TITLE: Requires schools to adopt a school meal policy regarding unpaid school meal fees.

SECTION 1. The education law is amended by adding a new section 908 to read as follows:

§ 908. School meal policy. 1. a. The board of education, the trustee, or the board of trustees of each school district, board of cooperative educational services, county vocational education and extension boards, charter school, and non-public school in this state that provides a meal to students during the school day shall adopt and implement a policy to ensure that: (i) a student who is enrolled in the National School Lunch Program, School Breakfast Program or Special Milk Program is not shamed or treated differently than a student who is not enrolled in such programs; and (ii) a student whose parent or guardian has unpaid school meal fees is not shamed or treated differently than a student whose parent or guardian does not have unpaid school meal fees.
school meal fees. For the purposes of this section, different treatment or shaming shall include, but not be limited to, publicly naming or labeling a student, denying or delaying a meal to a student, or requiring a student to do chores for a meal.

b. The policy adopted pursuant to this subdivision shall: (i) explain how school personnel and volunteers will be trained to ensure that the policy is implemented; (ii) designate a school administrator or administrators responsible for implementation of the policy; and (iii) establish procedures to address violations of the policy. Violations of the policy may be appealed to the commissioner pursuant to the rules and regulations of the department.

c. The policy adopted pursuant to this subdivision shall be incorporated into any contract with a food service management company to provide meals to students in a school.

d. The policy adopted pursuant to this subdivision shall be adopted with input from school personnel, parents, students and any other interested parties.

e. This section shall not apply to school districts or schools where all students are eligible for a school meal under the Community Eligibility Provision of the federal National School Lunch Act.

2. a. The board of education, the trustee, or the board of trustees of each school district, board of cooperative educational services, county vocational education and extension boards, charter school, and non-public school in this state that provides a meal to students during the school day but does not participate in the Community Eligibility Provision of the federal National School Lunch Act shall distribute information about school meal programs available to students. The information to be distributed shall include, but not be limited to: (i) a description of each school meal program; (ii) program eligibility criteria; (iii) the cost of a school meal program to the student’s parent or guardian; (iv) how payments may be made and how unpaid meal fees will be collected; and (v) enrollment forms for school meal programs and a description of the enrollment process, including the name of a person or persons whom a parent or guardian may consult about school meal programs.

b. The information required to be distributed pursuant to this subdivision shall be provided, in writing, to all parents or guardians of students and distributed in school enrollment packets and published on the school or school district website.

3. a. Each school or school district shall establish a policy and advise parents and guardians in writing and on the school or school district website about: (i) methods by which parents or guardians of students may pay school meal fees, such as prepayment and automatic payments for school meals as well as the use of technology to improve timely payments of school meal fees; and (ii) actions that the school will take to collect unpaid school meal fees from parents or guardians.

b. A school or school district shall only communicate directly with a parent or guardian about payment of school meal fees or collection of unpaid school meal fees and shall not direct any action or communication about such fees to or through a student.

c. If a parent or guardian has accrued unpaid school meal fees equal to or greater than the value of five full-priced meals and, before collecting unpaid fees, the school shall: (i) exhaust all options and methods to directly certify the student for free or reduced-price meals; and (ii) in cases where the school cannot directly certify the student, provide the parent or guardian with an application for enrollment of the student in a school meal program and contact the parent or guardian of the student, in writing, to encourage them to apply for such program.

4. Each school or school district shall establish procedures to collect unpaid school meal fees in accordance with the information about best practices adopted by the commissioner and inform parents and guardians of students enrolled in school meal programs, in writing, about debt collection of school meal fees and on the school or school district website.

§ 2. Section 305 of the education law is amended by adding a new subdivision 41-a to read as follows:
41-a. The commissioner shall identify and evaluate methodologies and practices utilized by schools and school districts, both within the state and nationally, and disseminate detailed information to schools and school districts about best practices regarding service of meals to students without funds to pay the school meal fees, methods of payment that can improve timely payment of school meal fees, and collection of debt for unpaid school meal fees. The commissioner shall submit a report containing such information to the legislature on or before July first, two thousand eighteen.

§ 3. This act shall take effect immediately.