

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 728

Introduced by Walz, 15.

Read first time January 23, 2019

Committee: Education

- 1 A BILL FOR AN ACT relating to schools; to amend section 79-10,138,
- 2 Reissue Revised Statutes of Nebraska; to provide duties for the
- 3 State Department of Education and school districts relating to
- 4 school meals as prescribed; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-10,138, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 79-10,138 (1) The State Department of Education shall reimburse
4 each qualified public school in Nebraska a portion of the cost of such
5 school's school breakfast program in the amount of five cents per school
6 breakfast served by such school in the second preceding school year. To
7 qualify, a school district shall operate a school lunch program and shall
8 submit information regarding the number of breakfasts served in a manner
9 prescribed by the department. The Legislature shall appropriate money
10 from the General Fund to carry out this section.

11 (2) The department shall promote practices to prevent and reduce
12 student debt for school breakfasts and lunches. On or before January 1,
13 2020, the department shall create and disseminate a uniform meal charge
14 policy that school districts may implement. The meal policy shall
15 include, but not be limited to, the following provisions:

16 (a) Each student shall be served a reimbursable meal upon request at
17 each meal during each school day, regardless of whether such student can
18 immediately pay for the meal or has accrued debt for school meals;

19 (b) Each school district shall communicate directly with a parent or
20 guardian of a student to address outstanding debt for school meals,
21 rather than communicate with or through a student, and shall not engage
22 in practices directed at the student that may stigmatize the student,
23 including, but not limited to, requiring the student to work off a debt;

24 (c) A school district shall not discard any school meal after it is
25 served to a student on the basis that the student is unable to pay for
26 the meal or has debt for school meals;

27 (d) Each school district shall endeavor to ensure that student meals
28 are not being charged to students eligible for free or reduced priced
29 school meals by attempting to directly certify student eligibility or by
30 encouraging parents and guardians to apply for eligibility through the
31 application process; and

1 (e) Each school district shall evaluate their unpaid meal charge
2 collection policies and consider whether collection is appropriate based
3 on the income and circumstances of the family with the unpaid debt for
4 school meals.

5 (3) The department may include or create additional school meal
6 charge policies consistent with the requirements in subsection (2) of
7 this section.

8 Sec. 2. Original section 79-10,138, Reissue Revised Statutes of
9 Nebraska, is repealed.