

BILL ANALYSIS

H.B. 4094
By: Beckley
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised that a student whose prepaid meal card or account to purchase school meals is depleted may struggle in the classroom as a result of being unable to afford meals and not having access to adequate nutrition. It has also been noted that these students may experience stigma from not being able to eat with their classmates and in some cases even having their lunches taken away from them in front of other students. H.B. 4094 seeks to ensure that students in need have access to the same nutritious meals as other students and that their privacy is protected.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 4094 amends the Education Code to specify that the type of meal a student whose meal card or account balance is exhausted or insufficient is allowed to purchase during a grace period is a regular meal for which a public school district ordinarily receives reimbursement under the federal free or reduced-price lunch program. The bill specifies the manner in which a district must make the required notification under the district's grace period policy is by making at least one attempt by telephone or email each week during the grace period to privately notify the applicable person and adds to this requirement making arrangements with the parent or other person standing in parental relation to the student for payment of negative balances or amounts otherwise due, including through use of a payment plan, and, if it is determined that the student may be eligible for free or reduced-price meals, assisting the parent or other person in completing an application on behalf of the student for free or reduced-price meals. The policy must require the district to provide the parent or other person a written notice of a negative balance or other amount due that includes information on how to obtain an application for free or reduced-price meals. The policy may permit the district to set a schedule for repayment on the account balance or other amount due if the district is unable to set a repayment schedule by agreement.

H.B. 4094 authorizes a district, after the expiration of the grace period, to permit the student to continue to purchase regular meals in the same manner as a student allowed to purchase regular meals during the grace period or to provide the student with alternate meals at no cost. The bill requires a district that provides alternate meals to privately notify the student's parent or person standing in parental relation to the student of the district's action and to provide those meals

through the same serving line as regular meals. The bill authorizes a district that provides regular meals to a student after the expiration of the grace period and is unable at the end of the school year to obtain payment for the meals from the student's parent or person standing in parental relation to the student to pay the negative balance on the student's meal card or account using private donations solicited by the district from individuals and entities for that purpose and maintained in a separate district account. The bill establishes that the amount of any private donations received for such purpose is in addition to any reimbursement to which the district is entitled under federal law.

H.B. 4094 prohibits a district from publicly identifying a student with a negative balance on a meal card or account and requires a district to implement any action authorized under provisions regarding the grace period policy in a manner that protects the student's privacy. The bill requires a grace period policy to identify the manner in which the district will protect the student's privacy.

H.B. 4094 applies beginning with the 2019-2020 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.