021](#) includes verification that the district has a detailed plan to ensure that all students expected to engage in remote instruction have access to the requisite educational technology. Additionally, the Department is finalizing a means to collect high-quality, student-level device data to our NJSMART student information system. This new data collection will open to school districts on 10/19/2020; the Department will have additional data to share shortly thereafter. This will help ensure that districts have a familiar and time-tested process to monitor and report on student needs. This data will help the Department target guidance and resources as circumstances evolve. Finally, the Department is launching a separate data collection that districts will complete monthly to measure any remaining device needs on an ongoing basis.

The cost per student, including sufficient funds for both a device and connectivity, was estimated at \$500 per unit based on recent purchases by various districts this past spring.

- **Question:** How many people responded to the New Jersey Economic Development Authority's Request for Information seeking information and ideas to bridge the digital divide? How many people provided charitable donations to address the digital divide, and in what amounts? What actionable ideas, if any, were shared with the department through the RFI?

There were 35 responses to NJ Economic Development Authority's Request for Information. The responses to the RFI did not include any donations of equipment or offers of financial support.

Several themes emerged from the RFI responses including that community-based wireless networks could be a long-term solution to the connectivity challenge. setting up "supernodes" at county colleges, school districts, as well as state and municipal buildings.

To help advance these ideas and build district capacity to implement robust virtual learning programs, the Department earlier this month launched a [Virtual Learning Toolkit](#). The Toolkit provides a set of comprehensive resources designed to help parents, students, and teachers effectively adjust to online instruction with a focus on six key areas: Device and Hardware; Connectivity and Broadband; Software and Learning Platforms; Training and Professional Learning; Tech Support and Digital Literacy; and Funds and Financial Support.

- Question: How will the \$54 million in Digital Divide grants be distributed to school districts? How will the department calculate the amount of the formula grant that is allocated to each school district? What restrictions, if any, will be imposed on the types of online instruction equipment that may be purchased with the grant proceeds? When will schools receive these grants?

The Bridging the Digital Divide Grant is a formula grant. Each district is entitled to an award amount equal to its cost of remaining device need as determined by the Department. Cost of remaining device need was based on the number of estimated devices needed (see additional information in the first bullet of this question above) and a portion of available CARES Act ESSER Funds and Title I-A carryover funds (unspent Title I dollars from the prior years). This analysis showed that some districts did not have a cost of remaining device need, as the district had received sufficient ESSER Funds and Title I-A carryover to address those costs.

As part of the grant application, districts are required to provide a description of how they will use the grant funds to bridge the digital divide and a breakdown of the award amount by grade, type of device, operating system to be used, and the number of devices. Districts must also provide a description of how all available resources will be utilized to bridge the digital divide, and a detailed budget for the expenditure of grant funds.

Through this process, districts were awarded funds totaling nearly \$54 million and consistent with federal fund guidelines they will be reimbursed based on actual expenditures up to the amount allocated per district. School districts submit reimbursement requests for grant related expenditures through a grant application for funding that is in compliance with the district's approved plan. Funds are to be used to purchase technology devices and equipment for bridging their digital divide identified by the district in the grant application.

- Question: Will additional funding be provided to public schools from the Coronavirus Relief Fund if the Digital Divide formula grants do not support the total demand for online instruction equipment? The department's guidance for the Digital Divide formula grant program appears to indicate that an additional \$50 million would be made available from the CRF to support any remaining need for digital devices and internet connectivity. Is this correct? If so, please explain. Will school districts have ongoing support through the digital divide grant to purchase additional equipment they may need or assist in replacement and repair costs for devices going to students? See the first and third bullets above regarding the Department's process for determining digital divide grant awards.

The Administration will use approximately \$44 million of Coronavirus Relief Funds (CRF), in combination with \$10 million of the Department's CARES Act ESSER Fund State set-aside to fund the \$54 million in digital divide grants to public school districts, and \$6 million in CRF funds will be used for device and connectivity needs in nonpublic schools.

Separately, the Department will shortly release guidance on the allowable uses of the additional \$100 million in CRF grants to districts announced by the Governor during his August 2020 budget address.

2. Nonpublic Technology Initiative/Nonpublic Digital Divide

In FY 2020, the State appropriated \$5.4 million for the Nonpublic Technology Initiative. Under this initiative, the State provides funding to school districts to purchase online instruction equipment (e.g., computers, educational software, etc.) for students enrolled in certain nonpublic schools located within the district. The State did not provide funding for this initiative during the three-month extension of the FY 2020 budget, and the Governor does not recommend funding for this program in the FY 2021 Revised Budget. However, the Governor announced in July that \$6 million will be made available from the federal Coronavirus Relief Fund to help nonpublic schools purchase the online instruction equipment necessary to bridge the digital divide.

- **Question:** Why does the department recommend the elimination of funding for the Nonpublic Technology Initiative during the upcoming fiscal year?
Given the fiscal crisis created by the pandemic and the need for reductions across all departments, the Governor did not propose supporting this appropriation for the Fiscal Year.
- **Question:** Will the \$6 million in federal funding from the Coronavirus Relief Fund be distributed to nonpublic schools in a manner similar to the Nonpublic Technology Initiative? If not, how will these monies be allocated to nonpublic schools to address the digital divide?
School districts will receive \$43.50 per pupil enrolled in a nonpublic school located in the district that may be used for the purchase of 1:1 devices, including laptops and hotspots for nonpublic students. The allocation is posted on the Department's website, and districts and nonpublic schools will be notified of the instructions for using the funding.

