

S.100, An act relating to universal school breakfast and the creation of the Task Force on Universal School Lunch

Section-by-section summary of the House Proposal of Amendment, with further proposal of amendments

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Overview. This bill creates a 1-year universal school meals program for students attending public schools and students attending approved independent schools on public tuition.

- Sections in blue were part of the House Proposal of Amendment.
- Sections in red are part of the Senators' further proposal of amendments
- Highlighted language is also part of the further proposal of amendments.

Sec. 1. Short Title

- This act may be cited as the "Universal School Meals Act"

Sec. 2. Findings

- This section makes 5 Legislative findings regarding the benefits of and need for universal school meals programs.

Sec. 3. Universal Meals

- This section creates a 1 year universal school meals program for public school students and students attending approved private schools on public tuition.
- Subsection (c) *requires* public schools to operate a school breakfast and lunch program under the National Child Nutrition Act and the National School Lunch Act, providing free breakfast and lunch for each student in attendance every school day. Approved independent schools *may* operate the same program.
 - In operating breakfast and lunch programs, schools shall seek to achieve the highest level of participation by allowing students to pick up breakfast, making breakfast available after the start of the day, and collaborating with school wellness councils in planning school meals.
 - Schools shall also count time spent by students eating during class as instructional time.
 - There is a small technical correction in subsection (c).
- Subsection (d): AOE will reimburse each school district with a breakfast and lunch program for the cost of the meals actually provided during the previous quarter that qualify as paid meals under the federal meals programs. Reimbursement is only available to districts that maximize access to federal funds by participating in the Community Eligibility Provision or Provision 2 of the federal meals programs, or any other provision that AOE believes draws down the most possible federal funding. The same reimbursement process applies to

- approved independent schools, but they are only eligible for reimbursement if they operate a lunch and breakfast program under the federal meals programs.
- Reimbursement amounts are equal to the federal reimbursement rate for a free school breakfast/lunch minus the federal reimbursement rate for a paid school breakfast/lunch, using rates identified annually by AOE and USDA.
 - For school year 2022-2023, all public schools must run a meals program under the federal programs. Therefore, subsection (e) creates a temporary moratorium on the ability for a school to request an exemption to run a meal program.
 - **Subsection (f) is struck in the Committee's further proposal of amendment.**

Sec. 4. Repeal

- This section repeals Sec. 3, creating a 1 year program.

Sec. 5. Appropriation

- This section appropriates \$29 million from the Education Fund in fiscal year 2023 for school meals under Sec. 3 of this act.

Sec. 6. Agency of Education; Consultation; Report

- This section requires AOE to report to the Education Committees, House Ways & Means, and Senate finance on the status and implementation of universal school meals program. The report is required to include data on student participation rates on an individual school level, and, if possible, on a grade level; the relationship of federal rules to the State-funded program; and strategies for minimizing the use of State Funds.

Sec. 7. Joint Fiscal Office; Report

- This section requires JFO to prepare a report examining possible revenue sources for school meals, including expansion of the sales tax base, enactment of an excise tax on sugar sweetened beverages, and other sources of revenue not ordinarily used for General Fund purposes. The report must include preliminary revenue estimates and other policy considerations.

Sec. 8. Future Funding; Intent

- **This section states that it is the General Assembly's intent to use the information from the reports required under this act to identify the amount and sources of potential long-term funding for universal school meals.**

Sec. 9. Effective Date

- **This section was renumbered in the amendment.** This act takes effect on July 1, 2022 and upon passage, the title of the bill will be amended to "An act relating to universal school meals"