

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Education to which was referred Senate Bill No. 100
3 entitled “An act relating to universal school breakfast and the creation of the
4 Task Force on Universal School Lunch” respectfully reports that it has
5 considered the same and recommends that the House propose to the Senate that
6 the bill be amended by striking out all after the enacting clause and inserting in
7 lieu thereof the following:

8 * * * Title * * *

9 Sec. 1. SHORT TITLE

10 This act may be cited as the “Universal School Meals Act.”

11 * * * Findings * * *

12 Sec. 2. FINDINGS

13 The General Assembly finds that:

14 (1) According to the Vermont Agency of Education, an average of
15 38 percent of students across all supervisory unions during the 2019–2020
16 school year qualified for free or reduced-price lunch. The General Assembly
17 recognizes that students need fresh and nutritional foods to enable them to
18 focus on their education and that many students come to school hungry.
19 Providing universal school meals offered at no cost to students or their families
20 creates a necessary foundation for learning readiness during the school day.

1 (2) A 2021 study by the National Food Access and COVID Research
2 Team found that in the first year of the pandemic, nearly one-third of people in
3 Vermont faced hunger, and families with children were five times more likely
4 to face hunger. Food insecurity rates remained above pre-pandemic levels a
5 year after the start of the pandemic.

6 (3) In a 2019 research report, the Urban Institute found that up to
7 42 percent of children living in food-insecure homes may not be eligible for
8 free or reduced-price school meals.

9 (4) In 2016, the Center for Rural Studies at the University of Vermont
10 partnered with the Vermont Farm to School Network to measure the economic
11 contribution and impacts of Farm to School in Vermont. The final report
12 found that school meal programs support a vibrant agricultural economy with
13 every \$1.00 spent on local food in schools contributing \$1.60 to the Vermont
14 economy.

15 (5) A study conducted by researchers at the University of Vermont and
16 Hunger Free Vermont, and published in the Journal of Hunger and
17 Environmental Nutrition, found that universal school meals programs in
18 Vermont were associated with, among other benefits, improved overall school
19 climate as a result of financial differences being less visible and improved
20 readiness to learn among students overall.

* * * Universal Meals * * *

Sec. 3. UNIVERSAL MEALS

(a) Notwithstanding provision. The provisions of this section shall apply notwithstanding any provision of law to the contrary.

(b) Definition. As used in this section, “approved independent school” means an approved independent school physically located in Vermont.

(c) Universal food program.

(1) In addition to the requirements of 16 V.S.A. § 1264(a)(1) (food program), each school board operating a public school shall cause to operate within each school in the school district the same school breakfast and school lunch program made available to students who qualify for those meals under the National Child Nutrition Act and the National School Lunch Act, as amended, for each attending student every school day at no charge. An approved independent school located in Vermont may operate the same school lunch and the same school breakfast program made available to students who qualify for those meals under the National Child Nutrition Act and the National School Lunch Act, each as amended, to each student attending on public tuition every school day at no charge.

(2) In operating its school breakfast and lunch program, a school district and an approved independent school shall seek to achieve the highest level of student participation, which may include any or all of the following:

1 (A) providing breakfast meals that can be picked up by students;

2 (B) making breakfast available to students in classrooms after the
3 start of the school day; and

4 (C) for school districts, collaborating with the school’s wellness
5 community advisory council, as established under subsection 136(e) of this
6 title, in planning school meals.

7 (3) A school district and an approved independent school shall count
8 time spent by students consuming school meals during class as instructional
9 time.

10 (d) Award of Grants.

11 (1) Public schools. From State funds appropriated to the Agency for this
12 subsection, the Agency shall reimburse each school district that made available
13 both school breakfast and lunch to students at no charge under subsection (c)
14 of this section for the cost of each meal actually provided in the district during
15 the previous quarter that qualifies as a paid breakfast or paid lunch under the
16 federal school breakfast and federal school lunch programs. Reimbursement
17 from State funds shall be available only to districts that maximize access to
18 federal funds for the cost of the school breakfast and lunch program by
19 participating in the Community Eligibility Provision or Provision 2 of these
20 programs, or any other federal provision that in the opinion of the Agency

1 draws down the most possible federal funding for meals served in that
2 program.

3 (2) Approved independent schools.