3. School Reopening

In August 2020, the Governor issued Executive Order No. 175 to establish guidelines for the reopening of schools during the 2020-2021 school year. Under this executive order, each school district will be required to resume partial or full-time in-person instruction at the beginning of the 2020-2021 school year, provided that the district is able to satisfy minimum health and safety standards set forth by the department. However, any school district that is unable to satisfy these health and safety standards will be permitted to implement full-time remote instruction until such time as the standards can be met. School districts will also be required to permit students to participate in full-time remote instruction upon the request of a parent or guardian.

- **Question:** Please estimate the total costs incurred by public schools associated with compliance with the department's health and safety standards. What elements of the department's health and safety standards have created the greatest impediments towards the resumption of in-person instruction?
EO 175 required districts to submit documentation to the Department regarding the school buildings or grade levels that will provide full-time remote instruction, the specific health and safety standards that the school is unable to satisfy, the school's anticipated efforts to satisfy the identified health and safety standards, and the date by which the school

anticipates the resumption of in-person instruction. So far, school districts have cited various elements of the health and safety standards as impediments towards the resumption of in-person instruction, such as ensuring adequate ventilation, social distancing modifications, use of face coverings, and sufficient staff to conduct health screenings.

School district budget and accounting practices generally do not categorize expenses according to the degree to which they are “associated with compliance with the department’s health and safety standards,” rendering it infeasible for the Department to estimate such a cost. That said, the Department does not believe that funding is the primary impediment to districts complying with the health and safety standards, but is committed to reevaluating this in light of district reports pursuant to EO 175. The Department has deployed over \$267 million in ESSERF grants to school districts (which can be used for various health and safety-related activities) and will distribute \$100 million in CRF to provide further financial support to districts as they work to satisfy health and safety standards.

- **Question:** The FY 2021 Revised Budget indicates that \$100 million will be distributed from the federal Coronavirus Relief Fund to help school districts meet the health and safety standards set forth by the department. Please explain how these monies will be distributed, and the amounts that will be allocated to each district.

The Department will allocate \$100 million from the Coronavirus Relief Fund (CRF) based on the student population in the districts, with \$25 per pupil and an additional \$128 per low-income pupil. The CRF allocation must be used by districts to defray costs associated with reopening, with a focus on costs associated with meeting the Department’s health and safety standards for in-person instruction, and targeted programs to meet student needs as a result of COVID-19.

- **Question:** Based on the submitted reopening plans, have districts identified testing resources for students, staff, or their families to utilize if they are suspected to be symptomatic or have come in contact with an individual who has tested positive for COVID-19? What resources would be required to make tests readily available to all students and staff?

According to the NJ Department of Health’s August 13th guidance, the CDC does not recommend universal testing of all asymptomatic students and staff, and NJDOH concurs with this recommendation. School districts have identified testing resources through their coordination with local health departments. The NJDOH recommends that schools work with their local health departments to identify rapid viral testing options in their community for the testing of symptomatic individuals. The Department, under the guidance of the NJDOH, continues to monitor the availability of testing resources and update guidance for schools as appropriate.

- **Question:** Because of the uncertainty around COVID-19, there is the potential for multiple outbreaks over the course of the school year. Based on the submitted reopening plans, how prepared are school districts, if needed, to switch between a fully in-person, hybrid, or fully remote model of school instruction multiple times during the school year?

What resources do school districts need to be able to switch between each model of school instruction?

In the Department's Restart and Recovery guidance, all school districts were asked to develop plans that included multiple options for the delivery of instruction, e.g. in-person (hybrid) and full remote. To date, 75 school districts have submitted plans that implement a full in-person model. The Executive County Superintendents in each county have maintained direct communication with all school districts and will work with them if there is a need to adjust plans based on changing health and safety indicators.

In order to switch between the various instructional models, school districts have identified items such as student learning devices, PPE, and additional cleaning supplies as necessary supports. Further, districts are preparing staff through professional development opportunities to continue to improve their ability to effectively teach in a remote setting.

4. Full-Time Remote Instruction Option

According to Executive Order No. 175, school districts will be required to permit students to engage in full-time remote instruction upon the request of a parent or guardian. Each district will also be required to provide the department with information concerning the number of students who participate in full-time remote instruction. This information is required to be disaggregated by certain subgroups, including economically disadvantaged students; major racial and ethnic groups; students with disabilities; and English language learners.

- **Question:** How many students will participate in full-time remote instruction to begin the 2020-2021 school year? How many of these students are economically disadvantaged students, students with disabilities, and English language learners, respectively?
To ensure accurate and reliable reporting on the use of remote instruction throughout the state, the Department is modifying its existing student-level NJ SMART data collection, Student Identification (SID) Management, to include a field on student learning environment. This modification will allow the Department to disaggregate the number of students participating in full-time remote instruction by all student subgroups. This new data collection will open to school districts on 10/19/2020; the Department will have additional data to share shortly thereafter.
- **Question:** Will these students be permitted to continue full-time remote instruction for the entirety of the 2020-2021 school year? If not, when does the department expect these students to resume in-person instruction?
As long as Executive Order 175 remains in effect, students are permitted to continue fulltime remote instruction for the entirety of the 2020-2021 school year, in accordance with school district policies adopted pursuant to paragraph 6 of the Order.

