

By Senator Farmer

34-01091-22

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1 A bill to be entitled
2 An act relating to school meals; providing a short
3 title; creating s. 1002.24, F.S.; defining terms;
4 requiring public schools and nonprofit private schools
5 participating in certain federal programs to provide
6 students, at no cost, a printed meal application or an
7 explanation and instructions on how to apply;
8 requiring that meal applications and instructions be
9 written in a specified manner; requiring that certain
10 parents be offered assistance with the meal
11 application process; requiring schools to complete and
12 file an application for free or reduced-price meals on
13 a student's behalf under certain circumstances;
14 requiring school district liaisons for homeless
15 children to coordinate with the Department of
16 Agriculture and Consumer Services to ensure that
17 homeless students in public schools receive free and
18 reduced-price meals; providing an exception; providing
19 duties for public and nonprofit private schools which
20 apply regardless of a student's ability to pay for
21 meals or whether the student owes money for previous
22 meals; prohibiting such schools from taking specified
23 actions relating to a student who cannot pay for a
24 meal or who owes a meal debt and from requiring
25 parents to pay specified fees or costs relating to
26 meal debts; authorizing the State Board of Education
27 to adopt rules; providing an effective date.

28
29 Be It Enacted by the Legislature of the State of Florida:

34-01091-22

20221646__

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31 Section 1. This act may be cited as the "Students' Right to
32 Be Hunger Free Act."

33 Section 2. Section 1002.24, Florida Statutes, is created to
34 read:

35 1002.24 Student access to school meals.—

36 (1) For purposes of this section, the term:

37 (a) "Meal application" means an application for free or
38 reduced-price meals under the National School Lunch Program or
39 the School Breakfast Program.

40 (b) "School" means a public school or nonprofit private
41 school approved to participate in the National School Lunch
42 Program or the School Breakfast Program.

43 (2) (a) Each school, with the exception of a school that
44 provides free meals to all students for an entire school year
45 and does not collect meal applications, shall provide a free,
46 printed meal application in every school enrollment packet or,
47 if the school chooses to use an electronic meal application, an
48 explanation of the electronic meal application process and
49 instructions for how a parent may request a printed meal
50 application at no cost.

51 (b) Meal applications and instructions provided to a parent
52 pursuant to paragraph (a) must be written in a language the
53 parent understands. If a parent cannot read or understand a meal
54 application, the school must offer assistance in completing the
55 application.

56 (c) If a school becomes aware that a student who has not
57 submitted a meal application is eligible for free or reduced-
58 price meals, the school must complete and file a meal

34-01091-22

20221646__

59 application for the student pursuant to 7 C.F.R. s. 245.6(d)
60 unless the school provides free meals to all students for an
61 entire school year and does not collect meal applications.

62 (3) A school district's liaison for homeless children and
63 youths designated pursuant to 42 U.S.C. s. 11432 shall
64 coordinate with the Department of Agriculture and Consumer
65 Services to ensure that homeless children and youths receive
66 free and reduced-price meals. This subsection does not apply to
67 nonprofit private schools.

68 (4) Regardless of whether a student has money to pay for a
69 meal or owes a meal debt, a school shall:

70 (a) Provide a meal reimbursable by the United States
71 Department of Agriculture to a student who requests one, unless
72 a parent has specifically provided written permission for the
73 school to withhold a meal.

74 (b) If the student owes money for five or more meals:

75 1. Check the state list of students categorically eligible
76 for free meals to determine if the student is categorically
77 eligible.

78 2. Make at least two attempts, not including the meal
79 application or instructions included in the enrollment packet,
80 to reach the student's parent and request that the parent
81 complete a meal application.

82 3. Require the principal, an assistant principal, or a
83 counselor to contact the parent to offer assistance with the
84 meal application, determine whether there are other issues
85 within the household which have caused the student to have
86 insufficient funds to purchase a school meal, and offer any
87 other appropriate assistance.

34-01091-22

20221646__

88 (c) Direct all communications regarding a student's meal
89 debt to his or her parent. However, a school may send a letter
90 home with the student which is addressed to the parent.

91 (5) A school may not:

92 (a) Require a student to throw a meal away after it has
93 been served because of the student's inability to pay for the
94 meal or because money is owed for previous meals.

95 (b) Publicly identify or stigmatize a student who cannot
96 pay for a meal or who owes a meal debt, including, but not
97 limited to, requiring a student to wear a wristband or hand
98 stamp.

99 (c) Require a student who cannot pay for a meal or who owes
100 a meal debt to do chores or other work to pay for meals if such
101 chores or work is not required of all students, regardless of
102 meal debt.

103 (d) Require a parent to pay fees or costs from a collection
104 agency hired to collect a meal debt.

105 (6) The State Board of Education may adopt rules to
106 administer this section.

107 Section 3. This act shall take effect July 1, 2022.