

SENATE BILL NO. 500

September 14, 2023, Introduced by Senators POLEHANKI, GEISS, CHANG, DAMOOSE, BAYER and HERTEL and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1271.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1271. (1) The department shall establish and operate a
2 program to provide free school lunch and breakfast to public school
3 pupils in grades pre-K to 12 and to pupils who are not more than 26
4 years of age and are enrolled in special education programs,
5 including pupils who attend the Michigan School for the Deaf.

6 (2) A participating entity shall apply to the department, in a
7 form and manner determined by the department, to participate in the

1 free school lunch and breakfast program established under
2 subsection (1). The department shall approve a participating
3 entity's application if the participating entity does all of the
4 following:

5 (a) Participates in the National School Lunch Program and
6 School Breakfast Program.

7 (b) Provides reimbursable breakfasts and reimbursable lunches
8 at no cost to all public school pupils for any school breakfast
9 program or school lunch program operated by the participating
10 entity.

11 (c) Submits information regarding the number of reimbursable
12 breakfasts and reimbursable lunches served in a manner determined
13 by the department.

14 (d) Maximizes federal reimbursement for reimbursable
15 breakfasts and reimbursable lunches by operating under the CEP if
16 the participating entity has an identified student percentage
17 greater than or equal to the minimum requirement to be eligible to
18 participate in the CEP. For purposes of this subdivision, all
19 eligible participating entities must elect CEP on behalf of a
20 single school, a group or groups of schools, or all schools in the
21 participating entity, as applicable, in a manner that maximizes
22 federal reimbursement as determined by the department.

23 (e) Meets all applicable federal and state standards in its
24 school breakfast and lunch programs, as determined by the
25 department.

26 (f) Takes all efforts to maximize and implement policies that
27 encourage parents or legal guardians to fill out relevant family
28 income information, in a manner prescribed by the department, for
29 the purposes of determining student eligibility for federal free or

1 reduced cost meal reimbursement rates, CEP eligibility
2 determinations, and other educational benefits.

3 (g) Forgives all school meal debt, as determined by the
4 department.

5 (3) Subject to federal law and regulations, participating
6 entities shall offer meals that meet a pupil's disability or
7 medical need that restricts the pupil's diet if that disability or
8 medical need is documented by a medical statement signed by a
9 health professional. Accommodations must be made on a case-by-case
10 basis. Participating entities are encouraged to offer meals that
11 meet a pupil's religious or dietary preferences, including, but not
12 limited to, vegetarian, kosher, and halal meals, if those religious
13 or dietary preferences meet the federal meal pattern requirements.

14 (4) As used in this section:

15 (a) "CEP" means the Community Eligibility Provision under the
16 Richard B. Russell National School Lunch Act, 42 USC 1751 to 1769j.

17 (b) "Health professional" means an individual who is licensed,
18 registered, or otherwise authorized to engage in a health
19 profession under article 15 of the public health code, 1978 PA 368,
20 MCL 333.16101 to 333.18838.

21 (c) "Participating entity" means a public school or the
22 Michigan School for the Deaf.

23 Enacting section 1. This amendatory act does not take effect
24 unless Senate Bill No.____ or House Bill No.____ (request no.
25 04195'23) of the 102nd Legislature is enacted into law.