

House Bill 510

By: Representatives Barnes of the 86th, Beverly of the 143rd, Clark of the 108th, Au of the 50th, Oliver of the 82nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
2 elementary and secondary education, so as to provide for breakfast and lunch programs for
3 all public school students in this state; to provide for such meals to be offered at no cost to
4 students who qualify for reduced price meals under federal and state guidelines; to provide
5 for school breakfast programs under the Quality Basic Education Act; to provide for funding;
6 to provide for rules and regulations; to encourage the use of Georgia grown products in
7 school breakfast and lunch programs; to provide for related matters; to repeal conflicting
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
12 secondary education, is amended in Article 3, relating to local boards of education, by
13 repealing and reserving Code Section 20-2-66, relating to school breakfast programs.

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14 **SECTION 2.**

15 Said chapter is further amended in Part 5 of Article 6, relating to program weights and
 16 funding requirements, by revising Code Section 20-2-187, relating to state-wide school lunch
 17 program, instruction in nutrition, hygiene, etiquette, and social graces, and school food and
 18 nutrition personnel, as follows:

19 "20-2-187.

20 (a)(~~1~~) The State Board of Education shall annually determine the amount of state funds
 21 needed to provide a state-wide school lunch program to offer quality and healthy meals to
 22 students enrolled in a public school in this state, and such amount shall include, but shall
 23 not be limited to, funds sufficient to ensure that such meals are offered at no cost to
 24 students who are eligible for reduced price meals under federal and state guidelines. The
 25 state board shall, by regulation, provide for certifying and classifying school ~~lunch food~~
 26 and nutrition supervisors and managers and establish training programs for school ~~lunch~~
 27 food and nutrition personnel. The state board is authorized to provide for the payment of:

28 (~~A~~)(1) Operating costs of school ~~lunchrooms~~ cafeterias, including breakfast costs, as
 29 financed by federal funds, for those students eligible under federal guidelines;

30 (~~B~~)(2) State supplements to the salaries paid to such personnel by local units of
 31 administration; and

32 (~~C~~)(3) State incentive pay for satisfactory completion of such training programs.

33 (~~2~~) ~~An application of local five mill share funds pursuant to Code Section 20-2-164 shall~~
 34 ~~not be made for payments to local units of administration under this Code section. Any~~
 35 ~~state funds appropriated for this purpose shall be used to supplement federal funds as a~~
 36 ~~means of keeping sale prices within reach of paying students and of maximizing~~
 37 ~~participation and quality meals for all students.~~

38 (b)(1) Each local school system in this state is encouraged to establish and support a
 39 school breakfast program to make breakfast available to students. All local school
 40 systems are required to establish and support a school breakfast program in all schools

41 with kindergarten through grade eight if at least 25 percent of the student population is
42 eligible for free or reduced price lunch under federal guidelines and in all schools not
43 containing kindergarten through grade eight if at least 40 percent of the student
44 population is eligible for free or reduced price lunch under federal guidelines.

45 (2) The State Board of Education shall annually determine the amount of state funds
46 needed to provide a state-wide school breakfast program to offer quality and healthy
47 meals to students enrolled in a public school in this state, and such amount shall include,
48 but shall not be limited to, funds sufficient to ensure that such meals are offered at no cost
49 to students who are eligible for reduced price meals under federal and state guidelines.
50 Each local school system operating a school breakfast program pursuant to paragraph (1)
51 of this subsection shall be reimbursed by the state at the federal reimbursement rate per
52 eligible meal prepared and served; provided, however, that, if federal funding for the
53 school breakfast program ceases, the state shall reimburse each local school system
54 operating a school breakfast program at the federal reimbursement rate per eligible meal
55 prepared and served that was in effect during the most recent full school year during
56 which federal funds were available.

57 (c) An application of local five mill share funds pursuant to Code Section 20-2-164 shall
58 not be made for payments to local units of administration under this Code section. Any
59 state funds appropriated for this purpose shall be used to supplement federal funds as a
60 means of maximizing student participation in school lunch programs and school breakfast
61 programs, ensuring that meals are offered at no charge to all students enrolled in a public
62 school in this state, and ensuring quality and healthy meals for all such students.

63 (d) The State Board of Education shall promulgate rules and regulations which:

64 (1) Establish minimum nutritional requirements for school lunch programs and school
65 breakfast programs which meet or exceed the minimum federal regulations;

66 (2) Utilize federal standards of income eligibility for free or reduced price meals for
67 low-income students;

68 (3) Prescribe uniform methods of determining eligibility for free or reduced price meals
 69 that are discreet and accessible. Each participating local school system shall establish a
 70 method to regularly notify parents of the availability of such programs;

71 (4) Provide that each participating local school system submit a plan of compliance;

72 (5) Provide that compliance with the standards and regulations of the National School
 73 Lunch Act and Child Nutrition Act of 1966, as amended, shall be deemed compliance
 74 with the requirements promulgated by the board;

75 (6) Assist participating local school systems in applying for and obtaining start-up grant
 76 money for such programs; and

77 (7) Encourage and assist participating local school systems in using Georgia grown
 78 produce, dairy, and poultry products.

79 ~~(b)~~(e) The State Board of Education is authorized to prescribe by appropriate rules and
 80 regulations that there may be included as part of the program of every public school in this
 81 state a course of instruction in nutrition, hygiene, etiquette, and the social graces relating
 82 to the partaking of meals and is further authorized to allot funds, in a manner consistent
 83 with the funding for the other various components of the instructional program, to local
 84 units of administration for costs directly associated with this program. There may be
 85 utilized in the course of instruction the full resources available to each individual school,
 86 including its cafeterias, school ~~lunch~~ food and nutrition personnel, and all practical
 87 demonstrations in the preparation and consumption of food which may be necessary to
 88 formulate a comprehensive course of instruction in such subject matter. Any period of the
 89 school day may be utilized for the teaching of this course of instruction, including that
 90 period usually reserved for the lunch period.

91 ~~(c)~~~~(f)~~(f)(1) The State Board of Education shall establish a system of allotments of funds
 92 to local units of administration to provide for services rendered on a ten-month basis by
 93 school food and nutrition personnel. The amount of funds paid to any local unit of
 94 administration shall be paid in 12 monthly payments and shall be based upon the number

95 of full-time equivalent school ~~lunch~~ food and nutrition positions needed to plan, prepare,
96 and serve meals in that local unit of administration, multiplied by an annual base
97 payment. For each school food and nutrition manager, the local unit of administration
98 shall earn the base payment as well as an amount not to exceed \$100.00 per month.

99 (2) The base payment shall be calculated on the basis of 1,520 hours in an annual school
100 year for a full-time equivalent school ~~lunch~~ food and nutrition position, multiplied by an
101 amount not less than \$161.00 per month for 12 months. Future annual increases in the
102 base payment shall reflect the same percentage increase provided by the state for other
103 state funded positions. The state board shall annually establish a state performance
104 standard and shall determine the number of full-time equivalent school ~~lunch~~ food and
105 nutrition positions needed to plan, prepare, and serve meals based on the state
106 performance standard and the average daily number of student ~~lunches~~ meals served
107 during the preceding school year.

108 (3) Each local unit of administration shall establish a staffing pattern and determine the
109 number of personnel to employ. Local units of administration shall establish the salary
110 schedule for school food and nutrition personnel and shall use the base payments in
111 financing the locally established salary schedule."

112 **SECTION 3.**

113 All laws and parts of laws in conflict with this Act are repealed.