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February 19, 2018

COMMITTEE SUBSTITUTE  
FOR

SENATE BILL NO. 1104

By: Griffin of the Senate

and

Dollens of the House

[ schools - definitions - meal applications exemption  
- meals - school lunch debt - certain circumstances -  
certain communications - coordination of certain  
divisions - codification - ~~effective date~~ -  
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

1 participates in the National School Lunch Program or the School  
2 Breakfast Program.

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

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

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

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

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

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

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

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

7        3. Require a principal, counselor or other designated school  
8 employee to contact the student's parent(s) or legal guardian(s) to  
9 offer assistance with the meal application and offer any other  
10 appropriate assistance.

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

15       F. A school shall not:

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

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

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

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

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

9        G. A school shall direct all communications about accumulated  
10 debt in a student's lunch account to the student's parent(s) or  
11 legal guardian(s) and not the student. Nothing in this subsection  
12 shall prohibit a school from sending a student home with a letter  
13 addressed to the parent(s) or legal guardian(s).

14        H. The liaison required of a school pursuant to the federal  
15 McKinney-Vento Homeless Assistance Act shall coordinate with the  
16 Child Nutrition Division of the State Department of Education to  
17 ensure that students who are homeless receive free school meals and  
18 are appropriately coded in the student identification system as  
19 required by subsection E of Section 18-200.1 of Title 70 of the  
20 Oklahoma Statutes.

21        I. The Child Nutrition Division of the State Department of  
22 Education shall coordinate with the Adult and Family Services  
23 Division of the Department of Human Services to implement the  
24 provisions of this section.

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

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

6 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION  
7 February 19, 2018 - DO PASS AS AMENDED  
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