

State Provisions for

School Lunch

Programs

Laws and Personnel

By

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Foreword

SCHOOL LUNCH PROGRAMS, from their small beginnings early in the century, are becoming increasingly important to the education, health, and well-being of the youth of America. Through them growing numbers of the school-age population receive approximately one-third of their daily food requirements; they learn more about the nutritional values of the foods to which they are accustomed and the various ways these can be prepared and served. They also gain experience with new foods; they learn how these are prepared, where they are produced, and how they fit in their daily diets. The growing quantities of food commodities consumed through school lunch programs, and the money involved in their operation, favorably affect the Nation's economy.

From time to time requests for information relating to the development of school lunch programs in the several States come to the Office of Education. Of special interest is the extent to which the various States are implementing the development of school lunch programs as an integral part of the school program. There is also much interest in State laws relating to school lunch programs and the staffs required by them.

This study constitutes, in part, a reply to many of the inquiries regarding administration of the school lunch program. It contains, in considerable detail, information relative to the types of State laws which enable the State departments of education to participate in the National School Lunch Program and the varying forms of school lunch organization which exist within

the State departments of education. The school lunch program has not yet reached the stage of development where it is available to all children and youth enrolled in the schools of this country. It is hoped that the publication and distribution of this report will help the State departments of education to strengthen their school lunch programs.

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Chapter I

Introduction

BY CONTRAST with other education and school service programs, the school lunch is new. Like any other new program, time is required to work out in detail its proper placement in the school organization, its exact functions in relation to the total school program, and the characteristics which tend to make it a part of the educational program, yet set it apart as a school service.

The introduction of the school lunch into the school program poses a number of pertinent questions. How can the school lunch be made to be more than a service feature and become an educational feature of the school? How can it be correlated successfully with other parts of the elementary and secondary school curriculums? How can it be adapted for use as a "nutrition laboratory" and used as a place for the application of nutrition knowledge? How can it be used as effective learning experiences in connection with other school goals? As these and other questions are resolved, the school lunch will find its proper role in the school organization.

Historical Development of School Lunch Programs

Attempts at organizing school lunch programs early in the century were started primarily in rural schools where children lived too far from school to go home to lunch. The main task of the school under such programs was to provide a place and facilities for children to eat at noon, although such eating facilities, as were set up, were purely of the commissary type designed to sell food to students at cost. The lunch program seldom related to the child's educational program. A little later there was an

effort on the part of such organizations as the Parent-Teacher Association to provide students with at least one hot dish at noon. This development progressed as the number of consolidated schools increased because of the large number of school children who were brought long distances by bus and were, of necessity, required to eat cold lunches from paper bags or dinner pails. Throughout this development forward-looking teachers found ways of making the school lunch a learning experience for children as well as a noon meal.

Early Federal Aid—Surplus Commodities

Federal assistance to school lunch programs was initiated during the depression days as one method of providing a market for agricultural commodities. It was started under the administration of Public Law 320, Section 32, approved by the Seventy-fourth Congress in 1935.

As one means of encouraging consumption of domestic foods, the Secretary of Agriculture expended a total of \$244,114, available from Section 32 funds, during the 1935-36 fiscal year for school lunch commodities. Certain agricultural products in surplus were purchased and distributed to the schools. This improved the market for agricultural commodities and provided better lunches for children at lower local costs. The Secretary of Agriculture was able to increase the funds expended in this way each year until late in the years of World War II when few surplus commodities were available.

Cash Indemnities

The first cash reimbursements came as early as 1939-40 in connection with the "School Milk Program." In 1943 the "School Milk Program" was combined with the so-called "Indemnity Plan," whereby the Secretary of Agriculture indemnified the schools in cash for the purchase of seasonally designated or overabundant agricultural products used in the preparation of certain defined types of school lunches. This combination of the two plans was effected to compensate for the loss to the schools of commodities which, because of wartime needs, could not be made available by the Secretary of Agriculture.

National School Lunch Legislation

In June 1946, the 79th Congress approved Public Law 396.¹ It is generally known as the National School Lunch Act. In addition to authorizing the distribution of funds, the Act provides for the allocation of surplus commodities, thereby supplementing the commodities made available under Public Law 320, Section 32. The expressed purpose of the Act was "to safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by assisting the States, through grants-in-aid and other means, in providing an adequate supply of foods and other facilities for the establishment, maintenance, operation and expansion of nonprofit school lunch programs." Under the Act, apportionments of funds to each State educational agency are calculated in recognition of the per capita income. The Act also permits lower State and local matching funds in States having lower than average wealth.

The Act further requires that funds for school lunches be disbursed in each State by the State educational agency. An exception to this is noted for funds allocated directly to school lunch programs in private schools where State laws do not permit the State department of education to pay funds to private schools. The National School Lunch Program, in accordance with the Act, is administered by the Secretary of Agriculture.

School Lunch Administration Problems

The State departments of education, as well as the majority of school administrators and teachers, have accepted the school lunch as an important feature of the local school program. Forward-looking school people see it as an important educational opportunity for children.

Many State and city supervisors are seeking solutions for a number of pertinent administrative problems relating to the school lunch. The answers must be provided by State and local supervisors and curriculum workers, thinking together in conference groups and in workshops with others interested in the school lunch—nutritionists, local school lunch managers, college instructors in institutional management, local school administra-

¹ Copies of the National School Lunch Act are available free from the Production and Marketing Administration, U.S. Department of Agriculture, Washington, D. C.

tors, and related educational groups, such as home economists, health instructors, and physical education directors.

Administrative problems with which the State and local school administrators are confronted relate to (1) *the physical plant*—essential equipment in schools of differing sizes; (2) *the selection and certification of professional personnel*—what background of experience and education is needed; (3) *salary schedules and retirement provisions*—a comparison with teacher salary schedules and retirement provisions; (4) *personnel training programs*—both professional and nonprofessional, pre-service and in-service; (5) *supervision of programs at State and local levels*; (6) *financing*—local, State, and Federal responsibility; and (7) *public relations*.

Other problems of the school lunch program which concern administrators are those of making the program of maximum educational value, a supplement to classroom study of nutrition, health, business, etc.; of the use of the lunchroom facilities in connection with school activities, such as ball games and social functions, and with entertaining nonschool groups, such as civic clubs and other community groups; of relations with parent groups; of the best ways both to increase participation in the school lunch and to make sure that all persons who need a nutritious lunch can get it.

Individual States are working on these administrative problems. Proposals and recommendations for improved administration appear frequently in the monthly education and professional home economics periodicals. Other significant problems are continuously being threshed out at school lunch conferences, conventions, and work shops. The report presented herewith is confined to a discussion of merely two or three of the existing administrative problems.

The combined efforts of school lunch personnel and school administrators, with the help of other interested groups, can establish administrative procedures that will feature the school lunch as one of the major phases of the school program.



Chapter II

Authorization for the Establishment of State School Lunch Programs

STATE LEGISLATURES are playing an increasingly significant part in the development of school lunch programs. The National School Lunch Act specifically stated that "Funds paid to any State during any fiscal year . . . shall be disbursed by the State educational agency. . . ." At that time many of the States had no legal authorization for the State educational agency to accept Federal funds for this phase of the State educational program. In order that such States desiring Federal assistance for their school lunch programs might legally receive it for the first year, fiscal year 1946-47, the State Governors were asked by the Department of Agriculture to give authorization to their State educational agencies to accept Federal funds for their school lunch programs. Those State legislatures which had not previously given such authorization have subsequently confirmed their Governor's authorization for the State board of education or the chief State school officer to establish, maintain, and operate the State school lunch program and to accept Federal funds provided for that purpose.

General Patterns of School Lunch Legislation

In many instances the legislatures have established a broad plan of the State's purposes and objectives for their school lunch programs. Through such permissive legislation or delegated authority, the determination of those standards, rules, and regulations, not designated in the Federal Act, were left to the discretion of the State board of education, the State department of education, or the chief State school officer.

In other instances, States have enacted legislation which con-

tains detailed prescriptions for the establishment and operation of the school lunch programs. Some of this legislation prescribed the name of the division, enumerated in detail its functions and specified the exact stipend which each member of the division, professional and non-professional, would receive.

Beach expresses in the following paragraph the feeling of educators in regard to the type of controls which should be fixed in legislation generally and those which should be left to the discretion of the State board of education or the chief State school officer.¹

It is generally agreed that laws should contain, in broad outline, the scope of the educational purposes and objectives to be attained. The laws should set up the basic framework for the State program of education. It would then be the responsibility of the State board of education to establish such standards, rules and regulations as were necessary for carrying this broad program into effect. . . . This procedure allows for flexibility that is not present when details are fixed in the statutes. It also places responsibility for the professional development of the educational program in the hands of those who are selected, trained, and are specialized in this particular work.

