

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"MURPHY SIGNS AID PACKAGE HALTING EVICTIONS AND" The Record (Hackensack, NJ), March 20, 2020: A6.
"J Aid package protects against eviction," Suburban Trends, March 22, 2020

Rwh/cl

§§1,3&4 -
C.18A:33-21a to
18A:33-21c
§5 - Note

P.L. 2020, CHAPTER 29, *approved May 4, 2020*
Assembly, No. 1104 (*First Reprint*)

1 AN ACT concerning school meals and amending and supplementing
2 P.L.2015, c.15.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
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.”

11
12 2. Section 1 of P.L.2015, c.15 (C.18A:33-21) is amended to read
13 as follows:

14 1. a. In the event that a school district determines that a student's
15 school breakfast or school lunch bill is in arrears, the district shall
16 contact the student's parent or guardian to provide notice of the
17 arrearage and shall provide the parent or guardian with a period of 10
18 school days to pay the amount due. If the student's parent or guardian
19 has not made full payment by the end of the 10 school days, then the
20 district shall again contact the student's parent or guardian to provide
21 notice ¹**【**that school breakfast or school lunch, as applicable, shall not
22 be served to the student beginning one week from the date of the
23 second notice unless payment is made in full**】** of any action to be
24 taken by the school district in response to a student’s school breakfast
25 or school lunch bill being in arrears¹.

26 A school district shall report at least biannually to the Department
27 of Agriculture the number of students who are denied school breakfast
28 or school lunch pursuant to this section.

29 Nothing in this section shall be construed to require a school
30 district to deny or restrict access to school breakfast or school lunch to
31 a student whose school breakfast or school lunch bill is in arrears.

32 b. A school district shall not:

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

38 (2) require a student who cannot pay for a school breakfast or a
39 school lunch or whose school breakfast or school lunch bill is in

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:

¹Assembly AED committee amendments adopted February 13, 2020.

1 arrears to do chores or other work to pay for the school breakfast or
2 school lunch; or

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

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

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

11 (2) make at least two attempts, not including the application or
12 instructions provided to the parent or guardian pursuant to section 3 of
13 P.L. , c. (C.) (pending before the Legislature as this bill), to
14 contact the student's parent or guardian and have the parent or
15 guardian fill out an application for the school lunch program and
16 school breakfast program; and

17 (3) require a principal, or a person designated by the principal, to
18 contact the parent or guardian to offer assistance with the application
19 for the school lunch and school breakfast program, determine if there
20 are other issues within the household that have caused the child to
21 have insufficient funds to purchase a school breakfast or school lunch,
22 and offer any other appropriate assistance.

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

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

29

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

34 a. information on the National School Lunch Program and the
35 federal School Breakfast Program;

36 b. an application to apply for the school lunch and school
37 breakfast programs and instructions for completing the application;
38 and

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

42 The district may provide the application and information
43 electronically, through the usual means by which the school district
44 communicates with parents electronically. The application and
45 information shall be in a language that the parent or guardian
46 understands.

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

5

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

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12 “Hunger-Free Students’ Bill of Rights Act”; requires certain
13 school meal information be provided to students’ parents;
14 establishes protocols for identifying eligible students for meal
15 programs; prohibits stigmatizing student with bill in arrears.

ASSEMBLY, No. 1104

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Co-Sponsored by:

Assemblyman Thomson, Assemblywoman Quijano, Assemblymen Benson and Mukherji

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

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/13/2020)

1 AN ACT concerning school meals and amending and supplementing
2 P.L.2015, c.15.

3

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.”

11

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 Nothing in this section shall be construed to require a school
28 district to deny or restrict access to school breakfast or school lunch
29 to a student whose school breakfast or school lunch bill is in
30 arrears.

31 b. A school district shall not:

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

37 (2) require a student who cannot pay for a school breakfast or a
38 school lunch or whose school breakfast or school lunch bill is in
39 arrears to do chores or other work to pay for the school breakfast or
40 school lunch; or

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

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

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

3 (2) make at least two attempts, not including the application or
4 instructions provided to the parent or guardian pursuant to section 3
5 of P.L. , c. (C.) (pending before the Legislature as this bill), to
6 contact the student's parent or guardian and have the parent or
7 guardian fill out an application for the school lunch program and
8 school breakfast program; and

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

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

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

22

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

27 a. information on the National School Lunch Program and the
28 federal School Breakfast Program;

29 b. an application to apply for the school lunch and school
30 breakfast programs and instructions for completing the application;
31 and

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

35 The district may provide the application and information
36 electronically, through the usual means by which the school district
37 communicates with parents electronically. The application and
38 information shall be in a language that the parent or guardian
39 understands.

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

45

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

STATEMENT

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2
3 This bill is entitled the “Hunger-Free Students’ Bill of Rights
4 Act.” Under the provisions of the bill a school district is not
5 permitted to:

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

17 The bill also establishes a protocol to be used when a student
18 owes money for the equivalent of five or more school meals. The
19 protocol is designed to help school districts identify students who
20 would be eligible for free or reduced price meals and offer the
21 parents of students, assistance in applying for the programs.

22 Under the provisions of the bill, at the beginning of each school
23 year, and upon initial enrollment in the case of a student enrolling
24 during the school year, a school district must provide to the parent
25 or guardian of each student:

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

36 In addition, the bill provides that a school district liaison for the
37 education of homeless children must coordinate with school district
38 personnel to ensure that a homeless student receives free school
39 meals and is monitored according to the school district’s policies.