4 (A) Subject to subdivision (B) of this subsection (2), from State funds
5 appropriated to the Agency for this subsection (d), the Agency shall reimburse
6 each approved independent school that made available both school breakfast
7 and lunch to students attending on public tuition at no charge under subsection
8 (c) of this section for the cost of each meal actually provided by the approved
9 independent school to those students during the previous quarter that qualifies
10 as a paid breakfast or paid lunch under the federal school breakfast and federal
11 school lunch programs.

12 (B) An approved independent school is eligible for reimbursement
13 under this subsection (d) only if it operates a food program that makes
14 available a school lunch, as provided in the National School Lunch Act as
15 amended, and a school breakfast, as provided in the National Child Nutrition
16 Act as amended, to each attending student who qualifies for those meals under
17 these Acts every school day.

18 (C) Reimbursement from State funds shall be available only to
19 approved independent schools that maximize access to federal funds for the
20 cost of the school breakfast and lunch program by participating in the
21 Community Eligibility Provision or Provision 2 of these programs, or any

1 other federal provision that in the opinion of the Agency draws down the most
2 possible federal funding for meals served in that program.

3 (3) Reimbursement amounts for public schools and approved
4 independent schools. The reimbursement amount for breakfast shall be a sum
5 equal to the federal reimbursement rate for a free school breakfast less the
6 federal reimbursement rate for a paid school breakfast, using rates identified
7 annually by the Agency of Education from payment levels established annually
8 by the U.S. Department of Agriculture. The reimbursement amount for lunch
9 shall be a sum equal to the federal reimbursement rate for a free school lunch
10 less the federal reimbursement rate for a paid school lunch, using rates
11 identified annually by the Agency of Education from payment levels
12 established annually by the U.S. Department of Agriculture.

13 (e) Notwithstanding any provision of law to the contrary, 16 V.S.A. § 1265
14 shall not apply to school year 2022–2023.

15 Sec. 4. REPEAL

16 Sec. 3 of this act is repealed on July 1, 2023.

17 Sec. 5. APPROPRIATION; UNIVERSAL MEALS

18 Notwithstanding 16 V.S.A. § 4025(d) and any other provision of law to the
19 contrary, the sum of \$29,000,000.00 is appropriated from the Education Fund
20 to the Agency of Education for fiscal year 2023 to provide reimbursement for
21 school meals under Sec. 3 this act.

1 * * * Agency of Education; Staffing * * *

2 Sec. 6. AGENCY OF EDUCATION; STAFFING

3 (a) The following five positions are created in the Agency of Education:

4 (1) two full-time, classified positions to develop and maintain the
5 universal household income declaration form and provide guidance to school
6 districts on its use; and

7 (2) three full-time, classified positions to provide financial and data
8 analysis for the Agency of Education.

9 (b) There is appropriated to the Agency of Education from the General
10 Fund for fiscal year 2023 the amount of \$500,000.00 for salaries, benefits, and
11 operating expenses for the positions created under subsection (a) of this
12 section.

13 * * * Universal Income Declaration Form * * *

14 Sec. 7. UNIVERSAL INCOME DECLARATION FORM

15 (a) A universal income declaration form is used by some other states and
16 school districts in Vermont with universal school meals programs to collect
17 household size and income information that was previously collected using the
18 Free and Reduced-Price Meal Application. A universal income declaration
19 form is used to collect income bracket information from all families, reducing
20 stigma and resulting in the collection of more accurate pupil eligibility counts
21 throughout a school district.

1 federal rules to the State-funded program; and strategies for minimizing the use
2 of State funds.

3 Sec. 9. JOINT FISCAL OFFICE; REPORT

4 On or before February 1, 2023, the Joint Fiscal Office (JFO) shall prepare a
5 report examining possible revenue sources including expansion of the sales tax
6 base, enactment of an excise tax on sugar sweetened beverages, and other
7 sources of revenue not ordinarily used for General Fund purposes. The report
8 shall include preliminary revenue estimates and other policy considerations.

9 * * * Effective Date * * *

10 Sec. 9. EFFECTIVE DATE

11 This act shall take effect on July 1, 2022.

12 and that after passage the title of the bill be amended to read: “An act
13 relating to universal school meals”

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17 (Committee vote: _____)

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Representative _____

FOR THE COMMITTEE