

SENATE BILL 818

F1

(8lr3444)

ENROLLED BILL

— Budget and Taxation/Ways and Means and Appropriations —

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

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

President.

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

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.

Italics indicate opposite chamber/conference committee amendments.



1 Annotated Code of Maryland
2 (2014 Replacement Volume and 2017 Supplement)

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

5 **Article – Education**

6 7–704.

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

9 **(2)** “Program” means the Maryland Meals for Achievement In–Classroom
10 Breakfast Program.

11 **(3)** **“SECONDARY SCHOOLS” INCLUDES MIDDLE SCHOOLS AND HIGH**
12 **SCHOOLS.**

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

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

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

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

21 (d) The Department shall:

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

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

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

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

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

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

6 **(E) (1) IF A SCHOOL THAT PARTICIPATES IN THE PROGRAM HAS LESS**
7 **THAN 40% OF THE REGISTERED STUDENTS ELIGIBLE FOR THE FEDERAL FREE OR**
8 **REDUCED PRICE MEAL PLAN, THE SCHOOL SHALL REMAIN ELIGIBLE TO**
9 **PARTICIPATE IN THE PROGRAM FOR 1 YEAR.**

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

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

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

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

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

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

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

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

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

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

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

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

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

4 [(h)] (I) The employee organization that is the exclusive representative of the
5 certificated public school employees of a county board and the employee organization that
6 is the exclusive representative of the noncertificated employees of a county board and the
7 county board shall negotiate the terms of the participation of the employees in the Program.

8 (J) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN
9 APPROPRIATION OF ~~\$11,900,000~~ ~~\$8,300,000~~ \$7,550,000 TO THE PROGRAM.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
11 1, 2018.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.