

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 74

By: Ikley-Freeman

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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.

21 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

22 SECTION 1. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 5-147.2 of Title 70, unless
24 there is created a duplication in numbering, reads as follows:
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1 A. As used in this section:

2 1. "Meal Application" means an application for free or reduced-
3 price meals pursuant to the National School Lunch Program or the
4 School Breakfast Program;

5 2. "School" means a public school district or charter school
6 established pursuant to the Oklahoma Charter Schools Act that
7 participates in the National School Lunch Program or the School
8 Breakfast Program.

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

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

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

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

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

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

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

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

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

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

20 F. A school shall not:

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

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

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

9 4. Take disciplinary action against a student that results in
10 denying or delaying a student the same meal available to other
11 students.

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

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

1 I. The Child Nutrition Division of the State Department of
2 Education shall coordinate with the Adult and Family Services
3 Division of the Department of Human Services to implement the
4 provisions of this section.

5 SECTION 2. This act shall become effective July 1, 2019.

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

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