

ASSEMBLY, No. 4856

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JANUARY 15, 2019

Sponsored by:

Assemblywoman CAROL A. MURPHY
District 7 (Burlington)

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 introduced.



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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.”

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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 b. A school district shall not:

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

33 (2) require a student who cannot pay for a school breakfast or a
34 school lunch or whose school breakfast or school lunch bill is in
35 arrears to do chores or other work to pay for the school breakfast or
36 school lunch; or

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

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

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

45 (2) make at least two attempts, not including the application or
46 instructions provided to the parent or guardian pursuant to section 3
47 of P.L. , c. (C.) (pending before the Legislature as this bill), to

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 contact the student's parent or guardian and have the parent or
2 guardian fill out an application for the school lunch program and
3 school breakfast program; and

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

11 d. A school district shall direct communications about a
12 student's school breakfast or school lunch bill being in arrears to
13 the parent or guardian and not the student. Nothing in this
14 subsection shall prohibit a school district from sending a student
15 home with a letter addressed to a parent or guardian.

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

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

22 a. information on the National School Lunch Program and the
23 federal School Breakfast Program;

24 b. an application to apply for the school lunch and school
25 breakfast programs and instructions for completing the application;
26 and

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

30 The district may provide the application and information
31 electronically, through the usual means by which the school district
32 communicates with parents electronically. The application and
33 information shall be in a language that the parent or guardian
34 understands.

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

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

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STATEMENT

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47 This bill is entitled the "Hunger-Free Students' Bill of Rights
48 Act." Under the provisions of the bill a school district is not
49 permitted to:

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

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

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

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

31 Finally, the bill provides that a school district liaison for the
32 education of homeless children must coordinate with school district
33 personnel to ensure that a homeless student receives free school
34 meals and is monitored according to the school district's policies.