

HOUSE BILL NO. 414

INTRODUCED BY J. KARJALA, J. BACHMEIER, W. CURDY, G. CUSTER, K. DUDIK, R. FARRIS-OLSEN, M. FUNK, J. HAMILTON, D. HARVEY, K. KELKER, C. KEOGH, J. KRAUTTER, R. LYNCH, S. MORIGEAU, R. PEPPERS, Z. PERRY, G. PIERSON, T. RUNNINGWOLF, C. SCHREINER, R. SHAW, P. WEBB, T. WINTER, T. WOODS

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

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

NEW SECTION. **Section 1. Lack of payment for school meals -- stigmatization prohibited.** (1) With

regard to a student who cannot pay for a school meal or for a meal that was previously served to the student, a school district employee, contractor, or volunteer may not:

~~(1)(A)~~ take any action that would ~~publicly identify~~ STIGMATIZE the student FOR BEING UNABLE TO PAY FOR A MEAL THAT WAS PREVIOUSLY SERVED TO THE STUDENT, including but not limited to requiring the student to wear a wristband, hand stamp, or other identifying marker or serving the student an alternative meal; OR

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

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

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

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

1 (2) A SCHOOL DISTRICT SHALL DIRECT ANY COMMUNICATIONS REGARDING A STUDENT'S UNPAID DEBT FOR  
 2 PREVIOUSLY SERVED SCHOOL MEALS TO THE STUDENT'S PARENT OR GUARDIAN ONLY. NOTHING IN THIS SUBSECTION  
 3 PROHIBITS A SCHOOL DISTRICT FROM SENDING A NOTICE THAT IS ADDRESSED TO THE STUDENT'S PARENT OR GUARDIAN  
 4 HOME WITH THE STUDENT.

5  
 6 ~~NEW SECTION. Section 2. Unpaid school meal debt -- required communications.~~ (1) A school  
 7 district shall direct any communications regarding a student's unpaid debt for previously served school meals to  
 8 the student's parent or guardian only. Nothing in this subsection prohibits a school district from sending a  
 9 notification that is addressed to the student's parent or guardian home with student.

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

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

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

18  
 19 ~~NEW SECTION. Section 3. Unfunded mandate laws superseded.~~ The provisions of [this act]  
 20 ~~expressly supersede and modify the requirements of 1-2-112 through 1-2-116.~~

21  
 22 NEW SECTION. Section 2. Codification instruction. [Sections 1 and 2] are [SECTION 1] IS intended  
 23 to be codified as an integral part of Title 20, chapter 10, part 2, and the provisions of Title 20, chapter 10, part 2,  
 24 apply to [sections 1 and 2] [SECTION 1].

25  
 26 NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2019.

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