https://www.njleg.state.nj.us/bills/BillView.asp?BillNumber=A3840

C.18A:33-27.2
to 18A:33-27.4

P.L. 2020, CHAPTER 6, ***approved March 20, 2020***
Assembly, No. 3840

AN ACT concerning the provision of school meals during an epidemic and supplementing chapter 33 of Title 18A of the New Jersey Statutes.

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

1. a. In the event that a board of education is provided a written directive by either the New Jersey Department of Health or the health officer of the jurisdiction to institute a public health-related closure due to the COVID-19 epidemic, the district shall implement a program during the period of the school closure to provide school meals to all students enrolled in the district who are eligible for the free and reduced price school lunch and school breakfast programs.

b. In the event of the closure, the school district shall identify one or more school meal distribution sites that are walkable and easily accessible to students in the district. The school district shall collaborate with county and municipal government officials in identifying appropriate sites. A school meal distribution site may include, but need not be limited to: faith-based locations; community centers, such as YMCAs; and locations in the school district where summer meals are available. In a school district that includes high density housing, the district shall make every effort to identify a school meal distribution site in that housing area.

c. The school district shall identify students enrolled in the district who are eligible for the free and reduced price school lunch and school breakfast programs for whom a school meal distribution site identified pursuant to subsection b. of this section is not within walking distance. In the case of these students, the school district shall distribute the school meals to the student's residence or to the student's bus stop along an established bus route provided that the student or the student's parent or guardian is present at the bus stop for the distribution. Food distributed pursuant to this section may include up to a total of three school days' worth of food per delivery.

d. School districts may use school buses owned and operated by the district to distribute school meals pursuant to this section. In the case of a school district that does not own and operate its own buses, the district may contract for the distribution of school meals and these contracts shall not be subject to the public bidding requirements pursuant to the "Public School Contracts Law," P.L.1977, c.114 (C.18A:18A-1 et seq.).

e. A school district shall collaborate, as feasible, with other school districts and local governments to implement the program required pursuant to this section in order to promote administrative and operational efficiencies and cost savings.

2. In the event that a board of education is provided a written directive by either the New Jersey Department of Health or the health officer of the jurisdiction to institute a public health-related closure due to the COVID-19 epidemic, and the school district is unable to provide school meals pursuant to section 1 of this act to a student who is eligible for a free and reduced price meal, the school district shall establish a food voucher system for these students, in accordance with criteria promulgated by the Commissioner of Education, in consultation with the Commissioner of Human Services. The food voucher system shall provide funds to enable these students to access nutritious food at food retail stores.

3. The State shall bear any costs not reimbursed by the federal government which are incurred by the school districts in effectuating the provisions of this act. The State shall maximize the waiver flexibilities being provided by the federal government to address the loss of meals for low-income children due to COVID-19-related school closures.

4. This act shall take effect immediately.

STATEMENT

This bill provides direction to school districts for the provision of school meals to students if the districts are directed by either the New Jersey Department of Health or the health officer of the jurisdiction to institute a public health-related closure due to the COVID-19 epidemic. Under these circumstances, the district is required to implement a program during the period of the school closure to provide school meals to all district students who are eligible for the free and reduced price school lunch and school breakfast programs. Under the program, the school district is required to collaborate with county and municipal government officials to identify one or more school meal distribution sites that are walkable and easily accessible to students in the district. The bill lists possible sites including, but not limited to: faith-based locations; community centers, such as YMCAs; and locations in the school district where summer meals are available. The bill provides, however, that if there is high density housing in a school district, the district must make every effort to identify a school meal distribution site in that housing area.

The bill also requires school districts to identify students for whom a school meal distribution site is not within walking distance. In the case of these students, the school district will distribute the school meals to the student's residence or to the student's bus stop along an established bus route provided that the student or the student's parent or guardian is present at the bus stop for the distribution. Food distributed to the student's residence may include up to a total of three school days' worth of food per delivery.

School districts may use school buses owned and operated by the district to distribute school meals pursuant to the provisions of the bill. In the case of a school district that does not own and operate its own buses, the district is permitted to contract for the distribution of school meals and these contracts will not be subject to the public bidding requirements pursuant to the "Public School Contracts Law," P.L.1977, c.114 (C.18A:18A-1 et seq.).

If a school district is unable to provide school meals through school meal distribution sites or through distributions at the student's residence, the school district must establish a food voucher system for these students. The food voucher system must be established in accordance with criteria promulgated by the Commissioner of Education, in consultation with the Commissioner of Human Services. Under the food voucher system funds will be provided to students to enable them to access nutritious food at food retail stores.

Finally, the bill provides that the State will bear any costs not reimbursed by the federal government which school districts incur in effectuating the provisions of this bill. The State is required to maximize the waiver flexibilities being provided by the federal government to address the loss of meals for low-income children due to COVID-19-related school closures.

Requires school districts to provide school meals or meal vouchers to students eligible for free and reduced price school meals during school closures due to COVID-19 epidemic.