

1                                    AMENDMENT TO SENATE BILL 1400

2            AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1400, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5            "Section 1. Short title. This Act may be cited as the  
6 Childhood Hunger Relief Act.

7            Section 5. State policy and legislative intent. The  
8 General Assembly recognizes that hunger and food security are  
9 serious problems in the State of Illinois with as many as one  
10 million citizens being affected. These citizens have lost  
11 their sense of food security. Food insecurity occurs whenever  
12 the availability of nutritionally adequate and safe foods or  
13 the ability to acquire acceptable foods in socially  
14 acceptable ways is limited or uncertain. Hunger is a painful  
15 or uneasy sensation caused by a recurrent or involuntary lack  
16 of food and is a potential, although not necessary,  
17 consequence of food insecurity. Over time, hunger may result  
18 in malnutrition. It is estimated that just under 600,000  
19 Illinois children experience hunger or food insecurity,  
20 meaning that they either go without eating meals, or their  
21 parents or guardians cannot provide the kinds of food they  
22 need. At present, the Illinois economy is steadily

1 experiencing a 6% unemployment rate, people are being laid  
2 off who thought they had job security, and the unemployed are  
3 remaining unemployed beyond the terms of unemployment  
4 benefits. Emergency food providers throughout the State are  
5 experiencing an increase in the number of working poor  
6 families requesting emergency food. In November 2002,  
7 Illinois was ranked 49th in the nation in providing school  
8 breakfasts to low-income children of families who meet the  
9 criteria for free and reduced-price lunches. Because  
10 low-income children are not being adequately nourished, even  
11 to the point where many are arriving at school hungry, the  
12 General Assembly believes it is in the best interest of  
13 Illinois to utilize resources available through existing  
14 child nutrition programs, to the fullest extent possible.

15 The General Assembly also recognizes a definite  
16 correlation between adequate child nutrition and a child's  
17 physical, emotional, and cognitive development. There is  
18 also a correlation between adequate nutrition and a child's  
19 ability to perform well in school. Documented research has  
20 proven that school breakfasts improve attendance and increase  
21 a child's readiness to learn. In this regard, the General  
22 Assembly realizes the importance of the National School  
23 Breakfast Program and the Summer Food Service Program as  
24 effective measures that must be widely implemented to ensure  
25 more adequate nutrition for Illinois children.

26 Section 10. Definitions. In this Act:

27 "Hunger" means a symptom of poverty caused by a lack of  
28 resources that prevents the purchasing of a nutritionally  
29 adequate diet resulting in a chronic condition of being  
30 undernourished.

31 "Food insecurity" means a limited or uncertain  
32 availability of nutritionally adequate foods.

33 "Food security" means ensured access to enough food for

1 an active, healthy life.

2 "School Breakfast Program" means the federal child  
3 nutrition entitlement program that helps serve nourishing  
4 low-cost breakfast meals to school children. In addition to  
5 cash assistance, participating schools get USDA-donated foods  
6 and technical guidance. Payments to schools are higher for  
7 meals served to children who qualify, on the basis of family  
8 size and income, for free or reduced-price meals. The  
9 program is administered in Illinois by the State Board of  
10 Education.

11 "Summer Food Service Program" means the federal child  
12 nutrition entitlement program that helps communities serve  
13 meals to needy children when school is not in session. The  
14 USDA reimburses sponsors for operating costs of food services  
15 up to a specific maximum rate for each meal served. In  
16 addition, sponsors receive some reimbursement for planning  
17 and supervising expenses. The program in Illinois is  
18 administered by the State Board of Education.

19 Section 15. School breakfast program.

20 (a) By September 1, 2003, the board of education of each  
21 school district in this State shall implement a school  
22 breakfast program if a breakfast program does not currently  
23 exist, in accordance with federal guidelines in each school  
24 within its district in which at least 40% or more of the  
25 students are eligible for free or reduced-price lunches based  
26 upon the count on October 31.

