

Senate Bill 695

Sponsored by Senator DINGFELDER; Senators BOQUIST, MONNES ANDERSON, MONROE, ROSENBAUM, Representatives BENTZ, BRUUN, CLEM, KAHL, KOTEK, NOLAN, J SMITH (at the request of Oregon Hunger Relief Task Force)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires school district that makes breakfast accessible to any student to provide breakfast at no charge to all students who qualify for free or reduced price lunches. Requires Department of Education to provide reimbursement of costs for making breakfast accessible at no charge.

Appropriates moneys from General Fund to Department of Education for purpose of reimbursing school districts for making breakfast accessible at no charge.

Declares emergency, effective July 1, 2009.

A BILL FOR AN ACT

1
2 Relating to school breakfast program; creating new provisions; amending ORS 327.535; appropriating
3 money; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 327.535 is amended to read:

6 327.535. (1) Subject to subsections (2) and (3) of this section, *[any]* a school district that provides
7 lunch at any school site shall make *[breakfasts]* **breakfast** accessible **as part of a breakfast pro-**
8 **gram** if 25 percent or more of the students at the site are eligible for free or reduced price lunches
9 under the United States Department of Agriculture's current Income Eligibility Guidelines or the
10 school site qualifies for assistance under Chapter I of Title I of the federal Elementary and Sec-
11 ondary Education Act of 1965.

12 (2) *[The]* A school district **that makes breakfast accessible as provided under subsection**
13 **(1) of this section** may apply to the State Board of Education for a waiver for all or for particular
14 grade levels if it is financially unable to implement a breakfast program. The state board may grant
15 a waiver to the school district for a period not to exceed two years, after which the school district
16 must reestablish its claim of financial hardship if the waiver is to be extended.

17 (3) If the per meal federal reimbursement for the *[free and reduced price]* breakfast program falls
18 below the 1991 reimbursement levels, a school district may elect to discontinue the program until
19 federal funding is restored to those levels. No waiver is required for such election.

20 (4) **A school district that makes breakfast accessible at any school site shall make**
21 **breakfast accessible at that school site at no charge to all students who are eligible for free**
22 **or reduced price lunches under the United States Department of Agriculture's Income El-**
23 **igibility Guidelines. The Department of Education shall provide reimbursement of any**
24 **amounts paid by a school district to make breakfast accessible at no charge under this sub-**
25 **section.**

26 **SECTION 2.** The amendments to ORS 327.535 by section 1 of this 2009 Act first apply to
27 the 2009-2010 school year.

28 **SECTION 3.** There is appropriated to the Department of Education, for the biennium

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 **beginning July 1, 2009, out of the General Fund, the amount of \$2,295,000 for the purpose of**
2 **making breakfast accessible at no charge to students who qualify for reduced price lunches,**
3 **as provided by ORS 327.535 (4).**

4 **SECTION 4. This 2009 Act being necessary for the immediate preservation of the public**
5 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
6 **July 1, 2009.**

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