

Enrolled
House Bill 3454

Sponsored by Representatives MCLANE, CLEM; Representatives HUFFMAN, SMITH DB, SOLLMAN

CHAPTER

AN ACT

Relating to school meals; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) A school district that makes meals accessible to students at school sites under the United States Department of Agriculture’s National School Lunch Program or School Breakfast Program:

(a) Must provide a United States Department of Agriculture reimbursable meal to a student who requests the meal:

(A) Unless the student’s parent or guardian has provided written permission to the school district to withhold a meal from the student; and

(B) Regardless of whether the student has money to pay for the meal or owes money for meals; and

(b) May not require that a student throw away a meal after the meal has been served because of the student’s inability to pay for the meal or because money is owed for meals.

(2) If a student owes money for five or more meals, a school district shall:

(a) Determine if the student has been identified as being categorically eligible for free school meals and can be directly certified without application;

(b) If the student has not been identified as described in paragraph (a) of this subsection, make at least two attempts to contact the student’s parent or guardian to have the parent or guardian fill out an application to determine if the student is eligible for free or reduced price lunches under the United States Department of Agriculture’s current Income Eligibility Guidelines; and

(c) If the student is not eligible or the parent or guardian does not fill out an application as described in paragraph (b) of this subsection, make reasonable efforts to contact the parent or guardian and to offer assistance filling out an application, if appropriate.

(3) A school district may not:

(a) Publicly identify or stigmatize a student who cannot pay for a meal or who owes money for a meal by requiring that the student wear a wristband, hand stamp or other identifying marker or by serving the student an alternative meal; or

(b) Require a student who cannot pay for a meal or who owes money for a meal to do chores or other work to pay for meals, unless all other students do similar chores or work regardless of whether money is owed for meals.

(4)(a) A school district shall direct communications about amounts owed by a student for meals to the student’s parent or guardian and not to the student.

(b) Nothing in this subsection prohibits a school district from sending home a letter with a student addressed to the parent or guardian of the student.

(5) A school district may not require a parent or guardian to pay fees or costs from collection agencies hired to collect moneys owed for meals.

SECTION 2. Section 1 of this 2017 Act first applies to the 2017-2018 school year.

SECTION 3. This 2017 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect July 1, 2017.

Passed by House June 14, 2017

Received by Governor:

Repassed by House July 6, 2017

.....M.,....., 2017

Approved:

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Timothy G. Sekerak, Chief Clerk of House

.....M.,....., 2017

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Tina Kotek, Speaker of House

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Kate Brown, Governor

Passed by Senate July 3, 2017

Filed in Office of Secretary of State:

.....M.,....., 2017

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Peter Courtney, President of Senate

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Dennis Richardson, Secretary of State