There are certain areas, however, where it is desirable for legislation to be specific. Authorities in administration are generally agreed that one of these concerns State aid for the development of special education or educational service programs. As applied to the school lunch, special aid legislation is proving useful in developing school lunch programs in a number of States, among them Utah (See appendix B), which has had special aid legislation for school lunch purposes since 1943.

Special forms of State aid, and consequently special aid legislation, may be repealed after a program has become well established. In Utah, for example, the developmental stage of the school lunch program has passed, and school administrators in that State are now advocating the incorporation of the State school lunch program into the State's foundation program for education, and, with it, the consequent amendment or repeal of the special aid legislation for school lunch purposes. For those State departments which contemplate the need for additional funds for school lunch purposes other than for State department administrative functions it might be well that such State legislatures be requested to enact special aid legislation for school

¹ Beach, Fred F. *The Functions of State Departments of Education*. Washington, U. S. Government Printing Office, 1950. (Federal Security Agency, Office of Education, Misc. No. 12) p. 11.

lunch purposes to remain in effect until the value of the school lunch programs has been adequately tested.

Classification of State School Lunch Legislation

Although the individual laws for the establishment, maintenance, and operation of school lunch programs vary widely from State to State, there are four general classifications into which such legislative authorizations may be placed.

- (1) *Original legislation.*—Legislation naming the State educational agency as the agency to establish, maintain, and operate a school lunch program, but, in addition, providing special features to meet particular State needs.
- (2) *Specific purpose legislation.*—Legislation specifying that the State educational agency may accept and disburse Federal funds for the purpose of establishing, maintaining, and operating school lunch programs.
- (3) *Legislation by appropriation acts.*—Legislation authorizing appropriations to the State educational agency for the purpose of administering the school lunch program, without specifying that the State educational agency would administer the program.
- (4) *General legislation.*—Legislation of a general nature which allows the State educational agency to accept any available Federal funds for the education and welfare of school children.

Original Legislation

Among the 48 States now sharing benefits under the National School Lunch Act, 6 have enacted, or had previously enacted, original legislation beyond the requirements established by the Secretary of Agriculture for participation in the National School Lunch Program (see table 1). The legislatures of these States not only provided the legal means for the establishment of the State programs under the State board of education or the chief State school officer, but also incorporated in the legislation such features as: (1) methods to be used in financing State-wide programs; (2) the manner in which State funds would be allocated; (3) general or specific purposes for which allocated funds could be used; and (4) the establishment of revolving funds to be used in providing immediate aid, in the form of short-term loans, to certain local subdivisions.

Specific Purpose Legislation

Eleven other States—Colorado, Massachusetts, Missouri, Montana, Nebraska, Oklahoma, Oregon, Pennsylvania, South Dakota, Vermont, and Virginia—framed certain legislation adequate to comply with the requirements for participation in the National School Lunch Program. Another 10 States (see table 1) adopted and passed legislation developed by the U. S. Department of Agriculture in conjunction with the Council of State Governments shortly after the passage by Congress of the National School Lunch Act. Such legislation as has been enacted by the States in this classification indicates what general procedures and practices are to be followed in the administration of the State school lunch programs, in addition to naming the State educational agency to establish, maintain, and operate the programs.

Legislation by Appropriation Acts

In 5 of the States (see table 1) no legislation has been enacted authorizing the State board of education or the chief State school officer to establish, maintain, and operate the school lunch program. Despite this fact, the legislatures of these States make annual or biennial appropriations to the State departments of education, earmarking them for the school lunch. In most cases, the State's attorney general has ruled that such appropriations to the State educational agency are tantamount to legislative authorization for the State agency to administer the school lunch program.

General Legislation

Sixteen States have not passed legislation specifically authorizing the State educational agency to administer a school lunch program. In these States, there is a provision in the School Code, in most States effective before the passage of the National School Lunch Act, which enables the State educational agency to accept any available Federal funds for the education and welfare of school children. In the majority of these 16 States, the chief State school officers obtained a ruling from the State's attorney general affirming that the school lunch program is within such general authorization.

Table 1 shows, by State, the different types of legislative authorizations for the establishment of State school lunch programs. Appendix A contains excerpts from the various State acts for the establishment, maintenance, and operation of State school lunch programs. Appendix B contains such acts in their entirety for the States of Illinois, South Carolina, and Utah.

TABLE 1.—*Legislative authorization for establishment of school lunch programs*

<i>Original legislation</i>	<i>Specific purpose legislation</i>	<i>Legislation by appropriation acts</i>	<i>General legislation</i>
Illinois	Arizona	Delaware	Alabama
Louisiana	Arkansas	Idaho	California
New York	Colorado	Iowa	Connecticut
North Carolina	Indiana	Ohio "	Florida
South Carolina	Kansas	West Virginia	Georgia
Utah	Maine		Kentucky
	Massachusetts		Maryland
	Missouri		Michigan
	Montana		Minnesota
	Nebraska		Mississippi
	Nevada		New Hampshire
	New Mexico		New Jersey
	North Dakota		Tennessee
	Oklahoma		Texas
	Oregon		Washington
	Pennsylvania		Wisconsin
	Rhode Island		
	South Dakota		
	Vermont		
	Virginia		
	Wyoming		

School Lunch Programs in Other Areas

The District of Columbia, as well as Alaska, Hawaii, Puerto Rico, and the Virgin Islands participate in the National School Lunch Program. Legislation has been enacted to permit the use of Federal funds in these jurisdictions for school lunch purposes. However, such programs are operated almost exclusively with Federal funds and are not analogous to State programs which use State and local money entirely for school lunch operation and maintenance purposes, with the exception of a portion of the food costs. For this reason an extended discussion of the enabling legislation for programs in the District of Columbia, Alaska, Hawaii, Puerto Rico, and the Virgin Islands has been omitted:



Chapter III

Organization of State School Lunch Programs

FOR MANY YEARS school lunch programs were developed in local school communities with little encouragement or aid from State departments of education except as local individuals concerned with rural education, home economics education, or health education saw the need for, and manifested some interest in the school lunch. For the fiscal year 1950 the Federal Government expressed its interest in the development of school lunch programs by appropriating \$64,625,000 in money grants and \$47,974,713 in surplus and other food commodities. The State departments of education, responsible for the distribution of Federal school lunch funds to the local school administrative units, have felt the impact of this, and other Federal grants, upon their State educational organization. In order for a State to participate in the National School Lunch Program, it was necessary that an office be established within the organizational framework of each State department of education. Since no Federal funds were provided for this purpose, the problem of financing and organizing the State programs became the responsibility of each individual State educational agency.

Commodity Distribution

The National School Lunch Act, as well as Section 32 of Public Law 320 (74th Cong.), made provision for the distribution of surplus and other food commodities to the various school administrative units of each State. In approximately half of the States, the State department of education has assumed the responsibility for their distribution. In the remaining States, the distribution of such commodities is handled by other agencies of State

government, such as the State Purchasing Agent, the Department of Public Welfare, and the State Department of Agriculture. By law, the State educational agency is the single State agency for entering into contracts with the Federal Government for provision of funds for the school lunch. It would follow that the State educational agency should be the sole agency concerned with the *supervision* of the school lunch program. The distribution of surplus and other food commodities may well be delegated by the educational agency to other agencies of State government with which the State educational agency develops cooperative agreements.

The fact that a State educational agency does or does not handle the distribution of food commodities seems thus far not to have influenced the divisional placement of the school lunch program within the State educational agency. The distribution of such commodities necessitates considerable business activity, yet in Maine and Vermont, for example, State educational agencies, both of which handle commodity distribution, have placed the school lunch program under the divisions of "Curriculum" and



"Instruction," respectively, while the Michigan State educational agency, which does not handle the distribution of food commodities, has placed the school lunch program under "Administrative Services," and on a par with such other subdivisions as "Printing and Publications," "Information Service," "Safety Promotion," and "Internal Office Services."

State School Lunch Organizational Patterns

There are eight general patterns of organizing the responsibilities for school lunch programs at the State level (see table 2 for number of States in each): (1) A separate division responsible to the State board of education; (2) A separate division responsible to the chief State school officer; (3) A subdivision in the division of vocational education; (4) A subdivision in the division of administrative services; (5) A subdivision in the division of instruction or education; (6) A subdivision in the division of school administration; (7) A subdivision in the division of health and (8) A subdivision in the division of physical education.

The relationship between the school lunch division and other divisions or subdivisions of the various State departments of education may be determined from the functional organizational charts provided in "The Structure of State Departments of Education."¹

By and large, the name of the division or subdivision responsible for the school lunch program is "School Lunch," being so called in 37 of the States. "School Lunches" is used in 5 States. Other names are "School Lunch Supervision of Standards and Nutrition Education," "Finance and School Lunch," "Home Economics and School Lunch," "Community School Lunch," and "School Lunch and Surplus Commodities."

Organization Within the State Department of Education

The organizational framework within the State department of education for the administration of the school lunch programs varies from State to State in much the same manner as does the placement of the programs within the organizational structure

¹ Beach, Fred F. and Gibbs, Andrew H. *The Structure of State Departments of Education*. Washington, U. S. Government Printing Office, 1949. (Federal Security Agency, Office of Education, Misc. No. 10) p. 21-79.

