An Act Forbidding Food Shaming, Food Denial and the Use of Food as Discipline Involving Any Child in Maine's Public Schools

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.
Received by the Secretary of the Senate on December 19, 2017. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed.

Presented by Senator MAKER of Washington.
Cosponsored by Representative TUELL of East Machias and Senators: BELLOWS of Kennebec, CARSON of Cumberland, DESCHAMBAULT of York, LIBBY of Androscoggin, MILLETT of Cumberland, Representatives: PERRY of Calais, POULIOT of Augusta, VACHON of Scarborough.
Be it enacted by the People of the State of Maine as follows:

Sec. 1. 20-A MRSA c. 223, sub-c. 11 is enacted to read:

**SUBCHAPTER 11**

**FOOD RIGHTS**

§6681. Access to food and use of food discipline

This section governs student access to and school use of food, including as a disciplinary tool, in public schools.

1. Serving of reimbursable meals. A public school that provides free and reduced-price meals or other meals to students pursuant to subchapter 7 or otherwise provides to students meals eligible for reimbursement under a program administered by the United States Department of Agriculture shall provide such a meal to a student who requests the meal and is otherwise eligible for the meal regardless of the student's inability to pay for the school meal or failure in the past to pay for school meals. The principal, assistant principal or guidance counselor of the public school shall contact the parent or guardian of a student who requests a meal in accordance with this subsection to offer the parent or guardian assistance with any necessary applications. The principal, assistant principal or guidance counselor may also inquire of the parent or guardian if there are other issues within the student's household that have caused the student to have insufficient funds to purchase school meals and may offer other assistance.

2. Punishment related to meals. A public school may not:

A. Because of a student's inability to pay for a meal or because of any payments due for meals served previously to the student, require the student:

   (1) To throw away a meal after it has been served to the student; or

   (2) To undertake chores or work as a means of paying for one or more meals or as punishment for not paying for one or more meals; or

B. Refuse a meal to a student as a form of or as part of a disciplinary action.

3. Stigmatization. A public school may not openly identify or otherwise stigmatize a student who cannot pay for a meal or who has payments due for previous meals by requiring the student to wear a wristband, hand stamp or other identifying mark or sign noticeable by others.

4. Required communications. A public school's communications about a student's meal debts must be made to the parent or guardian of the student rather than to the student directly. A public school may ask a student to carry to the student's parent or guardian a letter regarding the student's meal debt.
SUMMARY

This bill does the following.

1. It requires a public school that provides free and reduced-price meals or other meals to students pursuant to the Maine Revised Statutes, Title 20-A, chapter 223, subchapter 7 or otherwise provides to students meals eligible for reimbursement under a program administered by the United States Department of Agriculture to provide such a meal to a student who requests the meal and is otherwise eligible for the meal regardless of the student's inability to pay for the school meal or failure in the past to pay for school meals. It also requires the school to take certain actions to assist the parent or guardian of a student who requests such a meal.

2. It prohibits a public school from punishing a student in certain ways solely because of the student's inability to pay for a meal or because of any payments due for previous meals. It also prohibits a public school from refusing a meal to a student as a form of or as part of a disciplinary action.

3. It prohibits a public school from openly identifying or stigmatizing a student who cannot pay for a meal or who has payments due for previous meals by requiring the student to wear a wristband, hand stamp or other identifying mark or sign noticeable by others.

4. It requires a public school to communicate about a student's meal debts directly to the parent or guardian of the student rather than to the student. A public school may ask a student to carry to the student's parent or guardian a letter regarding a student's meal debt.