

Assembly Bill 95 (Torlakson)

An act to amend Section 49430.5 of the Education Code, relating to school meals, making an appropriation therefore, and declaring the urgency thereof, to take effect immediately.

Legislative Counsel's Digest

Existing law requires each school district or county superintendent of schools maintaining kindergarten or any of grades 1 to 12, inclusive, to provide for each needy pupil one free or reduced-price meal during the school day, as specified. Existing law establishes the reimbursement rate a school receives for free and reduced price meals sold or served to pupils.

This bill would specify that, if the Superintendent of Public Instruction determines that the appropriation set forth in the Budget Act of 2008–09 is insufficient to fully fund all free and reduced price meal reimbursement claims, the State Department of Education shall notify the Legislature of the statutory funding amount necessary to reimburse school districts at the prescribed rate. The bill would appropriate \$19,500,000 to reimburse claims pursuant to those provisions. This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3. Appropriation: yes. Fiscal committee: yes.

State-mandated local program: no.

Staff Recommendation:

Support AB 95

The bill will help to ensure state reimbursements through the end of the 2008-09 school year. If the bill does not pass, OUSD may not receive approximately \$200,000 in reimbursement for May and June.

The State is running out of funds due to the increase in participation in the meal program. State reimbursement is set as a cap appropriation, so once the money is used up it is gone. When forecasting for 2008-09 SY, the CDE did not anticipate the 12% increase in student participation that has occurred across the State.