

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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**SENATE BILL 415
Education/Higher Education Committee Substitute Adopted 6/8/11**

Short Title: Eliminate Cost/Reduced-Price Sch Breakfast.

(Public)

Sponsors:

Referred to:

March 24, 2011

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE SCHOOL BREAKFASTS AT NO COST FOR SCHOOL
2 CHILDREN WHO QUALIFY FOR REDUCED-PRICE MEALS AT SCHOOLS
3 PARTICIPATING IN THE NATIONAL SCHOOL BREAKFAST PROGRAM; AND TO
4 REQUIRE THE STATE BOARD OF EDUCATION TO REPORT ON THE PUBLIC
5 SCHOOL NUTRITION PROGRAMS OPERATED BY THE LOCAL SCHOOL
6 ADMINISTRATIVE UNITS UNDER THE JURISDICTION OF CHILD NUTRITION
7 SERVICES OF THE DEPARTMENT OF PUBLIC INSTRUCTION; AND TO DIRECT
8 THE STATE AUDITOR TO AUDIT CHILD NUTRITION SERVICES OF THE
9 DEPARTMENT OF PUBLIC INSTRUCTION.
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11 The General Assembly of North Carolina enacts:

12 **SECTION 1.** Notwithstanding Section 8.26 of S.L. 1999-237, funds appropriated
13 for the school breakfast program shall be used to provide school breakfasts at no cost to
14 students of all grade levels qualifying for reduced-price meals in all schools participating in the
15 National School Breakfast Program. If appropriated funds are insufficient to provide school
16 breakfasts at no cost to students qualifying for reduced-price meals, local child nutrition
17 programs shall charge the students qualifying for reduced-price meals the allowable amount for
18 a reduced-price breakfast under the guidelines of the National School Breakfast Program.

19 **SECTION 2.** The State Board of Education shall report by November 15, 2011, to
20 the Joint Legislative Education Oversight Committee and the Joint Legislative Commission on
21 Governmental Operations on an overview of the federally supported food service programs.
22 The report shall include the procedure for participation in the programs, including the numbers
23 of students who apply, are accepted, and are rejected for free and reduced-price meals as a part
24 of the programs or automatically qualify for the programs as required by the United States
25 Department of Agriculture.

26 **SECTION 3.** The State Auditor shall audit the Division of School Support, Child
27 Nutrition Services of the Department of Public Instruction by December 15, 2011, and report to
28 the Joint Legislative Education Oversight Committee and the Joint Legislative Commission on
29 Governmental Operations. In its report, the State Auditor shall determine whether the local
30 school administrative units' participation in the federally supported food service programs
31 effectively serve the intent of the General Assembly and comply with federal and State law and
32 regulations.

33 **SECTION 4.** This act becomes effective July 1, 2011.

