

CHAPTER 641

(House Bill 1199)

AN ACT concerning

Education – Maryland Meals for Achievement In-Classroom Breakfast Program – Eligibility

FOR the purpose of ~~altering the criteria used to determine whether a school qualifies to participate in the Meals for Achievement In-Classroom Breakfast Program;~~ authorizing the General Assembly to consider expanding the Maryland Meals for Achievement In-Classroom Breakfast Program under certain circumstances; and generally relating to the Meals for Achievement In-Classroom Breakfast Program.

BY repealing and reenacting, ~~with~~ without amendments,

Article – Education

Section 7-704

Annotated Code of Maryland

(2006 Replacement Volume)

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

Article – Education

7-704.

(a) In this section, “Program” means the Maryland Meals for Achievement In-Classroom Breakfast Program.

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

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

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

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

(d) The Department shall:

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

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

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

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

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

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

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

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

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

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

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

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

- (1) Implement an in-classroom breakfast program in which all students in the school may participate regardless of family income;
 - (2) Serve a breakfast that meets the guidelines of the Department and the nutritional standards of the United States Department of Agriculture for schools that participate in the federal school breakfast program;
 - (3) Serve the breakfast in the classroom upon the arrival of students to the school;
 - (4) Collect the data that the county board or the sponsoring agency and the Department require from participants in the Program; and
 - (5) Submit an annual report to the county board or the sponsoring agency.
- (g) The employee organization that is the exclusive representative of the certificated public school employees of a county board and the employee organization that is the exclusive representative of the noncertificated employees of a county board and the county board shall negotiate the terms of the participation of the employees in the Program.

SECTION 2. AND BE IT FURTHER ENACTED, That if the Governor provides full funding in the State budget for all eligible schools under the Maryland Meals for Achievement In-Classroom Breakfast Program, then the General Assembly may consider expanding the eligibility criteria for the Program.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2007.

Approved by the Governor, May 17, 2007.