School district reopening plans are required to address parental choice by including a policy and procedures for providing remote instruction. This includes the minimum amount of time a student must spend in fulltime remote learning before being eligible to transition to in-person services and procedures that a family/guardian must follow to submit a request to transition from fulltime remote learning to in-person services. As long as the current

public health emergency and provisions of EO 175 are still in effect, there is no limit on the amount of time a student is allowed to continue full-time remote instruction.

5. Learning Loss

Under the federal CARES Act, the department is permitted to retain approximately \$31 million, or ten percent, of the monies allocated to the State from the Elementary and Secondary School Emergency Relief Fund. According to guidance issued by the department in June 2020, a portion of these monies will be used to provide competitive grants for school districts that prioritize activities to address learning loss in students and the need for compensatory services for students with disabilities.

- **Question:** What steps has the department taken to determine the level of learning loss that resulted from the implementation of virtual or remote instruction in the 2019-2020 school year following the outbreak of COVID-19? If available, please provide information concerning the extent to which learning loss occurred during Spring 2020 among general education students and special education students, respectively

On September 9, 2020, the Department [released](#) a set of tools designed specifically to help educators determine the type of individualized instruction and supports needed at the start of a unit to meet students where they are. These tools focus on the conceptual understandings and skills students need to successfully engage with grade level standards in English language arts and mathematics, and are meant to help educators provide the highest quality instruction possible. For example, the Department has developed snapshot assessments and additional supports that will provide educators with an initial indication of the level of support students may need to inform instruction for the 2020- 2021 school year. The optional “Start Strong” snapshot assessments are intentionally brief, designed to maximize instructional time, and quickly provide critical data to teachers and school leaders. The suite of supports will be available to New Jersey school districts at no cost and is intended to provide an optional resource for in-class feedback and support

These tools are only the latest in a series of guidance and resources that the Department has provided in recent months to improve remote learning capacity around the state and to close learning gaps that might have occurred as a result of COVID-19-related disruptions. The Department will continue to collect data about instruction, curricula, and other data points that will enable the Department to identify where students’ learning is stalled or where schools and districts are not providing all students access to high quality instruction.

- **Question:** What amount of monies will be made available to schools in FY 2021 to address the learning loss that resulted from the implementation of virtual or remote instruction in the 2019-2020 school year? Please explain how and when these monies will be made available.

Districts may use their CARES Act, ESSER Fund allocations to address learning loss that resulted from the implementation of virtual or remote instruction in the 2019-20 school year due to COVID-19. The State received \$310,371,213 in ESSER Funds. 90% of those funds were allocated, by formula, to LEAs. These funds were distributed using the

Department’s Electronic Web-enable Grant System (EWEG) system, using the same system as most grants that are distributed by the Department.

With its 10% set-aside, the Department will implement several projects to help address learning loss. For example, \$10,000,000 was set aside for the Digital Divide Grant; \$1,000,000 was allocated to LEAs that were not eligible for the 90% formula funding; \$2,353,775 will be used for a competitive grant for LEAs supporting activities that address learning loss; and an additional \$13,000,000 will be allocated to LEAs to ensure that they receive an appropriate allocation of ESSERF funding. See additional information in the table below.

ESSER Funds	Amount	When Available	Mechanism
Formula Allocations to Title I LEAs	\$279,334,092	May 2020 January 2021 (final adjusted amounts)	EWEG
Allocation to Non-Title I LEAs	\$1,000,000	July 2020	EWEG
Digital Divide Grant	\$10,000,000	August 2020	EWEG
Additional allocation to Title I LEAs to address difference between USED guidance on equitable services and Title I formula	\$13,000,000	January 2021	EWEG
Competitive grant to LEAs to address learning loss	\$2,353,775	April 2021*	EWEG
* The Department is in the process of finalizing the competitive grant specifications. It is anticipated that the Notice of Grant Opportunity will be released for school districts to apply beginning in November. Applications will be due to the Department in January and awards will be made to the districts April 1, 2021.			

- **Question:** What amount of monies will be made available to schools in FY 2021 to address the need for compensatory services for students with disabilities who failed to realize a free appropriate public education as a result of the COVID-19 pandemic? Please explain how and when these monies will be made available.

Districts may choose to use their IDEA allocation and/or their ESSER Fund formula allocation to provide compensatory services for students with disabilities. The IDEA funds are provided, via a formula, to every school district on an annual basis. The funds must be used to pay for the excess costs of educating students with disabilities. Compensatory services, as required by a student’s IEP are an allowable use of those funds. Districts may also choose to use their ESSER funds to provide compensatory services for students with disabilities.

These funding sources have already been made available to school districts through the Electronic Web-enable Grant System (EWEG). Districts submit an application which is reviewed and approved. Once approved, districts may submit reimbursement requests

through EWEG. All federal grants operate on a reimbursement basis and the funds are available in the electronic system.

6. Student Assessments

Under the federal “Elementary and Secondary Education Act of 1965,” as amended by the “Every Student Succeeds Act” (Pub.L. 114-95), state education agencies are required to administer various proficiency assessments throughout the academic career of every public school student. A state education agency that fails to comply with these assessment requirements could become ineligible for certain federal aid for local education agencies (i.e., Title I, Part A: Grants to Local Education Agencies). Following the outbreak of COVID-19, the United States Department of Education waived the federal assessment requirements for the 2019-2020 school year.

- **Question:** What impact will remote instruction have on the administration of student proficiency assessments during the 2020-2021 school year, as required by federal law? Will all students be required to complete the mandated proficiency assessments? If so, how will these assessments be administered?

