

(SENATE AUTHORS: SCHEID and Torres Ray)

DATE	D-PG	OFFICIAL STATUS
02/28/2011	310	Introduction and first reading Referred to Education

1.1 A bill for an act

1.2 relating to education; prohibiting school boards from withholding students'

1.3 grades for failing to pay school lunch debts; prohibiting discrimination against

1.4 students eligible to receive a free or reduced-price lunch; establishing parameters

1.5 for collecting unpaid school lunch debts; amending Minnesota Statutes 2010,

1.6 sections 123B.37, subdivision 2; 124D.111, by adding subdivisions.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2010, section 123B.37, subdivision 2, is amended to read:

1.9 Subd. 2. **Boards shall not withhold grades or diplomas for nonpayment of**

1.10 **student fees.** No pupil's rights or privileges, including the receipt of grades or diplomas

1.11 may be denied or abridged for nonpayment of fees, including school lunch debts; but this

1.12 provision does not prohibit a district from maintaining any action provided by law for the

1.13 collection of fees authorized by sections 123B.36 and 123B.38.

1.14 **EFFECTIVE DATE.** This section is effective July 1, 2011.

1.15 Sec. 2. Minnesota Statutes 2010, section 124D.111, is amended by adding a

1.16 subdivision to read:

1.17 Subd. 4. **Discrimination prohibited.** No school district, charter school, nonpublic

1.18 school, or other participant in the national school lunch program receiving state funding

1.19 under subdivision 1 may:

1.20 (1) physically segregate, discriminate against, or otherwise stigmatize any child

1.21 eligible for a free or reduced-price school lunch;

1.22 (2) make any overt or distinguishable identification of a child eligible for a free or

1.23 reduced-price school lunch through use of special lines, tickets, announced or published

1.24 lists of names, or other public means of identifying that child; or

(3) deny lunch to a child eligible for a reduced-price school lunch who lacks sufficient funds to pay for lunch or who has unpaid school lunch debts.

**EFFECTIVE DATE.** This section is effective July 1, 2011.

Sec. 3. Minnesota Statutes 2010, section 124D.111, is amended by adding a subdivision to read:

**Subd. 5. Collection of unpaid lunch debts.** (a) No entity attempting to collect an unpaid school lunch debt from a household may:

(1) take any action directed at a child in the household, including withholding an educational opportunity or engaging in any behavior prohibited under subdivision 4; or

(2) associate or contract with, or in any other way use or employ the services of, a collection agency, as defined in section 332.31, subdivision 3, to attempt to collect an unpaid school lunch debt from the household.

(b) An entity collecting or attempting to collect an unpaid school lunch debt from a household must comply with section 332.37.

(c) A household alleging that a school violated section 332.37 has the right to an injunction under section 332.39.

**EFFECTIVE DATE.** This section is effective July 1, 2011.