

# HOUSE BILL 1199

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7lr3136

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By: ~~Delegates Hixson and N. King~~, N. King, Bartlett, Barve, Cardin, Doory, Elmore, George, Gilchrist, Howard, Ivey, Jennings, Kaiser, Krebs, McKee, Murphy, Olszewski, Rice, Ross, Stukes, and Walker

Introduced and read first time: February 21, 2007

Assigned to: Rules and Executive Nominations

Re-referred to: Ways and Means, March 5, 2007

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2007

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

1 AN ACT concerning

2 **Education – Meals for Achievement In-Classroom Breakfast Program –**  
3 **Eligibility**

4 FOR the purpose of altering the criteria used to determine whether a school qualifies  
5 to participate in the Meals for Achievement In-Classroom Breakfast Program;  
6 and generally relating to the Meals for Achievement In-Classroom Breakfast  
7 Program.

8 BY repealing and reenacting, with amendments,  
9 Article – Education  
10 Section 7-704  
11 Annotated Code of Maryland  
12 (2006 Replacement Volume)

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

15 **Article – Education**

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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 7-704.

2 (a) In this section, "Program" means the Maryland Meals for Achievement  
3 In-Classroom Breakfast Program.

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

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

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

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

12 (d) The Department shall:

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

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

17 (3) Ensure that a school that participates in the Program is a school at  
18 which at least [40%] **35%** of the registered students are eligible for the federal free or  
19 reduced price meal program;

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

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

25 (6) Disburse the Program funds to the county board or the sponsoring  
26 agency.

27 (e) A county board or a sponsoring agency for an eligible nonpublic school  
28 shall:

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

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

4                   (ii)   Apply to the board or to the sponsoring agency to participate  
5 in the Program; and

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

8           (f)    A school that participates in the Program shall:

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

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

14                  (3)    Serve the breakfast in the classroom upon the arrival of students  
15 to the school;

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

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

20           (g)    The employee organization that is the exclusive representative of the  
21 certificated public school employees of a county board and the employee organization  
22 that is the exclusive representative of the noncertificated employees of a county board  
23 and the county board shall negotiate the terms of the participation of the employees in  
24 the Program.

25           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2007.