

Date of Hearing: July 2, 2025

ASSEMBLY COMMITTEE ON EDUCATION

Al Muratsuchi, Chair

SB 411 (Pérez) – As Amended May 23, 2025

[Note: This bill is double referred to the Assembly Human Services Committee and will be heard by that Committee as it relates to issues under its jurisdiction.]

SENATE VOTE: 38-0

SUBJECT: Stop Child Hunger Act of 2025

SUMMARY: Requires the California Department of Education (CDE), with support from the Department of Social Services (DSS), to develop a statewide application that is made available through a single statewide website that enables families to submit federally required information for meal eligibility, as specified. Specifically, **this bill:**

- 1) Requires the CDE, with support from the DSS to develop, and provide families with a statewide application that is made available through a single statewide website that enables families to submit federally required information.
- 2) Requires the statewide application to adhere to all of the following:
 - a) Is made available with sufficient time for families to apply for summer of 2027 benefits;
 - b) Has the ability to, upon completion of the application, be routed to the applicant family's local educational agency (LEA) to determine Summer Electronic Benefits Transfer (Summer EBT) Program (SUN Bucks) eligibility;
 - c) Meets the requirements for CDE's new student benefit form that is in an alternative electronic format that meets the requirements and purposes of the Local Control Funding Formula (LCFF), and also the federal requirements to determine eligibility for the National School Lunch Program, School Breakfast Program, and SUN Bucks;
 - d) Is limited, with regard to information requested, to the minimum requirements under federal law and guidance; and
 - e) Is translated with accessible language into at least all threshold languages that are required for the CalFresh program.
- 3) Requires the governing board of each school district and each county superintendent of schools, to the extent allowed by federal law and guidance, to provide alternative income verification forms instead of the application for free- or reduced-price meals.
- 4) Requires the alternative income verification form to be made available in paper form at all times during each regular school day and be made electronically available online.

- 5) Requires that information collected on the form comply with the requirements described under #3 in the existing law portion of this analysis, and comply with the protections afforded to students and their family members pursuant to existing Education Code (EC) provisions relative to immigration and citizenship status.
- 6) Requires the governing board of each school district and each county superintendent of schools to use the model alternative income verification form, after CDE has developed and adopted it, to meet the requirements of #3.
- 7) Prohibits an alternative income verification form from requiring questions to be answered that are determined by CDE to be unnecessary.
- 8) Modifies the existing requirement that LEAs make paper applications for free- or reduced-price meals available to students at all times during each regular school day to specify that this requirement only applies if required by federal law and guidance.
- 9) Expands the links required to be included in an online application for free- or reduced-price meals to also include a link to the website providing information about the federal Summer EBT program.
- 10) Specifies that an application submitted through the website developed pursuant to #1 constitutes an application for free- or reduced-price meals.
- 11) Clarifies that the plan LEAs must formulate to ensure students eligible for free- or reduced-price meals are not treated differently from other children, and is only for schools that do not serve meals universally to all students.

EXISTING LAW:

- 1) Requires school districts, county offices of education (COEs) and charter schools, beginning with the 2022-23 school year, to make available a nutritionally adequate breakfast and a nutritionally adequate lunch (that qualify for federal reimbursement) free of charge during each school day to any student who requests a meal without consideration of the student's eligibility for a federally funded free or reduced-price meal. (EC 49501.5)
- 2) Requires CDE to work with DSS to maximize participation in the federal SUN Bucks program. CDE is required to share all data determined by the departments to be necessary. (EC 49506)
- 3) Requires school districts and COEs to make paper applications for free or reduced-price meals available to students at all times during each regular school day, and are authorized to also make an application electronically available online, as specified. Online applications must comply with the following requirements, among other things:
 - a) Require completion of only those questions that are necessary for determining eligibility;
 - b) Comply with specified privacy rights and disclosure protections;

- c) Include links to all of the following:
 - i) The online application to CalFresh;
 - ii) The online single state application for health care;
 - iii) The Department of Public Health's web page, *About Women, Infant, and Children (WIC) Program and How to Apply*, or another web page that connects families to the Special Supplemental Nutrition Program for Women, Infants, and Children; and
 - iv) The website of a summer lunch program authorized to participate within the city or school district. (EC 49557)

FISCAL EFFECT: According to the Senate Appropriations Committee, this bill's requirement for CDE to develop a statewide application that enables families to submit federally required information for meal eligibility could result in additional, one-time costs that are likely to be minor and absorbable within existing resources.

COMMENTS:

Need for the bill. According to the author, "California has largely led in nationwide efforts to expand access to school meals for students. The state's leadership on this front includes action in 2022 to become the first state in the nation to provide free school meals, regardless of income eligibility. Complementary to uniform school meals, California enacted efforts to adopt the SUN Bucks program in 2023. The SUN Bucks program is a summer based program where students are provided an EBT card with 120 dollars during the summer to purchase eligible groceries from eligible providers.

Although California has undertaken tremendous efforts to provide and expand access to school meals, there are still existing gaps in accessibility on three major fronts. First, while California enrolled 5 million eligible students for SUN Bucks, there are still approximately 1.8 million eligible children yet to apply due because these students are not directly determined and eligible and enrolled. The second factor contributing to gap in access to school meals is reservations from families to apply for meals if their student's school is using a third party platform application. There are examples of third party based applications collecting sensitive information, which can be sold or compromised without notification.

SB 411 addresses the aforementioned gaps in school meal access by creating an accessible and secure year-round child nutrition safety net program by: establishing a statewide website for families to apply for SUN Bucks; requiring school meal applications to include the SUN Bucks application; codifying key child privacy protections to protect personal data; as well as supporting school nutrition professional opportunities to work additional hours providing on-site meal options during school breaks and emergency closures."

Meal programs for students. The National School Lunch Program and the School Breakfast Program are federal school meal programs that support LEAs in serving meals to students *during the school day*. These federal programs have many requirements that LEAs must follow, such as serving meals that meet certain nutritional standards. These federal nutrition programs

reimburse LEAs based on the number of meals they serve, with the per-meal reimbursement rate varying by student household income (such as eligibility for free- or reduced-price meals). To receive state reimbursement for school meals, state law requires schools to participate in the National School Lunch Program and the School Breakfast Program. The state supplements federal funds with additional state funds for each meal served.

California's Universal Meal Program. Beginning with the 2002-23 school year, all school districts, COEs, and charter schools are required to provide two nutritionally adequate meals to all students who request them. LEAs must participate in the National School Lunch and School Breakfast programs to receive the state meal reimbursement for these meals. While the state provides reimbursement for meals served to *all* students, federal funds only provide reimbursement for meals served to students who are income-eligible (notwithstanding Community Eligibility Provision and Provision 2 for schools with a high percentage of students who are low-income). As a result, there continues to be a need for LEAs to collect information about family income and determine eligibility for federal reimbursement.

Summer Food Service Program. The Summer Food Service Program is a federally funded program administered by the United States Department of Agriculture that reimburses “sponsors” for administrative and operational costs to provide meals for children through age 18 in low-income areas during traditional summer vacation periods and during school vacation periods of more than 15 days for year-round schools. Eligible sponsors include public or private non-profit school food authorities; public or private non-profit colleges or universities; public or private non-profit residential summer camps; units of local, county, municipal, state, or federal governments; or any other type of tax-exempt private non-profit organizations.

National School Lunch Program's Seamless Summer Option. Schools participating in the National School Lunch or School Breakfast Program are eligible to apply for the Seamless Summer Option to provide meals for children through age 18 in low-income areas during traditional summer vacation periods and during school vacation periods of more than 10 days for year-round schools. The Seamless Summer Option may be operated at community or recreational centers, libraries, camps, schools, and other eligible summer meal sites. Participating in the Seamless Summer Option reduces paperwork and administrative burdens for schools, as schools must already be participating in the National School Lunch or School Breakfast programs.

SUN Bucks – Summer EBT. In 2023, the Secretary of the United States Department of Agriculture was required to establish a permanent summer EBT for children program (Summer EBT, or SUN Bucks) for the purpose of ensuring continued access to food when school is not in session for the summer. This program provides eligible students with an EBT card with \$120 during the summer to purchase eligible groceries from eligible providers. In California, SUN Bucks is administered by the DSS, in partnership with the CDE.

SUN Bucks is a unique summer meal program because it provides an EBT card that students and their families can use to purchase their own food at grocery stores and farmers markets (similar to CalFresh), while the summer meal programs described above provide complete meals to students in area-eligible communities in a congregate setting and in some cases, in non-congregate settings.

School meal data used to identify students for the LCFF. Student eligibility for the National School Lunch Program and School Breakfast program is determined based on a family's income, as reported by families via the National School Lunch Program meal application, and verified by the LEA. LEAs are reimbursed with federal and state funds for meals served to eligible students at either the Free, Reduced-Price or Paid category. For schools operating the National School Lunch and School Breakfast programs under standard meal counting and claiming, the National School Lunch Program application can also be used to identify low-income students for purposes of the LCFF. Federal regulations prohibit schools operating the National School Lunch and School Breakfast programs under a federal provision (see below) from collecting meal applications. These schools can use the Alternative Income Form for LCFF purposes. The Alternative Income Form cannot be used for determining eligibility for the National School Lunch or School Breakfast programs, or for SUN Bucks. While state law now requires LEAs to offer two meals per day free of charge to all students, income eligibility information is still needed for the purposes described above.

This bill requires the CDE to develop and the governing board of each school district and each county superintendent of schools, to the extent allowed by federal law and guidance, to provide alternative income verification forms instead of the application for free- or reduced-price meals. Since the state meal mandate applies to school districts, COEs and charter schools, ***the Committee may wish to consider*** including charter schools in these provisions.

The federal SUN Bucks program requires that each student be individually identified for eligibility (even while LEAs may be approved to provide meals to all students under the federal Community Eligibility Provision or Provision 2, which allows schools with a high percentage of low-income students to serve all students at that schoolsite free of charge). Therefore, the information required for the National School Lunch Program and for SUN Bucks is not aligned.

Due to the need for updated applications to accommodate the information required to determine eligibility for SUN Bucks, SB 153 (Committee on Budget and Fiscal Review, Chapter 38, Statutes of 2024) required CDE to develop a student benefit form in an alternative electronic format that meets the requirements and purposes of the LCFF, and also the federal requirements to determine eligibility for the National School Lunch Program, School Breakfast Program, and Summer EBT Program (SUN Bucks). CDE recently released the new Universal Benefits Application template for these purposes. Federal regulations require states to make a Summer EBT application available to households whose children are enrolled in the National School Lunch or School Breakfast programs and who do not already have an individual eligibility determination; however, federal regulations do not require the application to be an interactive web-based tool.

Beginning in the 2025-26 school year, schools participating in the National School Lunch Program or School Breakfast Program that are approved to operate a federal provision, such as the Community Eligibility Provision or Provision 2, must collect Universal Benefits Applications for SUN Bucks eligibility on an annual basis. This will ensure that the estimated 1.8 million students who attend schools serving meals to all students under the federal Community Eligibility Provision or Provision 2 can apply for SUN Bucks eligibility.

The author notes that, while the new Universal Benefits Application is an important step, it is a static PDF that does not allow families to complete and submit it online. This bill requires the CDE, with support from the DSS, to develop and provide families within sufficient time to apply

for summer of 2027 benefits, a statewide application that is made available through a single statewide website that enables families to submit federally required information. The bill requires the new statewide student benefit application to meet the requirements and purposes of the LCFF, as well as the federal requirements to determine eligibility for the National School Lunch Program, School Breakfast Program, and SUN Bucks.

Arguments in support. The California Teachers Association writes, “CTA also believes nutrition has a direct effect on a student’s ability to learn. School breakfast, lunch and other nutrition programs should focus on quality food with a healthy balance of nutrients and that all students should have access to sufficient quantities of quality, affordable and nutritious food. The opportunity to participate in nutritious breakfast, lunch and other school nutrition programs shall be uniformly available in all public schools including charter schools every day that school is in session.”

By requiring the CDE to coordinate with the DSS to comply with federal Summer EBT laws, this bill will help to streamline the process, making it easier for students and their families to receive the benefits when students are not in school and do not have the same access to food. This ensures our students are healthier and happier during Summer School and outside school hours.”

Recommended Committee Amendments. *Staff recommends that the bill be amended as follows:*

- 1) Clarify that charter schools are included in this measure.
- 2) Require the statewide application to be made available with sufficient time for families to apply for summer of 2028 benefits, rather than 2027 in order to allow the CDE adequate time to develop the application.
- 3) Exempt the development of the statewide application from the Project Approval Lifecycle (PAL) process of the Department of Technology.
- 4) Require, upon request, school districts, county offices of education, and charter schools to make available the use of an electronic device in order for families to access the statewide application.
- 5) Remove the requirement for an application submitted through the statewide application to constitute as an application for the Free and Reduced Price Meal Program.
- 6) Remove the requirement for a school district and county superintendent of schools to provide alternative income verification forms instead of the statewide application.

Related legislation. SB 225 (McNerney) of the 2025-26 Session would require the CDE to establish a process for state reimbursement for federal summer meal program operators for meals served to guardians of eligible students who participate in a summer meal program.

SB 364 (Skinner) of the 2021-22 Session would have required the DSS to establish the Better Out of School Time (BOOST) Nutrition EBT Program, to provide benefits to eligible pupils during regularly scheduled summer breaks. This bill was held in the Assembly Appropriations

Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

Alameda County Community Food Bank
Alchemist CDC
American Academy of Pediatrics, California
Asian Pacific Islander Forward Movement
Back to the Start
California Academy of Nutrition and Dietetics
California Association of Food Banks
California Catholic Conference
California Food and Farming Network
California Immigrant Policy Center
California State Council of Service Employees International Union
California State TA
California Teachers Association
California WIC Association
Center for Ecoliteracy (UNREG)
Ceres Community Project
CFT- a Union of Educators & Classified Professionals, Aft, AFL-CIO
Community Action Partnership of Orange County
Community Foodbank of San Benito
Courage California
Early Matters Fresno
Farm2people
Feeding San Diego
Food Access LA
Food Bank of Contra Costa and Solano
Food for People, the Food Bank for Humboldt County
Friends Committee on Legislation of California
Fullwell
Glide
Grace/end Child Poverty California
Hunger Action Los Angeles
Latino Coalition for a Healthy California
Los Angeles Community Action Network
Los Angeles Food Policy Council
Los Angeles Regional Food Bank
Marin Food Policy Council
Mazon: a Jewish Response to Hunger
National Council of Jewish Women-California
Nextgen California
Nourish California
Parent Voices California
Pesticide Action Network North America
Roots of Change

Sacramento Food Bank & Family Services
Second Harvest Food Bank of Orange County
Second Harvest Food Bank of Santa Cruz County
Second Harvest of Silicon Valley
Share Our Strength
Sierra Harvest
Western Center on Law & Poverty
What We All Deserve

Opposition

None on file

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