27 During the 2002-2003 school year, the board of education  
28 of each school district in the State shall determine which  
29 schools within their districts will be required to implement  
30 a school breakfast program.

31 (b) School districts may charge students who do not meet  
32 federal criteria for free or reduced-price school meals for  
33 the breakfasts served to these students within the allowable

1 limits set by federal regulations.

2 (c) School breakfast programs established under this  
3 Section shall be supported entirely by federal funds and  
4 commodities, charges to students and other participants, and  
5 other available State and local resources, including under  
6 the School Breakfast and Lunch Program Act.

7 Section 20. Summer food service program.

8 (a) The State Board of Education shall promulgate a  
9 State plan for summer food service programs in accordance  
10 with 42 U.S.C. Sec. 1761 and any other applicable federal  
11 laws and regulations, by February 15, 2004.

12 (b) By the summer of 2004, it is strongly encouraged  
13 that the board of education of each school district in this  
14 State in which at least 50% of the students are eligible for  
15 free or reduced-price school meals operate a summer food  
16 service program or identify a non-profit or private agency to  
17 sponsor a summer food service program within the school  
18 district's boundaries.

19 (c) Summer food service programs established under this  
20 Section may be supported by federal funds and commodities and  
21 other available State and local resources.

22 Section 95. The School Breakfast and Lunch Program Act  
23 is amended by changing Sections 2.5, 4, and 5 as follows:

24 (105 ILCS 125/2.5)

25 Sec. 2.5. Breakfast incentive program. The State Board  
26 of Education shall fund a breakfast incentive program  
27 comprised of the components described in paragraphs (1), (2),  
28 and (3) of this Section, provided that a separate  
29 appropriation is made for the purposes of this Section. The  
30 State Board of Education may allocate the appropriation among  
31 the program components in whatever manner the State Board of

1 Education finds will best serve the goal of increasing  
2 participation in school breakfast programs. If the amount of  
3 the appropriation allocated under paragraph (1), (2), or (3)  
4 of this Section is insufficient to fund all claims submitted  
5 under that particular paragraph, the claims under that  
6 paragraph shall be prorated.

7 (1) The State Board of Education may reimburse each  
8 sponsor of a school breakfast program an additional \$0.10  
9 for each free, reduced-price, and paid breakfast served  
10 over and above the number of such breakfasts served in  
11 the same month during the preceding year, provided that  
12 the number of breakfasts served in a participating school  
13 building ~~by--the--sponsor~~ in that month is at least 10%  
14 greater than the number of breakfasts served in the same  
15 month during the preceding year.

16 (2) The State Board of Education may make grants to  
17 school boards and welfare centers that agree to start a  
18 school breakfast program in one or more schools or other  
19 sites. First priority for these grants shall be given to  
20 schools in which 40% 50% or more of their students are  
21 eligible for free and reduced price meals under the  
22 National School Lunch Act (42 U.S.C. 1751 et seq.).  
23 Depending on the availability of funds and the rate at  
24 which funds are being utilized, the State Board of  
25 Education is authorized to allow additional schools or  
26 other sites to receive these grants. In making  
27 additional grants, the State Board of Education shall  
28 provide for priority to be given to schools with the  
29 highest percentage of students eligible for free and  
30 reduced price lunches under the National School Lunch  
31 Act. The amount of the grant shall be \$3,500 for each  
32 qualifying school or site in which a school breakfast  
33 program is started. The grants shall be used to pay the  
34 start-up costs for the school breakfast program,

1 including equipment, supplies, and program promotion, but  
2 shall not be used for food, labor, or other recurring  
3 operational costs. Applications for the grants shall be  
4 made to the State Board of Education on forms designated  
5 by the State Board of Education. Any grantee that fails  
6 to operate a school breakfast program for at least 3  
7 years after receipt of a grant shall refund the amount of  
8 the grant to the State Board of Education.

