

By: Bernal

H.B. No. 567

A BILL TO BE ENTITLED

AN ACT

1
2 relating to school district grace period policies and the provision
3 of meals to public school students with insufficient balances on
4 prepaid meal cards or in meal accounts.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 33.908, Education Code, is amended to
7 read as follows:

8 Sec. 33.908. GRACE PERIOD POLICY FOR EXHAUSTED OR
9 INSUFFICIENT MEAL CARD OR ACCOUNT BALANCE. (a) In this section,
10 "regular meal" means a meal for which a school district ordinarily
11 receives reimbursement under the national free or reduced-price
12 lunch program established under 42 U.S.C. Section 1751 et seq.

13 (b) The board of trustees of a school district that allows
14 students to use a prepaid meal card or account to purchase meals
15 served at schools in the district shall adopt a grace period policy
16 regarding the use of the cards or accounts. The policy:

17 (1) must allow a student whose meal card or account
18 balance is exhausted or insufficient to continue, for a period
19 determined by the board of at least one week, to purchase regular
20 meals by:

21 (A) accumulating a negative balance on the
22 student's card or account; or

23 (B) otherwise receiving an extension of credit
24 from the district;

1 (2) must require the district to make at least three
2 attempts during the period described by Subdivision (1) to
3 privately:

4 (A) notify the parent of or person standing in
5 parental relation to the student that the student's meal card or
6 account balance is exhausted, including by sending home with the
7 student in an unmarked envelope a written notice of a negative
8 balance or other amount due and an application for free or
9 reduced-price meals;

10 (B) make arrangements with the parent or other
11 person for payment of negative balances or amounts otherwise due,
12 including through use of a payment plan; and

13 (C) assist the parent or other person in
14 completing an application on behalf of the student for free or
15 reduced-price meals, if it is determined that the student may be
16 eligible for free or reduced-price meals;

17 (3) may not permit the district to charge a fee or
18 interest in connection with meals purchased under Subdivision (1);
19 and

20 (4) may permit the district to set a schedule for
21 repayment on the account balance or other amount due if the district
22 is unable to set a repayment schedule by agreement through efforts
23 required under Subdivision (2) [~~as part of the notice to the parent~~
24 ~~or person standing in parental relation to the student~~].

25 (c) After expiration of the period described by Subsection
26 (b)(1) and completion of duties required under Subsection (b)(2),
27 the school district shall continue to provide to the student

1 regular meals as described by Subsection (b)(1) at no cost to the
2 student.

3 (d) If a school district is unable to obtain payment
4 sufficient to cover the negative balance or extension of credit on a
5 student's meal card or account from the student's parent or a person
6 standing in parental relation to the student before the end of the
7 school year, the district:

8 (1) may apply toward the negative balance or credit
9 private donations solicited for that purpose and maintained in a
10 separate district account;

11 (2) shall provide the parent or other person with an
12 application on behalf of the student for free or reduced-price
13 meals, if the district determines that the student may be eligible
14 for free or reduced-price meals in the subsequent school year; and

15 (3) may not transfer a negative balance on a student's
16 meal card or account to the meal card or account held by the student
17 in a subsequent school year.

18 (e) A school district may not require a student to repeat a
19 grade level, prevent a student from graduating, withhold a diploma
20 from a student, or prohibit a student from participating in
21 school-related activity due to a negative balance or extension of
22 credit on the student's meal card or account.

23 (f) A school district may not publicly identify a student
24 with a negative balance or extension of credit on a meal card or
25 account and must implement an action authorized under this section
26 in a manner that does not stigmatize or cause embarrassment to a
27 student.

1 SECTION 2. This Act applies beginning with the 2025-2026
2 school year.

3 SECTION 3. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2025.