New Jersey’s statewide assessment program has been developed to meet federal standards for quality, reliability, and validity, which require the assessments to be administered in secure and controlled conditions; the Department is closely monitoring developments as schools reopen and is evaluating any impacts to the administration of New Jersey’s statewide assessment program for the 2020-2021 school year. The Department will continue to work with its assessment vendors, the United States Department of Education (USDE), and other State and national stakeholders to develop student-focused and technically sound contingency plans based on best practices for the most likely scenarios that schools are expected to face this year.

- **Question:** Has the department received information from the United States Department of Education concerning whether an additional waiver or extension would be granted for the State’s compliance with federal assessment and accountability requirements? If so, please explain.

Yes. In a memo to each Chief State School Officer dated September 3, 2020, USDE Secretary Betsy DeVos stated that it was the USDE’s “expectation that states will, in the interest of students, administer summative assessments during the 2020-2021 school year, consistent with the requirements of the law and following the guidance of local health officials” and that States “should not anticipate such waivers being granted again.”

Additionally, Secretary DeVos stated that she and her staff are “open to discussions about what, if any, actions may be needed to adjust how the results of assessments are used in your state’s school accountability determinations.”

As stated above, the Department is closely monitoring developments as schools reopen and is evaluating any impacts to the administration of New Jersey’s statewide assessment program for the 2020-2021 school year.

- **Question:** The administration reverted approximately \$5 million from the Statewide Assessment Program at the end of FY 2020. The current proposal increases funding for the

program by approximately \$5 million above the original FY 20 appropriation. Why does the department recommend increasing funding for the Statewide Assessment Program in FY 2021?

Regarding FY20, the cancelation of all spring 2020 statewide student assessments resulted in one-time contract savings. Regarding FY21, the proposed increase in funding is needed to accommodate increased contractual costs, the spend down of prior year carryforward, and reduced federal resources.

7. Preschool Education Aid

The FY 2021 Revised Budget recommends approximately \$752.2 million for Preschool Education Aid, in addition to the \$122.05 million that was provided during the three-month extension of FY 2020. As a result, the Governor recommends approximately \$874.25 million for Preschool Education Aid during the period of July 2020 through June 2021. This total represents an increase of approximately \$67.85 million over the amount appropriated for Preschool Education Aid in FY 2020. Budget language earmarks up to \$10 million of this increase to districts for expansion of free full day pre-school.

- Question: Please discuss the pros and cons of a school district initiating new or expanded pre-school education during the current difficult conditions for delivering educational services. Are school districts likely to initiate new or expanded services if they are struggling with the challenges of educating their current students? Does the department know at present how and to whom this increase will be allocated, that certain districts and willing and prepared to expand pre-K?

The proposed budget recommends an appropriation for Preschool Education Aid totaling \$874.2 million for the 2020-2021 school year. Of this amount, \$864.2 million will provide for the continuation of existing preschool programs in the SDA (former Abbott) districts, non-SDA districts that began full implementation of their preschool programs in the 2008-2009 school year, and continued growth in the 116 districts that initiated or expanded their State-funded preschool programs over the last three years.

The remaining \$10 million will be awarded to school districts to start new preschool programs. There are approximately 130 school districts that meet the previous eligibility criteria to apply for this funding – districts in which at least 20 percent of the students are eligible for free or reduced-price meals and districts that received State funding for preschool under prior programs (early childhood program aid and early launch to learning initiative).

As in prior years, the \$10 million will be awarded to school districts on a competitive basis. Therefore, the department does not know which districts will receive that funding at this time.

The current public health emergency does not provide a rationale for discontinuing the expansion of preschool programs into more communities. The large and growing body of research demonstrates that high quality early childhood education ensures that children start their primary school education ready to learn and has a lasting positive impact on a child's growth and development. The department is not concerned that school districts

would be unable to fully participate in preschool expansion. Last year, the Department was unable to fund some quality applications due to lack of funding. As in any other year, the department's review process will be rigorous to ensure these funds are used to support districts that have demonstrated the capacity to implement a program consistent with the department's preschool education standards.

8. School Lunch Program

In April 2020, the Legislature enacted P.L.2020, c.27 to provide that if a school district is required to close its schools for more than three consecutive school days due to a declared state of emergency, declared public health emergency, or a directive by a health agency of officer to institute a public health related closure, it may apply to the commissioner to use one or more days of virtual or remote instruction to meet the requirement that a school district remains in session for at least 180 days in order to receive State aid. Under P.L.2020, c.27, a day of virtual or remote instruction counts as a full day of school attendance. Consequently, according to guidance issued by the Department of Agriculture on August 7, 2020, all schools required to participate in the National School Lunch Program and the School Breakfast Program, and those that voluntarily opt into these programs, are required to offer meals during days of virtual or remote instruction.

- Question: What does the department anticipate will be the greatest impediments to schools providing meals to students on days of virtual or remote learning? What steps have school districts taken to date to ensure the provision of school meals in the 2020-2021 school year on days of virtual or remote instruction?

