



HEALTH & WELFARE, K-12 | DAILY REPORT

Veto pits charter school autonomy against affordable meals

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DC Central Kitchen/Flickr [1]

Arguing that he did not want to "erode the independence and flexibility" of charter schools, Gov. Jerry Brown last weekend vetoed legislation that would have required charters to provide low-income students free or reduced-price meals.

Brown's [veto message \[PDF\]](#) [2] of AB 1594, authored by Assemblyman Mike Eng, D-Alhambra, pits student nutrition against charter school autonomy – issues that supporters said should not be at odds.

"I respect the governor's concern that charter schools thrive, but I believe that it's not necessary to choose between meals for children and good policies for charter schools. We can do both," Eng said in a statement to California Watch.

Supporters of the [legislation](#) [3], which included food banks, teachers unions, the California School Boards Association and California School Employees Association, said nutritious, affordable meals were integral to students' well-being and academic performance.

"Access to these meals is a pretty basic, essential resource that all students should be able to receive. ... We never saw it as tied into the politics of charter schools or their educational autonomy," said Alexis Fernandez, a nutrition policy advocate at California Food Policy Advocates, which sponsored the legislation.

The California Charter Schools Association applauded Brown for "keeping the spirit of the Charter Schools Act intact," but it primarily cited a lack of resources in its opposition to the legislation.

"In general charter schools continue to face significant barriers in regards to providing food programs as stated in AB 1594, including adequate funding, as well as lack of equitable facilities and equipment," Jed Wallace, president and CEO of the association, said in a statement to California Watch.

A similar proportion of California students are eligible for free or reduced-price meals in both charter and traditional public schools – about 56 percent and 57 percent, respectively. But charter schools, which enrolled more than 412,000 students last year, are exempt from a [state law](#) [4] that requires public schools to provide low-income students with a meal meeting federal nutrition standards each school day.

Many charter schools, which are eligible for the same level of federal meal reimbursements as traditional public schools, do provide low-income students free and reduced-price meals. A 2010 state [audit](#) [5] found that more than half the state's charter schools participated in federal breakfast or lunch programs.

Yet many charters do not participate in federal meal programs.

Wallace said "a majority of the non-participating charters offer alternative programs," including catering services or preprepared meals. But neither the association nor the California Department of Education has data on the extent of alternative meal programs, their nutrition standards or their availability of free and reduced-price options.

The 2010 audit surveyed 213 charter schools that were identified in state data as offering classroom-based instruction but not participating in federal meal programs. Of the 133 schools that responded, 41 said they did in fact participate in the programs. Forty-six said they offered alternative meal programs with a range of costs, and 39 said they did not provide meals mainly because they lacked resources such as funding, staff, a kitchen or a cafeteria. The remaining seven do not provide meals because their students receive instruction outside the classroom or their students are 18 or older and are not eligible to participate in the programs.

Fernandez said those are challenges many traditional public schools face as well. Schools that lack kitchens, for example, can buy meals from private vendors or from a neighboring school district. Those with small cafeterias can feed students in shifts, she said.

"I think these are challenges that can be addressed," she said. "I think there's a lot of options for how to make it work."

California Food Policy Advocates would still like to see legislation address affordable meals in charter schools to ensure consistency as the number of charter schools increases, Fernandez said.

Eng, who will term out of the Legislature this year, said he's "hopeful that next year the charter schools will see the benefit of such a bill and get behind it."

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[1] <http://www.flickr.com/photos/dccentralkitchen/4987284574/in/photostream>

[2] http://gov.ca.gov/docs/AB_1594_Veto_Message.pdf

[3] http://leginfo.ca.gov/pub/11-12/bill/asm/ab_1551-1600/ab_1594_bill_20120906_enrolled.html

[4] <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=edc&group=49001-50000&file=49550-49562>

[5] <http://bsa.ca.gov/reports/summary/2010-104>