

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

H.P. 130 - L.D. 167

An Act To Prevent Food Shaming in Maine's Public Schools

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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.

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.

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 except that, if a student inquires about that student's meal debt, the school may answer the student's inquiry. A public school may ask a student to carry to the student's parent or guardian a letter regarding the student's meal debt.

5. Debt collection; best practices. The department shall develop guidance for school administrative units relating to the collection of student meal debt, including, but not limited to, best practices and information on how to create an online system for the payment of student meal debt. The department shall post the information under this subsection on its publicly accessible website.