

[First Reprint]

SENATE, No. 1222

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED FEBRUARY 3, 2022

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator VIN GOPAL

District 11 (Monmouth)

SYNOPSIS

Directs Department of Agriculture in consultation with DOE to establish online applications for National School Lunch Program and school breakfast programs.

CURRENT VERSION OF TEXT

As reported by the Senate Education Committee on January 12, 2023, with amendments.



(Sponsorship Updated As Of: 2/10/2022)

1 AN ACT concerning online applications for the National School
 2 Lunch Program and school breakfast programs, amending
 3 P.L.2003, c.4, and supplementing Title 18A of the New Jersey
 4 Statutes.

5
 6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
 7 *of New Jersey:*

8
 9 ¹**[1.** Section 3 of P.L.2003, c.4 (C.18A:33-11) is amended to
 10 read as follows:

11 3. In implementing a school breakfast program under **[this act]**
 12 P.L.2003, c.4 (C.18A:33-9 et seq.), a school district shall:

13 a. publicize the availability of the school breakfast program to
 14 parents and students;

15 b. make every effort to make available the Internet-based
 16 application developed by the Department of Agriculture, in
 17 consultation with the Department of Education for school meal
 18 applications pursuant to section 2 of P.L. , c. (C.) (pending
 19 before the legislature as this bill);

20 c. make every effort to ensure that income-eligible students are
 21 not recognized as program participants by the student body, faculty, or
 22 staff in a manner distinct from student participants who are not
 23 income-eligible. Such efforts shall include, but not be limited to, the
 24 establishment of a meal plan or voucher system under which students
 25 receiving subsidized breakfasts are not distinguished from students
 26 receiving non-subsidized breakfasts; and

27 **[c.] d.** make every effort to encourage students who are not
 28 income-eligible to participate in the program.

29 (cf: P.L.2003, c.4, s.3)**]¹**

30
 31 ¹1. Section 3 of P.L.2003, c.4 (C.18A:33-11) is amended to read
 32 as follows:

33 3. In implementing a school lunch program, pursuant to
 34 P.L.1974, c.53 (C.18A:33-4 et seq.), a school breakfast program,
 35 pursuant to P.L.2003, c.4 (C.18A:33-9 et seq.) or section 6 of
 36 P.L.2022, c.104 (C.18A:33-10.1), or a breakfast after the bell
 37 program, pursuant to section 1 of P.L.2014, c.66 (C.18A:33-11.1)
 38 or section 2 of P.L.2018, c.25 (C.18A:33-11.3), each school and
 39 school district shall:

40 a. publicize, to parents and students, the availability of the
 41 respective school meals program, as well as the various ways in
 42 which a student may qualify to receive free or reduced price meals
 43 under the program, as provided by subsection a. of section 1 of

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SED committee amendments adopted January 12, 2023.

1 P.L.1974, c.53 (C.18A:33-4) and subsection a. of section 12 of
2 P.L.2022, c.104 (C.18A:33-14a);

3 b. make every effort to ensure that subsidized students are not
4 recognized as program participants, by the student body, faculty, or
5 staff, in a manner that is different from the manner in which
6 unsubsidized students are recognized as program participants. Such
7 efforts shall include, but need not be limited to, the establishment of
8 a neutral meal plan or voucher system that does not make a
9 distinction between subsidized and unsubsidized students; and

10 c. make every effort to:

11 (1) facilitate the prompt and accurate identification of
12 categorically eligible students who may be certified to participate in
13 the program, on a subsidized basis, without first submitting an
14 application therefor, and, whenever an application is required to
15 establish eligibility for subsidized meals, encourage students and
16 their families to submit a subsidized school meals application for
17 that purpose;

18 (2) facilitate and expedite, to the greatest extent practicable, the
19 subsidized school meals application and income-eligibility
20 determination processes that are used, by the school or school
21 district, to certify a student for free or reduced price school meals
22 on the basis of income, and assist parents and guardians in
23 completing the school meals application; and

24 (3) encourage students who are neither categorically eligible nor
25 income-eligible for free or reduced price school meals to
26 nonetheless participate, on a paid and unsubsidized basis, in the
27 program;

28 d. make every effort to make available the Internet-based
29 application developed by the Department of Agriculture, in
30 consultation with the Department of Education, for school meal
31 applications developed pursuant to section 2 of P.L. _____,
32 c. _____ (C. _____) (pending before the legislature as this bill).¹
33 (cf: P.L.2022, c.104, s.7)
34

35 2. (New section) a. The Department of Agriculture, in
36 consultation with the Department of Education, shall develop and
37 make available to each school district and nonprofit nonpublic school
38 participating in the National School Lunch Program or in a school
39 breakfast program, an Internet-based school meal application.

40 b. A school district or nonprofit nonpublic school participating in
41 the National School Lunch Program or in a school breakfast program
42 may implement the Internet-based school meal application developed
43 pursuant to subsection a. of this section. If a school district or
44 nonprofit nonpublic school implements the Internet-based school meal
45 application, it shall also continue to make available paper applications
46 for enrollment in the National School Lunch Program or in a school
47 breakfast program.

1 c. If a school district or nonprofit nonpublic school currently
2 provides an Internet-based school meal application for enrollment in
3 the National School Lunch Program or in a school breakfast program,
4 the school district or nonprofit nonpublic school shall have one year
5 from the date of enactment of P.L. , c. (C.) (pending before
6 the Legislature as this act) to switch to the Internet-based school meal
7 application developed pursuant to subsection a. of this section.

8 d. As used in this section, “school meal application” means an
9 Internet-based application designed for the online enrollment of
10 eligible students in the National School Lunch Program or in a school
11 breakfast program.

12

13 3. This act shall take effect immediately.