

SENATE BILL No. 139

February 18, 2015, Introduced by Senators COLBECK, JONES, NOFS, HORN, SHIRKEY, KOWALL, EMMONS, MARLEAU, BOOHER, ROBERTSON, O'BRIEN, GREEN, PROOS, MACGREGOR, PAVLOV, STAMAS, KNOLLENBERG, ZORN, HILDENBRAND and BRANDENBURG and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1272b (MCL 380.1272b).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1272b. (1) In all **SCHOOL MEAL** programs established and
2 operated ~~pursuant to~~ **UNDER** section 1272a, **ALL OF THE FOLLOWING**
3 **APPLY:**

4 (a) ~~Nutritional~~ **SUBJECT TO SUBSECTION (2), NUTRITIONAL**
5 standards prescribed by the United States ~~department~~ **DEPARTMENT** of
6 ~~agriculture~~ **AGRICULTURE** pursuant to section 9 of the national
7 school lunch act, 42 ~~U.S.C.~~ **USC** 1758, shall be met and maintained.

8 (b) The board **OF A SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A**
9 **PUBLIC SCHOOL ACADEMY** may charge a fee for meals or milk, but the
10 fee shall not exceed the actual average daily cost, including
11 necessary supervision, of the meal or milk and accessories, less

1 the amount of food and financial assistance received by the board
2 **OR BOARD OF DIRECTORS** for the meal or milk.

3 (c) The board **OF A SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A**
4 **PUBLIC SCHOOL ACADEMY** shall provide free and reduced price meals
5 and free milk to all pupils eligible under the maximum standards
6 prescribed by the United States ~~department~~ **DEPARTMENT** of
7 ~~agriculture~~ **AGRICULTURE** pursuant to section 9 of the national
8 school lunch act, 42 ~~U.S.C.~~ **USC** 1758; shall ensure the
9 confidentiality of all information contained in applications for
10 eligibility; and shall further ensure that eligible pupils are not
11 discriminated against or overtly identified in any manner.

12 (d) The board **OF A SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A**
13 **PUBLIC SCHOOL ACADEMY** shall provide for parent and pupil
14 participation in the planning and evaluation of school meals and
15 other foods sold or dispensed on school premises.

16 (2) **IN ALL SCHOOL MEAL PROGRAMS ESTABLISHED AND OPERATED UNDER**
17 **SECTION 1272A, THE DEPARTMENT SHALL TAKE ALL STEPS NECESSARY TO**
18 **ENSURE MAXIMUM STATE AND LOCAL CONTROL OVER THE IMPLEMENTATION OF**
19 **THE PROGRAMS, INCLUDING, BUT NOT LIMITED TO, ESTABLISHING AN UPPER**
20 **LIMIT ON THE NUMBER AND FREQUENCY OF FUND-RAISING ACTIVITIES THAT**
21 **MAY TAKE PLACE IN A PUBLIC SCHOOL DURING SCHOOL HOURS THAT ALLOW**
22 **THE SALE OF FOOD OR BEVERAGE ITEMS THAT DO NOT MEET THE NUTRITIONAL**
23 **STANDARDS. THE DEPARTMENT SHALL ENSURE THAT THIS UPPER LIMIT IS NOT**
24 **LESS THAN 3 FUND-RAISING ACTIVITIES PER WEEK. FOR THE PURPOSES OF**
25 **THIS UPPER LIMIT, AN ONGOING FUND-RAISING ACTIVITY THAT IS**
26 **SCHEDULED TO TAKE PLACE AT MORE THAN 1 TIME DURING A SCHOOL DAY,**
27 **THROUGHOUT THE SCHOOL DAY, OR FOR MORE THAN 1 SCHOOL DAY SHALL BE**

1 CONSIDERED TO BE A SINGLE FUND-RAISING ACTIVITY.