



**Massachusetts**  
**APPLESEED** | Center for  
Law & Justice

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May 15, 2018

Representative Alice Peisch and  
Senator Sonia Chang-Diaz, Co-Chairs  
Joint Committee on Education  
State House, Room 473G  
Boston, MA 02133

**RE: H.4422/S.2390 *An Act to Promote Student Nutrition***

Dear Chairwoman Peisch, Chairwoman Chang-Diaz, and Honorable Members of the Committee:

Massachusetts Appleseed Center for Law & Justice ("Massachusetts Appleseed") respectfully submits the following testimony in support of H.4422/S.2390 *An Act to Promote Student Nutrition* and strongly urges the Joint Committee on Education issue a favorable report for both of these bills.

Massachusetts Appleseed's mission is to promote equal rights and opportunities for Massachusetts residents by developing and advocating for systemic solutions to social justice issues. Massachusetts Appleseed is part of a non-profit network of 18 public interest justice centers in the United States and Mexico. The centers work both collectively and independently to build a society in which opportunities are genuine, access to the law is universal and equal, and government advances the public interest.

In lunchrooms statewide, students are being publicly humiliated and denied lunch as a result of their family's inability or failure to pay their lunch fees. This takes a physical, psychological, and educational toll on the low-income students who have become subject to these policies known as "lunch shaming." Both H.4422 and S.2390 would prevent these kinds of practices and passing these bills would be a critical step towards justice for Massachusetts' students.

In March of this year, the Massachusetts Law Reform Institute ("MLRI") published a report summarizing the policies of 154 Massachusetts school districts, finding that 28 districts currently have a "no charge" meal policy, which translates into students being denied food if they are unable to pay. According to the MLRI report (the "Report"), most of these schools have "meal account caps," whereby students who reach a limited amount of unpaid charges on their student account are punished by having their hot meal publicly replaced with an "alternate meal," often consisting of a cold, cheese sandwich. The Report also found that some schools further punish students unable to pay their account debt by preventing them (or their siblings) from participating in extracurricular activities. Finally, the Report also found that one-quarter of the

state's districts with 20% or more low-income students did not have their meal policy posted anywhere on their food services websites, student/parent handbooks, or school committee policies, meaning that parents and students had no notice of what the consequences would be if they were unable to pay lunch fees.<sup>1</sup>

For many low-income students, being denied lunch can mean missing their primary meal of the day. A survey of K-8 school staff conducted in 2015 by the advocacy group School Nutrition Association found that 75% of teachers reported students coming to school hungry, with 59% of educators reporting that "a lot or most of their students [depended] on school meals a primary source of nutrition."<sup>2</sup> It is unacceptable that hot meals are being thrown away in order to publicly shame children for whom these meals represent their primary source of key nutrients.

These policies have serious consequences for Massachusetts' students. The psychological and academic costs of denying students adequate lunches are well-documented. Medical research has long demonstrated the relationship between proper nutrition and cognitive functioning. One National Bureau of Economic Research study from 2017 using data from California found that, in years when schools provided healthier lunches for students, test scores were on average 4 percentile points higher. For low-income students, the test score increases associated with being provided a healthy lunch were 40% larger than for their peers.<sup>3</sup> Students and school personnel have also noted the humiliating effect of being denied food due to insufficient funds, which can have a psychological effect on children.<sup>4</sup>

The legislation before the Committee would prohibit Massachusetts schools from taking any action that would publicly identify students as being unable to pay their lunch fees and from punishing these students or their siblings for meal debt. This would include disposing of a meal which has already been served or providing students with an "alternate" meal. This bill would also prevent schools from speaking directly to children about their lunch debt or informing the Department of Children and Families of this debt. Additionally, H.4422/S.2390 would both require school districts to take steps to reduce student meal debt by maximizing federal revenue under reduced-price or free lunch programs. Finally, the bill requires school districts with 40% or more economically disadvantaged students to elect the "community eligibility provision" to provide universal free meals unless the school board votes to opt out.

There can be no dispute that all students deserve respect and an adequate education. No child should have to watch as their meal is thrown in the trash due to their family's inability to pay their lunch fees. **Massachusetts Applesed strongly urge you to issue a favorable report for**

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<sup>1</sup>*Denying Food and Shaming Children: Unpaid School Meal Policies in Massachusetts*. Massachusetts Law Reform Institute, Mar. 2018, [www.mlri.org/uploads/48/1f/481f9f9228712df0601b29be77ad90dc/MLRI-School-Meal-Debt-Report-March-2018.pdf](http://www.mlri.org/uploads/48/1f/481f9f9228712df0601b29be77ad90dc/MLRI-School-Meal-Debt-Report-March-2018.pdf)

<sup>2</sup>Anderson, Melinda D. "What Do Unpaid Lunch Tabs Mean For Schools?" *The Atlantic*, 9 Feb 2016, <https://www.theatlantic.com/education/archive/2016/02/unpaid-school-lunch-bills/460509/>.

<sup>3</sup>Anderson, Michael L et al. "How the quality of school lunch affects students' academic performance." *Brookings*, 3 May 2017, <https://www.brookings.edu/blog/brown-center-chalkboard/2017/05/03/how-the-quality-of-school-lunch-affects-students-academic-performance/>;

<sup>4</sup>Siegel, Bettina Elias. "Shaming Children So Parents Will Pay the School Lunch Bill." *New York Times*, 30 April 2017, <https://www.nytimes.com/2017/04/30/well/family/lunch-shaming-children-parents-school-bills.html>.

**H.4422/S.2390**, ensuring that no Massachusetts' student leaves the school lunchroom hungry and humiliated due to these "lunch shaming" policies.

Thank you for considering this testimony and please do not hesitate to contact me if you should have any questions or require additional information.

Respectfully submitted,

A handwritten signature in cursive script that reads "Deborah M. Silva". The signature is written in black ink and is positioned above a horizontal line.

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Deborah M. Silva,  
Executive Director  
Massachusetts Appleseed Center for Law & Justice