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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**53rd Legislature, 1st Session, 2017**

<b>Bill Number</b>	<u>SB374/aSPAC</u>	<b>Sponsor</b>	<u>Padilla &amp; Lopez</u>
<b>Tracking Number</b>	<u>.206506.3</u>	<b>Committee Referrals</b>	<u>SEC/SPAC</u>
<b>Short Title</b>	<u>Hunger-Free Students' Bill of Rights Act</u>		
<b>Analyst</b>	<u>Herz</u>	<b>Original Date</b>	<u>2/16/17</u>
		<b>Last Updated</b>	<u>3/9/17</u>

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**BILL SUMMARY**

Synopsis of SPAC Amendment

The Senate Public Affairs Committee Amendment to Senate Bill 374 (SB374/aSPAC) strikes a section of the bill requiring schools to repay operating losses from uncollectable student lunch debt from the school's general fund, state or local funds for student meals, donations or grants from community organizations or individuals, or food service revenue outside of the nonprofit school food service account. The amendment also excludes private and religious schools from the provisions of the bill and clarifies that homeless student school meal data is tracked in the Student Teacher Accountability Reporting System (STARS).

Synopsis of Original Bill

Senate Bill 374 specifies students' rights and schools' responsibilities regarding free or reduced-fee lunch to ensure that student nutrition needs are met. The bill requires that schools provide applications for the national free and reduced-fee lunch program and guidance for parents completing the application, and requires schools to complete and file an application for students that have not submitted an application. The bill also requires that schools provide a school lunch for a student regardless of ability to pay, limits schools' abilities to collect debts from parents and students for unpaid school lunches, and bans public identification and stigmatization of students who cannot pay for a meal.

**FISCAL IMPACT**

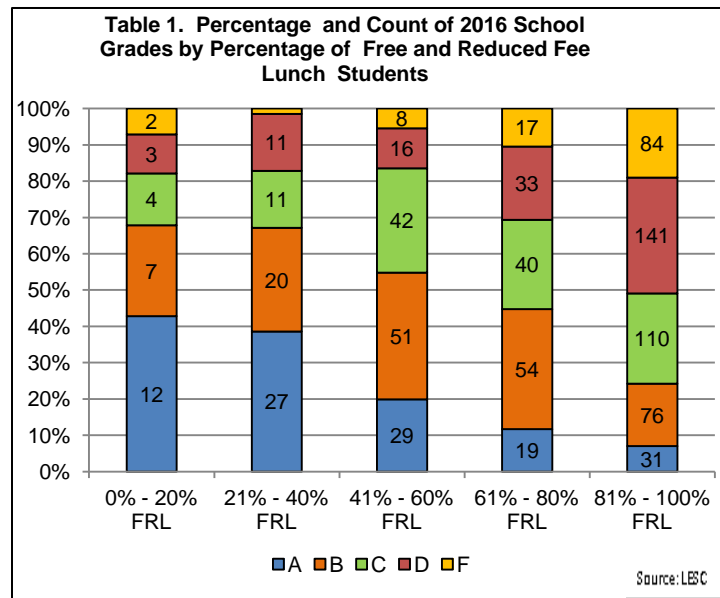
SB374/aSPAC does not appropriate funds. Schools may incur additional costs if they choose to utilize collection agencies to collect student meal debt, as the bill prohibits schools from passing collection agency fees or costs to the parents or guardians of a student.

**SUBSTANTIVE ISSUES**

Research shows that student performance is directly tied to nutrition. Students who are hungry are less active, have trouble concentrating, and are more likely to be sick or hospitalized. Studies

cited by the New Mexico No Kid Hungry campaign indicate 137 thousand children in the state are at risk of going hungry, 30 percent of children live in poverty, and 28 percent of families struggle to afford enough food to sustain themselves.

There is a strong correlation between socioeconomic conditions and proficiency in reading and mathematics nationwide. In an LESC analysis of school grade distributions, the distribution of grades is related to the percentage of students eligible for free and reduced-fee lunch. As seen in Table 1, the distribution of grades for those schools between 81 percent and 100 percent free and reduced-fee lunch is different from more affluent schools. By addressing student nutrition, a challenge that students in poverty often face, SB374/aSPAC could start to address some aspects of the achievement gap.



**ADMINISTRATIVE IMPLICATIONS**

School administrators would be required to ensure current free and reduced-fee lunch practices within the school meet the requirements of the bill. Additionally, school administrators would be required to file applications for free and reduced-fee lunch qualified students who have not turned in an application.

**POSSIBLE QUESTIONS**

How would schools become aware of students who have not submitted applications for free and reduced-fee lunches, as stated on page 2, lines 14 through 16?

**RELATED BILLS**

Related to SB346, Charter School Free & Reduced Meals, which would require all locally chartered and state-chartered charter schools to establish eligibility and participate in the federal free and reduced-price meal program.

**SOURCES OF INFORMATION**

- LESC Files

MPH/th/rab