When schools closed to in-person instruction in mid-March due to COVID-19, USDA waivers allowed schools to offer Grab and Go and/or Meal Delivery under the Seamless Summer Option (SSO) or Summer Food Service Program (SFSP) during unanticipated school closures. These programs permitted schools to serve meals to any child aged 18 and under at no charge for the remainder of the 2019-2020 school year, and for those schools who chose to continue to provide meals over the summer, participation was extended until August 31, 2020. The recent USDA press release issued on August 31, 2020 extended all Summer Food Service Program (SFSP) and Seamless Summer Option (SSO) waivers through as late as December 31, 2020, dependent on available funding. The State of New Jersey has elected all nine USDA Nationwide Waivers extending these flexibilities for SFSP/SSO through December 31, 2020. These waiver extensions allow schools to continue the methods of offering free meals to all children aged 18 and under at no charge through December 31, 2020 to minimize the continued challenges of meal service during COVID-19. While potential impediments, if any, will differ according to local needs and circumstance, the Department is prepared to work closely with the New Jersey Department of Agriculture to provide individualized assistance throughout the school year.

- Question: What was the experience of school districts in the 2019-2020 school year, which under P.L.2020, c.6 (C.18A:33-27.2 et seq.), were required to identify school meal distribution sites, distribute meals to the students, or if unable to do either, establish a food voucher program for students?

According to a March 28 memo issued by the NJ Department of Agriculture, the requirements of P.L.2020, c.6 did not go into effect in spring 2020. That memo may be

found here: https://www-agr.state.nj.us/agriculture/AG_SNEARS2/resources/NJDA%20Memo%20A3840.pdf

However, unrelated to the requirements of that statute, the Department has provided meal distribution guidance recognized by the USDE as a national model. The Department worked with the NJ State Police and the State Emergency Operations Center to support schools in implementing this guidance. For example, the Department conducted over 800 field visits to observe distribution processes across the state, providing individualized assistance on safe meal distribution. Based on these observations, the Department provided training webinars to nearly 5,000 school administrators on meal distribution best practices. Common themes of Department's training included timing of meal distribution, communication with students and families, and distribution site selection.

9. ESSER Funds

According to available fiscal information, of the department's \$310 million appropriation of federal Elementary and Secondary Education Emergency Relief Fund (ESSER) aid, about \$11 million has been expended as of September 5, 2020.

- **Question:** What is the timeline for allocating the remaining aid to school districts? Will there be a second round of reimbursement applications for school districts who purchased supplies and entered into contracts for services related to COVID-19? What is the timeline for that issuance, and how is the Department monitoring that school districts fully expend their available federal funding before the December deadline? Please provide the most up to date reimbursement amounts for each district, as well as any encumbered amounts. The Department received \$310,371,213 in ESSER Funds with 90% of those funds being allocated, by formula, to LEAs. At this time, the Department has also released \$1,000,000 for allocations to non-Title I LEAs, \$350,000 for allocations to State Agencies and Special Services School Districts, and \$10,000,000 for the Digital Divide grant. For additional information, please see the second bullet under #5 above.

All federal grants that are awarded to school districts by the Department are payable on a reimbursement basis. School districts can submit reimbursement requests for grant related expenditures as soon as they have submitted a grant application for funding that is in substantially approvable form. It is the responsibility of each district to submit reimbursement requests in a timely manner and Department guidance states the reimbursement requests should be submitted on a monthly basis.

Under ESSER, school districts have until 9/30/2022 to obligate funds. The Department provides ongoing assistance to school districts to ensure they are submitting reimbursement requests on a regular basis, in accordance with fiscal best practices. Additionally, select school districts will be monitored for compliance with grant requirements and frequency of reimbursement requests is part of this review.

Reimbursement amounts as of 9/8/20 by district are attached. The Department does not encumber funds for entitlement grants on a district-by-district basis.

10. Student Transportation

Safe transportation of student is among the many challenges facing school districts intending to re-open schools.

- Question: Given the need for social distancing on buses, will there be enough buses for mileage-eligible students, students who require transportation through their Individualized Education Plan (IEP), or students who may not live in areas where it is safe to walk to school? Do you consider transportation, and the possible need for more transportation to be a COVID-19 related cost, and eligible for reimbursement by federal CARES dollars?

Over the summer months school districts evaluated their transportation needs for the 2020-21 school year. Part of this assessment includes identifying parental preferences for in-person versus remote schooling as well as parents' decisions to find an alternative means of transporting students between home and school; districts must also determine the need for additional bus routes to accommodate health and safety needs for all students with IEPs who require transportation in accordance with their IEPs. To date, the department has not received reports from districts suggesting that there is a shortage of school buses to meet their transportation needs.

The allowable uses of CARES Act funding, whether from the ESSER Fund or from CRF, are based on the federal statute or in guidance received from the United States Department of Education and United States Treasury. That said, regarding allowable use of ESSER Funds, the Department would note that ESSER funding affords school districts considerable flexibility to spend grant funds on a broad range of activities responding to and recovering from the COVID-19 pandemic. For example, the ESSER Fund's authorized uses include "activities that are necessary to maintain the operation of and continuity of services in local educational agencies and continuing to employ existing staff of the local educational agency." We would encourage school districts to review the ESSER Fund's authorized uses and other requirements in consultation with board counsel to determine how to best use these funds in a manner that meets district needs and complies with the relevant spending requirements.

Because of the time limitation on the use of CRF funds, and the requirement that CRF be used solely for "necessary expenditures incurred due to the public health emergency," the Department will provide a specific list of allowable expenditures to districts that comply with Treasury's guidance. Since transportation contracts extend for the duration of the entire school year, and the cost of transportation contracts cannot be exclusively limited to COVID-19 related expenditures, the CRF allowable expenditures will not include the cost of providing student transportation unless there is a statutory change at the federal level before December 30, 2020.

