
A BILL FOR AN ACT

RELATING TO SCHOOL LUNCH REFORM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that proper nutrition is
2 an important part of a student's healthy learning environment.
3 As such, the removal or refusal of a student's lunch due to the
4 inability to pay creates an unhealthy learning environment for
5 the student.

6 The purpose of this Act is to minimize the situations where
7 a student may be denied a school meal because of the student's
8 inability to pay.

9 SECTION 2. Section 302A-404, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "§302A-404 School meals~~[+]~~; report. (a) School meals
12 shall be made available under the school meals program in every
13 school where the students are required to eat meals at school.

14 (b) No student shall be denied a meal or served an
15 alternative meal solely for failure to pay:

16 (1) Within the first [~~twenty one~~] thirty days of the first
17 semester of a school year while the student's



1 application for free or reduced lunch is being
2 processed; or

3 (2) Within [~~seven~~] thirty days after a student's meal fund
4 account reaches a zero or negative balance.

5 (c) A school may not permit public identification or
6 stigmatization of the student due to inability to pay for a
7 school meal, such as by:

8 (1) Requiring the student to wear a wristband or hand
9 stamp;

10 (2) Requiring the student to perform chores or activities
11 that are not required of students generally; or

12 (3) Depriving the student of food after it has been
13 served.

14 [~~(e)~~] (d) The department may adopt rules or policies
15 governing the collection of funds for student meal accounts with
16 a negative fund balance; provided that no rule or policy shall
17 prohibit feeding a student as required pursuant to subsection
18 (b).

19 (e) Any communication related to outstanding credit must
20 be directed to the student's parent or guardian. A student may
21 be required to deliver a letter regarding outstanding credit



1 that is addressed to a parent or guardian if the letter is not
2 distributed to the student in a manner that stigmatizes the
3 student.

4 (f) The department of education shall submit a report to
5 the legislature no later than twenty days prior to the convening
6 of the regular session of each year on the prevalence of
7 students being denied a school meal solely for failure to pay
8 and any actions taken by the department of education or
9 individual schools to address this issue. The report shall
10 include:

11 (1) The number of meals that have been denied because of a
12 zero or negative balance in a student's meal fund
13 account;

14 (2) The number of students who have been denied a meal
15 because of a zero or negative balance;

16 (3) The reasons for the zero or negative balance and
17 subsequent meal denial;

18 (4) Steps the department is taking to make the process of
19 paying for meals easier;



1 (5) Procedures for notifying parents of low or negative
2 balances, including when and how they are notified;
3 and

4 (6) The standard operating procedure for low or negative
5 balance notification and subsequent meal denial.

6 (g) The department of education shall use moneys in the
7 special school lunch fund to provide school meals at no charge
8 for children in kindergarten through twelfth grade who are
9 participating in the school meals program and who would
10 otherwise be required to pay a reduced price for meals."

11 SECTION 3. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$800,000 or so much
13 thereof as may be necessary for fiscal year 2020-2021 to be
14 deposited to the credit of the special school lunch fund
15 established pursuant to section 302A-405, Hawaii Revised
16 Statutes.

17 The sum appropriated shall be expended by the department of
18 education for the purposes of this Act.

19 SECTION 4. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 SECTION 5. This Act shall take effect on July 1, 2020.



Report Title:

Department of Education; School Meals; Free or Reduced Lunch;
Students; Appropriation

Description:

Increases the number of days by which students have to apply for free or reduced lunch and to replenish the student's meal fund. Requires the department of education to report to the legislature regarding the number of students who are denied meals based on the inability to pay. Prohibits serving an alternative meal to students who are unable to pay. Appropriates funds to the special school lunch fund. (SD1)

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