

**ASSEMBLY, No. 1104**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Assemblywoman CAROL A. MURPHY**

**District 7 (Burlington)**

**Assemblywoman ANGELA V. MCKNIGHT**

**District 31 (Hudson)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Co-Sponsored by:**

**Assemblyman Thomson, Assemblywoman Quijano, Assemblymen Benson and Mukherji**

**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**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 2/13/2020)**

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

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

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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  
13 read as follows:

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

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

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

31 b. A school district shall not:

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

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

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

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

**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.

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

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

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

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

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

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

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

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

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

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

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

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

STATEMENT

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This bill is entitled the “Hunger-Free Students’ Bill of Rights Act.” Under the provisions of the bill a school district is not permitted to:

- publicly identify or stigmatize a student who cannot pay for a school meal, for example, by requiring that the student sit at a separate table or wear a wristband, hand stamp, or identifying mark or by serving the student an alternative meal;
- require a student who cannot pay for a school meal to do chores or other work to pay for the school meal; or
- require a student to discard a school meal after it has been served because of the student’s inability to pay for a school meal or because money is owed for previously provided school meals.

The bill also establishes a protocol to be used when a student owes money for the equivalent of five or more school meals. The protocol is designed to help school districts identify students who would be eligible for free or reduced price meals and offer the parents of students, assistance in applying for the programs.

Under the provisions of the bill, at the beginning of each school year, and upon initial enrollment in the case of a student enrolling during the school year, a school district must provide to the parent or guardian of each student:

- information on the National School Lunch Program and the federal School Breakfast Program;
- an application to apply for the school lunch and school breakfast programs and instructions for completing the application; and
- information on the rights of students under the provisions of this bill and under section 1 of P.L.2015, c.15 (C.18A:33-21), regarding the protocol which must be followed by a district in order to deny a student a school meal when a school meal bill is in arrears.

In addition, the bill provides that a school district liaison for the education of homeless children must coordinate with school district personnel to ensure that a homeless student receives free school meals and is monitored according to the school district’s policies.

Finally, the bill clarifies that the provisions of section 1 of P.L.2015, c.15 (C.18A:33-21) may not be construed to require a school district to deny or restrict access to school breakfast or school lunch to a student whose school breakfast or school lunch bill is in arrears.