

THE REVISED SCHOOL CODE (EXCERPT)
Act 451 of 1976

380.1272b School meal programs; nutritional standards; fees; free and reduced price meals; free milk; confidentiality; discrimination; planning and evaluation of meals and other foods; fund-raising activities during school hours; sale of food and beverage items not meeting nutritional standards; number and frequency; upper limit.

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

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

(b) The board of a school district or board of directors of a public school academy may charge a fee for meals or milk, but the fee shall not exceed the actual average daily cost, including necessary supervision, of the meal or milk and accessories, less the amount of food and financial assistance received by the board or board of directors for the meal or milk.

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

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

(2) In all school meal programs established and operated under section 1272a, the department shall take all steps necessary to ensure maximum state and local control over the implementation of the programs, including, but not limited to, establishing an upper limit on the number and frequency of fund-raising activities that may take place in a public school during school hours that allow the sale of food or beverage items that do not meet the nutritional standards. The department shall ensure that this upper limit is not less than 2 fund-raising activities per week. For the purposes of this upper limit, an ongoing fund-raising activity that is scheduled to take place at more than 1 time during a school day or throughout the school day shall be considered to be a single fund-raising activity.

History: Add. 1977, Act 43, Imd. Eff. June 29, 1977;—Am. 2015, Act 42, Eff. Sept. 1, 2015.

Popular name: Act 451