Non-public Student Transportation

11. The Governor's initial FY 2021 Budget Recommendation included increased funding for nonpublic transportation, including a program that would pilot a potential model of regional nonpublic transportation. This funding is not present in the revised budget proposal.

- Question: Does the Department still plan to continue to pilot innovative ways to transport students that maximize efficiency and relieve local district budgets? In what ways is the Department engaging with school districts to find other efficiencies in transportation, as well as other shared services, regionalization, and consolidation?

The department continues to support districts in their efforts to achieve operational efficiencies. For example, the department, through the county offices, routinely assists districts in identifying cost-effective means of transporting students, including through the use of jointure agreements with other school districts and the expanded use of coordinated transportation service agencies. Additionally, the FY20 budget supported, and the FY21 proposed budget recommends, Local Efficiency Achievement Program (LEAP) grants to school districts that want to explore potential consolidation or regionalization with other school districts. In FY20, the Department worked with the Department of Community Affairs to approve applications for LEAP grants, and we will continue to support DCA's implementation of this program.

Additionally, pursuant to N.J.A.C. 6A:27-2.6, each county office of education conducts an annual non-public transportation consultative meeting with school districts. The meeting provides an overview of procedures, important timelines, and problem-solving strategies regarding student transportation.

**ESSERF Reimbursement amounts as of
9/8/20**

CFS Account Number with dashes	CFS C	Debit	Accept Da	Trans C	Trans Doc Number	Vendor Code (11char)	Vendor Name	Document Desc	Dollar Amount
2020-100-034-5120-513	6160	D	200826	AV	0345125E168926	22600174008	CRANFORD BD OF ED	20 CARES	35,158.00
2020-100-034-5120-513		D	200826	AV	0345125E168927	22600196708	HARRISON BD OF ED	20 CARES	312,221.00
2020-100-034-5120-513		D	200826	AV	0345125E168928	21600026108	HARRISON TWP BD OF ED	20 CARES	14,296.00
2020-100-034-5120-513		D	200826	AV	0345125E168929	21600029808	RIVERTON BD OF ED	20 CARES	22,030.00
2020-100-034-5120-513		D	200826	AV	0345125E168930	21600025808	EASTHAMPTON TWP BD OF ED	20 CARES	4,166.00
2020-100-034-5120-513		D	200826	AV	0345125E168931	21600018508	HOWELL TWP BD OF ED	20 CARES	338,767.00
2020-100-034-5120-513		D	200826	AV	0345125E168932	22600198408	HILLSBOROUGH TWP BD OF ED	20 CARES	25,725.00
2020-100-034-5120-513		D	200826	AV	0345125E168933	21600028708	POINT PLEASANT BD OF ED	20 CARES	68,478.00
2020-100-034-5120-513		D	200826	AV	0345125E168934	22382358608	LEAP ACADEMY UNIVERSITY CH	20 CARES	80,000.00
2020-100-034-5120-513		D	200826	AV	0345125E168935	21600565108	CENTRAL REG BD OF ED	20 CARES	15,200.00
2020-100-034-5120-513		D	200826	AV	0345125E168936	21600034308	MANCHESTER TWP BD OF ED	20 CARES	76,972.00
2020-100-034-5120-513		D	200826	AV	0345125E168937	22600203708	LITTLE FALLS TWP BD OF ED	20 CARES	10,090.00
2020-100-034-5120-513		D	200826	AV	0345125E168938	22600215008	NORTH ARLINGTON BD OF ED	20 CARES	21,363.00
2020-100-034-5120-513		D	200826	AV	0345125E168939	22600175908	EAST AMWELL TWP BD OF ED	20 CARES	12,536.00
2020-100-034-5120-513		D	200826	AV	0345125E168940	21600023608	MARGATE CITY BD OF ED	20 CARES	3,837.00
2020-100-034-5120-513		D	200826	AV	0345125E168941	22600173408	CLOSTER BD OF ED	20 CARES	47,425.00
2020-100-034-5120-513		D	200826	AV	0345125E168942	22600239508	WEST NEW YORK TOWN BD OF E	20 CARES	159,118.00
2020-100-034-5120-513		D	200826	AV	0345125E168943	22600196708	HARRISON BD OF ED	20 CARES	185,249.00
2020-100-034-5120-513		D	200826	AV	0345125E168944	22600244108	ESSEX CO VOC BD OF ED	20 CARES	433,136.00
2020-100-034-5120-513		D	200826	AV	0345125E168945	21600011408	VOORHEES TWP BD OF ED	20 CARES	61,528.00
2020-100-034-5120-513		D	200826	AV	0345125E168946	22600177408	EAST RUTHERFORD BD OF ED	20 CARES	7,971.00
2020-100-034-5120-513		D	200826	AV	0345125E168947	21600035008	WOODBURY BD OF ED	20 CARES	14,112.00
2020-100-034-5120-513		D	200826	AV	0345125E168948	22600225008	RIDGEFIELD PARK BD OF ED	20 CARES	320,650.00
2020-100-034-5120-513		D	200826	AV	0345125E168949	22600069108	IRVINGTON BOARD OF EDUCATIO	20 CARES	69,105.00
2020-100-034-5120-513		D	200826	AV	0345125E168950	21600163308	LINDENWOLD BD OF ED	20 CARES	494,944.00
2020-100-034-5120-513		D	200826	AV	0345125E168951	21600028608	PLEASANTVILLE BD OF ED	20 CARES	41,609.00
2020-100-034-5120-513		D	200826	AV	0345125E168952	21600734908	G EGG HARBOR REG BD OF ED	20 CARES	545,358.00
2020-100-034-5120-513		D	200826	AV	0345125E168953	21600030308	RUNNEMEDE BD OF ED	20 CARES	12,411.00
2020-100-034-5120-513		D	200826	AV	0345125E168954	21600023108	MAGNOLIA BD OF ED	20 CARES	73,382.00
2020-100-034-5120-513		D	200806	AV	0345125E168676	21600020508	FOLSOM BD OF ED	20 CARES	4,000.00

