

1 S.118

2 Introduced by Senator Racine

3 Referred to Committee on

4 Date:

5 Subject: Human services; education; child nutrition; 3SquaresVT; 21st

6 Century Community Learning Centers; federal after-school snack

7 program; summer food program; child and adult care food program;

8 school lunch program; food stamps; state nutrition assistance

9 programs; administrative simplification

10 Statement of purpose: This bill proposes to:

11 (1) Maximize eligibility and simplify the enrollment process in

12 3SquaresVT by implementing federal options in the supplemental nutrition

13 assistance program.

14 (2) Require schools in districts receiving 21st Century Community

15 Learning Center grant funds to provide fiscal sponsorship to organizations

16 operating after-school programs in order to access funding for meals and

17 snacks through the federal nutrition programs.

18 (3) Require organizations receiving grant funds under the 21st Century

19 Community Learning Center program and operating after-school programs to

20 provide snacks through a federally funded nutrition program.

1           (4) Require any school offering a summer educational or recreational  
2 program or camp to provide federally funded meals to program participants if  
3 at least 50 percent of that school's students were eligible for free or  
4 reduced-price meals under the federal school lunch or breakfast programs for  
5 at least one month in the preceding academic year.

6           (5) Require the department of education to provide data regarding  
7 existence of and level of participation in after-school and summer programs  
8 offered by school districts.

9           (6) Require the department for children and families and the department  
10 of education to provide monthly direct certification to enroll children receiving  
11 3SquaresVT in the federal school breakfast and lunch programs.

12           (7) Increase funding for summer meals and snacks for low-income  
13 children and use state funds to pay the student's portion of a reduced-price  
14 school lunch.

15           An act relating to improving the nutrition of low-income children

16           It is hereby enacted by the General Assembly of the State of Vermont:

17           Sec. 1. FEDERAL OPTIONS IN THE SUPPLEMENTAL NUTRITION

18                           PROGRAM

19           (a) No later than October 1, 2009, the department for children and families  
20 shall implement in 3SquaresVT the following federal options allowed in the

1 supplemental nutrition assistance program in order to increase enrollment in  
2 3SquaresVT and to simplify the administrative burden on applicants,  
3 participants, and the department:

4 (1) the combined application project (CAP), which allows for a  
5 simplified application and an automatic enrollment process for individuals  
6 applying for and receiving Supplemental Security Income (SSI);

7 (2) the inclusion of transportation costs as an allowable dependent care  
8 expense; and

9 (3) a simplified application process for individuals age 60 or older in  
10 order to increase senior participation in the program.

11 (b) No later than October 1, 2009, the department shall provide to the  
12 house committee on human services and the senate committee on health and  
13 welfare a report indicating additional federal options which would simplify the  
14 administration of 3SquaresVT, simplify the application or recertification  
15 process, or increase enrollment in the program with a time line for  
16 implementation of each option.

17 Sec. 2. AFTER-SCHOOL SNACK PROGRAM

18 (a) No later than October 1, 2010, the department of education shall require  
19 that every after-school program funded in whole or in part by a grant under the  
20 21st Century Community Learning Center program create an after-school

1 snack program using federal funds from the national school lunch after-school  
2 snack program or the child and adult care food program.

3 (b) No later than October 1, 2010, the department of education shall require  
4 that one or more schools in districts with organizations receiving a grant under  
5 the 21st Century Community Learning Center program for an after-school  
6 snack program provide fiscal sponsorship of the national school lunch  
7 after-school snack program for these organizations. The department shall only  
8 require the school to provide fiscal sponsorship if requested by the  
9 organization in the district providing an after-school snack program.

10 Sec. 3. 16 V.S.A. § 1264 is amended to read:

11 (a)(1) Each school board ~~actually~~ operating a public school shall cause to  
12 operate within the school district a food program ~~which~~ that makes available a  
13 school lunch, as provided in the National School Lunch Act as amended, and a  
14 school breakfast, as provided in the National Child Nutrition Act as amended,  
15 to each attending pupil every school day.

16 (2) Each school board operating a public school shall offer a summer  
17 meals program funded by the Summer Food Service program or the National  
18 School Lunch Program for participants in a summer educational or recreational  
19 program or camp if:

1           (A) At least 50 percent of the students in a school were eligible for  
2           free or reduced-price meals under subdivision (1) of this subsection for at least  
3           one month in the preceding academic year; and

4           (B) The district operates or funds the summer educational or  
5           recreational program or camp.

