

SENATE BILL 359

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CF HB 257

By: **Senators Madaleno, Benson, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Lee, Manno, Muse, Peters, Pinsky, Robinson, Rosapepe, Smith, and Zucker**

Introduced and read first time: January 25, 2017

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Maryland Meals for Achievement In-Classroom Breakfast Program**
3 **– Administration**
4 **(Maryland Meals for Achievement for Teens Act of 2017)**

5 FOR the purpose of authorizing participating secondary schools to serve breakfast in any
6 part of the school, including from “Grab and Go” carts; clarifying when breakfast in
7 the classroom should be served; and generally relating to the Maryland Meals for
8 Achievement In-Classroom Breakfast Program.

9 BY repealing and reenacting, with amendments,
10 Article – Education
11 Section 7–704
12 Annotated Code of Maryland
13 (2014 Replacement Volume and 2016 Supplement)

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

16 **Article – Education**

17 7–704.

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

7 (d) The Department shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 (3) **[Serve] EXCEPT AS PROVIDED IN SUBSECTION (G) OF THIS**
7 **SECTION, SERVE** the breakfast in the classroom **[upon] AFTER** the arrival of students to
8 the school;

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

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

12 **(G) SECONDARY SCHOOLS MAY SERVE BREAKFAST IN ANY PART OF THE**
13 **SCHOOL, INCLUDING FROM “GRAB AND GO” CARTS AFTER THE ARRIVAL OF**
14 **STUDENTS TO THE SCHOOL.**

15 **[(g)](H)** The employee organization that is the exclusive representative of the
16 certificated public school employees of a county board and the employee organization that
17 is the exclusive representative of the noncertificated employees of a county board and the
18 county board shall negotiate the terms of the participation of the employees in the Program.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
20 1, 2017.