9 (3) The State Board of Education may reimburse a  
10 school board for each free, reduced-price, or paid  
11 breakfast served in a school breakfast program located in  
12 a school in which 80% or more of the students are  
13 eligible to receive free or reduced price lunches under  
14 the National School Lunch Act (42 U.S.C. 1751 et seq.) in  
15 an amount equal to the difference between (i) the current  
16 amount reimbursed by the federal government for a free  
17 breakfast and (ii) the amount actually reimbursed by the  
18 federal government for that free, reduced-price, or paid  
19 breakfast. A school board that receives reimbursement  
20 under this paragraph (3) shall not be eligible in the  
21 same year to receive reimbursement under paragraph (1) of  
22 this Section.

23 (Source: P.A. 91-843, eff. 6-22-00.)

24 (105 ILCS 125/4) (from Ch. 122, par. 712.4)

25 Sec. 4. Accounts; copies of menus served; free lunch  
26 program required; report. School boards and welfare centers  
27 shall keep an accurate, detailed and separate account of all  
28 moneys expended for school breakfast programs, school lunch  
29 programs, free breakfast programs, and free lunch programs,  
30 and summer food service programs, and of the amounts for  
31 which they are reimbursed by any governmental agency, moneys  
32 received from students and from any other contributors to the  
33 program. School boards and welfare centers shall also keep

1 on file a copy of all menus served under the programs, which  
2 together with all records of receipts and disbursements,  
3 shall be made available to representatives of the State Board  
4 of Education at any time.

5 Every public school must have a free lunch program.

6 In 2001 and in each subsequent year, the State Board of  
7 Education shall provide to the Governor and the General  
8 Assembly, by a date not later than March 1, a report that  
9 provides all of the following:

10 (1) A list by school district of all schools, the  
11 total student enrollment, and the number of children  
12 eligible for free, reduced price, and paid breakfasts and  
13 lunches.

14 (2) A list of schools that have started breakfast  
15 programs during the past year along with information on  
16 which schools have utilized the \$3,500 start-up grants  
17 and the additional \$0.10 per meal increased participation  
18 incentives established under Section 2.5 of this Act.

19 (3) A list of schools that have used the school  
20 breakfast program option outlined in this Act, a list of  
21 schools that have exercised Provision Two or Provision  
22 Three under the Child Nutrition Act of 1966 (42 U.S.C.  
23 1771 et seq.), and a list of schools that have dropped  
24 either school lunch or school breakfast programs during  
25 the past year and the reasons why.

26 In 2001, 2003, and 2005 the report required by this  
27 Section shall also include information that documents the  
28 results of surveys designed to identify parental interest in  
29 school breakfast programs and documents barriers to  
30 establishing school breakfast programs. To develop the  
31 surveys for school administrators and for parents, the State  
32 Board of Education shall work in coordination with the State  
33 Board of Education's Child Nutrition Advisory Council and  
34 local committees that involve parents, teachers, principals,

1 superintendents, business, and anti-hunger advocates,  
2 organized by the State Board of Education to foster community  
3 involvement. The State Board of Education is authorized to  
4 distribute the surveys in all schools where there are no  
5 school breakfast programs.

6 (Source: P.A. 91-843, eff. 6-22-00.)

7 (105 ILCS 125/5) (from Ch. 122, par. 712.5)

8 Sec. 5. Application for participation in programs.  
9 Applications for participation in the school breakfast  
10 program, the school lunch program, the free breakfast  
11 program, and the free lunch program, and the summer food  
12 service program shall be made on forms provided by the State  
13 Board of Education and filed with the State Board, ~~through~~  
14 ~~the Regional Superintendent of Schools.~~ The Department of  
15 Human Services shall work with the State Board of Education  
16 to certify all children that are eligible for participation.

17 (Source: P.A. 91-843, eff. 6-22-00.)

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law."