6           (b) In the event of an emergency, the school board may apply to the  
7           department for a temporary waiver of ~~this daily operating requirement~~ the  
8           requirements in subsection (a) of this section. The commissioner shall grant  
9           the requested waiver if he or she finds that it is unduly difficult for the school  
10          district to ~~serve~~ provide a school lunch ~~or~~, breakfast, or ~~both~~ summer meals  
11          program, or any combination of the three, and if he or she finds that the school  
12          district has exercised due diligence in its efforts to avoid the emergency  
13          situation ~~which~~ that gives rise to the need for the requested waiver. In no event  
14          shall the waiver extend for a period to exceed 20 school days or, in the case of  
15          a summer meals program, the remainder of the summer vacation.

16          ~~(b)~~(c) The state shall be responsible for the student share of the cost of  
17          breakfasts provided to all students eligible for a ~~reduced-price~~ reduced-price  
18          breakfast under the federal school breakfast program.

1       Sec. 4. STUDY; EXISTENCE OF AND PARTICIPATION IN  
2                   AFTER-SCHOOL AND SUMMER PROGRAMS

3           On or before October 1, 2009, the department of education shall report to  
4           the house committee on human services, the senate committee on health and  
5           welfare, and the house and senate committees on appropriations and on  
6           education regarding:

7                   (1) The number of school districts that operated after-school programs  
8                   funded at least in part by the 21st Century Community Learning Center.

9                   (2) The number of school districts that operated or funded summer  
10                  educational or recreational programs or camps.

11                  (3) Data regarding the level of participation in the programs identified in  
12                  subdivisions (1) and (2) of this section.

13       Sec. 5. DIRECT CERTIFICATION FOR SCHOOL MEALS PROGRAMS

14           No later than July 1, 2009, the department for children and families and the  
15           department of education shall increase to a monthly basis the frequency with  
16           which direct certification data matches are performed in order to certify  
17           children receiving 3SquaresVT as eligible for school breakfast, lunch, and  
18           summer meals programs.

1 Sec. 6. 16 V.S.A. § 1262a is amended to read:

2 § 1262a. AWARD OF GRANTS

3 (a) The state board of education may, from funds appropriated for this  
4 subsection to the department of education, award grants to school boards  
5 which establish and operate food programs, provided the amount of any grant  
6 shall not be more than the amount necessary, in addition to ~~the charge made for~~  
7 ~~the meal and~~ any reimbursement from federal funds, to pay the actual cost of  
8 the meal.

9 \* \* \*

10 (c) On a quarterly basis, from state funds appropriated to the department of  
11 education for this subsection, the state board shall award to each school district  
12 a sum equal to the amount that would have been the student share of the cost of  
13 all breakfasts and lunches actually provided in the district during the previous  
14 quarter to students eligible for a ~~reduced-price~~ reduced-price breakfast under  
15 the federal school breakfast program and students eligible for a reduced-price  
16 lunch under the federal school lunch program.

17 Sec. 7. 16 V.S.A. § 1264(b) is amended to read:

18 (b) The state shall be responsible for the student share of the cost of  
19 breakfasts provided to all students eligible for a ~~reduced-price~~ reduced-price  
20 breakfast under the federal school breakfast program and for the student share

1 of the cost of lunches provided to all students eligible for a reduced-price lunch  
2 under the federal school lunch program.

3 Sec. 8. APPROPRIATION

4 (a) In fiscal year 2010, the amount of \$25,000.00 shall be appropriated  
5 from the general fund to the department of education to increase  
6 reimbursements for summer meals for low-income children served in the  
7 seamless summer meals program to the reimbursement level in the summer  
8 food service program.

9 (b) In fiscal year 2010, the amount of \$100,000.00 shall be appropriated  
10 from the general fund to the department of education to increase  
11 reimbursements for snacks for low-income children in child care and  
12 after-school programs by adding \$0.30 per snack served in the child and adult  
13 care food program.

14 (c) In fiscal year 2010, the amount of \$392,000.00 shall be appropriated  
15 from the general fund to the department of education for the student share of  
16 the cost of lunches provided to all students eligible for a reduced-price lunch  
17 under the federal school lunch program.

18 Sec. 9. EFFECTIVE DATE

19 This act shall take effect on passage.