

## SENATE BILL No. 438

By Committee on Education

2-2

1 AN ACT concerning education; relating to school districts; requiring  
2 eligible boards of education to consider participation in the community  
3 eligibility program; providing a financial hardship exception to such  
4 participation; requiring the state department of education to assist  
5 school districts seeking such participation.  
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7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. (a) The board of education of each school district shall  
9 determine the number of students enrolled in and attending school in each  
10 school of such district who qualifies for free meals under the national  
11 school lunch program. School districts may provide appropriate instruction  
12 and assistance to students and families as necessary to ensure accurate  
13 student participation in such program.

14 (b) (1) Except as provided in paragraph (2), after making the  
15 determination provided in subsection (a), if a school district or school of  
16 the school district is eligible to participate in the community eligibility  
17 provision of 42 U.S.C. § 1759a, the board of education of such school  
18 district shall consider such participation. If such participation is so desired  
19 and would not cause financial hardship as provided in paragraph (2), such  
20 board of education shall adopt by majority vote a resolution to officially  
21 affirm such participation.

22 (2) If participation in the community eligibility provision of 42  
23 U.S.C. § 1759a would cause financial hardship to a school district, the  
24 board of education of such school district shall demonstrate the financial  
25 hardship in an open public meeting of such board and adopt by majority  
26 vote a resolution declaring that such school district or school of a school  
27 district is unable to participate in the community eligibility provision.

28 (c) The state department of education shall assist any school district  
29 with one or more schools that qualify for the community eligibility  
30 provision in such school district's efforts to participate in the community  
31 eligibility provision of 42 U.S.C. § 1759a.

32 Sec. 2. This act shall take effect and be in force from and after its  
33 publication in the statute book.