TABLE 2.—Organizational patterns of State School Lunch Programs within the State Educational Agencies

A separate division under the State board of education	A separate division under the chief State school officer	A subdivision under the division of vocational education	A subdivision under the division of administrative services	A subdivision under the division of instruction or education	A subdivision under the division of school administration	A subdivision under the division of health	A subdivision under the division of physical education
Oklahoma	Arizona Colorado Georgia Idaho Illinois Indiana Iowa Massachusetts Minnesota Montana New Mexico North Dakota South Dakota Texas Utah West Virginia Wyoming	Arkansas Kentucky Louisiana Maryland New York North Carolina Virginia	Delaware Michigan Nebraska New Hampshire	Alabama Connecticut Florida Maine Mississippi Nevada Ohio Oregon Pennsylvania Rhode Island Vermont	California Kansas Missouri South Carolina Washington Wisconsin	Tennessee	New Jersey

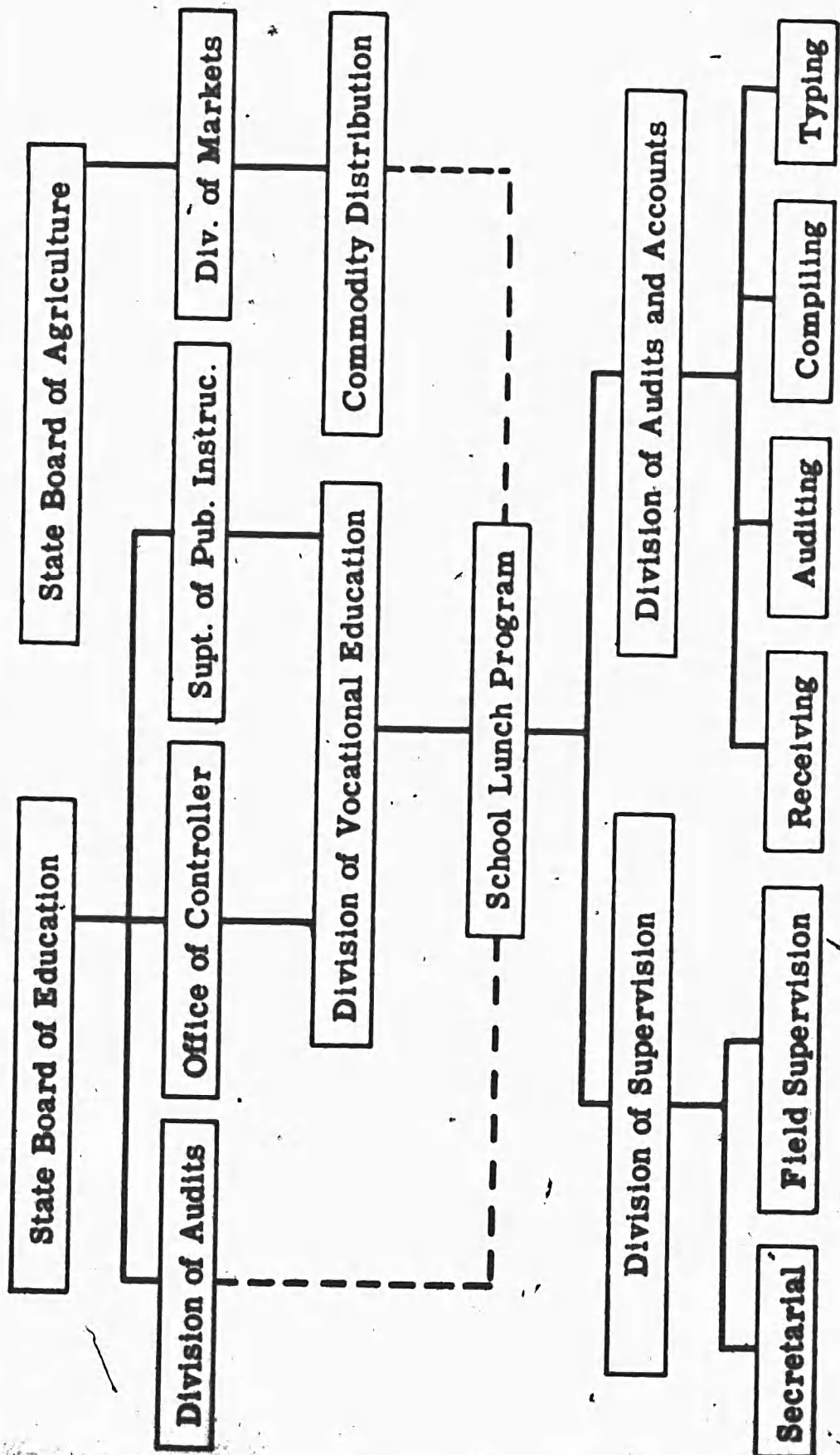
of the State department of education. Some of the States have an active field unit within the school lunch division or subdivision. Others combine the field work with other departmental activities. Still other State programs coordinate professional school lunch activities with those of related divisions or subdivisions of the State educational agency.

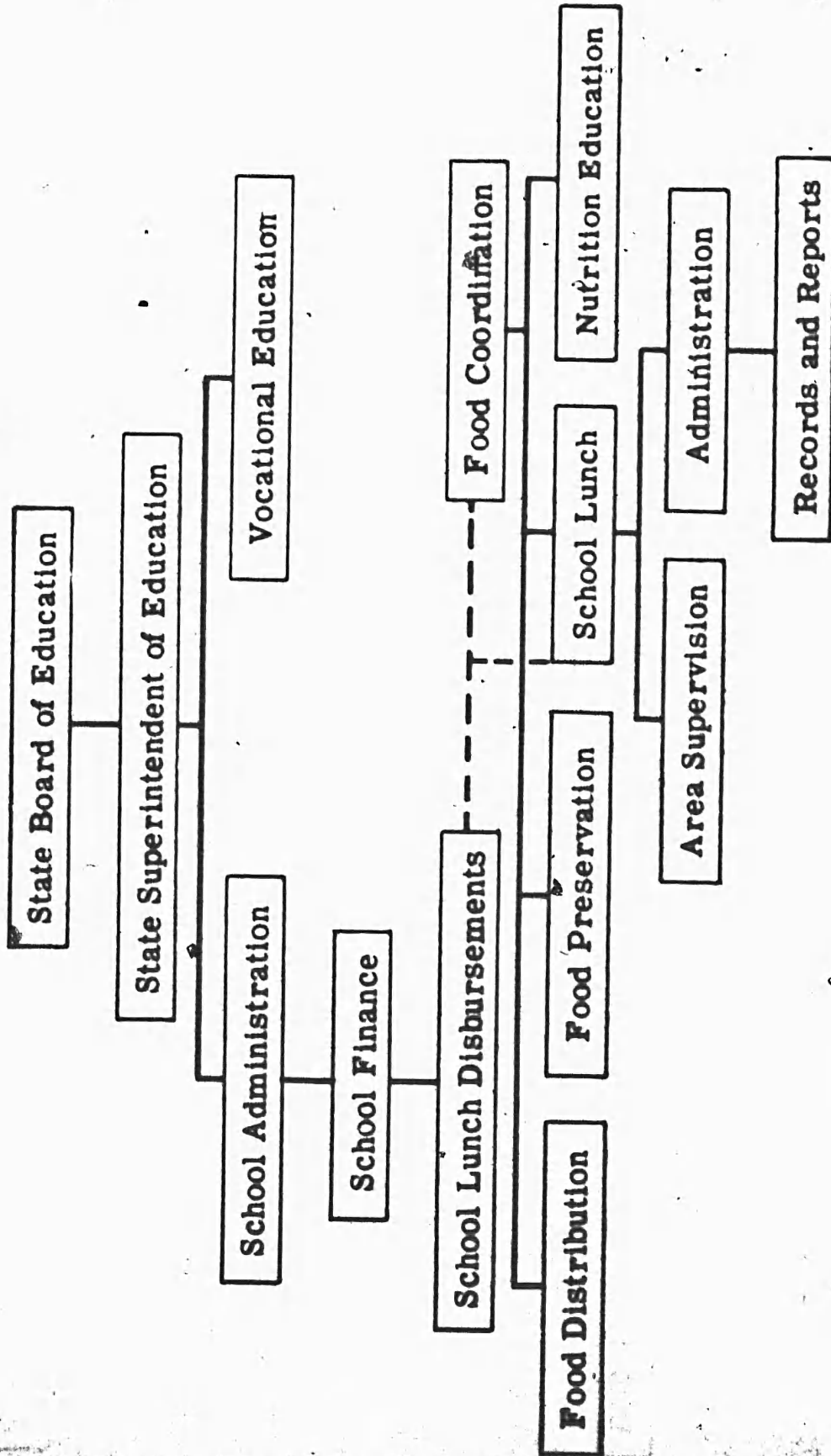
Generally, but not always, the professional aspects or educational service features of the school lunch are emphasized, organizationally, in State programs which are not concerned with commodity distribution. In North Carolina, for example, the school lunch, operated as a subdivision of the vocational education division, has for purposes of administration, two separate units—Supervision and Audits and Accounts. The supervision units handles the professional aspects of the school lunch program and it is to this unit that both departmental and field supervisors are assigned. The audits and accounts unit is responsible for the bookkeeping functions of the program. Commodity distribution is one of the subdivisions of the State Board of Agriculture. While there is a cooperative relationship between the school lunch director and the director of commodity distribution, the State educational agency maintains no authority over commodity distribution. The organization chart for the North Carolina school lunch program is presented on the following page.

