

Breakfast Legislation, Report to Governor's Council on Food Security September 30, 2014

Nevada Legislation

Executive Order

Governor's Council on Food Security created February 2014.

- Governor commissioned a State Plan for Food Security (completed 2/2013) to ensure leaders from public and private agencies joined forces to incorporate economic development opportunities into solutions for food security for all Nevadans.
- Governor acted on the Nevada Plan for Action by establishing an Office of Food Security (fall 2013) to reside in the Director's Office in the Department of Health and Human Services. This position is solely dedicated to food security issues.

Legislative History

*AB 137, 2011*¹ - Required breakfast be served after the bell in certain schools. In addition, school districts were required to submit formal reports to the Department of Education. School Districts added multi-million dollar fiscal note to bill (*please see footnote for veto information*).

2015 Options

- Require the Department of Education to report breakfast and lunch participation rates as part of the school accountability reports (NRS 385.3469, et seq).
- Require a school district to offer breakfast after the bell in all schools receiving the lowest ratings on the school performance framework, regardless of FRL status (NRS 385.3613, NRS 385.366).
- Require the inclusion of food security and related wraparound services in all school performance plans for high FRL schools.
- Examine other state model legislation (see below).

Other State Legislation

Colorado

Share our Strength recommends this state model to utilize in Nevada. It requires all schools with 70% or more eligible children for free and reduced lunch to serve free breakfast after the school bell.

If a school falls under the 70% category for two years in a row, it is not required to serve breakfast, although the school may choose to do so.

New Mexico

Governor Martinez signed Senate Bill 144 into law in April, 2011, which mandated that high-poverty elementary schools (those with 85% or more of enrolled students were eligible for free or reduced-price lunch) serve breakfast after the school bell rang.

The state also increased its participation in summer meal service by 1% (over 13,000 meals) by recruiting sponsors in targeted areas, offering small grants to new sponsors (who served close to 50,000 meals themselves), and piloting mobile summer meal programs.

West Virginia

SB 663 is a comprehensive bill that was developed after the senate majority leader of West Virginia was in an elementary classroom instructing students on how a bill was made into law. He

¹ In Nevada, AB 137 passed in 2011. The bill required qualifying schools to serve breakfast after the school bell and free to all students. It also required the Department of Education and school districts to report on breakfast and Child Nutrition Programs on a biennial basis. The bill was vetoed because governing boards and school districts were authorized to operate nutrition programs under existing law, and Governor was confident those bodies were capable of determining the best way to operate each program.

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allowed the children to draft legislation in order to demonstrate the process. He was surprised when the final two bills debated were for extra recess, and for an extra lunch. When he asked the student who proposed the extra lunch, the boy said it was so he could give the extra lunch to his brother because he's hungry at home. The student who proposed this bill stood next to the Governor as "The Feed to Achieve" bill was signed.

The bill mandates all children in the state have at least two nutritious meals a day by requiring all schools to ensure students have an adequate opportunity to eat breakfast; the West Virginia Department of Education and all county boards of education establish an account for private donations/supplemental funds to increase meal participation and develop/expand partnerships with local and federal agencies (agriculture, health, gardening); and that the Office of Child Nutrition reports annually to the Legislature on impacts and recommended legislation.

National Conference of State Legislatures (NCSL)

NCSL launched a Hunger Partnership to provide nutrition assistance to those in need. The overarching goal is to link state legislators, legislative staff and interested businesses to create innovative and successful programs in addition to creating bi-partisan, public-private, mechanisms to support legislators in efforts to reduce hunger.

West Virginia utilized this organization to help create SB 663, the West Virginia "Feed to Achieve Act," to encourage private investment into schools' nutrition and wellness programs.

Maryland

The Governor's Office of Children and the No Kid Hungry campaign partnered to co-lead the Partnership to End Childhood Hunger in Maryland.

Governor O'Malley held a press conference calling attention to childhood hunger and distributed informational packets which explained how many in his state were going hungry. It brought attention to the problem, and since then, breakfast meal service has increased by 9.6%.

Legislation was passed for the Maryland Meals for Achievement. Overview below (taken verbatim from nokidhungry.org best practices brief; 40% of a school must be eligible in the free and reduced category to qualify):

"MMFA began as a pilot program in six schools in 1998 as a result of work led by the Maryland Food Committee working with leadership from six school jurisdictions, the state director of the child nutrition programs, and the Abell Foundation. In its initial year, the pilot program operated with private funding. In its second year, the Maryland State House passed legislation establishing the program, but without dedicated state funding. By the third year, the state appropriated funding for 50 schools and over the ensuing years, the program has grown to serve more schools reaching the current level of 271. However, despite this growth, MMFA is only available to about a third of eligible schools due to funding constraints. Advocates in Maryland are actively working on an advocacy campaign to fully-fund MMFA."

Illinois

Chicago Public Schools shows how local governing bodies can affect breakfast (verbatim from Share our Strength Case Study on Chicago Public Schools):

"By taking a strategic approach to expanding school breakfast participation, Chicago Public Schools (CPS) was able to dramatically expand participation in school breakfast and help ensure that thousands of low-income students in the district got a healthy start to their day. Recognizing that their poor participation rates needed to improve, CPS began with testing a Breakfast in the Classroom model, and when that proved successful, slowly expanding through voluntary adoption and, ultimately, by instituting a district-wide policy for Breakfast in the Classroom in all elementary schools."