

HOUSE BILL NO. 414

INTRODUCED BY J. KARJALA

1
2
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO SCHOOL MEALS;
5 PROHIBITING A SCHOOL DISTRICT FROM STIGMATIZING A STUDENT WHO CANNOT PAY FOR A
6 SCHOOL MEAL OR HAS A NEGATIVE SCHOOL MEAL ACCOUNT BALANCE; REQUIRING A SCHOOL
7 DISTRICT TO PROVIDE CERTAIN SCHOOL MEAL ACCOUNT NOTICES TO A STUDENT'S PARENT OR
8 GUARDIAN; REQUIRING ANY COMMUNICATIONS TO BE DIRECTED TO THE STUDENT'S PARENT OR
9 GUARDIAN ONLY; PROHIBITING A SCHOOL DISTRICT FROM DENYING CERTAIN STUDENTS SCHOOL
10 MEALS; SUPERSEDING THE UNFUNDED MANDATE LAWS; AND PROVIDING AN EFFECTIVE DATE."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13
14 NEW SECTION. **Section 1. Lack of payment for school meals -- stigmatization prohibited.** With
15 regard to a student who cannot pay for a school meal or for a meal that was previously served to the student, a
16 school district employee, contractor, or volunteer may not:

17 (1) take any action that would publicly identify the student, including but not limited to requiring the
18 student to wear a wristband, hand stamp, or other identifying marker or serving the student an alternative meal;

19 (2) ask or require the student to perform chores or other actions in exchange for a meal or for the
20 reduction or elimination of a school meal debt;

21 (3) require the student to dispose of an already served meal because of the student's inability to pay for
22 that meal or a previous meal;

23 (4) allow a disciplinary action taken against the student to result in the delay or denial of a nutritionally
24 adequate meal to the student; or

25 (5) require the student's parent or guardian to pay fees or costs in excess of the actual amount owed
26 for meals previously served to the student.

27
28 NEW SECTION. **Section 2. Unpaid school meal debt -- required communications.** (1) A school
29 district shall direct any communications regarding a student's unpaid debt for previously served school meals to
30 the student's parent or guardian only. Nothing in this subsection prohibits a school district from sending a

1 notification that is addressed to the student's parent or guardian home with student.

2 (2) When a student's school meal account reaches a negative balance, the school district shall notify
3 the parent or guardian of the student within 10 days of the school meal account reaching the negative balance.

4 (3) The school district shall notify the parent or guardian of a student with unpaid school meal debt of
5 the opportunity to apply for free or reduced-priced school meals. During the period the school district is waiting
6 for the parent or guardian to respond to the notification regarding free or reduced-price school meals, the school
7 district may not deny the student access to a school meal.

8 (4) Nothing in this section requires a school district to forgive a student's unpaid school meal debt or
9 prohibits a school district from using legal means to collect the debt from the student's parent or guardian.

10
11 NEW SECTION. **Section 3. Unfunded mandate laws superseded.** The provisions of [this act]
12 expressly supersede and modify the requirements of 1-2-112 through 1-2-116.

13
14 NEW SECTION. **Section 4. Codification instruction.** [Sections 1 and 2] are intended to be codified
15 as an integral part of Title 20, chapter 10, part 2, and the provisions of Title 20, chapter 10, part 2, apply to
16 [sections 1 and 2].

17
18 NEW SECTION. **Section 5. Effective date.** [This act] is effective July 1, 2019.

19 - END -