

1 TO THE HONORABLE SENATE:

2 The Committee on Appropriations to which was referred Senate Bill
3 No. 100 entitled “An act relating to universal school breakfast and lunch for all
4 public school students and to creating incentives for schools to purchase
5 locally produced foods” respectfully reports that it has considered the same and
6 recommends that the bill be amended by striking out all after the enacting
7 clause and inserting in lieu thereof the following:

8 Sec. 1. TITLE

9 This act shall be known as “Meals for All.”

10 * * * Statutory Changes; Universal School Breakfast and Lunch * * *

11 Sec. 2. 16 V.S.A. chapter 27, subchapter 2 is amended to read:

12 Subchapter 2. School Food Programs

13 § 1261a. DEFINITIONS

14 As used in this subchapter:

15 (1) “Food programs” means provision of food to persons under
16 programs meeting standards for assistance under the National School Lunch
17 Act, 42 U.S.C. § 1751 et seq. and ~~in~~ the Child Nutrition Act, 42 U.S.C. § 1779
18 et seq., each as amended.

19 (2) “School board” means the governing body of a school district
20 responsible for the administration of a public school.

1 (C) To the extent that costs are not reimbursed through federal or
2 State funds or other sources, the cost of making available school lunches and
3 breakfasts shall be borne by school districts.

4 * * *

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

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

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

11 (C) collaborating with the school’s wellness community advisory
12 council, as established under subsection 136(e) of this title, in planning school
13 meals.

14 (4) Each school district shall request the parent or guardian of each
15 student to complete the Household Income Form provided by the Agency of
16 Education, which is used to determine a family’s economic status to determine
17 eligibility for various State and federal programs. This requirement shall not
18 apply if the school district obtains equivalent information through another
19 means.

20 * * *

1 (d) It is a goal of the State that by the year ~~2022~~ 2023 school boards
2 operating a school lunch, breakfast, or summer meals program shall purchase
3 at least 20 percent of all food for those programs from local producers.

4 (e)(1) On or before December 31, 2020 and annually thereafter, a school
5 board operating a school lunch, breakfast, or summer meals program shall
6 submit to the Agency of Education an estimate of the percentage of the cost of
7 locally produced foods that were purchased by the school board for those
8 programs that were locally produced foods during the one-year period ending
9 on June 30 of that year.

10 * * *

11 § 1265. ~~EXEMPTION; PUBLIC DISCUSSION~~

12 ~~(a) The school board of a public school district that wishes to be exempt~~
13 ~~from the provisions of section 1264 of this title may vote at a meeting warned~~
14 ~~and held for that purpose to exempt itself from the requirement to offer either~~
15 ~~the school lunch program or the school breakfast program, or both, for a period~~
16 ~~of one year.~~

17 ~~(b) If a public school is exempt from offering a breakfast or lunch program,~~
18 ~~its school board shall conduct a discussion annually on whether to continue the~~
19 ~~exemption. The pending discussion shall be included on the agenda at a~~
20 ~~regular or special school board meeting publicly noticed in accordance with~~
21 ~~1 V.S.A. § 312(c), and citizens shall be provided an opportunity to participate~~

1 ~~in the discussion. The school board shall send a copy of the notice to the~~
2 ~~Secretary and to the superintendent of the supervisory union at least ten days~~
3 ~~prior to the meeting. Following the discussion, the school board shall vote on~~
4 ~~whether to continue the exemption for one additional year.~~

5 ~~(e) On or before the first day of November prior to the date on which an~~
6 ~~exemption voted under this section is due to expire, the Secretary shall notify~~
7 ~~the boards of the affected school district and supervisory union in writing that~~
8 ~~the exemption will expire.~~

9 ~~(d) Following a meeting held pursuant to subsection (b) of this section, the~~
10 ~~school board shall send a copy of the agenda and minutes to the Secretary and~~
11 ~~the superintendent of the supervisory union.~~

12 ~~(e) The Secretary may grant a supervisory union or a school district a~~
13 ~~waiver from duties required of it under this subchapter upon a demonstration~~
14 ~~that the duties would be performed more efficiently and effectively in another~~
15 ~~manner. [Repealed.]~~

16 Sec. 3. 16 V.S.A. § 4001 is amended to read:

17 § 4001. DEFINITIONS

18 As used in this chapter:

19 * * *

20 (6) “Education spending” means the amount of the school district
21 budget, any assessment for a joint contract school, career technical center

1 payments made on behalf of the district under subsection 1561(b) of this title,
2 and any amount added to pay a deficit pursuant to 24 V.S.A. § 1523(b) that is
3 paid for by the school district, but excluding any portion of the school budget
4 paid for from any other sources such as endowments, parental fundraising,
5 federal funds, nongovernmental grants, or other State funds such as special
6 education funds paid under chapter 101 of this title.

7 (A) [Repealed.]

8 (B) For purposes of calculating excess spending pursuant to
9 32 V.S.A. § 5401(12), “education spending” shall not include:

10 * * *

11 (xii) Costs incurred by a school district or supervisory union to
12 provide school breakfast and lunch under chapter 27 (transportation and
13 board), subchapter 2 (school food programs) of this title.

14 * * *

15 * * * Federal Funds; Data Collection * * *

16 Sec. 4. 16 V.S.A. § 45 is added to read:

17 § 45. FEDERAL FUNDS; DATA COLLECTION

18 (a) The Secretary of Education shall:

19 (1) define the term “student poverty” for the purpose of determining
20 qualification for federal funds by school districts;

1 (2) establish what data should be collected by school districts to qualify
2 for federal funds based on student poverty, the means by which the data should
3 be collected, and the frequency of collection; and

4 (3) determine how this data shall be reported to the Agency of
5 Education by school districts and the frequency of reporting.

6 (b) School districts shall collect data that is necessary to qualify for federal
7 funds based on student poverty and report this data to the Agency of Education
8 in accordance with subsection (a) of this section.

9 * * * Session Law; Universal School Breakfast and Lunch * * *

10 Sec. 5. SCHOOL MEALS CONSUMED DURING CLASS

11 A school district shall count time spent by students consuming school meals
12 during class as instructional time.

13 Sec. 6. TRANSITION

14 On or before July 1, 2026, each school district shall comply with 16 V.S.A.
15 chapter 27, subchapter 2, as amended by this act. Until the date upon which a
16 school district complies with 16 V.S.A. chapter 27, subchapter 2, as amended
17 by this act, 16 V.S.A. chapter 27, subchapter 2, as in effect on June 30, 2021,
18 shall be in effect.

19 Sec. 7. AGENCY OF EDUCATION; STAFFING

20 The following two-year, limited-service position is created in the Agency of
21 Education: one full-time, classified position specializing in the administration

1 of school food programs. The position established in this section shall be
2 transferred and converted from an existing vacant position in the Executive
3 Branch of State government. There is appropriated to the Agency of Education
4 from the American Rescue Plan Act of 2021 pursuant to Section 2001(f)(4),
5 Pub. L. No. 117-2, for fiscal year 2022 the amount of \$100,000.00 for salary,
6 benefits, and operating expenses.

7 * * * Effective Date * * *

8 Sec. 8. EFFECTIVE DATE

9 This act shall take effect on July 1, 2021.

10 and that after passage the title of this bill be amended to read: “An act
11 relating to universal school breakfast and lunch for all public school students”

12
13
14 (Committee vote: _____)

15 _____

16 Senator _____

17 FOR THE COMMITTEE