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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**53rd Legislature, 2nd Session, 2018**

**Bill Number** SJM16                      **Sponsor** Padilla/Romero  
**Tracking Number** .209365.1              **Committee Referrals** SRC/SEC  
**Short Title** PED to Study School Meal Funding  
**Analyst** Force                                      **Original Date** 2/6/18  
**Last Updated** \_\_\_\_\_

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**BILL SUMMARY**

Synopsis of Bill

Senate Joint Memorial 16 (SJM16) requests the Public Education Department (PED) to identify the availability of federal programs to improve New Mexico student meals, student health, program funding and training. PED is also requested to analyze the impact of increased applications for funding from federal school meals programs would have on school lunch debt, and present its findings to LESC by October 18, 2018.

**FISCAL IMPACT**

Legislative memorials do not carry appropriations.

The House Appropriations and Finance Committee Substitute for House Bills 2 and 3 includes language allocating \$1.6 million dollars to support breakfast for elementary students, and \$300 thousand for New Mexico-grown fresh fruits and vegetables.

**SUBSTANTIVE ISSUES**

New Mexico currently participates in several federal school meals programs, including the National School Lunch Program, the School Breakfast Program, the Fresh Fruits and Vegetables Program, the Afterschool Snack Program, the Summer Food Service Program, and the Seamless Summer Program. New Mexico's Hunger-Free Students' Bill of Rights, Laws 2017, Chapter 117, provides for free meals to students, regardless of either students' ability to pay or their school-meals-associated debt.

According to the U.S. Department of Agriculture, approximately 13.1 million children in the country live in homes with insufficient food. The U.S. Census Bureau's most recent American Community Survey (2016) indicates the national average for persons under 18 living below the poverty line is 21.2 percent. In New Mexico, however, 29.8 percent of persons under 18 live below the poverty line, making New Mexico the state with the second-highest child poverty rate, after only Mississippi, at 31.5 percent. Further, poverty disproportionately affects minority families,

and New Mexico has a minority-majority student population; of 333 thousand students, 61 percent are Hispanic, and 11 percent are Native American, with most qualifying for free and reduced price meals (FRPM). In fact, according to PED, of the 333,447 primary and secondary students in New Mexico, 244,186, of them, or 73 percent, qualify for FRPM. New Mexico participates in the National School Lunch Program and, since 2011, every school that has more than 85 percent of students qualifying in FRPM are required to offer breakfast as well.

Studies have consistently shown that academic achievement and growth for hungry children lags behind children who do not go to school hungry. According to the Institute of Child Nutrition, nutrition, with genes and the environment, are the three most important factors impacting cognitive development. The effects of undernutrition can begin during pregnancy, and the negative effects on brain development in utero and in early childhood can be permanent and irreversible. Hungry children have lower achievement scores, and are more likely to be tardy, miss school, and be retained. Breakfast in particular is important; students who participate in school breakfast programs tend to have better concentration, alertness, comprehension, learning, and memory than children who do not.

There may be other school nutrition programs open to the state's participation that may offer additional help to families who struggle to provide regular meals to their children. For example, the Child and Adult Care Food Program (CACFP), while not specifically focused on school-time meals, provides aid to childcare and adult-care institutions, family or group daycare homes, and afterschool care centers. CACFP meal standards, which were updated October 1, 2017, are based on the Dietary Guidelines for Americans, and encourage alignment with the Special Supplemental Nutrition Program for Women, Infants, and Children, as well as with school-based nutrition programs.

## **RELATED BILLS**

SB106, NM-Grown Produce in School Meals, identical to HB62.

HB62, NM-Grown Produce in School Meals, which appropriates \$400 thousand to PED for the purchase of fresh produce grown in New Mexico for public schools and juvenile detention centers. Identical to SB106.

HB136, Childhood Poverty Awareness Training Act, which requires charter schools and local school districts to ensure their employees attend initial and annual training on childhood poverty awareness.

HM55, Reduce School Food Waste, which requests LESC and the Legislative Health and Human Services Committee to review existing programs to reduce school food waste, and study ways to create and expand policies allowing unused food to go to the benefit of hungry children.

## **SOURCES OF INFORMATION**

- LESC Files

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