2020-100-034-5120-513		D	200806	AV	0345125E168677	22600213108	NEW MILFORD BD OF ED	20 CARES	25,511.00
2020-100-034-5120-513		D	200806	AV	0345125E168678	22600257008	NORWOOD BD OF ED	20 CARES	40,659.00
2020-100-034-5120-513		D	200806	AV	0345125E168679	22600198608	HILLSDALE BD OF ED	20 CARES	5,945.00
2020-100-034-5120-513		D	200806	AV	0345125E168680	22169656008	NORTHERN HIGH REG H S BD OF	20 CARES	441.00
2020-100-034-5120-513		D	200806	AV	0345125E168681	22600209108	MONROE TWP BD OF ED	20 CARES	54,284.00
2020-100-034-5120-513		D	200806	AV	0345125E168682	21600704608	MONMOUTH REG BD OF ED	20 CARES	23,520.00
2020-100-034-5120-513		D	200806	AV	0345125E168683	26043528508	BURCH CHARTER SCHOOL	20 CARES	116,450.00
2020-100-034-5120-513		D	200806	AV	0345125E168684	46196054900	PHILIPS ACADEMY CHARTER	20 CARES	82,345.00
2020-100-034-5120-513		D	200806	AV	0345125E168685	22358461908	INTERNATIONAL CHARTER SCHO	20 CARES	21,220.00
2020-100-034-5120-513		D	200806	AV	0345125E168686	21600012608	BERKELEY TWP BD OF ED	20 CARES	189,290.00
2020-100-034-5120-513		D	200728	AV	0345125E167687	22600206808	MAYWOOD BD OF ED	20 CARES	64,995.00
2020-100-034-5120-513		D	200728	AV	0345125E167688	22600215008	NORTH ARLINGTON BD OF ED	20 CARES	40,515.00
2020-100-034-5120-513		D	200728	AV	0345125E167689	22600209108	MONROE TWP BD OF ED	20 CARES	17,293.00
2020-100-034-5120-513		D	200728	AV	0345125E167690	22600200808	JAMESBURG BD OF ED	20 CARES	4,384.00
2020-100-034-5120-513		D	200728	AV	0345125E167691	22169656008	NORTHERN HIGH REG H S BD OF	20 CARES	17,732.00
2020-100-034-5120-513		D	200728	AV	0345125E167692	21600023608	MARGATE CITY BD OF ED	20 CARES	1,227.00
2020-100-034-5120-513		D	200728	AV	0345125E167693	21600014608	HOPEWELL TWP BD OF ED	20 CARES	50,022.00
2020-100-034-5120-513		D	200728	AV	0345125E167694	22601444208	DEL VAL REG H S BD OF ED	20 CARES	8,048.00
2020-100-034-5120-513		D	200728	AV	0345125E167695	22601218908	NORTHERN VAL REG H S BD OF E	20 CARES	55,034.00
2020-100-034-5120-513		D	200728	AV	0345125E167696	22358461908	INTERNATIONAL CHARTER SCHO	20 CARES	3,977.00
2020-100-034-5120-513		D	200728	AV	0345125E167697	22357950808	ACADEMY CHARTER HIGH SCHO	20 CARES	100,496.00
2020-100-034-5120-513		D	200728	AV	0345125E167698	21600756808	OCEAN CO VOC BD OF ED	20 CARES	67,005.00
2020-100-034-5120-513		D	200728	AV	0345125E167699	22600237808	WASHINGTON TWP BD OF ED	20 CARES	28,890.00
2020-100-034-5120-513		D	200728	AV	0345125E167700	52210673408	VILLAGE CHARTER SCHOOL	20 CARES	167,003.00
2020-100-034-5120-513		D	200728	AV	0345125E167701	22363279108	PACE CHARTER SCHOOL HAMILT	20 CARES	75,000.00
2020-100-034-5120-513		D	200728	AV	0345125E167702	26350955608	RIVERBANK CHARTER SCHOOL C	20 CARES	13,001.00
2020-100-034-5120-513		D	200728	AV	0345125E167703	22600256808	KNOWLTON TWP BD OF ED	20 CARES	22,878.00
2020-100-034-5120-513		D	200728	AV	0345125E167704	90052748008	BARACK OBAMA GREEN CHARTE	20 CARES	18,761.00
2020-100-034-5120-513		D	200728	AV	0345125E167705	20440690908	FOUNDATION ACADEMY CHARTE	20 CARES	14,479.00
2020-100-034-5120-513		D	200728	AV	0345125E167706	22600232508	STANHOPE BD OF ED	20 CARES	4,862.00
2020-100-034-5120-513		D	200728	AV	0345125E167707	21600491108	DEAL BD OF ED	20 CARES	29,225.00
2020-100-034-5120-513		D	200728	AV	0345125E167708	22194987708	KITTATINNY REG HS BD ED	20 CARES	5,010.00
2020-100-034-5120-513		D	200728	AV	0345125E167709	21600013008	BELMAR BD OF ED	20 CARES	69,064.00
2020-100-034-5120-513		D	200728	AV	0345125E167710	22600185608	HANOVER TWP BD OF ED	20 CARES	17,550.00
2020-100-034-5120-513		D	200728	AV	0345125E167711	22379976308	PATERSON CHARTER SCHOOL F	20 CARES	356,121.00
2020-100-034-5120-513		D	200728	AV	0345125E167712	21600021908	LAKEWOOD BD OF ED	20 CARES	38,125.00

