

ASSEMBLY BILL NO. 4006

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I herewith return Assembly Bill No. 4006 without my approval.

This bill would postpone the comprehensive New Jersey Quality Single Accountability Continuum ("NJQSAC") review for certain school districts. The bill provides that the NJQSAC review will take place in the 2021-2022 school year for any school district that: 1) was required to undergo NJQSAC review in the 2019-2020 school year but was unable to complete such review due to Coronavirus disease 2019 ("COVID-19") related school closures; or 2) is scheduled to undergo NJQSAC review in the 2020-2021 school year. Further, the bill dictates that these districts will be required to undergo their next comprehensive NJQSAC review as if the postponement had not occurred. According to the statement accompanying the bill, the postponements are intended to allow districts to focus their time and resources on responding to the COVID-19 pandemic.

I commend the bill's sponsors for acknowledging the challenges that the COVID-19 pandemic has presented to our school districts and their standard operations. However, in seeking to deliver a degree of immediate relief to certain school districts, this bill imposes a substantial burden on the New Jersey Department of Education ("DOE").

Over the course of a traditional school year, the DOE completes an average of 190 NJQSAC reviews, each of which can require up to five days to complete. Under this bill, during the 2021-2022 school year, the DOE will be responsible for completing NJQSAC reviews for three different categories of school districts:

1) those regularly scheduled for 2021-2022 review; 2) those scheduled for 2020-2021 review; and 3) those scheduled for 2019-2020 review that were unable to complete the review due to COVID-19-related school closures. This translates into approximately 400 reviews over the course of one school year, which is approximately two times the number of reviews conducted by the DOE in a standard year.

Furthermore, although the bill will alleviate the workload that the NJQSAC review imposes on school districts in the short term, it will ultimately subject certain school districts to increased demands. Because the bill requires the affected districts to undergo their next comprehensive NJQSAC review as if the postponement had not occurred, districts initially scheduled for 2020-2021 review will be subjected to two NJQSAC reviews in three years. The NJQSAC review process is comprehensive, complex, and time-consuming, and is designed to evaluate a district's compliance with State law and programs over a three-year period. Requiring certain districts to undergo two reviews in three years is redundant and unnecessary, particularly at a time when districts are focusing resources on COVID-19 response measures.

Fortunately, the DOE has already taken proactive measures to address the needs of school districts with respect to NJQSAC reviews affected by COVID-19 in a manner that will neither overwhelm the DOE nor subject dozens of districts to unnecessary reviews. In May 2020, the DOE implemented an emergency rule modification pursuant to Executive Order No. 103 (2020), which allowed reviews to be completed without the need for in-person interaction. For the duration of the COVID-19 public health emergency, all county offices of education are prepared to conduct NJQSAC reviews as scheduled, guided by the emergency rule

modification. I have been informed by the DOE that many school districts scheduled for NJQSAC review during the 2019-2020 school year successfully utilized the modified review process to complete their NJQSAC reviews. I have been further advised by the DOE that those school districts scheduled for reviews during the 2020-2021 school year have been informed of the modifications to the review process and are readily able to undergo such review.

Accordingly, I herewith return Assembly Bill No. 4006 without my approval.

Respectfully,

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor