Sponsored by:
Senator M. TERESA RUIZ
District 29 (Essex)
Senator SHIRLEY K. TURNER
District 15 (Hunterdon and Mercer)

Co-Sponsored by:
Senators Cunningham and Beach

SYNOPSIS
Expands summer meal program to all school districts with 50 percent or more of students eligible for free or reduced price meals.

CURRENT VERSION OF TEXT
As reported by the Assembly Appropriations Committee on April 5, 2018, with amendments.
AN ACT concerning implementation of the federal Summer Food Service Program and supplementing chapter 33 of Title 18A of the New Jersey Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. a. Every school district in which 50 percent or more of the students enrolled in the school district on or before the last school day before October 16 of the preceding school year were eligible for free or reduced price meals under the National School Lunch Program or the federal School Breakfast Program, shall:
   (1) become a sponsor or site of the federal Summer Food Service Program; or
   (2) apply for a waiver pursuant to section 3 of this act.

   b. No later than one year after the date of enactment of this act, a school district which is required to sponsor a Summer Food Service Program pursuant to subsection a. of this section shall submit, to the Department of Agriculture, a program plan to become a sponsor of the federal Summer Food Service Program or documentation that the school district will become a site under an existing approved sponsor.

   c. As used in this act, "Summer Food Service Program” means the federal program that reimburses sponsors for administrative and operational costs to provide meals for children 18 years of age and younger during periods when they are out of school for 15 or more consecutive school days, which is funded by the United States Department of Agriculture and administered by the State Department of Agriculture in accordance with the requirements set forth in federal regulations at 7 CFR Part 225 and 7 CFR Part 250.

2. a. The Department of Agriculture shall notify a school district that submits a Summer Food Service Program plan pursuant to section 1 of this act of the completion of the department’s review and any recommended changes to the school district’s program plan, within three months after receipt of the plan. If a school district’s program plan meets all of the requirements of this act and any rules and regulations adopted pursuant thereto, the department shall approve the plan. A school district shall submit, to the Department of Agriculture, an application pursuant to section 1 of this act or documentation that the school district will become a site under an existing approved sponsor.

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:
Senate SED committee amendments adopted February 22, 2018.
Assembly AAP committee amendments adopted April 5, 2018.
b. A school district subject to the requirements of this act shall become a sponsor of the federal Summer Food Service Program ¹, based on the plan submitted by the school district to the Department of Agriculture ², or become a site under an existing approved sponsor ², no later than two years following the date of enactment of this act.

3. a. The Department of Agriculture may grant a waiver of the requirements of this act to a school district subject to the requirements of this act that lacks the staff, facilities, or equipment to sponsor the federal Summer Food Service Program, or the means to finance the hiring or acquisition of such staff, facilities, or equipment, if the district submits the federal Summer Food Service Program plan to the department as required by section 1 of this act and requests a waiver for the school district if a waiver is requested by the school district ².

¹The Department of Agriculture also may grant a waiver for one year to a school district if a different sponsor currently runs the federal Summer Food Service Program within the same community. ¹

b. A school district that requests a waiver pursuant to subsection a. of this section shall report to the Department of Agriculture, in the manner prescribed by the department, its reasons for requesting a waiver. The report shall include, but need not be limited to, a description of the specific impediments to implementing the program and actions that could be taken to remove those impediments ¹ or, where applicable, the identification of the sponsor that currently runs the program within the same community ¹.

4. The Department of Agriculture shall adopt pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), such rules and regulations as may be necessary to effectuate the purposes of this act.

5. This act shall take effect immediately on July 1, 2018 ².