

FEB 2 1999

EDUCATION

HOUSE FILE
BY BRAUNS

186

Passed House, Date _____

Passed Senate, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to school district plans for student access to
2 school breakfast programs.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 186

1 Section 1. Section 283A.2, subsection 2, as enacted by
2 1994 Iowa Acts, chapter 1193, section 24, is amended to read
3 as follows:

4 2. a. A school districts district shall operate or
5 provide for the operation of school breakfast and lunch
6 programs at all public-schools attendance centers in each the
7 district. However, with the approval of the department of
8 education as provided in paragraph "b", a school district may
9 provide access to a school breakfast program at an alternative
10 site to students who wish to participate in a school breakfast
11 program. The programs shall provide students with
12 nutritionally adequate meals and shall be operated in
13 compliance with the rules of the state board of education and
14 pertinent federal law and regulation, for all students in each
15 district who attend public school and wish to participate in a
16 school breakfast or lunch program.

17 b. The board of directors of a school district that wishes
18 to provide safe, reasonable student access to a school
19 breakfast program, rather than operate or provide for the
20 operation of a school breakfast program at an attendance
21 center within the school district, shall annually submit to
22 the department of education a plan that meets the requirements
23 of this section. The department shall evaluate the plan,
24 determine whether the plan meets requirements for safety and
25 reasonable access to a school breakfast program, and shall
26 approve or refuse to approve the plan. The state board shall
27 establish criteria for the approval of a plan for safe,
28 reasonable student access to a school breakfast program
29 provided at a site other than the attendance center at which
30 the student is enrolled.

31 Sec. 2. Section 283A.2, subsection 3, Code 1999, is
32 amended to read as follows:

33 3. Effective July 1, 1999, all school districts shall
34 operate or provide for the operation of school breakfast
35 programs at all public schools school attendance centers in

1 each district, or shall, with the approval of the department
2 of education as provided in paragraph "b", provide access to a
3 school breakfast program at an alternative site to students
4 who wish to participate in a school breakfast program. The
5 programs shall provide students with nutritionally adequate
6 meals and shall be operated in compliance with the rules of
7 the state board of education and pertinent federal law and
8 regulation, for all students in each district who attend
9 public school and who wish to participate in a school
10 breakfast program.

11 a. A school or school district unable to meet the
12 requirement to provide a school breakfast program may, not
13 later than June 1, 1999, for the school year beginning July 1,
14 1999, file a written request to the department of education
15 that the department waive the requirement for that school or
16 school district. The written request shall include the reason
17 for which the waiver is being requested. The state board
18 shall evaluate the application for waiver, determine the
19 validity of the reason for which the waiver is being
20 requested, and grant or deny the application for waiver. The
21 state board shall establish criteria for determination of the
22 validity of reasons for waiver of the requirement that school
23 breakfast programs be operated at each school. However, the
24 state board shall not waive the school breakfast program
25 requirement for a school if thirty-five percent or more of the
26 students in attendance at the school during the month of March
27 1999 were eligible for free or reduced price meals under the
28 federal National School Lunch Act and the federal Child
29 Nutrition Act of 1966, 42 U.S.C. § 1751--1785.

30 b. The board of directors of a school district that wishes
31 to provide safe, reasonable student access to a school
32 breakfast program, rather than operate or provide for the
33 operation of a school breakfast program at an attendance
34 center within the school district, shall annually submit to
35 the department of education a plan that meets the requirements

1 of this section. The department shall evaluate the plan,
2 determine whether the plan meets requirements for safety and
3 reasonable access to a school breakfast program, and shall
4 approve or refuse to approve the plan. The state board shall
5 establish criteria for the approval of a plan for safe,
6 reasonable student access to a school breakfast program
7 provided at a site other than the attendance center at which
8 the student is enrolled.

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EXPLANATION

10 This bill provides a school district with an alternative to
11 operating or providing a school breakfast program at each
12 attendance center within the school district.

13 Under the bill, a school district that wishes to provide
14 safe, reasonable student access to a school breakfast program,
15 rather than operate or provide for the operation of a school
16 breakfast program at a particular attendance center within the
17 school district as required as of July 1, 1999, under current
18 law, shall annually submit to the department of education a
19 plan that meets the requirements for safe and reasonable
20 student access. The department shall evaluate the plan,
21 determine whether the plan meets requirements for safety and
22 reasonable access to a school breakfast program, and approve
23 or refuse to approve the plan.

24 The state board is required to establish criteria for the
25 approval of a plan for safe, reasonable student access to a
26 school breakfast program provided at a site other than the
27 attendance center in which the student is enrolled.

28 Under current law, a school district that cannot meet the
29 school breakfast program requirements by July 1, 1999, may
30 apply to the department of education for a waiver by June 1,
31 1999. This provision, which is Code section 283A.2,
32 subsection 3, as amended in the bill, is struck from the Code
33 effective July 1, 2000. After that date, each school district
34 will be required to provide a school breakfast program at each
35 public school or, as provided under this bill, provide access

1 to a school breakfast program at an alternative site.

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