

# SENATE BILL 818

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CF HB 1235

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By: **Senators Madaleno, Kasemeyer, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kagan, King, Lee, Manno, McFadden, Peters, Smith, and Zucker**

Introduced and read first time: February 5, 2018

Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 16, 2018

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Education – Maryland Meals for Achievement In-Classroom Breakfast Program**  
3 **– Eligibility and Annual Appropriation**

4 FOR the purpose of authorizing certain schools to remain eligible to participate in the  
5 Maryland Meals for Achievement In-Classroom Breakfast Program under certain  
6 circumstances; requiring the Governor to include a certain appropriation to the  
7 Program in the annual budget bill; defining ~~certain terms~~ a certain term; and  
8 generally relating to the Maryland Meals for Achievement In-Classroom Breakfast  
9 Program.

10 BY repealing and reenacting, with amendments,  
11 Article – Education  
12 Section 7–704  
13 Annotated Code of Maryland  
14 (2014 Replacement Volume and 2017 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
16 That the Laws of Maryland read as follows:

17 **Article – Education**

18 7–704.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) (1) In this section[,] **THE FOLLOWING WORDS HAVE THE MEANINGS**  
2 **INDICATED.**

3 (2) “Program” means the Maryland Meals for Achievement In-Classroom  
4 Breakfast Program.

5 (3) **“SECONDARY SCHOOLS” INCLUDES MIDDLE SCHOOLS AND HIGH**  
6 **SCHOOLS.**

7 (b) (1) There is a school breakfast program in the State, known as the  
8 Maryland Meals for Achievement In-Classroom Breakfast Program.

9 (2) The Program is a joint effort of the Department and the county boards  
10 or sponsoring agencies for eligible nonpublic schools.

11 (c) (1) The purpose of the Program is to provide funding for a school that  
12 makes an in-classroom breakfast available to all students in the school.

13 (2) The funding is intended to complement the funding received by a school  
14 from the federal government for a school breakfast program.

15 (d) The Department shall:

16 (1) Develop an application form for a school that desires to participate in  
17 the Program;

18 (2) Ensure that the schools that participate in the Program represent  
19 geographic and socioeconomic balance statewide;

20 (3) **[Ensure] SUBJECT TO SUBSECTION (E) OF THIS SECTION, ENSURE**  
21 **that a school that participates in the Program is a school at which at least 40% of the**  
22 **registered students are eligible for the federal free or reduced price meal program;**

23 (4) Select schools to participate in the Program, ensuring that an annual  
24 evaluation of the Program is conducted by the Department;

25 (5) Annually review and set the meal reimbursement rate for schools that  
26 participate in the Program to complement the federal meal reimbursement rate determined  
27 under § 7-703 of this subtitle; and

28 (6) Disburse the Program funds to the county board or the sponsoring  
29 agency.

30 **(E) (1) IF A SCHOOL THAT PARTICIPATES IN THE PROGRAM HAS LESS**  
31 **THAN 40% OF THE REGISTERED STUDENTS ELIGIBLE FOR THE FEDERAL FREE OR**

1 REDUCED PRICE MEAL PLAN, THE SCHOOL SHALL REMAIN ELIGIBLE TO  
2 PARTICIPATE IN THE PROGRAM FOR 1 YEAR.

3 (2) IF, AFTER 1 YEAR, THE SCHOOL'S PERCENT OF REGISTERED  
4 STUDENTS ELIGIBLE FOR THE FEDERAL FREE OR REDUCED PRICE MEAL PLAN IS  
5 LESS THAN 40%, THE SCHOOL IS NO LONGER ELIGIBLE TO PARTICIPATE IN THE  
6 PROGRAM.

7 [(e)] (F) A county board or a sponsoring agency for an eligible nonpublic school  
8 shall:

9 (1) Apply to the Department for funds for schools within the jurisdiction of  
10 the board or for schools that are under the sponsoring agency that:

11 (i) Are eligible to participate in the Program; and

12 (ii) Apply to the board or to the sponsoring agency to participate in  
13 the Program; and

14 (2) Submit an annual report to the Department on the Program, including  
15 the manner in which the funds have been expended.

16 [(f)] (G) A school that participates in the Program shall:

17 (1) Implement an in-classroom breakfast program in which all students in  
18 the school may participate regardless of family income;

19 (2) Serve a breakfast that meets the guidelines of the Department and the  
20 nutritional standards of the United States Department of Agriculture for schools that  
21 participate in the federal school breakfast program;

22 (3) Except as provided in subsection [(g)] (H) of this section, serve the  
23 breakfast in the classroom after the arrival of students to the school;

24 (4) Collect the data that the county board or the sponsoring agency and the  
25 Department require from participants in the Program; and

26 (5) Submit an annual report to the county board or the sponsoring agency.

27 [(g)] (H) Secondary schools may serve breakfast in any part of the school,  
28 including from "Grab and Go" carts after the arrival of students to the school.

29 [(h)] (I) The employee organization that is the exclusive representative of the  
30 certificated public school employees of a county board and the employee organization that  
31 is the exclusive representative of the noncertificated employees of a county board and the  
32 county board shall negotiate the terms of the participation of the employees in the Program.

1           **(J) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN**  
2 **APPROPRIATION OF ~~\$11,900,000~~ \$8,300,000 TO THE PROGRAM.**

3           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
4 1, 2018.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.