

No. 314

AN ACT

HB 2239

Amending the act of March 10, 1949 (P.L.30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," further providing for school food programs.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 1337, act of March 10, 1949 (P.L.30), known as the "Public School Code of 1949," is amended to read:

Section 1337. Nonprofit School **[Lunch] Food** Program.—(a) Definitions. For the purpose of this section—"school **[lunch] food** program" means a program under which **[lunches are] food is** served by any school on a nonprofit basis to children in attendance, including any such program under which a school receives assistance out of funds appropriated by the Congress of the United States.

(b) Expenditure of Federal Funds. The Department of **[Public Instruction] Education** 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] food** programs. The Department of **[Public Instruction] Education** shall deposit all such funds received from the Federal Government in a special account with the Treasurer of the State who shall make disbursements therefrom upon the direction of the Department of **[Public Instruction] Education**.

(c) Administration of Program. The Department of **[Public Instruction] Education** 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] food** program, and to direct the disbursement of Federal and State funds in accordance with any applicable provisions of Federal or State law. The Department of **[Public Instruction] Education** may give technical advice and assistance to any board of school directors in connection with the establishment and operation of any school **[lunch] food** program, and may assist in training personnel engaged in the operation of such program. The Department of **[Public Instruction] Education**, and any board of school directors, may accept any gift for use in connection with any school **[lunch] food** program.

(d) Boards of School Directors. Pursuant to any power of boards of school directors to operate or provide for the operation of school **[lunch] food** programs in schools under their jurisdiction, boards of school

directors may use therefore funds disbursed to them under the provisions of this section, gifts and other funds, received from sale of school **[lunches]** *food* under such programs.

(e) Accounts, Records, Reports and Operations. The Department of **[Public Instruction]** *Education* shall prescribe regulations for the keeping of accounts and records, and the making of reports by, or under the supervision of boards of school directors. Such accounts and records shall at all times be available for inspection and audit by authorized officials, and shall be preserved for such period of time, not in excess of five years, as the Department of **[Public Instruction]** *Education* may lawfully prescribe. The Department of **[Public Instruction]** *Education* shall conduct or cause to be conducted such audits, inspections, and administrative reviews of accounts, records, and operations with respect to school **[lunch]** *food* programs, as may be necessary to determine whether its agreements with boards of school directors, and regulations made pursuant to this section, are being complied with, and to insure that school **[lunch]** *food* programs are effectively administered.

(f) Studies, Appraisals and Reports to Governor. The Department of **[Public Instruction]** *Education* is hereby authorized, to the extent that funds are available for that purpose and in cooperation with other appropriate agencies and organizations, to conduct studies of methods of improving and expanding school **[lunch]** *food* programs and promoting nutritional education in the schools, to conduct appraisals of the nutritive benefits of school **[lunch]** *food* programs and to report its findings and recommendations, from time to time, to the Governor.

APPROVED—The 6th day of December, A. D. 1972.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 314.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive, flowing style.

*Secretary of the Commonwealth.*