The State educational agencies which, organizationally, combine school lunch with commodity distribution appear to place major emphasis upon food distribution. However, this is not always the case. Louisiana, for example, has a combined school lunch and commodity distribution program wherein major emphasis, organizationally, appears to be upon the professional phases of school lunch. As in North Carolina, the school lunch is a subdivision of the vocational educational division—food coordination. On a par with the school lunch section are the food preservation section, the food distribution section, and the nutrition education section. Area or field supervisors are assigned to the school lunch section. The diagram on page 16 presents graphically the internal organization of the Louisiana school lunch program.

State School Lunch Personnel

The organization of State school lunch programs affects, somewhat, the type of personnel selected to operate the State programs. The function of State school lunch staff members is to help local school administrators and local school lunch managers in plan-





ning, organizing and developing local programs, to stimulate local initiative and to serve as a clearinghouse for promising practices developed at the local level. To accomplish these purposes, it is essential that the State program be geared for this type of operation.

It is of paramount importance, too, that State school lunch staff members have training and experience in school lunch administration, foods, nutrition, and education so that they can advise local school administrators and local school lunch managers on all problems of school lunch organization, management, and operation, as well as curriculum problems in the subject areas to which the school lunch relates. Professional school lunch staff members should be able to assist in the solution of particular problems by research and conference methods, and should be competent to evaluate and interpret the entire State program. In addition to nutrition and institutional training, there is being recognized increasingly the need for staff members who have had some experience in teaching at the elementary or secondary school level and at least some training in child growth and development, school-community relationships, public-school administration and public-school finance.

State School Lunch Personnel Statistics

Types of school lunch personnel vary from State to State. Those State departments of education which handle commodity distribution generally employ a greater number of administrative, fiscal, and clerical persons. Those State departments which leave commodity distribution to some other agency of State government usually employ a proportionately larger number of professional home economists. In some States professional home economists are assigned to the school lunch division; in other States the school lunch division uses, on a part-time basis, home economists assigned to the vocational education division. The distribution of the different types of school lunch personnel in the States is discussed in more detail in the following paragraphs.

Program directors or supervisors.—The State school lunch program in all of the States is headed by a director, sometimes called "supervisor," who is selected in the same manner as are other State department employees of comparable rank. Again, the fact that the State education agency handles the distribution of commodities appears to have only a slight effect upon the professional qualifications of persons employed as director or supervisor of the program. Of the 20 States (see table 3) whose edu-

cational agencies handle the distribution of surplus agricultural commodities, 9 have directors or supervisors of State programs who are professional home economists; 10 States have directors or supervisors who are trained in school administration or similar functions, and 1 State has no full-time school lunch personnel. In 28 States commodity distribution is handled by some agency of State government other than the educational agency, with the school lunch operating as a division or subdivision of the State educational agency. Of the 28 States in this category, 16 State school lunch programs have directors or supervisors who are professional home economists. In 3 other States, the director of home economics serves as director of the school lunch program, and in the remaining 8 States persons trained in school administration and similar functions direct the State school lunch program.

Professional employees.—In the 48 States, 600 full-time and 127 part-time persons (see table 3) who are paid from State department of education funds are employed on school lunch programs. Of the 600 full-time employees, 136, or 22.7 percent, are professional home economists; 180, or 30.0 percent, are other professionals, such as school administrators; and 284, or 47.3 percent, are persons performing clerical or fiscal duties. South Carolina employs 19 professional home economists on its school lunch program—the largest number employed in any of the States. Runners-up are North Carolina with 11 and California with 9. Seven of the States employ no professional home economists on their school lunch programs. The 136 professional home economists break down generally into the following classification: 26 directors, 20 State office supervisors, 77 field supervisors, and 13 consultants or nutritionists.

Other professional and administrative employees.—The group of other professional and administrative employees, totaling 180, is divided approximately as follows: 20 directors, 5 assistant directors, 6 administrative reviewers, 4 commodity distribution supervisors, 52 accountants or auditors, and 93 district supervisors. Nine of the States employed no professional or administrative persons in connection with the school lunch programs, other than home economists.

Staffing Practices in Various States

South Carolina has the most elaborate field organization of the States in which the educational agency handles commodity distribution. The State law establishing the program provided

TABLE 3.—Estimated number of State employees for School Lunch Programs paid from State Department of Education funds for the fiscal year 1950

State	Full-time employees				Total part-time employees
	Professional home economists	Other professional and administrative	Clerical-fiscal	Total	
1	2	3	4	5	6
Alabama.....	1	1	2	4	11
*Arkansas.....	1	1	2	4	0
California.....	5	2	15	22	0
Colorado.....	9	4	9	22	5
Connecticut.....	1	2	2	5	0
Delaware.....	2	0	2	4	0
*Delaware.....	1	0	1	2	0
Florida.....	3	0	4	7	0
*Georgia.....	6	2	10	18	0
*Idaho.....	1	2	3	6	4
Illinois.....	6	4	7	17	0
Indiana.....	1	4	4	9	2
*Iowa.....	1	4	7	12	0
Kansas.....	3	1	2	6	1
Kentucky.....	5	0	6	11	2
*Louisiana.....	3	4	20	27	3
*Maine.....	2	1	2	5	2
*Maryland.....	1	1	3	5	0
*Massachusetts.....	2	5	11	18	10
Michigan.....	0	2	2	4	0
*Minnesota.....	0	3	5	8	2
*Mississippi.....	5	2	7	14	1
*Missouri.....	1	4	9	14	17
*Montana.....	1	2	1	4	0
Nebraska.....	0	1	2	3	3
*Nevada.....	1	1	0	2	0
New Hampshire.....	1	1	1	3	0
New Jersey.....	1	1	4	6	0
New Mexico.....	3	2	1	6	0
New York.....	6	2	12	20	1
North Carolina.....	11	5	7	23	2
North Dakota.....	1	1	1	3	0
Ohio.....	0	4	3	7	5
Oklahoma.....	6	43	26	75	0
Oregon.....	2	0	4	6	1
Pennsylvania.....	3	1	11	15	0
Rhode Island.....	2	6	2	10	0
*South Carolina.....	19	41	33	93	0
South Dakota.....	1	0	1	2	2
Tennessee.....	6	0	7	13	0
Texas.....	0	12	11	23	0
*Utah.....	2	1	2	5	8
*Vermont.....	0	0	0	0	16
Virginia.....	3	1	2	6	12
*Washington.....	1	1	4	6	16
West Virginia.....	5	0	6	11	0
Wisconsin.....	0	4	7	11	0
*Wyoming.....	1	1	1	3	1
TOTAL.....	136	180	284	600	127

* These States in which the State department of education handles commodity distribution.

that there be a field supervisor, paid from the State department funds, for each county of the State. The larger counties may be subdivided into two districts with the State department paying half the salary of the additional supervisor and the county assuming responsibility for the other half. There are 16 professional

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home economists and 40 other professional or administrative persons who serve as field or district school lunch supervisors in this State. Both home economists and other administrative persons work interchangeably on school lunch and commodity distribution.

Oklahoma has the most elaborate field organization of all the States in which commodity distribution is handled by some agency of State government other than the State educational agency.

