ASSEMBLY, No. 1631

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
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SYNOPSIS
Requires school districts take certain actions to increase participation in free or reduced priced meal programs; prohibits shaming students with school meal bills in arrears; prohibits certain district actions in collecting unpaid school meal fees.

CURRENT VERSION OF TEXT
Introduced Pending Technical Review by Legislative Counsel.

(Sponsorship Updated As Of: 2/13/2020)
AN ACT concerning school meals and amending P.L.2015, c.15.

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

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

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

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

Nothing in this section shall 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.

b. Prior to initially contacting the parent or guardian to provide notice of a school breakfast or school lunch bill in arrears as provided in subsection a. of this section, the school district shall exhaust all options and methods to directly certify the student for a free or reduced priced meal. If the school district is not able to directly certify the student, the school district shall provide the parent or guardian with a paper copy of, or an electronic link to, an application for the free or reduced priced meal program with the notification of the arrearage and contact the parent or guardian to encourage application submission.

c. A school district shall ensure that a student whose school breakfast or school lunch bill is in arrears is not shamed, treated differently, forced to go to the end of the food line, or served a meal that differs from what a student whose school breakfast or school lunch bill is not in arrears would receive. This subsection shall not prohibit a school district from serving an alternative reimbursable meal to a student who may need one for dietary or religious reasons.

d. A school district shall not permit any action directed at a student to collect unpaid school meal fees. A school district may attempt to collect unpaid school meal fees from a parent or

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.
guardian, but shall not threaten to make a child protective services report solely in regard to the arrearage.

(cf: P.L.2018, c.27, s.1)

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

STATEMENT

This bill includes a number of provisions regarding a school district’s responsibilities when a student’s school breakfast or school lunch bill is in arrears. Pursuant to the bill, prior to contacting the parent to provide notice of the school meal bill in arrears, the school district is required to exhaust all options and methods to directly certify the student for the free or reduced priced meal program. If the school district is not able to directly certify the student, when the district sends the notification of the arrearage to the parent, it must include a paper copy of, or an electronic link to, an application for the school meal program and contact the parent to encourage submission of the application.

The bill also includes a provision that requires school districts to ensure that a student whose school breakfast or school lunch bill is in arrears is not shamed, treated differently, forced to go to the end of the food line, or served a meal that differs from what a student whose bill is not in arrears would receive. Under the bill, a district may not permit any action directed at a student to collect unpaid school meal fees. Districts may attempt to collect unpaid school meal fees from parents, but the districts are not permitted to threaten to make a child protective services report solely in regard to the arrearage.

The bill also clarifies that nothing in section 1 of P.L.2015, c.15 (C.18A:33-21) requires a school district to deny school breakfast or school lunch to a student whose bill is in arrears, but rather to provide adequate notice and opportunity to the student’s parent or guardian if the district determines to take such an action.