40 Finally, the bill clarifies that the provisions of section 1 of
41 P.L.2015, c.15 (C.18A:33-21) may not be construed to require a
42 school district to deny or restrict access to school breakfast or
43 school lunch to a student whose school breakfast or school lunch
44 bill is in arrears.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1104

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 13, 2020

The Assembly Education Committee reports favorably Assembly Bill No. 1104 with committee amendments.

As amended, this bill is entitled the “Hunger-Free Students’ Bill of Rights Act.” Under the provisions of the bill a school district is not permitted to:

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

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

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

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

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

Finally, the bill clarifies that the provisions of section 1 of P.L.2015, c.15 (C.18A:33-21) may not be construed to require a school district to deny or restrict access to school breakfast or school lunch to a student whose school breakfast or school lunch bill is in arrears. The bill also 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 bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amended the bill 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. Under current law, a school district is required to provide notice that school breakfast or school lunch will not be served to the student beginning one week from the date of the second notice unless payment is made in full.

SENATE, No. 687

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator JAMES BEACH

District 6 (Burlington and Camden)

Co-Sponsored by:

Senators Gopal, T.Kean and Turner

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

Introduced Pending Technical Review by Legislative Counsel.



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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:

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33 (2) require a student who cannot pay for a school breakfast or a
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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;

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 (2) make at least two attempts, not including the application or
2 instructions provided to the parent or guardian pursuant to section 3
3 of P.L. , c. (C.) (pending before the Legislature as this bill), to
4 contact the student's parent or guardian and have the parent or
5 guardian fill out an application for the school lunch program and
6 school breakfast program; and

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

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

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

20

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

25 a. information on the National School Lunch Program and the
26 federal School Breakfast Program;

27 b. an application to apply for the school lunch and school
28 breakfast programs and instructions for completing the application;
29 and

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

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

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

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

STATEMENT

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This bill is entitled the “Hunger-Free Students’ Bill of Rights Act.” Under the provisions of the bill a school district is not permitted to:

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

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

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

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

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

STATEMENT TO
SENATE, No. 687

with Senate Floor Amendments
(Proposed by Senator RUIZ)

ADOPTED: MARCH 19, 2020

These Senate floor amendments provide that if a school breakfast or school lunch bill is in arrears, and the parent or guardian of the student has not paid the full balance by the end of 10 school days, then the school district is required to notify the parent or guardian of any action to be taken by the school district. Under current law, a school district is required to provide notice that school breakfast or school lunch will not be served to the student beginning one week from the date of the second notice of nonpayment.

The amendments also clarify that nothing in the bill may be construed to require a school district to deny or restrict access to school breakfast or school lunch to a student whose school breakfast or school lunch bill is in arrears.

Governor Murphy Signs Hunger Free Students' Bill of Rights Act

05/04/2020

TRENTON – Governor Phil Murphy today signed A1104, also known as the Hunger Free Students' Bill of Rights Act. The bill seeks to prevent school districts from taking adverse action, such as denial of meals or public identification measures, known as “lunch shaming,” against students who have school meal bills that are in arrears.

The bill also requires districts to annually provide all parents and/or guardians with the information and forms necessary to maximize participation in programs. Additionally, the bill requires a district's liaison for homeless students to ensure that homeless students receive free meals.

“We have an obligation to ensure that our schools are safe, nurturing environments for our students and maximize the reach of beneficial programs” **said Governor Murphy**. “No child deserves to be shamed over school lunch debt. I commend the Legislature for taking decisive action to protect New Jersey's students from the stigma and punishment of lunch shaming.”

“This bill tackles two very important parts of our school meal issue here in New Jersey,” **said Assemblywoman Carol Murphy**. “First, by eliminating policies employed in schools to punish and effectively stigmatize students whose families cannot pay off school meal debt. And second, by establishing guidelines for schools to improve the identification and participation of eligible students in free and reduced-price meal programs.”

“I find it totally unacceptable that children, whose families may be struggling to pay for any number of reasons, are being singled out,” **said Assemblywoman Angela McKnight**. “Taking a meal away from a child, forcing them to sit at a particular table or stand at the back of the lunch line, withholding grades and barring them from school trips or even prom hinders productive learning. It's bullying and in no way appropriate.”

“We need to be getting a better picture of why families can't pay and then developing action around that, not making assumptions,” **said Assemblywoman Valerie Vainieri Huttle**. “The solution could be as simple as connecting parents with school meal program applications and qualification requirements, but until we ensure school districts are doing that we won't know.”

“For many children around the state, the meals they receive in school may be their only reliable source of food each day,” **said Senator Teresa Ruiz**. “Unfortunately, the cost can be financially straining for families struggling to make ends meet and we have seen one too many instances in our state of students being shamed for their school lunch debt. Last year, through legislation I sponsored, we were able to eliminate the cost associated with reduced price meals. As we continue to address food insecurity and school nutrition, the Hunger-Free Students Bill of Rights Act will ensure no one is ostracized for their inability to pay for a meal.”

“In the wake of the current public health crisis, many families across the state will be struggling financially,” **said Senator James Beach**. “Once schools reopen, this law will ensure all districts are handling school lunch debt respectfully and in a manner that does not punish the students.”