
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 situations in which
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 shall not permit public identification or
6 stigmatization of a student due to inability to pay for a school
7 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 a zero or negative
20 balance shall be directed to the student's parent or guardian.

21 A school may require a student to deliver a letter regarding a



1 zero or negative balance to the student's parent or guardian;
2 provided that the letter is not distributed to the student in a
3 manner that stigmatizes the student.

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

- 10 (1) The number of meals that were denied because of a zero
11 or negative balance in a student's meal fund account;
12 (2) The number of students who were denied a meal because
13 of a zero or negative balance;
14 (3) The reasons for a student's zero or negative balance
15 and subsequent meal denial;
16 (4) Steps the department is taking to make the process of
17 paying for meals easier for students; and
18 (5) Procedures for notifying parents of low or negative
19 balances, including when and how notice is given, and
20 for subsequent meal denial.



1 (g) The department of education shall use moneys in the
 2 special school lunch fund, established pursuant to section
 3 302A-405, to provide school meals at no charge for children in
 4 kindergarten through twelfth grade who are participating in the
 5 school meals program and who would otherwise be required to pay
 6 a reduced price for meals."

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

13 SECTION 4. There is appropriated out of the special school
 14 lunch fund the sum of \$ or so much thereof as may be
 15 necessary for fiscal year 2020-2021 to provide school meals at
 16 no charge for children in kindergarten through twelfth grade who
 17 are participating in the school meals program and who would
 18 otherwise be required to pay a reduced price for meals.

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



1 SECTION 5. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

DOE; School Meals; Free or Reduced Lunch; Students;
Appropriation

Description:

Increases the number of days by which students must apply for free or reduced lunch and replenish the student's meal fund. Prohibits serving an alternative meal to students solely for failure to pay within thirty days of the first semester of a school year or thirty days after the student's meal fund account reaches a zero or negative balance. Prohibits a school from publicly identifying or stigmatizing a student who is unable to pay for a school meal. Requires the Department of Education to use moneys from the special school lunch fund to provide school meals. Appropriates funds into and out of the special school lunch 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. Effective 7/1/2050. (SD2)

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