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# A BILL FOR AN ACT

RELATING TO SCHOOL MEALS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that research has proven  
2 that universal meal programs have numerous benefits for all  
3 students, including improving student health and improving test  
4 scores. Allowing an entire school to eat for free, instead of  
5 restricting free meals to students whose families earn below a  
6 certain income level, reduces the stigma associated with free  
7 meals.

8           A recent study released by the National Bureau of Economic  
9 Research focused on the federal National School Lunch Program's  
10 Community Eligibility Provision, which allows schools where many  
11 students qualified for free or reduced-price meals to provide a  
12 free meal to all students. The study examined whether the  
13 provision of schoolwide free meals through the Community  
14 Eligibility Provision impacted school suspension rates and  
15 estimated that the chances of being suspended multiple times  
16 fell by about a third of a percentage point in elementary school  
17 and half a percentage point in middle school.



1           The legislature further finds that nutritious school meals  
2 support education by providing food to ensure that children are  
3 not distracted by hunger during class. Free student meal  
4 programs serve multiple roles, including working to reduce child  
5 hunger and food insecurity, improving student health and  
6 well-being, and preparing children to learn.

7           Therefore, the legislature finds that every student should  
8 be provided access to cost-free nutritional meals and that  
9 universal school meals can improve this access. Additional  
10 benefits of universal free meals include lessening the amount of  
11 staff time spent on processing paperwork, reducing debt  
12 associated with delinquent meal accounts, and ensuring that any  
13 student requesting a meal can receive a meal regardless of their  
14 ability to pay.

15           Accordingly, the purpose of this Act is to require public  
16 schools to provide free breakfast and lunch to all enrolled  
17 students.

18           SECTION 2. Section 302A-323, Hawaii Revised Statutes, is  
19 amended by amending subsection (e) to read as follows:

20           "(e) By June 30, 2022, and by each June 30 thereafter, the  
21 superintendent shall submit to the board and legislature a



1 report of the computer science courses and computer science  
2 content offered during the previous school year at the schools  
3 in each complex area. The report shall include:

4 (1) The names and course codes of the computer science  
5 courses offered at each school;

6 (2) The number and percentage of students enrolled in each  
7 computer science course and computer science content,  
8 disaggregated by:

9 (A) Gender;

10 (B) Race and ethnicity;

11 (C) Special education status, including students  
12 eligible for special education under the federal  
13 Individuals with Disabilities Education Act, as  
14 amended, or section 504 of the federal  
15 Rehabilitation Act of 1973, as amended;

16 (D) English language learner status;

17 (E) Eligibility for the free and reduced price  
18 breakfast and lunch [~~program~~] programs; and

19 (F) Grade level;

20 provided that if a category contains one to five  
21 students, or contains an amount that would allow the



1 amount of another category that contains one to five  
2 students to be determined, the number of students  
3 shall be replaced with a symbol indicating that one to  
4 five students fulfilled that particular category;

5 (3) The names and course codes of the courses containing  
6 computer science content and a description of the  
7 computer science standards and content that are  
8 covered by those courses; and

9 (4) The number of computer science instructors at each  
10 school, disaggregated by:

- 11 (A) Any applicable certification;
- 12 (B) Gender;
- 13 (C) Race and ethnicity; and
- 14 (D) Highest academic degree earned."

15 SECTION 3. Section 302A-404, Hawaii Revised Statutes, is  
16 amended to read as follows:

17 "**§302A-404** [~~School~~] Universal school meals. (a) School  
18 meals shall be made available under the school meals program in  
19 every school where the students are required to eat meals at  
20 school.



1        (b) Free school meals shall be provided to every student  
2 enrolled in public school, regardless of a student's eligibility  
3 for participation in the federal School Breakfast Program or the  
4 federal National School Lunch Program. Free school meals shall  
5 meet the meal requirements as established pursuant to title 7  
6 Code of Federal Regulations section 210.10.

7        ~~[(b)]~~ (c) No student requesting a meal shall be denied a  
8 meal [solely for failure to pay:

9        ~~(1) Within the first twenty-one days of the first semester~~  
10        ~~of a school year while the student's application for~~  
11        ~~free or reduced lunch is being processed; or~~  
12        ~~(2) Within seven days after a student's meal fund account~~  
13        ~~reaches a zero or negative balance].~~

14        (d) The department shall:

15        (1) Maximize access to and receipt of federal funds and  
16        any other opportunities for non-state funds with the  
17        intent to draw down the maximum amount of federal  
18        funds for the cost of operating school meal programs;  
19        and  
20        (2) Conduct an annual analysis for eligibility under the  
21        federal Community Eligibility Provision.



1        [~~(e)~~] (e) The department may adopt rules or policies  
2 governing the collection of funds for student ~~[meal accounts~~  
3 ~~with a negative fund balance;]~~ meals; provided that no rule or  
4 policy shall prohibit feeding a student as required pursuant to  
5 subsection (b).

6        (f) The State shall reimburse the department for each  
7 public school that makes both school breakfast and school lunch  
8 available to students at no charge. Reimbursements shall be  
9 made quarterly at the rate of the cost of each meal that was  
10 provided at no charge and that would have qualified as a paid  
11 breakfast or paid lunch under the federal School Breakfast  
12 Program or the federal National School Lunch Program.

13        (g) It is the intent of this section not to jeopardize the  
14 receipt of any federal aid and to the extent, and only to the  
15 extent necessary to effectuate this intent, the governor may  
16 modify the strict provisions of this section, but shall promptly  
17 report any such modification with the governor's reasons  
18 therefor to the next succeeding session of the legislature for  
19 review."

20        SECTION 4. Section 302A-405, Hawaii Revised Statutes, is  
21 amended by amending subsections (a) and (b) to read as follows:



1           "(a) The price for school meals shall be set by the  
2 department to ensure that moneys received from the sale of the  
3 meals shall be [~~not~~] no less than one-half of the cost of  
4 preparing the meals. The prices for school meals may be  
5 adjusted annually based on the previous year's costs rounded to  
6 the nearest five cents; provided that the department by rule  
7 shall provide [~~a lower rate or~~] free meals to children [~~based~~  
8 ~~on~~] regardless of their economic need.

9           (b) All moneys received by or for the public school  
10 cafeterias from the sale of meals, the sale of services, the  
11 federal government, or any other source, shall be deposited in  
12 one special school [~~lunch~~] meal fund. Except as otherwise  
13 provided by the legislature, all expenditures for the operation  
14 of public school cafeterias shall be made from this fund."

15           SECTION 5. There is appropriated out of the general  
16 revenues of the State of Hawaii the sum of \$                    or so  
17 much thereof as may be necessary for fiscal year 2025-2026 and  
18 the same sum or so much thereof as may be necessary for fiscal  
19 year 2026-2027 to provide free school meals to every student  
20 enrolled in public school.



# H.B. NO. 87

1           The sums appropriated shall be expended by the department  
2 of education for the purposes of this Act.

3           SECTION 6. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5           SECTION 7. This Act shall take effect on July 1, 2025;  
6 provided that this Act shall apply beginning with the 2025-2026  
7 school year.

8

INTRODUCED BY:

A handwritten signature in black ink, reading "Mahinda P. Poopae", written over a horizontal line.

JAN 13 2025



# H.B. NO. 87

**Report Title:**

Public Schools; Free Breakfast and Lunch; Universal School Meals; Appropriation

**Description:**

Beginning with the 2025-2026 school year, requires public schools to provide free breakfast and lunch to all enrolled students. Appropriates funds.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

