

Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1494

Introduced by

Representatives Ista, Beltz, Hager, Heinert, Jonas, Mock, Murphy, O'Brien, Richter

Senators Barta, Braunberger, Hogan

1 A BILL for an Act to create and enact a new section to chapter 15.1-07 of the North Dakota
2 Century Code, relating to school meal policies.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 15.1-07 of the North Dakota Century Code is created
5 and enacted as follows:

6 **School districts - Policy - School meals.**

7 A school district participating in the Richard B. Russell National School Lunch Act

8 [42 U.S.C. 1751 et seq.] shall adopt a school meals policy and publish the policy on the school
9 district's website. A school meals policy must ensure:

- 10 1. ~~If a student meal balance has insufficient funds for less than one week, a~~ A school may
11 not deny a United States department of agriculture reimbursable meal to, ~~or a student~~
12 who requests one, unless the student's parent or guardian has provided written
13 permission to the school to withhold a meal. A school may not serve an alternative
14 meal to a student with an unpaid student meal balance or without funds to pay for a
15 meal. This provision does not apply to an a la carte food item or second meal
16 requested by a student during the same meal period.
- 17 2. A school may not dispose of or take away from a child any food that already has been
18 served to the child on account of the child having an unpaid student meal balance or
19 lacking the funds to pay for a meal.
- 20 3. A school may not identify or stigmatize a student as receiving a free, reduced-price, or
21 full-price meal, or a meal for which the child lacks funds to pay, including the use of
22 tokens, stickers, stamps, or by placing the child's name on a published list of persons
23 with student meal debt.

- 1 4. A school may not limit a student's participation in any school activities, graduation
2 ceremonies, field trips, athletics, activity clubs, or other extracurricular activities or
3 access to materials, technology, or other items provided to students due to an unpaid
4 student meal balance.
- 5 5. A school may not require a student to provide services or perform work, including
6 cleaning duties or chores, to pay for school meals debt.
- 7 6. A school may ~~not use a collections agency to collect unpaid school meals debt. A~~
8 ~~school may not charge or collect fees or additional costs associated with school meals~~
9 ~~debt~~ contact a student's parent or guardian directly regarding unpaid meals debt or a
10 school meals account without funds to pay for additional meals. A school may require
11 a child deliver a sealed letter addressed to the child's parent or guardian containing a
12 written communication regarding the unpaid school meal debt. The letter may not be
13 distributed to the child in a manner that stigmatizes the child.
- 14 7. A school shall adopt policies to encourage or provide an incentive for a parent or
15 guardian of a student to apply for free or reduced meals through the Richard B.
16 Russell National School Lunch Act [42 U.S.C. 1751 et seq.], including when a student
17 has unpaid school meals debt.