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October 8, 2021

The Honorable Charlie Baker  
Governor of Massachusetts  
Massachusetts State House  
Office of the Governor, Room 280  
Boston, MA 02133

**RE: Massachusetts Appleseed Support for H.3999, *An Act Promoting Student Nutrition***

Dear Governor Baker:

Massachusetts Appleseed Center for Law & Justice (“Massachusetts Appleseed”) respectfully submits the following letter in support of H.3999, *An Act Promoting Student Nutrition*, and strongly urges you to sign this bill into law.

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. Through in-depth research, community problem-solving, and consensus building we develop powerful solutions to pressing social justice challenges.

Central to this work is ensuring that schools are safe, inclusive places for children of all circumstances and backgrounds. In lunchrooms statewide, students are regularly humiliated and denied lunch as a result of their family’s inability or failure to pay their lunch fees. This practice, known as “lunch shaming,” takes a physical, psychological, and educational toll on students. H.3999 would prevent these kinds of practices and would represent a critical step towards protecting our most vulnerable students and ending hunger in the Commonwealth.

In March of 2018, the Massachusetts Law Reform Institute (“MLRI”) published a report summarizing the policies of 154 Massachusetts school districts, finding that 28 districts currently “lunch shame” students with unpaid lunch debt. According to the MLRI report (the “Report”), most of these schools have “meal account caps,” whereby students who reach a limited number 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. This practice is not only wasteful, but it also signals to a student’s classmates that they have school meal debt. Some schools further punish these students by preventing them from participating in extracurricular activities, and some districts did not have their meal policy posted anywhere, leaving parents and students with no notice of the consequences of unpaid lunch fees.<sup>1</sup> Notably, participation in the National School Lunch Program has been steadily declining alongside increasing meal debts. A 2019 School Nutrition Association report, found that “more than 75%

<sup>1</sup> *Denying Food and Shaming Children: Unpaid School Meal Policies in Massachusetts*. Massachusetts Law Reform Institute, Mar. 2018, <https://www.mlri.org/publications/denying-food-and-shaming-children/>

of school districts surveyed reported having unpaid student meal debt at the end of the school year, with a median balance of \$3,400.”<sup>2</sup>

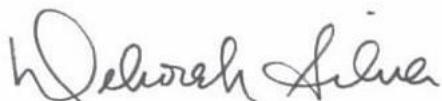
For many low-income students, being denied a full lunch can mean missing their primary meal of the day, resulting in serious consequences in student performance. A survey of K-8 school staff conducted in 2015 by the advocacy group School Nutrition Association found that 75% of teachers reported students coming to school hungry. This is especially concerning given that school meals can cover over 50% of a student’s caloric intake every day.<sup>3</sup> For low-income students, the test score increases associated with being provided a healthy lunch were 40% larger than for their peers.<sup>4</sup> These findings demonstrate that lunch shaming is not only a harmful discipline practice, but it can also lead to worsened educational outcomes for students.

*An Act Promoting Student Nutrition* would prohibit Massachusetts schools from publicly identifying students as being unable to pay their lunch fees and from punishing these students for meal debt. This restriction would include stopping staff from disposing of a meal that 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. In addition to these protections, H.3999 would require school districts 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 low-income students to elect the Community Eligibility Provision, a USDA released national provision that allows high need schools to provide free meals to all of their students unless the school board votes to opt-out.

No child should be punished through public humiliation and the denial of a healthy lunch due to their family’s inability to pay their lunch fees. **Massachusetts Appleseed strongly urges you to sign H.3999, ensuring that no Massachusetts student leaves the school lunchroom hungry and humiliated.** This bill represents a chance to not only ban a harmful practice but also to make our schools more inclusive, welcoming places in which students can learn and grow.

Thank you for considering this letter and please feel free to contact me with any questions.

Respectfully submitted,



Deborah Silva  
Executive Director  
Massachusetts Appleseed Center for Law & Justice

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<sup>2</sup> Fleischhacker, Sheila, and Elizabeth Campbell. "Ensuring Equitable Access to School Meals." *Journal of the Academy of Nutrition and Dietetics* 120, no. 5 (May 2020): 893-97. doi:10.1016/j.jand.2020.03.006.

<sup>3</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/>; "School Meals For All (SD519/HD1161)," Resources, Project Bread, accessed March 3, 2021.

<https://feedkidsma.org/uploads/attachments/ckkobtx4s01cok99hp1smdod5-pb-usm-aboutthebill.pdf>.

<sup>4</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/>