

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 analyzing trends in food sources and diet quality, published
16 in 2021, found that the most nutritious meals consumed by children in the
17 United States are school meals, including when compared to meals cooked at
18 home.

19 (6) A study conducted by UVM found that universal school meals
20 programs in Vermont were associated with, among other benefits, improved

1 overall school social climate as a result of financial difference being less
2 visible and improved readiness to learn among students overall.

3 * * * Universal Meals * * *

4 Sec. 3. UNIVERSAL MEALS

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

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

9 (c) Universal food program.

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

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

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

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

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

10 (3) A school district and an approved independent school shall count
11 time spent by students consuming school meals during class as instructional
12 time.

13 (d) Award of Grants.

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

1 participating in the Community Eligibility Provision or Provision 2 of these
2 programs, or any other federal provision that in the opinion of the Agency
3 draws down the most possible federal funding for meals served in that
4 program.

5 (2) Approved independent schools.

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

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

20 (C) Reimbursement from State funds shall be available only to
21 approved independent schools that maximize access to federal funds for the

1 cost of the school breakfast and lunch program by participating in the
2 Community Eligibility Provision or Provision 2 of these programs, or any
3 other federal provision that in the opinion of the Agency draws down the most
4 possible federal funding for meals served in that program.

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

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

17 Sec. 4. REPEAL

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

1 Sec. 5. APPROPRIATION; UNIVERSAL MEALS

2 The sum of \$29,000,000.00 is appropriated from the Education Fund to the
3 Agency of Education for fiscal year 2023 to provide reimbursement for school
4 meals under Sec. 3 this act.

5 * * * Agency of Education; Staffing * * *

6 Sec. 6. AGENCY OF EDUCATION; STAFFING

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

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

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

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

17 * * * Universal Income Declaration Form * * *

18 Sec. 7. UNIVERSAL INCOME DECLARATION FORM

19 (a) A universal income declaration form is used by some other states and
20 school districts in Vermont with universal school meals programs to collect
21 household size and income information that was previously collected using the

1 Free and Reduced-Price Meal Application. A universal income declaration
2 form is used to collect income bracket information from all families, reducing
3 stigma and resulting in the collection of more accurate pupil eligibility counts
4 throughout a school district.

5 (b) On or before October 1, 2022, the Agency of Education shall convene a
6 working group that includes school staff and hunger and nutrition experts to
7 develop the universal income declaration form that shall be fully accessible to
8 all Vermont families both in paper form and electronically. The new form
9 shall be implemented statewide for the 2023–24 school year.

10 (c) The Agency of Education shall establish a process for verifying the
11 accuracy of data collected through the universal income declaration form,
12 which could include requesting that a sample of households submit additional
13 documentation or using other sources of income data available to the Agency.

14 (d) The sum of \$200,000.00 is appropriated from the Education Fund to the
15 Agency of Education for fiscal year 2023 to fund operating expenses
16 associated with the creation of the electronic universal income declaration
17 form.

18 * * * Reports * * *

19 Sec. 8. AGENCY OF EDUCATION; CONSULTATION; REPORT

20 On or before January 15, 2022, the Agency of Education shall report to the
21 House and Senate Committees on Education and on Appropriations, the House

1 Committee on Ways and Means, and the Senate Committee on Finance on the
2 impact and status of implementation under this act. The report shall include
3 data on student participation rates in the universal meals program on an
4 individual school level and, if possible, on a grade level; the relationship of
5 federal rules to the State-funded program; and strategies for minimizing the use
6 of State funds.

7 Sec. 9. JOINT FISCAL OFFICE; REPORT

8 On or before January 15, 2023, the Joint Fiscal Office (JFO) shall prepare a
9 report examining possible revenue sources including expansion of the sales tax
10 base, enactment of an excise tax on sugar sweetened beverages, and other
11 sources of revenue not ordinarily used for General Fund purposes. The report
12 shall include preliminary revenue estimates and other policy considerations.

13 * * * Effective Date * * *

14 Sec. 9. EFFECTIVE DATE

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

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

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4 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE