

HOUSE BILL No. 4202

February 17, 2015, Introduced by Rep. Somerville 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.