
A BILL FOR AN ACT

RELATING TO SCHOOL MEALS.

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

1 SECTION 1. The legislature finds that research has proven
2 that universal meal programs have numerous benefits for all
3 students, including improving student health and improving test
4 scores. Allowing an entire school to eat for free, instead of
5 restricting free meals to students whose families earn below a
6 certain income level, reduces the stigma associated with free
7 meals.

8 A recent study released by the National Bureau of Economic
9 Research focused on the federal National School Lunch Program's
10 Community Eligibility Provision, which allows schools where many
11 students qualified for free or reduced-price meals to provide a
12 free meal to all students. The study examined whether the
13 provision of schoolwide free meals through the Community
14 Eligibility Provision impacted school suspension rates and
15 estimated that the chances of being suspended multiple times
16 fell by about a third of a percentage point in elementary school
17 and half a percentage point in middle school.



1 The legislature further finds that nutritious school meals
2 support education by providing food to ensure that children are
3 not distracted by hunger during class. Free student meal
4 programs serve multiple roles, including working to reduce child
5 hunger and food insecurity, improving student health and
6 well-being, and preparing children to learn.

7 Therefore, the legislature finds that every student should
8 be provided access to cost-free nutritional meals and that
9 universal school meals can improve this access. Additional
10 benefits of universal free meals include lessening the amount of
11 staff time spent on processing paperwork, reducing debt
12 associated with delinquent meal accounts, and ensuring that any
13 student requesting a meal can receive a meal regardless of their
14 ability to pay.

15 Accordingly, the purpose of this Act is to require public
16 schools to provide free breakfast and lunch to all enrolled
17 students.

18 SECTION 2. Section 302A-323, Hawaii Revised Statutes, is
19 amended by amending subsection (e) to read as follows:

20 "(e) By June 30, 2022, and by each June 30 thereafter, the
21 superintendent shall submit to the board and legislature a



1 report of the computer science courses and computer science
2 content offered during the previous school year at the schools
3 in each complex area. The report shall include:

- 4 (1) The names and course codes of the computer science
5 courses offered at each school;
- 6 (2) The number and percentage of students enrolled in each
7 computer science course and computer science content,
8 disaggregated by:
 - 9 (A) Gender;
 - 10 (B) Race and ethnicity;
 - 11 (C) Special education status, including students
12 eligible for special education under the federal
13 Individuals with Disabilities Education Act, as
14 amended, or section 504 of the federal
15 Rehabilitation Act of 1973, as amended;
 - 16 (D) English language learner status;
 - 17 (E) Eligibility for the free and reduced price
18 breakfast and lunch [~~program;~~] programs; and
 - 19 (F) Grade level;

20 provided that if a category contains one to five
21 students, or contains an amount that would allow the



1 amount of another category that contains one to five
2 students to be determined, the number of students
3 shall be replaced with a symbol indicating that one to
4 five students fulfilled that particular category;

5 (3) The names and course codes of the courses containing
6 computer science content and a description of the
7 computer science standards and content that are
8 covered by those courses; and

9 (4) The number of computer science instructors at each
10 school, disaggregated by:

- 11 (A) Any applicable certification;
- 12 (B) Gender;
- 13 (C) Race and ethnicity; and
- 14 (D) Highest academic degree earned."

15 SECTION 3. Section 302A-404, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "**§302A-404** [~~School~~] Universal school meals. (a) School
18 meals shall be made available under the school meals program in
19 every school where the students are required to eat meals at
20 school.



1 (b) Free school meals shall be provided to every student
2 enrolled in public school, regardless of a student's eligibility
3 for participation in the federal School Breakfast Program or the
4 federal National School Lunch Program. Free school meals shall
5 meet the meal requirements as established pursuant to title 7
6 Code of Federal Regulations section 210.10.

7 [~~(b)~~] (c) No student requesting a meal shall be denied a
8 meal [solely for failure to pay:

- 9 ~~(1) Within the first twenty-one days of the first semester~~
10 ~~of a school year while the student's application for~~
11 ~~free or reduced lunch is being processed; or~~
12 ~~(2) Within seven days after a student's meal fund account~~
13 ~~reaches a zero or negative balance].~~

14 (d) The department shall:

- 15 (1) Seek to maximize student participation in accessing
16 free school meals, which may include making school
17 breakfast available to students in classrooms after
18 the start of instruction and counting consumption time
19 as instructional time;
20 (2) Maximize access to and receipt of federal funds and
21 any other opportunities for non-state funds with the



1 intent to draw down the maximum amount of federal
2 funds for the cost of operating school meal programs;
3 and

4 (3) Conduct an annual analysis for eligibility under the
5 federal Community Eligibility Provision.

6 [~~e~~] (e) The department may adopt rules or policies
7 governing the collection of funds for student ~~[meal accounts~~
8 ~~with a negative fund balance;]~~ meals; provided that no rule or
9 policy shall prohibit feeding a student as required pursuant to
10 subsection (b).

11 (f) The State shall reimburse the department for each
12 public school that makes both school breakfast and school lunch
13 available to students at no charge. Reimbursements shall be
14 made quarterly at the rate of the cost of each meal that was
15 provided at no charge and that would have qualified as a paid
16 breakfast or paid lunch under the federal School Breakfast
17 Program or the federal National School Lunch Program.

18 (g) It is the intent of this section not to jeopardize the
19 receipt of any federal aid and to the extent, and only to the
20 extent necessary to effectuate this intent, the governor may
21 modify the strict provisions of this section, but shall promptly



1 report any such modification with the governor's reasons
2 therefor to the next succeeding session of the legislature for
3 review."

4 SECTION 4. Section 302A-405, Hawaii Revised Statutes, is
5 amended by amending subsections (a) and (b) to read as follows:

6 "(a) The price for school meals shall be set by the
7 department to ensure that moneys received from the sale of the
8 meals shall be ~~[not]~~ no less than one-half of the cost of
9 preparing the meals. The prices for school meals may be
10 adjusted annually based on the previous year's costs rounded to
11 the nearest five cents; provided that the department by rule
12 shall provide ~~[a lower rate or]~~ free meals to children ~~[based~~
13 ~~on]~~ regardless of their economic need.

14 (b) All moneys received by or for the public school
15 cafeterias from the sale of meals, the sale of services, the
16 federal government, or any other source, shall be deposited in
17 one special school ~~[lunch]~~ meal fund. Except as otherwise
18 provided by the legislature, all expenditures for the operation
19 of public school cafeterias shall be made from this fund."

20 SECTION 5. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$ _____ or so



1 much thereof as may be necessary for fiscal year 2023-2024 and
2 the same sum or so much thereof as may be necessary for fiscal
3 year 2024-2025 to provide free school meals to every student
4 enrolled in public school.

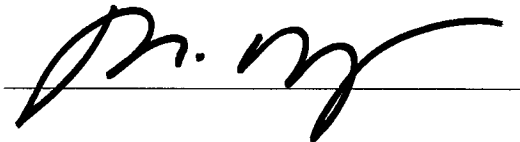
5 The sums appropriated shall be expended by the department
6 of education for the purposes of this Act.

7 SECTION 6. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 7. This Act shall take effect on July 1, 2023;
10 provided that this Act shall apply beginning with the 2023-2024
11 school year.

12

INTRODUCED BY:



JAN 20 2023



H.B. NO. 620

Report Title:

Public Schools; Free Breakfast and Lunch; Universal School Meals; Appropriation

Description:

Beginning with the 2023-2024 school year, requires public schools to provide free breakfast and lunch to all enrolled students. Appropriates funds.

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