

By: Rodriguez

H.B. No. 275

A BILL TO BE ENTITLED

AN ACT

1
2 relating to methods to increase the number of students who
3 participate in school breakfast programs.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Chapter 12, Agriculture Code, is amended by
6 adding Sections 12.044 and 12.045 to read as follows:

7 Sec. 12.044. SCHOOL BREAKFAST PARTICIPATION INITIATIVES.

8 (a) In this section, "breakfast program" means the national school
9 breakfast program provided for by the Child Nutrition Act of 1966
10 (42 U.S.C. Section 1773).

11 (b) Each school district shall instruct its school health
12 advisory council to study and recommend to the district methods to
13 increase participation in the breakfast program. The school health
14 advisory council shall consider the likely benefit of a program to
15 educate parents on the importance to their children's health of a
16 regular eating schedule that includes breakfast.

17 (c) The department shall:

18 (1) encourage each school in which 60 percent or more
19 of the students qualify for free or reduced-price breakfast to
20 offer a free breakfast to all students in the school regardless of
21 family income; and

22 (2) encourage schools to investigate alternative
23 methods of serving breakfast, including serving breakfast after the
24 school day has begun.

1 Sec. 12.045. SCHOOL BREAKFAST PARTICIPATION EXPANSION
2 GRANTS. (a) In this section, "Provision 2" means the method of
3 certifying children for free or reduced-price meals under 7 C.F.R.
4 Section 245.9(b).

5 (b) The department by rule shall establish a competitive
6 grant program through which the department will award grants for
7 the implementation of school breakfast participation expansion
8 programs. The department shall determine the grant period and the
9 renewal procedures, if applicable.

10 (c) Grant proceeds may be used to fund expenses associated
11 with a school breakfast participation expansion program,
12 including:

13 (1) labor and training costs associated with
14 incorporating breakfast into the regular school day;

15 (2) the purchase price of insulated containers and
16 other equipment used to serve breakfast after the regular school
17 day has begun;

18 (3) costs associated with an outreach program to
19 publicize to parents the school breakfast expansion program; and

20 (4) incentive payments to school principals who meet
21 goals for increased school breakfast participation.

22 (d) Grants under this section may be funded by gift or
23 legislative appropriation. The department may receive gifts,
24 donations, and grants of money to assist in financing the
25 competitive grant program.

26 (e) An applicant for a grant under this section must be a
27 school district. The applicant may apply for a grant to fund a

1 school breakfast expansion program:

2 (1) for the entire district if the district meets the
3 eligibility requirements under Subsection (f); or

4 (2) in one or more schools that meet the eligibility
5 requirements under Subsection (f).

6 (f) A district is eligible to be considered for a grant
7 under this section if:

8 (1) 60 percent or more of the students in the district
9 or the applicable schools receive free or reduced-price meals in
10 the 2008-2009 school year;

11 (2) the district or schools do not currently use a
12 nontraditional method to serve school breakfast; and

13 (3) the number of students who receive breakfast from
14 the district or the applicable schools is less than 50 percent of
15 the number of students who receive lunch from the school.

16 (g) To apply for a grant, an applicant must submit a written
17 application to the department including a school breakfast
18 participation expansion plan that:

19 (1) identifies strategies that the district or schools
20 will use to incorporate breakfast into the regular school day and
21 increase the number of students who eat school breakfast;

22 (2) indicates whether the district or schools will
23 serve free meals to all students and, if so, indicates whether the
24 district or schools will use Provision 2 or another method to ensure
25 the integrity of claims for free or reduced-price meals;

26 (3) details how the grant proceeds will be used; and

27 (4) includes a goal for the percentage increase in the

1 number of students who will eat school breakfast during the grant
2 period.

3 (h) Each grant recipient must submit a report to the
4 department quarterly that indicates:

5 (1) how the recipient is using the grant proceeds;

6 (2) the amount of grant proceeds the recipient has
7 spent; and

8 (3) the recipient's progress toward meeting its goal
9 under Subsection (g)(4).

10 (i) The department shall:

11 (1) develop requests for proposals associated with the
12 grant program;

13 (2) select grant recipients; and

14 (3) monitor each recipient's use of grant proceeds.

15 SECTION 2. Not later than December 1, 2009, the Department
16 of Agriculture shall establish and implement the school breakfast
17 participation expansion grant program under Section 12.045,
18 Agriculture Code, as added by this Act.

19 SECTION 3. This Act takes effect September 1, 2009.