TABLE 4.—Man-months and percent of total staff time of State Departments of Education devoted to School Lunch, July 1, 1948—June 30, 1949

State	Man-months of staff time		Scale showing percent of total staff time devoted by State departments of education ¹		
	No.	% of total	0	10	20
Alabama.....	32	2.60	XXX		
Arizona.....	24	8.17	XXXXXXXXXX		
Arkansas.....	72	9.15	XXXXXXXXXX		
California.....	121	2.93	XXX		
Colorado.....	12	7.69	XXXXXXXXXX		
Connecticut.....	24	1.83	XX		
Delaware.....	12	2.00	XX		
Florida.....	86	2.70	XXX		
Georgia.....	132	8.47	XXXXXXXXXX		
Idaho.....	24	7.67	XXXXXXXXXX		
Illinois.....	120	6.65	XXXXXXXXXX		
Indiana.....	48	7.69	XXXXXXXXXX		
Iowa.....	60	7.73	XXXXXXXXXX		
Kansas.....	39	18.14	XXXXXXXXXXXXXXXXXXXX		
Kentucky.....	57	6.33	XXXXXX		
Louisiana.....	84	5.99	XXXXXX		
Maine.....	29	7.25	XXXXXXXXXX		
Maryland.....	18	2.07	XX		
Massachusetts.....	120	7.55	XXXXXXXXXX		
Michigan.....	12	.79	X		
Minnesota.....	96	3.62	XXXX		
Mississippi.....	72	5.47	XXXXXX		
Missouri.....	72	4.65	XXXXXX		
Montana.....	12	2.13	XX		
Nebraska.....	34	7.34	XXXXXXXXXX		
Nevada.....	12	6.22	XXXXXX		
New Hampshire.....	12	2.53	XXXX		
New Jersey.....	12	1.38	X		
New Mexico.....	12	5.88	XXXXXX		
New York.....	73	1.29	X		
North Carolina.....	96	5.99	XXXXXX		
North Dakota.....	12	16.67	XXXXXXXXXXXXXXXXXXXX		
Ohio.....	24	2.37	XX		
Oklahoma.....	71	5.05	XXXXXX		
Oregon.....	13	2.13	XX		
Pennsylvania.....	48	4.44	XXXX		
Rhode Island.....	24	6.52	XXXXXXXXXX		
South Carolina.....	36	3.45	XXX		
South Dakota.....	13	8.61	XXXXXXXXXX		
Tennessee.....	60	3.85	XXXX		
Texas.....	120	21.98	XXXXXXXXXXXXXXXXXXXX		
Utah.....	36	9.25	XXXXXXXXXX		
Vermont.....	31	8.39	XXXXXXXXXX		
Virginia.....	12	.66	X		
Washington.....	6	.87	X		
West Virginia.....	132	18.08	XXXXXXXXXXXXXXXXXXXX		
Wisconsin.....	48	16.62	XXXXXXXXXXXX		
Wyoming.....	30	11.58	XXXXXXXXXXXX		
Continental U. S. av.....	2235	4.69	XXXXX		

¹X indicates 1 percent of the total professional staff time of the State department of education and is recorded to the nearest full percent.

This State has 40 persons serving as field or district school lunch supervisors. Of that number, 2 are professional home economists and 38 are other professional or administrative persons. The State is divided into 5 districts, with 1 field supervisor for approximately 50 participating schools in each district.

Other State programs, such as California, Georgia, Illinois, New York, North Carolina, Rhode Island, Tennessee, and West Virginia have a relatively small but exceptionally well-qualified staff of field supervisors. The fact that a State educational agency employs no sizable full-time professional staff does not necessarily mean that no professional services are available for the school lunch. Missouri, for example, has only one professional home economist on the State school lunch program, but uses, on a part-time basis, a number of professional home economists who are assigned to the division of vocational education. The Ohio school lunch program operates in much the same manner, even though school lunch in that State is, organizationally, a part of the division of administration rather than the division of vocational education. In such States as Virginia and New York, where, organizationally, school lunch is assigned to vocational education, home economics personnel serve in a professional capacity. Vermont has no full-time employees on its school lunch program, but has 16 part-time persons employed elsewhere in the Department of Education who devote a part of their time to school lunch.

In a study entitled "Time Allotment of the 48 State Department of Education Staffs," Beach prepared a State-by-State listing of the number of man-months and the percent of total staff time State departments of education devoted to school lunch activities from July 1, 1948, to June 30, 1949.¹ This listing is produced as table 4. Texas leads with 22 percent of the staff time of all professional employees of the State department of education being devoted to school lunch. Kansas is second with 18 percent and North Dakota ranks third with 17 percent.

This analysis of school lunch personnel relates only to those persons who are paid from State funds. States which do not provide field supervision through the State educational agency may have effective supervision of school lunch programs at the local level. Despite this fact, more careful consideration of the professional qualifications of State school lunch personnel, dis-

¹ Beach, Fred F. Time Allotment of the 48 State Department of Education Staffs. Federal Security Agency, Office of Education, Washington, D. C. 1950 (processed.) p. 72.

cussed earlier, would do much to expand and improve local school lunch programs throughout the Nation.

Summary

Although this chapter has touched only a few phases of school lunch organization, it shows the wide diversity of patterns which prevail with respect to both the placement within the State educational agency and the internal organizational structure of State school lunch programs. With the broadening concept of the school lunch, without doubt some of the States will be wanting to reconsider the present organization in the light of the educational service which the school lunch is in position to contribute to children attending the elementary and secondary schools of the Nation.



Appendix A

Excerpts from State Lunch Laws

EXCERPTS from the principal statutes enacted in each State relating to school lunch programs will show the major provisions of the laws governing school lunch programs discussed in Chapter II. No attempt has been made to evaluate or appraise individually the types of laws on school lunch programs. It was hoped that the compilation would afford interested State legislators, State department of education officials, school board members, school administrators, and teachers a basis for study and appraisal of the types of laws which have been enacted for the establishment, operation, and maintenance of State school lunch programs.

Alabama

The State Board of Education may accept for the State of Alabama any appropriation of money for the removal of illiteracy, the teaching of immigrants and for other educational purposes which may hereafter be made out of the Federal treasury by any acts of Congress; and the State board of education shall be constituted the chief educational authority for the expenditure and administration of any such funds.—(Sec. 23, Title 52, Code of Alabama, 1940.)

Arizona

The State Board of Education may enter into agreements with any agency of the Federal Government, school board or other agency or person, direct the disbursement of Federal and State funds . . . , prescribe regulations, employ personnel, give technical advice and assistance to school boards in connection with the establishment and operation of a school lunch program, assist in training personnel engaged in the operation of such program, and take such other action as it may deem necessary to provide for the establishment and maintenance thereof. There shall be included in the budget of the Superintendent of Public Instruction . . . such sums as may be required by the State Board of Education for and limited to the administration of

SCHOOL LUNCH PROGRAM

this Act, including the establishment, maintenance, operation and expansion of school lunch programs.—(*Senate Bill No. 92, approved March 25, 1947.*)

Arkansas

The State Board of Education may enter into such agreements with any agency of the Federal Government, with any school district or with any other agency or person, prescribe such regulations, employ such personnel, and take such other action as it may deem necessary to provide for the establishment, maintenance and operation, and expansion of any school lunch program. . . . There is hereby authorized to be appropriated . . . such sums as may be necessary to enable the State Board of Education to provide for the establishment, maintenance, operation and expansion of school lunch programs, including but not limited to the payment of administrative expenses and the matching and supplementing of Federal funds.—(*Act 157, approved March 3, 1947.*)

California

Whenever by the provisions of any act of Congress providing for education, the program is to be administered in the State by the Superintendent of Public Instruction, Director of Education, State Board of Education . . . the officers and agencies designated in the Act of Congress are authorized to administer the program in this State.—(*Art. 12, Sec. 9176, Bancroft-Whitney California Education Code.*)

Colorado

The State Superintendent of Public Instruction is . . . authorized as the State educational agency to administer a school lunch program in conjunction with the Federal Government. . . .—(*House Bill No. 144, approved April 10, 1947.*)

Connecticut

The State Board of Education is empowered, subject to the provisions of the general statutes, to receive any Federal funds made available to this State for educational purposes . . . and to expend such funds for the purpose . . . for which they are made available.—(*Sec. 182g, Connecticut General Statutes, 1943.*)

Delaware

. . . the several amounts named in this Act . . . are hereby appropriated and authorized to be paid out of the treasury of this State to the respective public officers of the respective departments. . . .—(*Ch. 183, Laws of Delaware, 1949.*)

State Board of Education School Lunch Program

	<i>Year ending June 30</i>	
	<i>1950</i>	<i>1951</i>
Salaries	\$3,400	\$3,400
Secretary's Salary	800	800
Travel	1,000	1,000
	<hr/>	<hr/>
	\$5,200	\$5,200

Florida

Federal funds for education in the State shall comprise all funds appropriated by Congress and apportioned to the State for special educational services and functions or for the public schools of the State. The State Board shall have authority to prescribe plans and regulations for apportioning and expending such funds, including funds for school lunches.—(Sec. 36, Ch. 23726, Florida Laws, 1947, amending Sec. 236.18, Florida Statutes, 1941.)

Georgia

Said Board [State Board of Education] is hereby authorized and empowered to . . . accept on behalf of the State of Georgia any funds which . . . become available . . . by virtue of any appropriation by Congress or under any governmental regulation . . . for either vocational or other educational purposes conducted either in or out of school. . . .—(Georgia Laws, 1937, amended March 27, 1941.)

Idaho

There is hereby appropriated from the general fund of the State of Idaho, to the institutions and offices herein named, the following sums of money . . . for the purpose of paying salaries, wages, traveling expense and other current expenses . . . for the period commencing July 1, 1949, and terminating June 30, 1950. . . .—(Ch. 229, Session Laws, Idaho, 1949.)

