

**Senator Kenny Yuko**  
Minority Leader  
25<sup>th</sup> District



**Senator Tina Maharath**  
3rd District

**Sponsor Testimony**  
**Senate Bill 168**  
**Senate Education Committee**  
**Chair, Senator Peggy Lehner**  
**October 1, 2019**

Good Morning Chairwoman Lehner, Vice-Chair Terhar, Ranking Member Fedor, and members of the Senate Education Committee. Thank you for allowing us to testify on Senate Bill 168, which would enact the Hunger-Free Students' Bill of Rights Act to require schools to provide certain services to students who are eligible for free or reduced price meals.

According to Ohio Association of Community Action Agencies, 2018 annual report showed in Ohio over 1.6 million people live below the Federal Poverty Level, including over 513,000 children.<sup>1</sup> Child poverty is increasing and we need to do what we can to help make sure children are being fed. Children have a lower academic achievement rate when they have no food. School meals are usually the only meals some children eat in a day.

In 2017, New Mexico passed legislation that directs schools to work with parents or guardians to pay debts and end practices of lunch-shaming, like making students wear hand stamps or wristbands if they cannot pay.<sup>2</sup> The humiliation of children for their parent's inability to pay for school lunches is disgraceful! In Ohio September 7, a nine year old was humiliated in front of his peers because he had a negative account balance. The child was supposed to be enrolled in the free and reduced lunch program, but there was a delay in the paperwork. Cafeteria staff threw the young child's hot meal in the trash and served him two pieces of bread and slice of cheese. Cafeteria workers have shared their stories of having to throw away meals, or to provide a cold cheese and bread sandwich if a student is in debt.<sup>3</sup> Rather than allowing them to eat, some cafeteria workers have to stamp children's arms with messages like "I need lunch money."

1. [http://oaca.org/wp-content/uploads/2019/07/AR-2018\\_final\\_low-spreads.pdf](http://oaca.org/wp-content/uploads/2019/07/AR-2018_final_low-spreads.pdf)
2. <https://www.nmlegis.gov/Legislation/Legislation?Chamber=S&LegType=B&LegNo=374&year=17>
3. <http://www.providencejournal.com/news/20170427/in-debt-at-school-you-get-cheese-sandwich>;  
<http://abcnews.go.com/US/cafeteria-worker-quits-forced-hot-lunch-student-unpaid/story?id=42236158>
4. <http://www.icphusa.org/national/ohio-27000-homeless-students-just-half-outside-cities/>

The Hunger-Free Students' Bill of Rights would apply to all district, and any chartered nonpublic school that participates in the national school lunch or breakfast program. The bill requires the following:

- Each district or school will have to provide a free meal application to each prospective and enrolled student.
- A free, printed meal application in every school enrollment packet or, if the district or school uses an electronic meal application, an explanation provided in school enrollment packets of the electronic meal application process and instructions for how parents or guardians may request a paper application at no cost.
- If a district or school becomes aware that a student is eligible for free or reduced price lunch under the “National School Lunch Act” and has not submitted a meal application, the district or school will complete and file an application for the student in accordance with federal law.
- The homeless education liaison and nutrition department of a district or school will coordinate to ensure that homeless students receive free school meals.
  - According to the Institute for Children, Poverty & Homelessness, Ohio has over 27,000 homeless students, and just over half of these children live outside the cities.<sup>4</sup>
- Schools and districts will provide meals regardless of a student’s inability to pay. This means a student can’t be forced to “throw away their meal” for their inability to pay.
- Instead of burdening and stigmatizing the student, as is often the current practice, schools and districts will have to take action to engage parents and guardians, determine a child’s eligibility for free lunches, and figure out if there are underlying problems contributing to the child’s inability to pay.
  - This means school will be required to communicate about a student’s meal debt with parents, not the student.

1. [http://oacaa.org/wp-content/uploads/2019/07/AR-2018\\_final\\_low-spreads.pdf](http://oacaa.org/wp-content/uploads/2019/07/AR-2018_final_low-spreads.pdf)
2. <https://www.nmlegis.gov/Legislation/Legislation?Chamber=S&LegType=B&LegNo=374&year=17>
3. <http://www.providencejournal.com/news/20170427/in-debt-at-school-you-get-cheese-sandwich>;  
<http://abcnews.go.com/US/cafeteria-worker-quits-forced-hot-lunch-student-unpaid/story?id=42236158>
4. <http://www.icphusa.org/national/ohio-27000-homeless-students-just-half-outside-cities/>

- This brings me to the “shaming” that has been occurring in schools. The bill would prohibit a school from stigmatizing a student’s inability to pay, including hand stamps, wristbands, or requiring the student to reimburse the school through chores.

Members of this committee are well aware that hungry children can’t learn. Our children not only deserve to eat, but also don’t deserve to be embarrassed for experiencing poverty or hunger. Shaming kids for circumstances beyond their control is cruel. We need to ensure, at the very least, that these vulnerable children feel safe and supported at school.

Chairwoman Lehner and members of the committee, we appreciate your attention to this important matter. We would be happy to answer any questions that you may have.

1. [http://oaca.org/wp-content/uploads/2019/07/AR-2018\\_final\\_low-spreads.pdf](http://oaca.org/wp-content/uploads/2019/07/AR-2018_final_low-spreads.pdf)
2. <https://www.nmlegis.gov/Legislation/Legislation?Chamber=S&LegType=B&LegNo=374&year=17>
3. <http://www.providencejournal.com/news/20170427/in-debt-at-school-you-get-cheese-sandwich>;  
<http://abcnews.go.com/US/cafeteria-worker-quits-forced-hot-lunch-student-unpaid/story?id=42236158>
4. <http://www.icphusa.org/national/ohio-27000-homeless-students-just-half-outside-cities/>