

N.J. Stat. § 18A:33-21

Section 18A:33-21 - [Effective 9/1/2023] Provision of school meals

a.

(1) In the event that a school district determines that an unsubsidized 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 designated 10-day period, then the district shall again contact the student's parent or guardian to provide notice of any action to be taken by the school district in response to the arrearage.

(2) 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.

(3) Nothing in this section shall be construed to require a school district to deny or restrict the ability of an unsubsidized student to access school breakfast or school lunch when the student's school breakfast or school lunch bill is in arrears.

b. A school or school district shall not:

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

(2) require an unsubsidized student, who cannot pay for a school breakfast or a school lunch, or whose school breakfast or school lunch bill is in arrears, to do chores or other work to pay for the school breakfast or school lunch;

(3) require an unsubsidized student to discard a school breakfast or school lunch after it has been served because of the student's inability to pay for a school breakfast or a school lunch or because money is owed for previously provided meals;

(4) prohibit an unsubsidized student, or a sibling of such a student, from attending or participating in non-fee-based extracurricular activities, field trips, or school events, from receiving grades, official transcripts, or report cards, or from graduating or attending graduation events, solely because of the student's unresolved meal debt; or

(5) require the parent or guardian of an unsubsidized student to pay fees or costs in excess of the actual amounts owed for meals previously served to the student.

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

(1) (Deleted by amendment, P.L.2022, c.104)

(2) determine whether the student is categorically eligible or income-eligible for free or reduced price meals, by conducting a review of all available records related to the student, and by making at least two attempts, not including the initial attempt made pursuant to section 3 of P.L.2020, c.29 (C.18A:33-21b), to contact the student's parent or guardian and have the parent or guardian fill out a school meals application; and

(3) require a principal, or a person designated by the principal, to contact the parent or guardian of the unsubsidized student to offer assistance with respect to the completion of the school meals application, to determine if there are other issues in the household that have caused the child to have insufficient funds to purchase a school breakfast or school lunch, and to offer any other appropriate assistance.

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

e. Notwithstanding the provisions of this section and the provisions of any other law, rule, or regulation to the contrary, an unsubsidized student shall not be denied access to a school meal, regardless of the student's ability to pay or the status of the student's meal arrearages, during any period of time in which the school is making a determination, pursuant to subsection c. of this section, as to whether the student is eligible for, and can be certified to receive, free or reduced price meals.

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Amended by L. 2022, c. 104,s. 14, eff. 9/1/2023.

Amended by L. 2020, c. 29,s. 2, eff. the first day of the 2020-2021 school year.

Amended by L. 2018, c. 27,s. 1, eff. 5/30/2018.

This section is set out more than once due to postponed, multiple, or conflicting amendments.