School Lunch Program

Salaries and wages	\$10,500
Other expense—travel	1,500
Other current expense	2,500
Capital outlay	800
	<hr/>
Total	\$15,300

Illinois

NOTE: Legislation passed by Illinois for the establishment and maintenance of a school lunch program may be found in its entirety in Appendix B of the study.

Indiana

The State Superintendent of Public Instruction may enter into such agreements with any school board, or with any other Agency or person, prescribe such regulations, employ such personnel . . . as he may deem necessary to provide for the establishment, maintenance, operation and expansion of any school lunch program. . . . —(Ch. 305, Indiana Acts, 1947.)

Iowa

For the department of public instruction there is hereby appropriated from the general fund of the State for each year of the biennium beginning July 1, 1949, and ending June 30, 1951, the sum of two hundred ninety thousand one hundred ten dollars (\$290,110.00) or so much thereof as may be necessary to be used in the following manner: School Lunch Program—For salaries, support, maintenance and miscellaneous purposes (should Federal appropriations be stopped for public school lunches then this money should revert to the general fund) \$38,700.00—(H.B. 603, Iowa Regular Session Acts, 1949.)

Kansas

The department [State Department of Public Instruction] is hereby authorized to accept and direct the disbursement of funds appropriated by any act of Congress and apportioned to the State for use in connection with school lunch programs. The department may enter into such agreements with any agency of the Federal Government, with any school board . . . employ such personnel and take such other action as it may deem necessary to provide for the establishment, maintenance, operation and expansion of any school lunch program, and to direct the disbursement of Federal and State funds, in accordance with any applicable provisions of Federal or State law.—(Ch. 390, Laws of Kansas, 1947.)

Kentucky

The State Board of Education is authorized in its discretion to accept the provisions of any act of Congress appropriating and apportioning funds to the State for use in connection with any phase of the State's system of education.—(Sec. 156.100, Kentucky Revised Statutes, 1946.)

Louisiana

The State Board of Education is hereby authorized to accept and direct the disbursement of funds appropriated by any act of Congress. . . . The State Board of Education may enter into such agreements with any agency of the Federal Government, with any school board, or with any other agency or person, prescribe such regulations, employ such personnel, and take such other action, as it may deem necessary to provide for the establishment, maintenance, operation and expansion of any school lunch program, and to direct the disbursement of Federal and State funds. . . . —(Act No. 44, approved June 15, 1948.)

Maine

The State having accepted the provisions and benefits of the Act of Congress . . . approved June 4, 1946, will observe and comply with the provisions of said Act. The superintending school committee of any town may establish, maintain, operate, and expand a school lunch program for the pupils in any school building under its jurisdiction, may make all contracts necessary to provide material, personnel and equipment necessary to carry out the provisions of the Act. . . . —(Ch. 127, Laws of Maine, 1947.)

Maryland

The State Board of Education is hereby authorized to accept for the State of Maryland any appropriation of money for any educational purposes . . . made out of the Federal Treasury by any Act . . . of Congress and the State Board of Education shall be constituted the educational authority for the expenditure and administration of any such funds.—(Ch. 100, Section 197-A, Laws of Maryland, 1943.)

Massachusetts

The Board of Education is hereby designated as the 'State Educational Agency' to represent the Commonwealth in dealing with the Secretary of Agriculture of the United States in carrying out the provisions of the National School Lunch Act . . . a school committee of any town may establish, maintain, operate and expand a school lunch program for the pupils in any school building under the jurisdiction of said committee, may make all contracts necessary to provide material, personnel and equipment needed to carry out the provisions of this Act and . . . may appropriate funds to meet the matching requirements and any other provisions of said National School Lunch Act.—(Ch. 548, Massachusetts Laws, 1947.)

Michigan

The Superintendent of Public Instruction is designated as the State agency to apply to and receive from the Federal Government . . . any grant . . . for general Federal aid of elementary, secondary, and adult education. . . . —(Act 16 Public Acts, Michigan, 1942.)

Minnesota

The State Board of Education shall prescribe regulations under which contracts, agreements or arrangements may be made with agencies of the Federal Government for funds, services, commodities, or equipment to be made available to the public tax-supported schools, school systems and educational institutions under the supervision or control of the State Board of Education.—(Ch. 371, Minnesota Statutes, 1945.)

Mississippi

... empowers the Superintendent of Education to do any and all things which may be required to enable the State of Mississippi . . . to enter into agreements and contracts with any officer or agency of the United States . . . and to appoint and employ a State supervisor of the school lunch program and such other administrative, supervisory, stenographic and clerical personnel as may be necessary for administrative purposes.—(*House Bill No. 28, enacted March 14, 1947.*)

Missouri

The State Board of Education is hereby designated as the State educational agency, as provided in Public Law 396, and is charged with the duty and responsibility of cooperating with the Secretary of Agriculture in the administration of such acts and is delegated all power necessary to such cooperation.—(*Senate Bill No. 101, effective July 1, 1948.*)

Montana

The superintendent of public instruction may enter into such agreements with any agency of the Federal Government, with any school board, or with any other agency or person, prescribe such regulations, employ such personnel . . . as he may deem necessary to provide for the establishment, maintenance, operation and expansion of any school lunch program. Any funds advanced by the superintendent of public instruction from State appropriated funds for operational or administrative costs or expenditures necessary to fulfill contracts with any Federal agency or any school board which are reimbursable by the Federal agency or the school board under this act shall when so reimbursed revert to the fund from which the original payment was made.—(*Ch. 282, Montana Session Laws, 1947.*)

Nebraska

The Superintendent of Public Instruction is authorized to disburse the funds . . . in accordance with the terms of and to carry out the purposes set forth in the National School Lunch Act.—(*Legislative Bill 4, enacted August 30, 1946.*)

Nevada

The State Board of Education may enter into such agreements with any agency of the Federal Government, with any school board, or with any other agency or person prescribe such regulations, employ such personnel and take such other actions, as it may deem necessary to provide for the establishment, maintenance, operation and expansion of any school lunch program, and to direct the disbursement of Federal and State funds in accordance with any applicable provisions of Federal-State law.—(*Ch. 180, Statutes of Nevada, 1947.*)

New Hampshire

The Governor correctly designated the Board [State Board of Education] as the agency to carry out the functions of the school lunch program. Under section 6 of chapter 134 of the New Hampshire Revised Laws, the State Board may also make the regulations necessary to enable the State to comply with the provisions of any law of the United States intended to . . . equalize educational opportunities . . . to promote physical health and education. . . .
—(Excerpts from letter of Attorney General, State of New Hampshire to Commissioner of Education, State of New Hampshire, August 25, 1946.)

New Jersey

Whenever moneys are made available for school purposes by any Act of Congress or any agency of the Federal Government, or made available or deposited in any manner in accordance with any law enacted by the Congress of the United States, such moneys shall be apportioned by the Commissioner of Education under plans approved by the State Board of Education.—(Ch. 373, New Jersey Laws of 1941.)

New Mexico

The State Board of Education may enter into such agreements with any agency of the Federal Government, prescribe such regulations, employ such personnel, and take such other action as it may deem necessary to provide for the establishment, maintenance, operation and expansion of any school lunch program, and to direct the disbursement of Federal and State funds in accordance with any applicable provisions of Federal or State law.—(Ch. 98, Session Laws of New Mexico, 1947.)

New York

. . . the Commissioner of Education is further authorized and empowered to lend or advance, in anticipation of the receipt of any Federal apportionments, allocations or grants for the establishment, maintenance, operation or expansion of non-profit school lunch programs, such sums as the sponsors of such programs may be entitled to receive from such Federal apportionments, allocations, or grants pursuant to said school lunch program agreements. . . .
—(Sec. 3, Ch. 511, New York Laws of 1948.)

North Carolina

The director of the budget is authorized to advance out of the General Fund of the State a sum not exceeding \$300,000.00 to be used as a revolving special fund by the State Board of Education to pay the counties of the State the amount of requisitions for funds approved by the State Board of Education that have been expended for school lunches in the schools of the counties and in the city school administrative units within the counties, in order that the school administrative units of the State may anticipate in grants-in-aid and allotments in kind made by the Federal Government to provide low cost lunches for the school children of the State and in order that funds may be

made quickly available to supply the casual deficits incurred by the school administrative units of the State while awaiting payments of claims filed for approved Federal aid. These funds so advanced shall be returned to the General Fund at the close of each school year.—(Ch. 777, 1945 Session Laws of North Carolina.)

. . . Chapter 777 of the Session Laws of 1945 . . . fully recognized the authority of the State Board of Education to accept and administer Federal funds and surplus commodities furnished by the Federal Government in grants to provide wholesome and nutritious lunches for the school children of the State.—(Ruling of North Carolina Attorney General, June 27, 1944.)

North Dakota

The state educational agency may enter into such agreements with any agency of the Federal Government, with any school board, or with any other agency or person, prescribe such regulations, employ such personnel . . . as it may deem necessary to provide for the establishment, maintenance, operation, and expansion of any school lunch program. No funds appropriated by this or any subsequent legislative assembly from funds belonging to the State of North Dakota shall be used for any purpose other than administrative expense.—(Ch. 149, Session Laws of North Dakota, 1947.)

