
SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

Bill No: AB 1871 **Hearing Date:** June 13, 2018
Author: Bonta
Version: May 25, 2018
Urgency: No **Fiscal:** Yes
Consultant: Ian Johnson

Subject: Charter schools: free and reduced-price meals.

SUMMARY

This bill requires charter schools to provide low-income students with one nutritionally adequate free or reduced-price meal each schoolday, as specified.

BACKGROUND

Existing law requires all K-12 schools to provide one nutritionally adequate meal, that qualifies for reimbursement under the federal child nutrition program regulations, to all students eligible for free and reduced-price meals and exempts charter schools from this requirement.

ANALYSIS

This bill requires charter schools to provide low-income students with one nutritionally adequate free or reduced-price meal each schoolday. Specifically, this bill:

- 1) Requires charter schools, commencing with the 2019-20 school year, to provide each low-income pupil with one nutritionally adequate free or reduced-price meal during each schoolday.
- 2) Specifies that a charter school that offers nonclassroom-based instruction shall provide the meals for any eligible pupil on any schoolday that the pupil is scheduled for educational activities lasting two or more hours at a schoolsite, resource center, meeting space, or other satellite facility operated by the charter school.
- 3) Specifies that a charter school that becomes operational on or after July 1, 2019 shall do both of the following:
 - a) Comply with the requirement no later than July 1 of the school year after becoming operational.
 - b) Provide written notification disclosing the period of time for which the charter school will not implement this measure. The written notice shall be provided at the time of application for enrollment in the charter school, to the parent or guardian of each pupil or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder. The written notice shall be provided in languages other than English,

consistent with languages used for the charter school enrollment application.

- 4) Requires the chartering authority to, upon request by a charter school and to the extent feasible within existing resources, provide technical assistance to the charter school.
- 5) Authorizes a charter school to enter into a partnership with an existing school food authority.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “More than 340,000 low-income students attend California public charter schools. School meals support the academic achievement and well-being of all students, particularly low-income students who may not otherwise have adequate access to nutritious meals. Hungry children struggle to learn, grow, and achieve at their fullest potential.

As public charter schools to continue to expand across California, so will the number of low-income, public school students who do not have equitable access to free or reduced-price school meals. Withholding such important resources exacerbates the achievement gap for low-income students, including students of color.

School nutrition programs are a critical resource for students in need, regardless of which school they attend. It should be the intent of the Legislature that no student goes hungry in a California public school.”

- 2) ***State Meal Mandate.*** Existing law requires all K-12 schools to provide one nutritionally adequate meal, that qualifies for reimbursement under the federal child nutrition program regulations, to all students eligible for free and reduced-price meals. Public schools and districts across California are bound by this requirement, also known as the "State Meal Mandate," but the majority also choose to participate in National School Lunch Program (NSLP) and the School Breakfast Program (SBP), so they can feed all their students (not just those eligible for free/reduced-price meals), and receive federal and state reimbursement for all meals served, and federal commodities. Charter schools, however, are exempt from the "State Meal Mandate" requirement. While many charter schools provide an education to students who qualify for free and reduced-priced meals, many charter schools do not provide meals to the children.
- 3) ***School meal funding.*** All public schools, including charter schools, can participate in the federal school meal programs. Participating schools receive federal entitlement funding for each meal served. Generally, schools receive the highest reimbursement for meals served to the lowest-income students. California schools, including charter schools, can also receive categorical state funding for meals served to low-income students.

State and federal funding can be used for food, staffing, equipment, and other expenses necessary for the operation and administration of a school meal program. Public grants and loans are also available to support the startup, expansion, and improvement of school meal programs.

- 4) **Recent amendments.** This bill was recently amended to (1) specify that nonclassroom-based charter schools are only required to feed students when they are scheduled to be at school for two hours or more, (2) allow newly operational charter schools a one year delay for compliance.

Per the recent amendments, the California Charter School Association now supports the bill, noting that “Charter schools have long recognized the very critical linkage between nutrition and learning, illustrated by the fact that most charter schools already provide meals to free or reduced-priced eligible students. Even so, some charter schools have faced unique challenges that have proven difficult to provide meals. We appreciate your recognition of these challenges and your efforts to bring all stakeholders together to find equitable solutions in AB 1871.

Similar to our collaborative work last year with your bill, AB 1360, we worked on AB 1871 with the same goal: protect the bill’s intent but do so in a way that does not dismiss the unique structure of charter schools. The latest amendments give new charter schools time to properly implement these meal services and emphasize the need for school districts to cooperate with charter schools to ensure the meal program’s success.”

SUPPORT

California Food Policy Advocates (co-sponsor)
 California State Parent Teacher Association (co-sponsor)
 California Teachers Association (co-sponsor)
 Western Center on Law and Poverty (co-sponsor)
 Action for Healthy Kids
 Aging Up
 Alameda County Community Food Bank
 Alameda Health Consortium
 American Academy of Pediatrics – California
 American Civil Liberties Union of California
 American Federation of State, County and Municipal Employees
 American Heart Association/American Stroke Assoc.
 Asian Law Alliance
 California Action for Healthy Kids
 California Association of Food Banks
 California Association of School Business Officials
 California Charter Schools Association
 California Children’s Hospital Association
 California Conference of Local Health Department Nutritionists
 California Federation of Teachers
 California Medical Association
 California School-Based Health Alliance

California School Boards Association
California School Employees Association
California School Nurses Association
California School Nutrition Association
California State Conference of the National Association for the Advancement of Colored People
CA4Health
Child Development Associates
Children's Defense Fund – CA
Community Bridges
County Health Executives Association of California
East Bay Agency for Children
Feeding San Diego
Food Bank of Contra Costa & Solano
Food for People, the Food Bank for Humboldt County
Hunger Advocacy Network
La Clinica de La Raza, Inc.
National Association for Social Workers, California
Oakland Unified School Board President
Orange County Food Access Coalition
Orange County Food Bank
Pesticide Action Network
Public Advocates
Redwood Empire Food Bank
River City Food Bank
Sacramento Hunger Coalition
San Diego County Childhood Obesity Initiative
San Diego Food System Alliance
United Ways of California

OPPOSITION

Charter Schools Development Center

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