
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair
2015 - 2016 Regular

Bill No: SB 708
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Version: April 16, 2015
Urgency: No
Consultant: Lynn Lorber
Hearing Date: April 22, 2015
Fiscal: Yes

Subject: Pupil nutrition: free or reduced-price meals: online applications

SUMMARY

This bill authorizes school districts and county offices of education to make electronic applications for free or reduced-price meals available, and requires both paper and electronic applications to contain clear instructions for families that are homeless or are migrants.

BACKGROUND

Current law:

1. Requires each school district or county office of education to provide for each needy student one nutritionally adequate free or reduced-price meal during each schoolday. (Education Code § 49550)
2. Requires school districts and county offices of education to make applications for free or reduced-price meals available to students at all times during each regular schoolday. (EC § 49557)
3. Encourages each school district and county office of education to include information that parents may use to request information concerning the Medi-Cal program, and the Healthy Families Program. (EC § 49557.1)
4. Authorizes school districts or county offices of education to incorporate information relative to Medi-Cal and health care coverage through the California Health Benefit Exchange into the School Lunch Program application packet or notification of eligibility. (EC § 49557.2)
5. Requires all applications and records concerning any individual made or kept by any public officer or agency relating to free or reduced-price meal eligibility to be confidential, and may not be open to examination for any purpose not directly connected with the administration of a free or reduced-price meal program. (EC § 49558)

ANALYSIS

This bill authorizes school districts and county offices of education to make electronic applications for free or reduced-price meals available, and requires both paper and

electronic applications to contain clear instructions for families that are homeless or are migrants. Specifically, this bill:

1. Authorizes school districts and county offices of education to make an application for free or reduced-price meals electronically available online, provided that the online application meets the requirements described in #3.
2. Requires both the paper and electronic application, pursuant to federal and state guidelines, to contain clear instructions for families that are homeless or are migrants.
3. Requires the online application, if a school district, county office of education, or a school food service officer chooses to provide access to an online application, to comply with all of the following requirements:
 - A. Include a link to the website on which translated applications are posted by the United States Department of Agriculture with instructions in that language that inform the applicant how to submit the application.
 - B. Require completion of only those questions that are necessary for determining eligibility.
 - C. Include clear instructions for families that are homeless or are migrants.
 - D. Comply with the privacy rights and disclosure protections established by the federal Richard B. Russell National School Lunch Act and the federal Children's Online Privacy Protection Act.
 - E. Include links to all of the following:
 - (1) The online application to CalFresh.
 - (2) The online single state application for health care.
 - (3) The California Department of Public Health's website providing zip code specific referrals to the Special Supplemental Nutrition Program for Women, Infants and Children.
 - (4) The website of a summer lunch program authorized to participate within the city or school district.
4. Prohibits an online application for free or reduced-price meals to be made available or accessible online by a school district, county office of education, or school food service officer if the online application allows for the information provided by an applicant to be used by a private entity for any purpose not related to the administration of a school food program, or if the online application requires an applicant to waive any right or to create a user account in order to submit the application.

5. States legislative findings and declarations that federal guidelines require school food authorities to accept and process applications if they are submitted to the school food authority.

STAFF COMMENTS

1. ***Need for the bill.*** According to the author, “SB 708 will reduce the incidence of child hunger by establishing uniform standards for online school meal application. This bill will improve access to translated school meal applications, streamline required information collected for eligibility determination, add links to connect families to other support programs such as CalFresh, add privacy protections for applicants, and include clear instructions to support homeless or migrant youth.”
2. ***Paper vs electronic.*** Current law requires school districts and county offices of education to make applications for free or reduced-price meals available to students at all times during each regular schoolday. This bill authorizes school districts and county offices of education to also make an electronic application available online. This bill requires, if districts and county offices choose to offer an electronic application, the electronic application to include links to the following information that is not currently required to be provided with the paper application:
 - A. The California Department of Public Health’s website providing zip code specific referrals to the Special Supplemental Nutrition Program for Women, Infants and Children.
 - B. The website of a summer lunch program authorized to participate within the city or school district.

Current law authorizes and encourages, but does not require, paper applications to include information about Medi-Cal and CalFresh. According to the author, current practice is to provide clear instructions for families that are homeless or migrant. This bill requires both paper and electronic applications to include clear instructions for families that are homeless or migrant, and requires electronic applications to include links to applications for CalFresh and health care, in addition to the information cited above.

3. ***Online security.*** This bill requires an online application to comply with the privacy rights and disclosure protections established by the federal Richard B. Russell National School Lunch Act and the federal Children’s Online Privacy Protection Act. This bill also prohibits an online application to be made available or accessible if the online application allows for the information provided by an applicant to be used by a private entity for any purpose not related to the administration of a school food program, or if the online application requires an applicant to waive any right or to create a user account in order to submit the application.
4. ***Eligibility determination.*** This bill requires an online application to require completion of only those questions that are necessary for determining eligibility. According to the author, schools often use applications to collect other

information of interest to them, but that information is not required to be included in the school meal application. Those additional items can be skipped on a paper application and schools are required to accept and process the application if the information specific to free or reduced-price meals is complete. It's possible that an electronic application could include mandatory fields (require an answer) for each point of information, even if that information is not required for the free or reduced-price meal application.

5. ***Related and prior legislation.***

RELATED LEGISLATION

AB 608 (Gordon, 2015) among other things, requires a county human services agency to inform households applying for CalFresh that if the household is certified for CalFresh, children under five years of age in the household are income-eligible for the WIC Program, and all children in the household are directly certified for the National School Lunch Program and the School Breakfast Program without further application. AB 608 also requires the Department of Social Services to inform all CalFresh households annually, prior to the end of the school year, about the summer meal program. AB 608 is scheduled to be heard by the Assembly Appropriations Committee on April 22.

PRIOR LEGISLATION

AB 422 (Nazarian, Ch. 440, 2013) adds information regarding health care coverage available through the California Health Benefit Exchange to notifications that may be included at the option of the school district or county superintendent on applications for the School Lunch Program.

AB 402 (Skinner, Ch. 504, 2011) authorizes school districts and county offices of education to share information provided on the School Lunch Program application with the local agency that determines CalFresh program eligibility, or to an agency that determines eligibility for nutrition assistance programs. Requires each county to determine eligibility for CalFresh based on the information shared by a school district or county office of education and to enroll determined eligible pupils.

SUPPORT

None on current version of the bill.

OPPOSITION

None received.

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