

# SENATE, No. 2281

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 16, 2020

**Sponsored by:**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**Senator SANDRA B. CUNNINGHAM**

**District 31 (Hudson)**

**Co-Sponsored by:**

**Senators Stack, Cruz-Perez, Pou, Addiego, Scutari, T.Kean, Singer,  
Brown, Singleton and Turner**

**SYNOPSIS**

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.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 3/19/2020)**

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.

4  
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7  
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  
42 requirements pursuant to the "Public School Contracts Law,"  
43 P.L.1977, c.114 (C.18A:18A-1 et seq.).

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

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

12  
13       3. The State shall bear any costs not reimbursed by the federal  
14 government which are incurred by the school districts in  
15 effectuating the provisions of this act. The State shall maximize the  
16 waiver flexibilities being provided by the federal government to  
17 address the loss of meals for low-income children due to COVID-  
18 19-related school closures.

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20       4. This act shall take effect immediately.

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STATEMENT

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

43       The bill also requires school districts to identify students for  
44 whom a school meal distribution site is not within walking distance.  
45 In the case of these students, the school district will distribute the  
46 school meals to the student's residence or to the student's bus stop  
47 along an established bus route provided that the student or the  
48 student's parent or guardian is present at the bus stop for the

1 distribution. Food distributed to the student's residence may  
2 include up to a total of three school days' worth of food per  
3 delivery.

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

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

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