

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 709 Session of 2017

INTRODUCED BY COSTA, LEACH, BLAKE, BREWSTER, FONTANA, BARTOLOTTA AND TARTAGLIONE, MAY 12, 2017

REFERRED TO EDUCATION, MAY 12, 2017

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
 2 act relating to the public school system, including certain  
 3 provisions applicable as well to private and parochial  
 4 schools; amending, revising, consolidating and changing the  
 5 laws relating thereto," in pupils and attendance, further  
 6 providing for nonprofit school food program.

7 The General Assembly of the Commonwealth of Pennsylvania  
 8 hereby enacts as follows:

9 Section 1. Section 1337(d) of the act of March 10, 1949  
 10 (P.L.30, No.14), known as the Public School Code of 1949, is  
 11 amended to read:

12 Section 1337. Nonprofit School Food Program.--\* \* \*

13 (d) Boards of School Directors.

14 (1) Pursuant to any power of boards of school directors to  
 15 operate or provide for the operation of school food programs in  
 16 schools under their jurisdiction, boards of school directors may  
 17 use therefore funds disbursed to them under the provisions of  
 18 this section, gifts and other funds, received from sale of  
 19 school food under such programs.

20 (2) Regardless of whether a student has money to pay for a

1 school meal or owes money for earlier school meals, each board  
2 of school directors shall establish a requirement for schools  
3 under its jurisdiction to provide a school food program meal to  
4 a student who requests one, unless the student's parent or  
5 guardian has specifically provided written permission to the  
6 school to withhold a school meal.

7 (3) Each board of school directors shall require schools  
8 under its jurisdiction to comply with the following when a  
9 student owes money for five or more school meals:

10 (i) The school shall determine if the student is eligible  
11 for the school food program.

12 (ii) If the student is eligible for the school food program,  
13 the school shall make at least two attempts to reach the  
14 student's parent or guardian and have the parent or guardian  
15 apply for participation in the school food program.

16 (iii) The principal, assistant principal, school counselor  
17 or other school employee designated by the board of school  
18 directors to contact the student's parent or guardian to offer  
19 assistance with applying for participation in the school food  
20 program shall:

21 (A) Determine if there are other issues within the student's  
22 household that have caused the student to have insufficient  
23 funds to purchase a school meal.

24 (B) Offer appropriate assistance on behalf of the student.

25 (4) Each board of school directors shall:

26 (i) Require schools under its jurisdiction to direct  
27 communications regarding money owed by a student for school  
28 meals to the student's parent or guardian and not to the  
29 student.

30 (ii) Permit schools under its jurisdiction to contact the

1 student's parent or guardian by means of a letter addressed to  
2 the parent or guardian that is delivered by the student.

3 (5) Each board of school directors shall prohibit schools  
4 under its jurisdiction from implementing the following:

5 (i) Publicly identifying or stigmatizing a student who  
6 cannot pay for a school meal or who owes money for earlier  
7 school meals, including a requirement that a student wear a  
8 wristband or hand stamp for the purpose of identifying the  
9 student as eligible for the school food program.

10 (ii) Requiring a student who cannot pay for a school meal to  
11 perform chores or other work to pay for the school meal. This  
12 subclause shall not apply if chores or other work are required  
13 of all students regardless of the student's inability to pay for  
14 the school meal.

15 (iii) Requiring a student to discard a school meal after it  
16 was served to the student due to the student's inability to pay  
17 for the school meal or the amount of money owed by the student  
18 for earlier school meals.

19 (iv) Requiring a student's parent or guardian to pay fees or  
20 costs charged by a collection agency that is contracted to  
21 collect money owed for school meals.

22 \* \* \*

23 Section 2. This act shall take effect in 60 days.