

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1104

By: Griffin

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7 COMMITTEE SUBSTITUTE

8 An Act relating to schools; providing definitions;
9 requiring schools to provide meal applications in
10 enrollment packets; directing a school to file meal
11 applications for certain students pursuant to certain
12 authority; providing certain exemption; requiring
13 schools to provide certain meals to students unless
14 certain permission is provided; prohibiting schools
15 from requiring that certain meals be thrown away
16 under certain circumstances; requiring schools to
17 take certain actions if certain amount of school
18 lunch debt has accumulated; requiring school
19 nutrition coordinators to make certain referral if
20 certain amount of school lunch debt has accumulated;
21 prohibiting schools from identifying certain
22 students, requiring certain students to perform
23 chores, denying participation in certain activities,
24 taking certain disciplinary action or withholding
certain diploma or transcript under certain
circumstances; requiring schools to direct certain
communications to parents or legal guardians;
directing certain liaison to coordinate with certain
division; directing coordination of certain divisions
within certain state agencies; providing for
codification; providing an effective date; and
declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5-147.2 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Meal Application" means an application for free or reduced-price meals pursuant to the National School Lunch Program or the School Breakfast Program;

2. "School" means a public school district or charter school established pursuant to the Oklahoma Charter Schools Act that participates in the National School Lunch Program or the School Breakfast Program.

B. 1. A school shall provide a meal application in every school enrollment packet, whether printed or in electronic form, with an explanation of the application process. If a parent or legal guardian cannot read or understand the meal application, the school shall offer assistance in completing the meal application.

2. If a school becomes aware that a student who has not submitted a meal application is categorically eligible for free or reduced-price meals, the school shall complete and file an application for the student pursuant to 7 CFR 245.6(d).

3. The provisions of paragraphs 1 and 2 of this subsection shall not apply to any school that provides free meals to all students and does not collect meal applications.

1 C. 1. A school shall provide a United States Department of
2 Agriculture reimbursable meal to a student, unless the student's
3 parent or legal guardian has specifically provided written
4 permission to the school to withhold a meal.

5 2. A school shall not require that a student throw away a meal
6 after it has been served because of the parent or legal guardian's
7 inability to pay for the meal or because money is owed for previous
8 meals.

9 D. If a student's lunch account has accumulated debt in excess
10 of Thirty Dollars (\$30.00), a school shall:

11 1. Verify whether the student is categorically eligible for
12 free meals, pursuant to 7 CFR 245.6(d);

13 2. Make at least two (2) attempts, not including the meal
14 application included in the enrollment packet, to contact the
15 student's parent(s) or legal guardian(s) and provide a meal
16 application; and

17 3. Require a principal, counselor or other designated school
18 employee to contact the student's parent(s) or legal guardian(s) to
19 offer assistance with the meal application and offer any other
20 appropriate assistance.

21 E. If a student's lunch account has accumulated debt in excess
22 of One Hundred Fifty Dollars (\$150.00), the school nutrition
23 coordinator shall make a referral to the Department of Human
24 Services for benefit assistance.

1 F. A school shall not:

2 1. Publicly identify or stigmatize a student whose parent(s) or
3 legal guardian(s) cannot pay for a meal or who has accumulated debt
4 in his or her lunch account;

5 2. Require a student whose parent(s) or legal guardian(s)
6 cannot pay for a meal or who has accumulated debt in his or her
7 lunch account to do chores or other work to pay for meals, unless
8 the chores or work are required of all students or are conducted as
9 part of a school board-approved, work-study program;

10 3. Deny a student from participating in after-school programs
11 or other activities due to accumulated debt in his or her lunch
12 account;

13 4. Take disciplinary action against a student that results in
14 denying or delaying a student the same meal available to other
15 students; and

16 5. Withhold a diploma or transcript from a student due to
17 accumulated debt in his or her lunch account.

18 G. A school shall direct all communications about accumulated
19 debt in a student's lunch account to the student's parent(s) or
20 legal guardian(s) and not the student. Nothing in this subsection
21 shall prohibit a school from sending a student home with a letter
22 addressed to the parent(s) or legal guardian(s).

23 H. The liaison required of a school pursuant to the federal
24 McKinney-Vento Homeless Assistance Act shall coordinate with the

1 Child Nutrition Division of the State Department of Education to
2 ensure that students who are homeless receive free school meals and
3 are appropriately coded in the student identification system as
4 required by subsection E of Section 18-200.1 of Title 70 of the
5 Oklahoma Statutes.

6 I. The Child Nutrition Division of the State Department of
7 Education shall coordinate with the Adult and Family Services
8 Division of the Department of Human Services to implement the
9 provisions of this section.

10 SECTION 2. This act shall become effective July 1, 2018.

11 SECTION 3. It being immediately necessary for the preservation
12 of the public peace, health or safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

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