



Elementary Secondary Education Committee

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09500HB1964ham002

LRB095 09726 NHT 34133 a

1 AMENDMENT TO HOUSE BILL 1964

2 AMENDMENT NO. _____. Amend House Bill 1964, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Childhood Hunger Relief Act is amended by
6 changing Section 20 as follows:

7 (105 ILCS 126/20)

8 Sec. 20. Summer food service program.

9 (a) The State Board of Education shall promulgate a State
10 plan for summer food service programs, in accordance with 42
11 U.S.C. Sec. 1761 and any other applicable federal laws and
12 regulations, by February 1, 2008 ~~January 15, 2006~~.

13 (b) On or before February 15, 2008, a school district must
14 promulgate a plan to have a summer breakfast or lunch (or both)
15 food service program for each school (i) in which at least 50%
16 of the students are eligible for free or reduced-price school

1 meals and (ii) that has a summer school program. The plan must
2 be implemented during the summer of 2008. Each summer food
3 service program must operate for the duration of the school's
4 summer school program. If the school district has one or more
5 elementary schools that qualify, the summer food service
6 program must be operated in a manner that ensures all eligible
7 students receive services. If a school in which at least 50% of
8 the students are eligible for free or reduced-price school
9 meals is not open during the summer months, the school shall
10 provide information regarding the number of children in the
11 school who are eligible for free or reduced-price school meals
12 upon request by a not-for-profit entity. ~~By the summer of 2006~~
13 ~~and then each summer thereafter, it is strongly encouraged that~~
14 ~~the board of education of each school district in this State in~~
15 ~~which at least 50% of the students are eligible for free or~~
16 ~~reduced price school meals operate a summer food service~~
17 ~~program or identify a non profit or private agency to sponsor a~~
18 ~~summer food service program within the school district's~~
19 ~~boundaries.~~

20 (c) Summer food service programs established under this
21 Section shall ~~may~~ be supported by federal funds and commodities
22 and other available State and local resources.

23 (d) A school district shall be allowed to opt out of the
24 summer food service program requirement of this Section if it
25 is determined that, due to circumstances specific to that
26 school district, the expense reimbursement would not fully

1 cover the costs of implementing and operating a summer food
2 service program. The school district shall petition its
3 regional superintendent of schools by January 15 to request to
4 be exempt from the summer food service program requirement. The
5 petition shall include all legitimate costs associated with
6 implementing and operating a summer food service program, the
7 estimated reimbursement from State and federal sources, and any
8 unique circumstances the school district can verify that exist
9 that would cause the implementation and operation of such a
10 program to be cost prohibitive.

11 The regional superintendent of schools shall review the
12 petition. He or she shall convene a public hearing to hear
13 testimony from the school district and interested community
14 members. The regional superintendent shall, by March 1, inform
15 the school district of his or her decision, along with the
16 reasons why the exemption was granted or denied, in writing. If
17 the regional superintendent grants an exemption to the school
18 district, then the school district is relieved from the
19 requirement to establish and implement a summer food service
20 program.

21 If the regional superintendent of schools does not grant an
22 exemption to the school district, then the school district
23 shall implement and operate a summer food service program in
24 accordance with this Section the summer following the current
25 school year. However, the school district or a resident of the
26 school district may appeal the decision of the regional

1 superintendent to the State Superintendent of Education. No
2 later than April 1 of each year, the State Superintendent shall
3 hear appeals on the decisions of regional superintendents of
4 schools. The State Superintendent shall make a final decision
5 at the conclusion of the hearing on the school district's
6 request for an exemption from the summer food service program
7 requirement. If the State Superintendent grants an exemption to
8 the school district, then the school district is relieved from
9 the requirement to implement and operate a summer food service
10 program. If the State Superintendent does not grant an
11 exemption to the school district, then the school district
12 shall implement and operate a summer food service program in
13 accordance with this Section the summer following the current
14 school year.

15 (Source: P.A. 93-1086, eff. 2-15-05.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law."