Ohio

The sums set forth herein designated . . . for the purposes therein specified, are hereby appropriated out of any moneys in the state treasury not otherwise appropriated.—(Amended House Bill No. 654, The Appropriation Acts of the Ninety-Eighth General Assembly of Ohio, 1949.)

**Department of Education
Division of Public Instruction**

	1949-50	1950-51
F 9b—School Lunch	\$30,000	\$30,000

Oklahoma

The State Board of Education is hereby designated as the "State Educational Agency" referred to in Public Law 396 of the 79th Congress of the United States . . . and is hereby authorized and directed to accept the terms and provisions of said Act. . . . —(H.B. No. 120, Session Laws of Oklahoma, 1949.)

Oregon

For the purpose of advancing and improving school lunch programs in the State of Oregon and . . . promoting the health and well-being of the students through better nutrition, the superintendent of public instruction may employ, and have under his direction, a qualified person as director of school lunch programs.—(Ch. 313, Oregon Laws, 1947.)

Pennsylvania

The Department of Public Instruction may enter into such agreements with any agency of the Federal Government, with any board of school directors, or with any other agency or person, prescribe such regulations, employ such personnel, and take such other action as it may deem necessary to provide for the establishment, maintenance, operation and expansion of any school lunch program and to direct the disbursement of Federal and State funds in accordance with any applicable provisions of Federal or State law.—(Act No. 41, approved April 24, 1947.)

Rhode Island

The State Department of Education may enter into such agreements, with any agency of the Federal Government, with any school board, or with any other agency or person, may prescribe such regulations, employ such personnel, and take such action as it may deem necessary to provide for the establishment, maintenance, operation and expansion of any school lunch program and to direct the disbursement of Federal and State funds in accordance with existing provisions of Federal and State laws.—(Ch. 979, Rhode Island Session Laws, 1947.)

South Carolina

NOTE: Legislation passed by South Carolina for the establishment and maintenance of a school lunch program may be found in its entirety in Appendix B of the study.

South Dakota

This program [School Lunch Program] shall be under the direction of the State Superintendent of Public Instruction.—(Ch. 300, Session Laws of South Dakota, 1949.)

Tennessee

In case the Congress of the United States shall enact any legislation of any character making grants of public monies to the several States of the Union for the purpose of promoting the cause of public education, the State Board of Education of this State is hereby designated as the authority to administer said funds and the State Commissioner of Education shall represent this State in the administration of such Federal legislation.—(Sec. 28, Ch. 8, 1947 Supplement, Williams Tennessee Code.)

Texas

The Central Education Agency shall be the sole agency of the State of Texas empowered to enter into agreements respecting educational under-

takings, including the providing of school lunches and the construction of school buildings, with an agency of the Federal Government, except such agreements as may be entered into by the Governing Board of a State university or college.—(Sec. 3, Art. 1, Ch. 298, General and Special Laws of Texas, 1949.)

Utah

NOTE: Legislation for this State for the establishment and maintenance of a school lunch program can be found in its entirety in Appendix B of the study.

Vermont

The State Board of Education is . . . empowered to accept and use funds made available by legislation of the Congress . . . for assistance in the establishment, maintenance, operation and expansion of school lunch and milk programs and for assistance in providing appropriate administrative and supervisory services in connection therewith.—(H.B. 209, approved March 19, 1945.)

Virginia

The Superintendent of Public Instruction is . . . designated as the "State Educational Agency" for the disbursement of funds received by the Commonwealth of Virginia under the provisions of the . . . National School Lunch Act; and . . . is authorized . . . to exercise the powers and perform the duties . . . imposed by the Act of Congress. . . .—(Ch. 462, Virginia Laws, 1948.)

Washington

The State of Washington . . . is hereby authorized to receive Federal funds . . . made available by acts of Congress for . . . any educational purpose . . . and the State Superintendent of Public Instruction shall represent the State in the receipt and administration of such funds.—(Sec. 4, Ch. 220, Laws of Washington, 1943.)

West Virginia

From the State fund, general revenue, there is hereby appropriated . . . the following amounts, as itemized, for expenditures during the fiscal years one thousand nine hundred fifty and one thousand, nine hundred fifty-one.—(Acct. No. 705, Ch. 9, Acts of the West Virginia Legislature, 1949.)

Department of Education—Hot Lunches

	<i>1949-50</i>	<i>1950-51</i>
Personal Services	\$ 37,500	\$ 37,500
Current Expenses	11,720	11,720
Aid to Counties—Includes hot lunches and canning for hot lunches	100,000	100,000
	<hr/>	<hr/>
	\$149,220	\$149,220

Wisconsin

The Governor is authorized to accept for the State at all times the provisions of any act of Congress whereby funds are made available to the State for any purpose whatsoever, including the school health program under the Social Security Act, and to perform all other acts necessary to comply with . . . the required provisions of such acts of Congress.—(*Ch. 101, Wisconsin Statutes, 1943.*)

Wyoming

The State Board of Education may enter into such agreements with any agency of the Federal Government . . . to provide for the establishment, maintenance, operation and expansion of any school lunch program. . . .—(*Ch. 142, Session Laws of Wyoming, 1947.*)

Appendix B

Selected State School Lunch Laws: Illinois, South Carolina, Utah

AS A MEANS of depicting three different types of school lunch legislation in three different sections of the country, school lunch laws for the States of Illinois, South Carolina, and Utah are given here in their entirety.

School Lunch Law for the State of Illinois

AN ACT authorizing school boards and welfare centers to sponsor community school lunch programs; providing for reimbursement by the State for a portion of the cost of such programs.

The Superintendent of Public Instruction is authorized to reimburse school boards, welfare centers, and other designated sponsors of school lunch programs for a portion of the costs of food served in balanced nutritious lunches, and served to students in schools operated not for profit, in non-profit public or parochial schools and non-profit welfare centers.

The Superintendent of Public Instruction is authorized to enter into agreements with the sponsors of school lunch programs, and shall prepare a standardized, general list of type lunches, for which the State shall reimburse subject to the provisions of Section 8, the sponsors of school lunch programs, as follows:

- (a) For each type of lunch designated as Type A and Type B with milk, not more than 4¢.
- (b) For each type of lunch designated as Type A and Type B without milk, not more than 3¢.
- (c) For each type of lunch designated as Type C (milk only), not more than 1¢.

The Superintendent of Public Instruction is also authorized to enter into agreements with any governmental agency, school boards or welfare centers which would permit the distribution of surplus commodities or in any other way tend to improve the school lunch program.

School boards and welfare centers shall keep an accurate, detailed and separate account of all moneys expended for school lunch programs, and of

the amounts for which they are reimbursed by any governmental agency, moneys received from students and from any other contributors to the program. School boards and welfare centers shall also keep on file a copy of all menus served under the school lunch program, which together with all records of receipts and disbursements, shall be made available to representatives of the office of the Superintendent of Public Instruction at any time.

Applications for participation in the school lunch program shall be made on forms provided by the Superintendent of Public Instruction and filed with him, through the County Superintendents of Schools. A statement shall be required in the application form and also in the claim for reimbursement, that need for state reimbursement exists, and that all students shall be entitled to school lunches whether or not they are able to pay for them.

The Superintendent of Public Instruction may disapprove any reimbursement if he finds that balanced, nutritious meals are not served in accordance with the prescribed standards. The Superintendent of Public Instruction may reduce or disapprove the amount of reimbursement if it is found that the total income for the school lunch program exceeds the expenditures therefor.

The funds appropriated for the purpose of the school lunch program shall be apportioned by the Superintendent of Public Instruction to the various counties in accordance with school enrollment of the counties for the last preceding school year. If, at the end of the first year of the biennium for which any sum is appropriated for school lunch programs, there remains any balance appropriated for such year which is unexpended, such balance,

together with any sum appropriated for the second year of such biennium, shall be apportioned by the Superintendent of Public Instruction to the various counties in accordance with the school enrollment of the counties for the last preceding school year. If the total amount of the claims for reimbursement for any school year exceed the amount appropriated for such year the money appropriated shall be apportioned to each claimant on the basis of the amount of the claims filed subject to the provisions for apportionment on the basis of school enrollment as hereinabove provided.

School boards and welfare centers shall file claims for reimbursement in duplicate, on forms provided by the Superintendent of Public Instruction, with the County Superintendent of Schools, not later than the tenth day of each month, for any school lunch program cost incurred during the next preceding calendar month. The County Superintendent of Schools shall sign and forward to the Superintendent of Public Instruction not later than the fifteenth day of each month, one copy of each such claim filed with him.

