

HB 3454 A -A2 STAFF MEASURE SUMMARY

Senate Committee On Rules

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WHAT THE MEASURE DOES:

Requires school districts participating in National School Lunch Program provide lunch to any student upon request regardless of whether student has money to pay or owes money. Prohibits school from requiring student to throw food away after it has been served. Directs school to make at least two attempts to contact parent or guardian of student that owes money for five or more meals, to determine eligibility for free lunch, and to assist with application as appropriate. Directs school district to communicate directly with parent or guardian about money owed. Prohibits school district from requiring parent or guardian to pay collection fees on debt owed for school meals. Applies to 2017-2018 school year. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-A2 Prohibits a school district from serving an alternative meal to a child who cannot pay for a meal. Makes technical changes.

BACKGROUND:

The National School Lunch Program (Program) is a federally subsidized meal program operating in over 100,000 public and non-profit private schools and residential child care institutions. In 2012, it provided nutritionally balanced, low-cost or free lunches to more than 31 million children each school day. Schools that choose to participate in the Program receive cash subsidies and U.S. Department of Agriculture (USDA) foods for each meal they serve. In return, they must serve lunches that meet federal nutritional and other requirements, and they must offer free lunches to eligible children. Any child at a participating school may purchase a meal through the Program. Children from families with incomes at or below 130 percent of the federal poverty level are eligible for free meals. Children from families with incomes over 185 percent of the federal poverty level pay full price, although meals are still subsidized to some extent.

When students, whose eligibility for free lunch is unknown, are not able to pay or have unpaid lunch debt, some school districts have taken action against them to compel parents to pay. Practices that hold students publicly accountable for unpaid school lunch debt, or require them to throw food away, or provide alternative lunches or otherwise stigmatize them is called "lunch shaming." A 2014 USDA report found that nearly half of all school districts used some form of shaming to compel parents to pay lunch debt. As a result of this finding, the USDA required school districts to establish written policies for dealing with children whose Program eligibility was undetermined (who were unable to pay for lunches), by July 1, 2017. School districts in Minnesota, Texas and California have adopted anti-shaming policies; Boston, Chicago and Detroit schools offer free meals to all students under the federal Community Eligibility Provision programs; and New Mexico banned "lunch shaming" and directed schools to sign up for federal meal assistance and to work with parents and guardians to pay debts.

House Bill 3454-A requires school districts that participate in the National School Lunch Program to provide any student with lunch who asks, with the same lunch being provided to all students that day, regardless of debt or ability to pay. The measure addresses "lunch shaming" by prohibiting schools from making students throw away lunch after it has been served, and by requiring schools to communicate directly with parents or guardians about debts and ability to pay.