ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 1630 and 1631

STATE OF NEW JERSEY

DATED: FEBRUARY 13, 2020

The Assembly Education Committee reports favorably Assembly Committee Substitute for Assembly Bill Nos. 1630 and 1631.

In February of 2015, the Legislature enacted P.L.2015, c.15 (C.18A:33-21) to establish a process that a school district must follow prior to denying a school breakfast or a school lunch to a student due to the fact that the student's school breakfast or school lunch bill was in arrears. The purpose of the law was to ensure that a student was not suddenly denied a school breakfast or school lunch, and that the student's parent or guardian received proper notice of the arrearage and an adequate opportunity to address the arrearage prior to the school district making a determination to deny the student school meals.

This committee substitute 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. The substitute amends that same section of law to require that, if a student's parent or guardian has not made full payment of a student's school breakfast or school lunch bill in arrears by the end of 10 school days, a school district must provide notice of any action to be taken by the school district in response to a student's school breakfast or school lunch bill being in arrears.

This committee substitute also amends that section of law to include 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 substitute, 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 substitute 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 substitute, 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.