

SENATE BILL No. 438

By Committee on Education

2-2

1 AN ACT concerning education; relating to school districts; requiring
2 eligible boards of education to consider participation in the community
3 eligibility program; providing a financial hardship exception to such
4 participation; requiring the state department of education to assist
5 school districts seeking such participation.
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. (a) ***Each school year***, the board of education of each
9 school district shall determine the number of students enrolled in and
10 attending school in each school of such district who qualifies for free
11 meals under the national school lunch program. School districts may
12 provide appropriate instruction and assistance to students and families as
13 necessary to ensure accurate student participation in such program.

14 (b) (1) Except as provided in paragraph (2), after making the
15 determination provided in subsection (a), if a school district or school of
16 the school district is eligible to participate in the community eligibility
17 provision of 42 U.S.C. § 1759a, the board of education of such school
18 district shall consider such participation. If such participation is so desired
19 and would not cause financial hardship as provided in paragraph (2), such
20 board of education shall ~~adopt by majority vote a resolution to~~ officially
21 affirm such participation ***and direct the superintendent to perform any***
22 ***necessary tasks for such participation.***

23 (2) If participation in the community eligibility provision of 42
24 U.S.C. § 1759a would cause financial hardship to a school district, the
25 board of education of such school district shall demonstrate the financial
26 hardship in an open public meeting of such board and ~~adopt by majority~~
27 ~~vote a resolution declaring~~ ***declare*** that such school district or school of a
28 school district ~~is unable~~ ***elects not*** to participate in the community
29 eligibility provision.

30 (c) The state department of education shall assist any school district
31 with one or more schools that qualify for the community eligibility
32 provision in such school district's efforts to participate in the community
33 eligibility provision of 42 U.S.C. § 1759a.

34 Sec. 2. This act shall take effect and be in force from and after its
35 publication in the statute book.