2020-100-034-5120-513		D	200728	AV	0345125E167713	22192152408	LENAPE VALLEY REG HS BD OF ED	20 CARES	10,000.00
2020-100-034-5120-513		D	200728	AV	0345125E167714	22600185808	HARDING TWP BD OF ED	20 CARES	16,498.00
2020-100-034-5120-513		D	200728	AV	0345125E167715	22382358608	LEAP ACADEMY UNIVERSITY CH	20 CARES	489,314.00
2020-100-034-5120-513		D	200728	AV	0345125E167716	21600025808	EASTHAMPTON TWP BD OF ED	20 CARES	20,828.00
2020-100-034-5120-513		D	200728	AV	0345125E167717	21600019708	GLOUCESTER CITY BD OF ED	20 CARES	25,947.00
2020-100-034-5120-513		D	200728	AV	0345125E167718	22600179508	FAIR LAWN BD OF ED	20 CARES	79,409.00
2020-100-034-5120-513		D	200728	AV	0345125E167719	21600017208	DOWNE TWP BD OF ED	20 CARES	24,747.00
2020-100-034-5120-513		D	200728	AV	0345125E167720	22600172408	CLIFFSIDE PARK BD OF ED	20 CARES	47,466.00
2020-100-034-5120-513		D	200728	AV	0345125E167721	22600224208	EDISON TWP BD OF ED	20 CARES	227,508.00
2020-100-034-5120-513		D	200728	AV	0345125E167722	22600296208	BAYONNE BD OF ED	20 CARES	1,764,134.00
2020-100-034-5120-513		D	200728	AV	0345125E167723	27220548500	ATLANTIC CTY COM CHARTER SC	20 CARES	59,761.00
2020-100-034-5120-513		D	200728	AV	0345125E167724	21600018808	LACEY TWP BD OF ED	20 CARES	463,441.00
2020-100-034-5120-513		D	200728	AV	0345125E167725	22600204808	LOPATCONG TWP BD OF ED	20 CARES	49,346.00
2020-100-034-5120-513		D	200728	AV	0345125E167726	22345677408	SOARING HEIGHTS CHARTER SC	20 CARES	22,960.00
2020-100-034-5120-513		D	200728	AV	0345125E167727	22358657008	DISCOVERY CHARTER SCHOOL	20 CARES	9,223.00
2020-100-034-5120-513		D	200728	AV	0345125E167728	22600284508	MORRIS HILLS REG BD OF ED	20 CARES	71,082.00
2020-100-034-5120-513		D	200728	AV	0345125E167729	46223779800	PATERSON ARTS AND SCIENCE	20 CARES	118,833.00
2020-100-034-5120-513		D	200728	AV	0345125E167730	81078743100	HUDSON ARTS AND SCIENCE	20 CARES	52,019.00
2020-100-034-5120-513		D	200728	AV	0345125E167731	22351004908	CHARTER TECH HIGH SCHOOL	20 CARES	20,325.00
2020-100-034-5120-513		D	200728	AV	0345125E167732	27370639800	PASSAIC ARTS & SCIENCE	20 CARES	80,328.00
2020-100-034-5120-513		D	200728	AV	0345125E167733	22364259008	MARIA L VARISCO ROGERS CHAP	20 CARES	235,129.00
2020-100-034-5120-513		D	200728	AV	0345125E167734	20444645008	BERGEN ARTS SCIENCE CHARTE	20 CARES	53,113.00
2020-100-034-5120-513		D	200728	AV	0345125E167735	22600247908	SUSSEX CO VOC BD OF ED	20 CARES	37,860.00
2020-100-034-5120-513		D	200728	AV	0345125E167736	21600032908	SOUTHAMPTON TWP BD OF ED	20 CARES	14,426.00
2020-100-034-5120-513		D	200728	AV	0345125E167737	21600028408	PINE HILL BD OF ED	20 CARES	379,407.00
2020-100-034-5120-513		D	200707	AV	0345125E167440	22600203908	LITTLE FERRY BD OF ED	20 CARES	50,163.00
2020-100-034-5120-513		D	200624	AV	0345125E165921	21600024608	CAMDEN CO VOC BD OF ED	20 CARES	5,586.00
2020-100-034-5120-513		D	200624	AV	0345125E165922	22600244108	ESSEX CO VOC BD OF ED	20 CARES	242,964.00
2020-100-034-5120-513		D	200624	AV	0345125E165923	21600028508	PITMAN BD OF ED	20 CARES	91,686.00
2020-100-034-5120-513		D	200624	AV	0345125E165924	21600774308	CLEARVIEW REG BD OF ED	20 CARES	99,099.00
2020-100-034-5120-513		D	200624	AV	0345125E165925	21600024008	MOUNT LAUREL BD OF ED	20 CARES	267,023.00
2020-100-034-5120-513		D	200624	AV	0345125E165926	22600163808	ALPINE BD OF ED	20 CARES	34,752.00
	6160							Sum:	10,525,576.00

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