

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1104

By: Griffin

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5  
6 AS INTRODUCED

7 An Act relating to schools; providing definitions;  
8 requiring schools to provide meal applications in  
9 enrollment packets; directing a school to file meal  
10 applications for certain students pursuant to certain  
11 authority; providing certain exemption; requiring  
12 schools to provide certain meals to certain students  
13 unless certain permission is provided; prohibiting  
14 schools from requiring that certain meals be thrown  
15 away under certain circumstances; requiring schools  
16 to take certain actions if certain amount of school  
17 lunch debt has accumulated; requiring schools to make  
18 certain referral if certain amount of school lunch  
19 debt has accumulated; prohibiting schools from  
20 identifying certain students, requiring certain  
21 students to perform chores, denying participation in  
22 certain activities or taking certain disciplinary  
23 action under certain circumstances; requiring schools  
24 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        1. "Meal Application" means an application for free or reduced-  
2 price meals pursuant to the National School Lunch Program or the  
3 School Breakfast Program;

4        2. "School" means a public school district or charter school  
5 established pursuant to the Oklahoma Charter Schools Act.

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

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

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

18        C. 1. A school shall provide a United States Department of  
19 Agriculture reimbursable meal to a student who requests one, unless  
20 the student's parent or legal guardian has specifically provided  
21 written permission to the school to withhold a meal.

22        2. A school shall not require that a student throw away a meal  
23 after it has been served because of the parent or legal guardian's  
24

1 inability to pay for the meal or because money is owed for previous  
2 meals.

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

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

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

11 3. Require a principal, counselor or other designated school  
12 employee to contact the student's parent(s) or legal guardian(s) to  
13 offer assistance with the meal application and offer any other  
14 appropriate assistance.

15 E. If a student's lunch account has accumulated debt in excess  
16 of One Hundred Fifty Dollars (\$150.00), the school shall make a  
17 referral to the Department of Human Services.

18 F. A school shall not:

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

22 2. Require a student whose parent(s) or legal guardian(s)  
23 cannot pay for a meal or who has accumulated debt in his or her  
24 lunch account to do chores or other work to pay for meals, unless

1 the chores or work are required of all students or are conducted as  
2 part of a school board-approved, work-study program;

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

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

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.

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7       56-2-2147       EB       1/17/2018 1:34:49 PM