

SENATE BILL 2906

By Dickerson

AN ACT to amend Tennessee Code Annotated, Title 49
and Title 71, relative to school nutrition.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Student Healthy Outcomes Act."

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 6, Part 23, is amended by adding the following as new sections:

49-6-2308.

As used in this section and §§ 49-6-2309 – 49-6-2311:

(1) "Meal application" means an application for free or reduced-price meals pursuant to the national school lunch program created by the National School Lunch Act (42 U.S.C. §§ 1751-1769) or the school breakfast program created by the Child Nutrition Act of 1966 (42 U.S.C. §§ 1771-1789); and

(2) "School":

(A) Means any public elementary or secondary school that receives state financial assistance; and

(B) Includes a local education agency.

49-6-2309.

(a) A school must provide a United States department of agriculture reimbursable meal to each student who requests one, unless the student's parent or guardian directs the school, in writing, to withhold the meal.

(b) A school shall not require a student to throw away a meal after the meal has been served to the student because of the student's inability to pay for the meal, or because the student has accumulated a meal debt.

(c) If a student accumulates a meal debt equal to the cost of five (5) or more meals provided to the student during the school year, then the student's school shall attempt, on at least two (2) separate occasions, to contact the student's parent or guardian to discuss the reasons for the meal debt and to offer any available assistance, including assisting the parent or guardian with filling out a meal application.

(d) Nothing in this section or §§ 49-6-2310 – 49-6-2311 prohibits a school from collecting a meal debt from a student's parent or guardian if the school has complied with subsections (a) and (c).

49-6-2310.

(a) A school shall not:

(1) Publicly identify a student who cannot pay for a meal, or who has accumulated a meal debt, which includes, but is not limited to, requiring a student to wear a wristband or hand stamp, segregating the student from the student's classmates, or providing the student with an alternative meal;

(2) Require a student who cannot pay for a meal, or who has accumulated a meal debt, to do chores or other work as payment for meals; or

(3) Prohibit a student who cannot pay for a meal, or who has accumulated a meal debt, from:

(A) Participating in a school-related event or activity;

(B) Graduating or participating in a graduation ceremony; or

(C) Receiving a diploma.

(b) A school must direct communications about a student's meal debt to the student's parent or guardian and not to the student. This subsection (b) does not

prohibit a school from sending a student home with a letter addressed to the student's parent or guardian regarding a meal debt that is owed to the school.

49-6-2311.

(a) A school that violates § 49-6-2309(b) or any provision of § 49-6-2310 is subject to a civil penalty of not less than fifty dollars (\$50.00) for each violation. The fine may be imposed by the state board of education as part of an administrative proceeding initiated by a student's parent or guardian, or by a court of competent jurisdiction.

(b) Any fine assessed against a school under this section must be credited toward any meal debt accumulated by the student against whom the violation of § 49-6-2309(b) or any provision of § 49-6-2310 was directed. If the fine exceeds the amount of the student's meal debt, then the fine must be credited to the student's account.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring

it.