

House File 2467 - Introduced

HOUSE FILE 2467
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 660)

A BILL FOR

1 An Act relating to school meal debt and to school meal programs
2 offered by school districts and accredited nonpublic
3 schools, authorizing the establishment of unpaid student
4 meals accounts, and authorizing the transfer and expenditure
5 of certain funds.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8A.504, subsection 2, Code 2018, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. 1. If the alleged liability is owing and
4 payable to a school district for school meal debt, the school
5 district has made reasonable efforts to collect the debt for
6 at least two years, and the amount of the debt owed by a person
7 to the school district is five hundred dollars or more, setoff
8 pursuant to this section may be sought by the school district.
9 However, this paragraph shall not be interpreted to limit any
10 other options for school meal debt collection available to the
11 school district by law.

12 Sec. 2. NEW SECTION. 283A.11 **Participation by students —**
13 **school prohibitions and responsibilities.**

14 1. For purposes of this section, unless the context
15 otherwise requires, "school" includes a school district, a
16 school district attendance center, or an accredited nonpublic
17 school.

18 2. A school shall provide notice, at least twice annually,
19 to the parents or guardians of all enrolled students regarding
20 the availability of applications for free or reduced-fee meals
21 for categorically eligible students under the federal National
22 School Lunch Act of 1966, 42 U.S.C. §1751 et seq., and the
23 federal Child Nutrition Act of 1966, 42 U.S.C. §1771 et seq.
24 Notice may be provided via letter or electronic communication.

25 3. If a student owes money for five or more meals, a school
26 principal, assistant principal, or designated meal program
27 staff person may contact the student's parent or guardian to
28 provide information regarding the application for free or
29 reduced-fee meals pursuant to the federal National School Lunch
30 Act of 1966, 42 U.S.C. §1751 et seq., and the federal Child
31 Nutrition Act of 1966, 42 U.S.C. §1771 et seq., or to provide
32 information on other options or assistance available.

33 4. A school shall provide a reimbursable meal, as specified
34 under regulations promulgated by the United States department
35 of agriculture pursuant to the federal Healthy, Hunger-Free

1 Kids Act of 2010, Pub. L. No. 111-296, to a student who
2 requests a reimbursable meal unless the student's parent or
3 guardian has specifically provided written direction to the
4 school to withhold a meal from the student.

5 5. If practicable, a school shall position the point of
6 service at the beginning of a lunch line to provide options
7 other than meal disposal or replacement.

8 6. *a.* A school is prohibited from posting a list of
9 students who owe money for school meals and from engaging in
10 any of the following acts directed toward a student because the
11 student cannot pay for a meal or owes a meal debt:

12 (1) Publicly identifying or stigmatizing the student,
13 including but not limited to requiring the student to consume
14 the meal at a table set aside for such purpose or to discard a
15 meal after the meal has been served.

16 (2) Requiring the student to wear a wristband, hand stamp,
17 or identification marks, or to do chores or other work to pay
18 for meals.

19 (3) Denying participation in an afterschool program or
20 other extracurricular activity to the student.

21 *b.* A school shall direct communications about a student's
22 meal debt to a parent or guardian and not to the student. This
23 paragraph does not prohibit a school from sending a letter home
24 with a student addressed to the student's parent or guardian,
25 or from contacting the parent or guardian via phone or other
26 electronic means.

27 7. The department of education shall, in consultation with
28 schools, develop and establish best practices, guidance, and
29 policies to assist schools to reach the goal of ensuring that
30 all students have access, at a minimum, to reimbursable meals,
31 in accordance with subsection 4.

32 8. A school district may establish an unpaid student meals
33 account in a school nutrition fund established by the school
34 district under section 298A.11 and may deposit in the account
35 moneys received from private sources for purposes of paying

1 student meal debt accrued by individual students as well as
2 amounts designated for the account from the school district's
3 flexibility account under section 298A.2, subsection 2. Moneys
4 deposited in the unpaid student meals fund shall be used by the
5 school district only to pay individual student meal debt. The
6 school district shall set fair and equitable procedures for
7 such expenditures.

8 Sec. 3. Section 298A.2, subsection 2, paragraph c, Code
9 2018, is amended by adding the following new subparagraph:

10 NEW SUBPARAGRAPH. (06) For deposit in the unpaid student
11 meals account to be used for purposes of paying student meal
12 debt accrued by individual students in accordance with section
13 283A.11, subsection 8.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with
16 the explanation's substance by the members of the general assembly.

17 This bill relates to school meal programs offered by school
18 districts and accredited nonpublic schools, allows school
19 districts to seek to use the setoff procedures administered by
20 the department of administrative services, and allows a school
21 district to deposit moneys from its flexibility account into
22 an unpaid student meals account to be used only to pay student
23 meal debt accrued by individuals.

24 The bill defines "school" to include a school district, a
25 school district attendance center, or an accredited nonpublic
26 school.

27 At least twice a year, the school must notify a parent or
28 guardian about the availability of applications for federal
29 assistance for free or reduced-fee meals. If the student owes
30 moneys for five or more meals, the school must notify the
31 parent or guardian of the availability of federal assistance
32 applications or provide information on other options or
33 assistance available, and the notice must go to the parent or
34 guardian directly, not the student. However, the school is not
35 prohibited from sending a letter home with a student addressed

1 to the parent or guardian.

2 A school must provide a reimbursable meal, as specified
3 by the United States department of agriculture, to a student
4 who requests one unless the student's parent or guardian has
5 specifically provided written permission to the school to
6 withhold a meal from the student. The department of education
7 is directed to develop and establish best practices, guidance,
8 and policies to assist schools to reach the goal of ensuring
9 that all students have access, at a minimum, to reimbursable
10 meals.

11 If practicable, the school must position the point of
12 service at the beginning of a lunch line to provide options
13 other than meal disposal or replacement.

14 A school is prohibited from posting a list of students
15 who owe money for school meals; publicly identifying or
16 stigmatizing a student who cannot pay for a meal or who owes a
17 meal debt; from requiring the student to consume the meal at
18 a table set aside for such purpose, to discard a meal after
19 the meal has been served, or to do chores or other work to pay
20 for meals; or from denying the student participation in an
21 afterschool program or other extracurricular activity.

22 The school district must set fair and equitable procedures
23 for the use of moneys in the unpaid student meals account.

24 The setoff procedures administered by the department of
25 administrative services can be sought by a school district if
26 the alleged school meal debt owed to the district is over \$500
27 and the district has tried to collect the debt for at least
28 two years. However, the provision does not limit any other
29 option for school meal debt collection available to the school
30 district.