

[First Reprint]

ASSEMBLY, No. 1104

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

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Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

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District 6 (Burlington and Camden)

Co-Sponsored by:

Assemblyman Thomson, Assemblywoman Quijano, Assemblymen Benson, Mukherji, Assemblywomen Reynolds-Jackson, Speight, Assemblymen Holley, Johnson, Conaway, Assemblywoman Mosquera, Assemblyman McKeon, Assemblywomen Jasey, Lopez, Senators Gopal, T.Kean, Turner, Madden and Scutari

SYNOPSIS

“Hunger-Free Students’ Bill of Rights Act”; requires certain school meal information be provided to students’ parents; establishes protocols for identifying eligible students for meal programs; prohibits stigmatizing student with bill in arrears.

CURRENT VERSION OF TEXT

As reported by the Assembly Education Committee on February 13, 2020, with amendments.

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

1 AN ACT concerning school meals and amending and supplementing
2 P.L.2015, c.15.

3

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

6

7 1. (New section) Section 1 of P.L.2015, c.15 (C.18A:33-21)
8 and sections 3 and 4 of P.L. , c. (C.) (pending before the
9 Legislature as this bill) shall be known and may be cited as the
10 “Hunger-Free Students’ Bill of Rights Act.”

11

12 2. Section 1 of P.L.2015, c.15 (C.18A:33-21) is amended to read
13 as follows:

14 1. a. In the event that a school district determines that a student's
15 school breakfast or school lunch bill is in arrears, the district shall
16 contact the student's parent or guardian to provide notice of the
17 arrearage and shall provide the parent or guardian with a period of 10
18 school days to pay the amount due. If the student's parent or guardian
19 has not made full payment by the end of the 10 school days, then the
20 district shall again contact the student's parent or guardian to provide
21 notice ¹**[that school breakfast or school lunch, as applicable, shall not**
22 **be served to the student beginning one week from the date of the**
23 **second notice unless payment is made in full]** of any action to be
24 taken by the school district in response to a student’s school breakfast
25 or school lunch bill being in arrears¹.

26 A school district shall report at least biannually to the Department
27 of Agriculture the number of students who are denied school breakfast
28 or school lunch pursuant to this section.

29 Nothing in this section shall be construed to require a school
30 district to deny or restrict access to school breakfast or school lunch to
31 a student whose school breakfast or school lunch bill is in arrears.

32 b. A school district shall not:

33 (1) publicly identify or stigmatize a student who cannot pay for a
34 school breakfast or a school lunch or whose school breakfast or school
35 lunch bill is in arrears, for example, by requiring that the student sit at
36 a separate table or wear a wristband, hand stamp, or identifying mark
37 or by serving the student an alternative meal;

38 (2) require a student who cannot pay for a school breakfast or a
39 school lunch or whose school breakfast or school lunch bill is in
40 arrears to do chores or other work to pay for the school breakfast or
41 school lunch; or

42 (3) require a student to discard a school breakfast or school lunch
43 after it has been served because of the student’s inability to pay for a
44 school breakfast or a school lunch or because money is owed for
45 previously provided meals.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AED committee amendments adopted February 13, 2020.

1 c. If a student owes money for the equivalent of five or more
2 school meals, a school district shall:

3 (1) determine if the student is eligible for a free or reduced price
4 school meal;

5 (2) make at least two attempts, not including the application or
6 instructions provided to the parent or guardian pursuant to section 3 of
7 P.L. , c. (C.) (pending before the Legislature as this bill), to
8 contact the student's parent or guardian and have the parent or
9 guardian fill out an application for the school lunch program and
10 school breakfast program; and

11 (3) require a principal, or a person designated by the principal, to
12 contact the parent or guardian to offer assistance with the application
13 for the school lunch and school breakfast program, determine if there
14 are other issues within the household that have caused the child to
15 have insufficient funds to purchase a school breakfast or school lunch,
16 and offer any other appropriate assistance.

17 d. A school district shall direct communications about a student's
18 school breakfast or school lunch bill being in arrears to the parent or
19 guardian and not the student. Nothing in this subsection shall prohibit
20 a school district from sending a student home with a letter addressed to
21 a parent or guardian.

22 (cf: P.L.2018, c.27)

23

24 3. (New section) At the beginning of each school year, and
25 upon initial enrollment in the case of a student enrolling during the
26 school year, a school district shall provide to the parent or guardian
27 of each student:

28 a. information on the National School Lunch Program and the
29 federal School Breakfast Program;

30 b. an application to apply for the school lunch and school
31 breakfast programs and instructions for completing the application;
32 and

33 c. information on the rights of students and their families under
34 P.L.2015, c.15 (C.18A:33-21) and P.L. , c. (C.) (pending
35 before the Legislature as this bill).

36 The district may provide the application and information
37 electronically, through the usual means by which the school district
38 communicates with parents electronically. The application and
39 information shall be in a language that the parent or guardian
40 understands.

41

42 4. (New section) The school district liaison for the education
43 of homeless children shall coordinate with school district personnel
44 to ensure that a homeless student receives free school meals and is
45 monitored according to the school district's policies.

46

47 5. This act shall take effect on the first day of the first full
48 school year following the date of enactment.