

By Senator Farmer

34-00435-18

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1                                   A bill to be entitled  
 2       An act relating to school meals; providing a short  
 3       title; creating s. 1002.24, F.S.; providing  
 4       definitions; requiring schools to provide certain  
 5       information in specified formats relating to free and  
 6       reduced-price meals; requiring schools to complete an  
 7       application for free or reduced-price meals on a  
 8       student's behalf under certain circumstances;  
 9       providing an exemption to such requirements; requiring  
 10      a specific liaison to work with the Department of  
 11      Agriculture and Consumer Services to ensure certain  
 12      students receive meals; providing duties and  
 13      responsibilities of schools relating to the provision  
 14      of meals and contacting and assisting a student's  
 15      parent; prohibiting a school from taking specified  
 16      actions relating to a student who cannot pay for a  
 17      meal or who owes a meal debt; prohibiting parents from  
 18      paying specified fees or costs relating to meal debts;  
 19      providing for rule making; providing an effective  
 20      date.

21  
 22 Be It Enacted by the Legislature of the State of Florida:

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 24       Section 1. This act may be cited as the "Hunger-Free  
 25 Students' Bill of Rights Act."

26       Section 2. Section 1002.24, Florida Statutes, is created to  
 27 read:

28       1002.24 Student access to school meals.—  
 29       (1) For purposes of this section the term:

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30 (a) "Meal application" means an application for free or  
31 reduced-price meals under the National School Lunch Program or  
32 the School Breakfast Program.

33 (b) "School" means a public school or nonprofit private  
34 school approved to participate in the National School Lunch  
35 Program or the School Breakfast Program.

36 (2) (a) Each school must provide:

37 1. A free, printed meal application in every school  
38 enrollment packet or, if the school chooses to use an electronic  
39 meal application, an explanation of the electronic meal  
40 application process and instructions for how a parent may  
41 request a printed meal application at no cost.

42 2. A meal application and instructions in a language the  
43 parent understands. If a parent cannot read or understand a meal  
44 application, the school must offer assistance in completing the  
45 application.

46 (b) If a school becomes aware that a student who has not  
47 submitted a meal application is eligible for free or reduced-  
48 price meals, the school shall complete and file a meal  
49 application for the student pursuant to 7 C.F.R., s. 245.6(d).

50 (c) Paragraphs (a) and (b) do not apply to a school that  
51 provides free meals to all students for an entire school year  
52 and does not collect meal applications.

53 (3) A school district's liaison for homeless children and  
54 youths, required under the McKinney-Vento Homeless Assistance  
55 Act, 42 U.S.C. s. 11432, shall coordinate with the Department of  
56 Agriculture and Consumer Services to ensure that homeless  
57 children and youths receive free and reduced-price meals. This  
58 subsection does not apply to nonprofit private schools.

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59       (4) Regardless of whether or not a student has money to pay  
60 for a meal or owes money for earlier meals, a school shall:

61       (a) Provide a United States Department of Agriculture  
62 reimbursable meal to a student who requests one, unless a parent  
63 has specifically provided written permission for the school to  
64 withhold a meal.

65       (b) If the student owes money for five or more meals:

66       1. Check the state list of students categorically eligible  
67 for free meals to determine if the student is categorically  
68 eligible.

69       2. Make at least two attempts, not including the meal  
70 application or instructions included in the enrollment packet,  
71 to reach the student's parent and to request that the parent  
72 complete a meal application.

73       3. Require the principal, an assistant principal, or a  
74 counselor to contact the parent to offer assistance with the  
75 meal application, determine if there are other issues within the  
76 household that have caused the student to have insufficient  
77 funds to purchase a school meal, and offer any other appropriate  
78 assistance.

79       (c) Direct all communications regarding a student's meal  
80 debt to his or her parent. However, a school may send a letter  
81 home with the student that is addressed to the parent.

82       (5) A school may not:

83       (a) Require a student to throw a meal away after it has  
84 been served because of the student's inability to pay for the  
85 meal or because money is owed for earlier meals.

86       (b) Publicly identify or stigmatize a student who cannot  
87 pay for a meal or who owes a meal debt, including, but not

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88 limited to, requiring a student to wear a wristband or hand  
89 stamp.

90 (c) Require a student who cannot pay for a meal or who owes  
91 a meal debt to do chores or other work to pay for meals. This  
92 does not include chores or work required of all students  
93 regardless of a meal debt.

94 (d) Require a parent to pay fees or costs from a collection  
95 agency hired to collect a meal debt.

96 (6) The State Board of Education may adopt rules to  
97 administer this section.

98 Section 3. This act shall take effect July 1, 2018.