The Superintendent of Public Instruction shall prepare and certify to the Auditor not later than the 25th day of each month, a report of all claims certified to him by the County Superintendents of Schools, for State reimbursement, setting forth the amount due each school and welfare center therefor, whereupon the Auditor shall draw his warrants on the State Treasurer for the amounts certified to him to the county superintendents of schools for the various school districts and welfare centers in their respective counties certified thereto. The county superintendent straightway shall transmit the payment to the respective school boards through the proper school treasurer or to the welfare centers.

Enacted July 24, 1945 and amended August 11, 1949.

(Senate Bill No. 504, Laws of Illinois, 1945; House Bill No. 844, Laws of Illinois, 1949.)

School Lunch Law for the State of South Carolina

AN ACT. To Continue and Expand the Lunch Program in the Public Schools of South Carolina, and to Provide for the Receipt, Storage, and Processing of Food Supplies and the Supervision and Promotion of School Lunches in the State.

BE IT ENACTED by the General Assembly of the State of South Carolina:

SECTION 1. School lunch division in state board of education—supervisor—operation.—To continue and expand the lunch program in the public schools of South Carolina, in cooperation with the Food Distribution Administration of the United States Government, or any similar agency, there is hereby created a School Lunch Division in the State Department of Education, to be directed by a State Supervisor, appointed by the State Board of Education, which shall also employ a steno-clerk and a food consultant to plan meals and otherwise assist in the program and shall purchase all necessary and incidental office supplies, the cost of which including necessary

Travel for State Supervisors shall not exceed the sum of Seven Thousand Eight Hundred (\$7,800.00) Dollars annually. The salaries of the personnel herein provided for shall be fixed by the State Department of Education; however, the salaries must come within the sum of money appropriated in this Section, and at the same time take care of the travel, office supplies and necessary office equipment.

SECTION 2. School lunch supervisors—appointment—duties and powers—salary—expenses—office—equipment.—School Lunch Supervisors shall be employed on a county basis, with one supervisor for each county of the State. These supervisors shall be appointed by the State Board of Education upon the recommendation of the County Boards of Education of the various counties of the State of South Carolina; however, in the event there is no County Board of Education, such Board or organization which takes its place, or the County Superintendent of Education. School Lunch supervisors shall be responsible for the supervision and promotion of school lunches in their respective counties, and shall cooperate with Government agencies furnishing food and produce and funds for the purchase of foods, and shall see that these funds, or foods, are properly distributed among the schools and where they can be most effectively used. Each Supervisor shall be paid Twelve Hundred (\$1,200) Dollars per year for salary, and Three Hundred (\$300) Dollars per year for all expenses. In the larger counties of the State, where the number of school children and the area involved warrant, the State Department of Education may divide such counties into two districts and provide a supervisor for each district, but in such cases the counties shall pay one-half of the cost of the salaries and expenses of such additional supervisors. The said Supervisors shall cooperate with and carry out the general program as directed by the State Department of Education, to the end that hot lunches shall be furnished all the public schools in South Carolina insofar as possible; PROVIDED, HOWEVER, That the Counties shall furnish necessary office space and equipment for properly administering the program.

SECTION 3. Appropriations.—For the operation of the organization provided for in the foregoing section for the fiscal year 1943-44, there is hereby appropriated annually from the general fund of the State the sum of Seventy-six Thousand Five Hundred (\$76,500.00) Dollars, and such other amounts as may be provided in successive years in the general Appropriation Bill. Such funds shall be disbursed by the State Department of Education as are other State funds.

SECTION 4. State's policy—appropriations for school lunch program.—It is declared to be the policy of the State to receive and distribute such funds and/or food supplies as are available for the school lunch program, or otherwise, and to supervise and generally direct the program in the local schools. There is hereby appropriated the sum of One Hundred Thousand (\$100,000.00) Dollars,* if so much be necessary, from the general fund of the State for the fiscal year 1943-44, and such other amounts as may be provided in successive years in the general appropriation bill. The One Hundred Thousand (\$100,000.00) Dollars shall be divided between counties of the

* The appropriation for the 1943-44 fiscal year changed this amount to \$150,000.

SCHOOL LUNCH PROGRAM

State upon the basis of the enrollment of pupils in each county for the school year preceding the date of the distribution and shall be disbursed by the State Department of Education, which shall send to the Treasurer of each county its respective portion as early as possible, and the County Boards of Education, or other county educational authorities, shall use the county portion for the promotion and development of the school lunch program in such ways as each county board shall deem advisable.

SECTION 5. Appropriations contingent on Federal Government furnishing funds and/or supplies.—Should the Federal Government discontinue the School Lunch Program, the appropriations herein provided shall be discontinued during the time the Federal Government does not provide funds and/or supplies. Should the Federal Government at any time resume the distribution of commodities to schools, the Budget Commission is hereby authorized and directed to provide from the general fund of the State such an amount as may be necessary for the State to take advantage of such commodities.

SECTION 6. Repeal.—All Acts or parts of Acts inconsistent with this Act are hereby repealed.

SECTION 7. Time effective.—This Act shall become effective upon its approval by the Governor.

(No. 193, approved the 5th day of May, 1943.)

School Lunch Law for the State of Utah

AN ACT RELATING TO PUBLIC SCHOOLS AND CREATING SCHOOL LUNCH FUND TO BE PROVIDED FOR THROUGH A TAX ON WINES AND LIQUORS: AUTHORIZING THE STATE BOARD OF EDUCATION TO ADMINISTER SAID FUND AND TO DISTRIBUTE TO THE SCHOOL DISTRICTS FOR CONTINUATION OF THE SCHOOL LUNCH PROGRAM: PRESCRIBING THE POWERS AND DUTIES OF THE SCHOOL BOARDS AND THE STATE BOARD OF EDUCATION: AUTHORIZING THE STATE BOARD OF EDUCATION TO ASSUME RESPONSIBILITY FOR W.P.A. SCHOOL LUNCH SUPPLIES AND EQUIPMENT AND MAKING AN APPORTIONMENT FROM SAID FUND, FOR ADMINISTERING THE SCHOOL LUNCH PROGRAM, BEING A PART OF TITLE 75, UTAH CODE ANNOTATED 1943.

Be it enacted by the Legislature of the State of Utah:

SECTION 1. Tax on Wines and Liquors—Proceeds Deposited Daily With State Treasurer and Credited to School Lunch Fund. Rules and Regulations—Use of Sales Tokens Authorized.

From and after the effective date of this act there is levied and there shall be collected by and paid to the State Tax Commission under forms, rules and regulations prescribed by said State Tax Commission, a tax upon every retail sale of wine and distilled liquors sold by the State Liquor Control Commission in the State of Utah. Said tax shall be equivalent to four per cent of the purchase price paid or charged upon every said retail sale of said wine and distilled liquors.

All revenues collected or received by the State Tax Commission from said tax imposed by this act shall be deposited daily with the State Treasurer to be credited by him to, and to be kept by him in, a separate fund to be known as the school lunch fund. PROVIDED, that for the purpose of more efficiently securing the payment, collection and accounting for the taxes provided for under this act, the tax commission in its discretion, by proper rules and regulations, may provide for the issuance of tokens or other appropriate devices, or the use of tokens or devices already in use by the State Tax Commission, to facilitate collections.

SECTION 2. Fund Controlled by State Board of Education—Distribution by Warrant of State Auditor—Restriction on Use of Fund.

Said fund shall be under the control of the State Board of Education and shall only be disbursed, transferred, or drawn upon by its order or request. The State Board of Education shall make all requests for distribution from this fund on the State auditor in writing. The State auditor shall draw a warrant in favor of the person, district, or school board entitled to the same upon the State treasurer for the amount requested by the State Board of Education and shall deliver or transmit the same to the persons, district, or school board entitled thereto. Said fund shall only be used to provide school lunches and a school lunch program in the various school districts of the State of Utah in accordance with standards to be established by the State Board of Education.

SECTION 3. Apportionment by State Board of Education—Employ Personnel.

The State Board of Education is authorized and directed to apportion said funds to the local boards of education in the various school districts of the State of Utah according to the number of school children receiving school lunches in the various school districts. For that purpose, the State Board of Education is authorized to direct the State Treasurer through the State auditor's office to transfer to the various boards of education the amounts so determined for each school district. The board of education and the local boards of education are authorized and directed to employ such personnel, including clerical assistance and cooks as may be necessary to properly and efficiently administer and supervise such school lunch program and to purchase or procure such supplies and equipment as are deemed necessary.

SCHOOL LUNCH PROGRAM

SECTION 4. Authorization to act.

The State Board of Education is hereby authorized and empowered to accept and assume responsibility for such assets, supplies and equipment heretofore held and used by the federal W.P.A. as may be available for use in a State school lunch program.

SECTION 5. Administration and Supervision of Program—Limitation on Expense of.

Such amounts as may be necessary not to exceed \$20,000.00 annually shall be apportioned from the school lunch fund for the purpose of administration and supervision of the school lunch program as provided for by this act.

SECTION 6. Effective Date.

This act shall take effect upon approval.

(H.B. No. 164, approved March 18, 1943.)

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