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HB 2536 - Strengthening Access to School Meals

House Education Committee

March 16, 2021

Chair Alonso Leon, Vice-Chair Weber, Vice-Chair Neron, and members of the House Education Committee, I am Jessica Ventura, Government Relations Director for the Oregon Department of Education. I am pleased to write this letter in support of HB 2536, which clarifies the intent of the school meals program within the [Statewide Initiatives Account](#) created by the Student Success Act ([HB 3427](#), 2019).

Background:

The [HB 3427](#) (SSA) codified state reimbursements for those students eligible for reduced price meals. The bill also requires breakfast to be offered after the start of the school day under certain conditions. Additionally, the SSA requires breakfast and lunch to be offered at no charge to eligible students above the level of eligibility of the federal regulations as a condition of receiving state funds, but does not require schools to make these students eligible for meals at no charge.

House Bill 2536

HB 2536 changes some of the existing Child Nutrition Incentives included in the Student Success Act of 2019 by making the state income guidelines the default, rather than optional, which are not included in the changes proposed by ODE under HB 2060. It requires qualifying schools to recognize students eligible for meals at no cost using the Oregon Expanded Income Guidelines (EIG). Students who qualify through this EIG method are a portion of the students who are not federally eligible for free or reduced meals. Those eligible under the EIG will likely experience decreased food insecurity, increased access to nutrient dense foods, and will be prevented from incurring meal charges. Requiring schools to recognize eligibility at 300 percent of the federal poverty level will ensure that reimbursements are covering those with the highest need beyond those qualifying for free and reduced meals. The bill clarifies language to be aligned with federal law so as not to confuse certain categories of eligible students. It corrects the reimbursement amount per meal, waives the requirement for schools to offer meals at no charge to eligible students if ODE has insufficient funds for the reimbursements, and directs ODE to establish a process for determining and notifying schools if funds are not available to support making EIG mandatory.

**Similarities & Differences in
HB 2060 & HB 2536**

Similarities	Differences
<p>Both HB 2060 and HB 2536 attempt to rectify certain issues within school nutrition programs in Oregon.</p> <ul style="list-style-type: none"> ● One specific change contained in both HB 2060 and HB 2536 is updating the language in ORS 327.535. “Eligible student” would now mean a student who is eligible for free or reduced price meals under the United States Department of Agriculture’s National School Lunch Program or School Breakfast Program by all eligibility categories and not just by income for purposes of Oregon’s school breakfast requirements. ● The other major change contained in both is to modify school reimbursement rates of schools providing reimbursable meals free of charge in ORS 327.545. A previous definition for the reimbursable rate was “the actual amount that a student would have been required to pay for breakfast or lunch, taking into consideration if the student qualified for a free or reduced price lunch.” HB 2060 would change this to read, “the reimbursement rate established by the United States Department of Agriculture for reimbursable meals.” 	<p>To provide understanding on what HB 2536 is proposing that is separate from HB 2060:</p> <ul style="list-style-type: none"> ● Changes some of the existing Child Nutrition Incentives included in the SSA by <u>making the state income guidelines the default, rather than optional. This is a key difference.</u> ● Requires qualifying schools to recognize students eligible for meals at no cost using the Oregon Expanded Income Guidelines (EIG). ● Directs ODE to establish a process for insufficient state funds. ● Adds the word “free” in front of the “reimbursement rate established by the United States Department of Agriculture” for the purposes of the state reimbursement rate.

HB 2536 would adopt this same language, but also adds the word “free” in front of reimbursement rate.	
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Considering HB 2060 & HB 2536 Together

Considering these bills together, the two technical fixes contained within HB 2060 regarding child nutrition programs would be covered under what is proposed by HB 2536. However, both bills offer other ideas for the Legislature to consider - HB 2060 with a number of fixes overall to the Student Success Act, and HB 2536 with suggested improvements for our current system for free or reduced price meals and changes to some of the existing Child Nutrition Incentives included in the SSA by making them default rather than optional. This is a key difference between both proposals. Both bills are necessary to move forward with as they both make technical adjustments or clarify intent.

ODE urges the committee to support HB 2536.

Thank you for your consideration,
Jessica Ventura

Government Relations Director