

CHAPTER 203

AN ACT concerning school meals and amending P.L.2022, c.104.

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

1. Section 16 of P.L.2022, c.104 (C.18A:33-21b1) is amended to read as follows:

C.18A:33-21b1 Information provided to parent, guardian.

16. a. At the beginning of each school year, or upon initial enrollment, in the case of a student who enrolls during the school year, a school district shall provide each student's parent or guardian with:

(1) a hard copy of information on the National School Lunch Program and the federal School Breakfast Program, including, but not limited to, information on the availability of free or reduced price meals for eligible students, information on the application and determination processes that are used to certify eligible students for subsidized school meals, and information on the rights that are available to students and their families under this section and section 1 of P.L.2015, c.15 (C.18A:33-21); and

(2) a hard copy of a school meals application form, as well as instructions for completing the application, and, as necessary, assistance in completing the application.

b. The school meals information and application provided to parents and guardians, pursuant to subsection a. of this section, shall:

(1) be communicated in a language that the parent or guardian understands;

(2) specify the limited purposes for which collected personal data may be used, as provided by subsection c. of this section;

(3) (Deleted by amendment, P.L.2023, c.203); and

(4) include a notice that an application to apply for the school lunch and school breakfast programs may be submitted at any time during the school year and is required to be submitted annually.

The school district may also provide the information and application electronically, through the usual means by which the district electronically communicates with parents.

c. A school meals application that is completed by a parent or guardian shall be confidential, and shall not be used or shared by the student's school or school district, except as may be necessary to:

(1) determine whether a student identified in the application is eligible for free or reduced price school meals;

(2) determine whether the school or school district is required, by section 2 of P.L.2018, c.25 (C.18A:33-11.3) or by section 1 of P.L.2018, c.28 (C.18A:33-24), to establish a breakfast after the bell program, or to participate as a sponsor or site in the federal Summer Meals Service Program;

(3) ensure that the school receives appropriate reimbursement, from the State and federal governments, for meals provided to eligible students, free of charge, through a school lunch program, a school breakfast program, a breakfast after the bell program, a summer meals program, or an emergency meals distribution program; and

(4) facilitate school aid determinations under the "School Funding Reform Act of 2008," P.L.2007, c.260 (C.18A:7F-43 et seq.).

d. The school district shall require the parent or guardian to either submit an application to apply for the school lunch and school breakfast programs or submit a signed card provided by the school district indicating that the parent or guardian has received the application and information and is not interested in participating in the school lunch and school breakfast

programs. The card shall include a notice stating that a parent or guardian may submit an application to apply for the school lunch and school breakfast programs at any time during the school year.

If a school district does not receive an application or a signed card, the school district shall make at least one attempt to contact the student's parent or guardian and request that the parent or guardian submit either an application or signed card.

e. The provisions of this section shall not apply in the case of a school which participates in the Community Eligibility Provision.

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

Approved January 8, 2024.