

HOUSE BILL No. 6010

May 16, 2018, Introduced by Rep. Kosowski and referred to the Committee on Education Reform.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1272b (MCL 380.1272b), as amended by 2015 PA
42.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1272b. (1) In all school meal programs established and
2 operated under section 1272a, all of the following apply:

3 (a) Subject to subsection (2), nutritional standards
4 prescribed by the United States Department of Agriculture ~~pursuant~~
5 to ~~UNDER~~ section 9 of the national school lunch act, 42 USC 1758,
6 ~~shall~~ **MUST** be met and maintained.

7 (b) The board of a school district or board of directors of a
8 public school academy may charge a fee for meals or milk, but the

1 fee shall not exceed the actual average daily cost, including
2 necessary supervision, of the meal or milk and accessories, less
3 the amount of food and financial assistance received by the board
4 or board of directors for the meal or milk.

5 (c) The board of a school district or board of directors of a
6 public school academy shall provide free and reduced price meals
7 and free milk to all pupils eligible under the maximum standards
8 prescribed by the United States Department of Agriculture pursuant
9 to section 9 of the national school lunch act, 42 USC 1758; shall
10 ensure the confidentiality of all information contained in
11 applications for eligibility; and shall further ensure that
12 eligible pupils are not discriminated against or overtly identified
13 in any manner.

14 (d) The board of a school district or board of directors of a
15 public school academy shall provide for parent and pupil
16 participation in the planning and evaluation of school meals and
17 other foods sold or dispensed on school premises.

18 **(E) THE BOARD OF A SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A**
19 **PUBLIC SCHOOL ACADEMY SHALL NOT PUBLICLY IDENTIFY OR STIGMATIZE A**
20 **PUPIL WHO CANNOT PAY FOR A MEAL OR WHO OWES A MEAL DEBT BY**
21 **REQUIRING A PUPIL TO WEAR A WRISTBAND OR HANDSTAMP, BY SERVING THE**
22 **PUPIL AN ALTERNATIVE MEAL, OR BY ANY OTHER MEANS.**

23 **(F) THE BOARD OF A SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A**
24 **PUBLIC SCHOOL ACADEMY SHALL NOT REQUIRE A PUPIL WHO CANNOT PAY FOR**
25 **A MEAL OR WHO OWES A MEAL DEBT TO PERFORM CHORES OR OTHER WORK TO**
26 **PAY FOR MEALS.**

27 **(G) IF A PUPIL IS LESS THAN 15 YEARS OF AGE, THE BOARD OF A**

1 SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY
2 SHALL NOT COMMUNICATE DIRECTLY WITH THE PUPIL ABOUT A MEAL DEBT AND
3 SHALL ONLY COMMUNICATE ABOUT A MEAL DEBT WITH THE PUPIL'S PARENT OR
4 LEGAL GUARDIAN.

5 (H) THE BOARD OF A SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A
6 PUBLIC SCHOOL ACADEMY SHALL NOT REQUIRE A PUPIL OR A PUPIL'S PARENT
7 OR LEGAL GUARDIAN TO PAY FEES OR COSTS IN EXCESS OF THE ACTUAL
8 AMOUNTS OWED FOR MEALS PREVIOUSLY SERVED TO THE PUPIL.

9 (I) THE BOARD OF A SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A
10 PUBLIC SCHOOL ACADEMY SHALL NOT TAKE OR ALLOW ANY DISCIPLINARY
11 ACTION AGAINST A PUPIL THAT RESULTS IN A DELAY OR DENIAL OF A
12 NUTRITIONALLY ADEQUATE MEAL FOR THE PUPIL.

13 (J) THE BOARD OF A SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A
14 PUBLIC SCHOOL ACADEMY SHALL NOT REQUIRE A PUPIL TO DISPOSE OF A
15 MEAL AFTER IT HAS BEEN SERVED BECAUSE THE PUPIL IS UNABLE TO PAY
16 FOR THE MEAL OR OWES A MEAL DEBT.

17 (K) IF A PUPIL'S SCHOOL MEAL ACCOUNT REACHES A NEGATIVE
18 BALANCE, THE BOARD OF A SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A
19 PUBLIC SCHOOL ACADEMY SHALL NOTIFY THE PUPIL'S PARENT OR LEGAL
20 GUARDIAN OF THE NEGATIVE BALANCE NOT LATER THAN 10 DAYS AFTER THE
21 SCHOOL MEAL ACCOUNT REACHES A NEGATIVE BALANCE.

22 (2) In all school meal programs established and operated under
23 section 1272a, the department shall take all steps necessary to
24 ensure maximum state and local control over the implementation of
25 the programs, including, but not limited to, establishing an upper
26 limit on the number and frequency of fund-raising activities that
27 may take place in a public school during school hours that allow

1 the sale of food or beverage items that do not meet the nutritional
2 standards. The department shall ensure that this upper limit is not
3 less than 2 fund-raising activities per week. For the purposes of
4 this upper limit, an ongoing fund-raising activity that is
5 scheduled to take place at more than 1 time during a school day or
6 throughout the school day shall be considered to be a single fund-
7 raising activity.

8 Enacting section 1. This amendatory act takes effect 90 days
9 after the date it is enacted into law.