

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

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

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

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

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

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

37 d. School districts may use school buses owned and operated
38 by the district to distribute school meals pursuant to this section. In
39 the case of a school district that does not own and operate its own
40 buses, the district may contract for the distribution of school meals
41 and these contracts shall not be subject to the public bidding

1 requirements pursuant to the “Public School Contracts Law,”
2 P.L.1977, c.114 (C.18A:18A-1 et seq.).

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

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

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20 3. The State shall bear any costs not reimbursed by the federal
21 government which are incurred by the school districts in
22 effectuating the provisions of this act. The State shall maximize the
23 waiver flexibilities being provided by the federal government to
24 address the loss of meals for low-income children due to COVID-
25 19-related school closures.

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27 4. This act shall take effect immediately.

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STATEMENT

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

1 district, the district must make every effort to identify a school meal
2 distribution site in that housing area.

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

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

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

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

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