

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1494
(Representatives Ista, Beltz, Hager, Heinert, Jonas, Mock, Murphy, O'Brien, Richter)
(Senators Barta, Braunberger, Hogan)

AN ACT to create and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to school meal policies.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

School districts - Policy - School meals.

A school district participating in the Richard B. Russell National School Lunch Act [42 U.S.C. 1751 et seq.] shall adopt a school meals policy and publish the policy on the school district's website. A school meals policy must ensure:

1. A school may not deny a United States department of agriculture reimbursable meal to a student who requests one, unless the student's parent or guardian has provided written permission to the school to withhold a meal. A school may not serve an alternative meal to a student with an unpaid student meal balance or without funds to pay for a meal. This provision does not apply to an a la carte food item or second meal requested by a student during the same meal period.
2. A school may not dispose of or take away from a child any food that already has been served to the child on account of the child having an unpaid student meal balance or lacking the funds to pay for a meal.
3. A school may not identify or stigmatize a student as receiving a free, reduced-price, or full-price meal, or a meal for which the child lacks funds to pay, including the use of tokens, stickers, stamps, or by placing the child's name on a published list of persons with student meal debt.
4. A school may not limit a student's participation in any school activities, graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities or access to materials, technology, or other items provided to students due to an unpaid student meal balance.
5. A school may not require a student to provide services or perform work, including cleaning duties or chores, to pay for school meals debt.
6. A school may contact a student's parent or guardian directly regarding unpaid meals debt or a school meals account without funds to pay for additional meals. A school may require a child deliver a sealed letter addressed to the child's parent or guardian containing a written communication regarding the unpaid school meal debt. The letter may not be distributed to the child in a manner that stigmatizes the child.
7. A school shall adopt policies to encourage or provide an incentive for a parent or guardian of a student to apply for free or reduced meals through the Richard B. Russell National School Lunch Act [42 U.S.C. 1751 et seq.], including when a student has unpaid school meals debt.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1494.

House Vote: Yeas 90 Nays 1 Absent 3

Senate Vote: Yeas 47 Nays 0 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2023.

Approved at _____ M. on _____, 2023.

Governor

Filed in this office this _____ day of _____, 2023,

at _____ o'clock _____ M.

Secretary of State