



General Assembly

Amendment

February Session, 2004

LCO No. 4888

HB0534404888SD0

Offered by:

SEN. WILLIAMS, 29th Dist.

SEN. MURPHY, 16th Dist.

To: House Bill No. 5344

File No. 538

Cal. No. 368

**"AN ACT CONCERNING CHILDHOOD NUTRITION IN SCHOOLS,
RECESS AND LUNCH BREAKS."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2004*) Each local and regional
4 board of education shall require each school under its jurisdiction to
5 (1) offer all full day students a daily lunch period of not less than
6 twenty minutes, and (2) include in the regular school day for each
7 student enrolled in grades kindergarten to five, inclusive, a period of
8 physical exercise, except that a planning and placement team may
9 develop a different schedule for a child requiring special education
10 and related services in accordance with chapter 164 of the general
11 statutes and the Individuals With Disabilities Education Act, 20 USC
12 1400 et seq., as amended from time to time. In the event of a conflict
13 with this section and any provision of chapter 164 of the general
14 statutes, such other provision of chapter 164 of the general statutes
15 shall be deemed controlling.

16 Sec. 2. (NEW) (*Effective July 1, 2004*) Each local and regional board of
17 education shall make available in the schools under its jurisdiction for
18 purchase by students enrolled in such schools nutritious, low-fat foods
19 and drinks, which shall include, but not be limited to, low-fat milk, one
20 hundred per cent natural fruit juices and water at all times when drink
21 is available for purchase by students in such schools and low-fat dairy
22 products and fresh or dried fruit at all times when food is available for
23 purchase by students in such schools during the regular school day.

24 Sec. 3. Section 10-266w of the general statutes, as amended by
25 section 26 of public act 03-76, is repealed and the following is
26 substituted in lieu thereof (*Effective July 1, 2004*):

27 (a) For each fiscal year, each local and regional board of education
28 having at least one school building designated as a severe need school,
29 as defined by federal law governing school nutrition programs, in the
30 fiscal year two years prior to the grant year, shall be eligible to receive
31 a grant to assist in providing school breakfasts to all students in each
32 eligible severe need school, provided any local or regional board
33 having at least one school building so designated shall participate in
34 the federal school breakfast program on behalf of all severe need
35 schools in the district with grades six through eight [or under] in
36 which at least eighty per cent of the lunches served are served to
37 students who are eligible for free or reduced price lunches pursuant to
38 federal law and regulations.

39 **(b) For each fiscal year, each local and regional board of education**
40 **having at least one school building designated as a severe need school,**
41 **as defined by federal law governing school nutrition programs, in the**
42 **fiscal year two years prior to the grant year, shall be eligible to receive**
43 **a grant to assist in providing school breakfasts to all students in each**
44 **eligible severe need school, provided any local or regional board**
45 **having at least one school building so designated shall participate in**
46 **the federal school breakfast program on behalf of all severe need**
47 **schools in the district with grades five or under in which at least forty**
48 **per cent of the lunches served are served to students who are eligible**

49 for free or reduced price lunches pursuant to federal law and
50 regulations.

51 [(b)] (c) Grants under this section shall be contingent on
52 documented direct costs of a school breakfast program which exceed
53 the federal aid and cash income received by a school breakfast
54 program. Eligible boards of education shall submit applications, on
55 behalf of each of their severe need schools, for grants under this section
56 to the Commissioner of Education. Applications shall be submitted in
57 such form and at such times as the commissioner shall prescribe.

58 [(c)] (d) Within the limits of available funds, the amount to which
59 each eligible local or regional board of education is entitled for each
60 fiscal year under this section shall be the sum of (1) three thousand
61 dollars for each severe need school in the school district which
62 provides a school breakfast program prorated per one hundred eighty
63 days of the school year; and (2) ten cents per breakfast served in each
64 severe need school. If the amount due eligible boards of education
65 exceeds the amount of funds available, the grants calculated under
66 subdivision (2) of this subsection shall be reduced proportionately. In
67 each fiscal year, grants calculated under subdivision (1) of this
68 subsection shall be paid in October, and grants calculated under
69 subdivision (2) of this subsection shall be paid in equal installments in
70 January and May. Based on verification of the data used to calculate
71 such grants, any underpayment or overpayment may be calculated
72 and adjusted by the Department of Education in any subsequent year's
73 grant.

74 [(d)] (e) Each local and regional board of education participating in
75 the grant program shall prepare a financial statement of expenditures
76 which shall be submitted to the department on or before September
77 first of the fiscal year immediately following each fiscal year in which
78 the school district participates in the grant program. If the
79 commissioner finds that any school breakfast grant recipient uses such
80 grant for purposes which are not in conformity with the purposes of
81 this section, the commissioner may require repayment of the grant to

82 the state."

This act shall take effect as follows:	
Section 1	<i>July 1, 2004</i>
Sec. 2	<i>July 1, 2004</i>
Sec. 3	<i>July 1, 2004</i>