

AMENDED IN ASSEMBLY APRIL 12, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 1385

Introduced by Assembly Member Laird

(Principal coauthor: Assembly Member Maze)

*(Coauthors: Assembly Members Chan, Dymally, Hancock, Jones,
Pavley, Salinas, and Wolk)*

(Coauthors: Senators Alquist, Kuehl, and Perata)

February 22, 2005

An act to add Section 49561 to the Education Code, relating to pupil nutrition.

LEGISLATIVE COUNSEL'S DIGEST

AB 1385, as amended, Laird. School meals.

Existing law requires school districts and county superintendents of schools to provide free or reduced-price meals to needy pupils as part of the National School Lunch and School Breakfast programs.

This bill would require the State Department of Education to ~~develop and implement~~ *create a computerized data matching system, as specified, using existing databases from the State Department of Education and the State Department of Health Services* to directly certify recipients of public assistance programs for enrollment in the National School Lunch and School Breakfast programs.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. The Legislature finds and declares all of the*
2 *following:*

1 (a) Studies have shown that schoolchildren who receive
2 nutritious meals are more likely to possess higher achievement
3 scores, fewer disciplinary problems, and less likely to be absent
4 or tardy to class.

5 (b) Schoolchildren who are considered low income or receive
6 public assistance qualify for free or reduced priced school meals.
7 The State Department of Education and the State Department of
8 Health Services maintain various databases to manage
9 schoolchildren activity in these programs.

10 (c) Children who receive free or reduced priced meals at
11 school must be certified as enrolled in a school meal program in
12 order to receive these meals.

13 (d) The Child Nutrition and Women Infants and Children
14 Reauthorization Act of 2004 (P.L. 108-265) requires that any
15 child receiving benefits under the federal Food Stamp Act be
16 certified as eligible for free lunches under the Richard B. Russell
17 National School Lunch Act (42 U.S.C. 1751et seq.) and free
18 breakfasts under the Child Nutrition Act of 1966 (42 U.S.C. 1771
19 et seq.), without further application.

20 (e) Direct certification allows school officials to enroll
21 children from families participating in the federal Food Stamps,
22 Temporary Assistance for Needy Families Program (TANF), or
23 Food Distribution Program on Indian Reservations (FDPIR)
24 without additional paper application requirements.

25 (f) Federal law requires the use of direct certification by
26 school districts to be phased in over time with full
27 implementation being realized July 2008.

28 (g) Research has shown that direct certification increases the
29 participation of low-income children in free school meals.
30 Research has also shown direct certification improves the
31 integrity of the meals programs because it ensures that the
32 children receiving the meals are truly needy.

33 (h) The federal No Child Left Behind Act of 2001 (PL
34 107-110) requires states to establish a database to track pupils
35 achievement.

36 (i) Chapter 1002 of the Statutes of 2002 requires the
37 California Department of Education, consistent with the
38 requirements of the No Child Left Behind Act of 2001, to
39 establish the California Longitudinal Pupil Achievement Data
40 System (CalPADS) to track student achievement.

1 (j) The CalPADS database will include a unique student
2 identification number as well as a pupil's birthday, and first and
3 last name.

4 (k) The State Department of Health Services possesses a
5 statewide datatape which includes the first and last name,
6 birthday, and address of each recipient of public assistance.

7 SECTION 1.

8 SEC. 2. Section 49561 is added to the Education Code, to
9 read:

10 49561. (a) The department shall ~~develop and implement a~~
11 *create a computerized data matching system using existing*
12 *databases from the department and the State Department of*
13 *Health Services to directly certify recipients of public assistance*
14 *programs, including, but not limited to, the Food Stamp Program;*
15 *and other programs authorized for direct certification under*
16 *federal law, for enrollment in the National School Lunch and*
17 *School Breakfast programs. ~~The system shall be designed~~*

18 (b) *The department shall design a process using an existing*
19 *agency database that will conform with State Department of*
20 *Health Services data to meet the direct certification requirements*
21 *of the National School Lunch Act, as amended, pursuant to*
22 *Chapter 13 (commencing with Section 1751) of Title 42 of the*
23 *United States Code, and the Child Nutrition Act of 1966, as*
24 *amended, pursuant to Chapter 13A (commencing with Section*
25 *1771) of Title 42 of the United States Code. ~~The~~*

26 (c) *The department shall design ~~this system so that it~~*
27 *maximizes a process using computerized data pursuant to*
28 *subdivision (a) that will maximize enrollment in school meals*
29 *programs and improve program integrity while ensuring that*
30 *pupil privacy safeguards remain in place.*