

- SUBJECT:** Free breakfast for certain public school students
- COMMITTEE:** Public Education — committee substitute recommended
- VOTE:** 11 ayes — Aycock, Allen, J. Davis, Deshotel, Dutton, Farney, Huberty, K. King, Ratliff, Rodriguez, Villarreal
- 0 nays
- WITNESSES:** For — Celia Cole, Texas Food Bank Network; Brian Giles, Houston Independent School District; Mandi Kimball, Children at Risk; Darren Turley, Texas Association of Dairymen; (*Registered, but did not testify:* Jennifer Allmon, The Texas Catholic Conference of Bishops; Yannis Banks, Texas NAACP; Amy Beneski, Texas Association of School Administrators; Rachel Cooper, Center for Public Policy Priorities; Lauren Dimitry, Texans Care for Children; Harley Eckhart, Texas Elementary Principals and Supervisors Association; Lloyd Graham, La Porte ISD; Dwight Harris, Texas AFT; Joshua Houston, Texas Impact; Karen Johnson, United Ways of Texas; Marshall Kenderdine, Texas Pediatric Society; Ken McCraw, Texas Association of Community Schools; Anne Olson, Texas Baptist Christian Life Commission; Marissa Rathbone, ACTIVE Life, IT'S TIME TEXAS; Don Rogers, Texas Rural Education Association; Shanie Scott, Methodist Healthcare Ministries; Julie Shields, Texas Association of School Boards; Freddy Warner, Memorial Hermann Health System; Howell Wright, Texas Association of Mid-size Schools, Texas Association of Community Schools, and Texas Rural Education Educators Association)
- Against — (*Registered, but did not testify:* Dustin Matocha, Texans for Fiscal Responsibility)
- On — (*Registered, but did not testify:* David Anderson and Lisa Dawn-Fisher, Texas Education Agency)
- BACKGROUND:** Congress in 1966 passed into law the Child Nutrition Act. The act includes the federal school breakfast program, which provides cash assistance to states to operate nonprofit breakfast programs in schools.
- DIGEST:** CSHB 296 would amend Education Code, sec. 33.901, to require a school

district campus or open-enrollment charter school to offer free breakfast to every student if at least 80 percent of the students at the campus or school qualify for the federal government's school breakfast program.

The education commissioner would be required to grant a waiver of the free breakfast requirements if a school district through its board of trustees or a charter school's governing board has chosen to opt out of the program. This waiver would last for one year and would be granted only after the school board or governing body during its annual budget meeting listed the waiver as a separate agenda item and allowed public comment on the issue.

CSHB 296 would apply beginning with the 2014-2015 school year.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2013.

**SUPPORTERS
SAY:**

Providing a free breakfast to every student at a school in a low-income area would boost nutrition for students so they could perform better in the classroom, would remove the stigma of government assistance for some children, and would not burden the state's poorest campuses with additional costs.

Texas would benefit from CSHB 296 because it would mean a morning meal for hundreds of thousands more students. Meals at school are more nutritious than the cheap junk food many children would eat otherwise. This additional dose of nutrition is important as studies have shown that student performance increases when there is greater access to healthy meals.

When all students are offered the same meal in the same way, students from low-income families would no longer feel reluctant to eat a free breakfast when their classmates from wealthier households eat at home.

Because the federal government reimburses schools for each meal served in the program, a participating school or school district with 80 percent of students who meet the federal guidelines to receive a free meal would not take on additional costs by feeding all of its students. Most campuses in low-income communities already offer free breakfasts to all students so the idea at the heart of the program is not new and has shown success. The

bill would add about 1,000 campuses that would qualify for the program. A study by the Legislative Budget Board showed that there is no significant fiscal impact anticipated for the state.

The bill also would allow a school district or open-enrollment charter school to request an annual waiver to not participate in the program so long as they deal with the issue openly and with public input. This provision would allow schools to maintain local control over their policies.

**OPPONENTS
SAY:**

CSHB 296 would unnecessarily expand a government food program meant for poor children at the expense of taxpayers. Though offering free breakfast to more students has no projected fiscal impact upon the state according to the Legislative Budget Board, someone would have to pay for the additional meals.