

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Address Student Hunger with a "Breakfast after the Bell" Program**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 20-A MRSA §6602, sub-§1, ¶B-1** is enacted to read:

B-1. A school administrative unit with a public school in which at least 50% of students qualified for a free or reduced-price lunch during the preceding school year shall operate an alternative breakfast delivery service that provides breakfast after the start of the school day. A school administrative unit may opt out of the alternative breakfast delivery service if the governing board of the school administrative unit holds a public hearing regarding the service and votes in the affirmative that the service would not be financially or logistically viable. The governing board of the school administrative unit shall post public notice in each municipality in the unit of the time and location of the hearing at least 10 days before the hearing. The chair of the governing board of the school administrative unit shall conduct the hearing. Within 30 days of the public hearing, the governing board of the school administrative unit, by majority vote, may determine that an alternative breakfast delivery service is not financially or logistically viable. The department shall adopt rules to implement this paragraph. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 2. 20-A MRSA §6602, sub-§4, ¶A**, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

A. State funds, gifts and appropriations for school food service programs, including state funds specifically for school administrative units with a public school in which at least 50% of students qualified for a free or reduced-price lunch during the preceding school year that operate an alternative breakfast delivery service that provides breakfast after the start of the school day; and

**Sec. 3. Rulemaking regarding alternative breakfast delivery service.** The Department of Education shall adopt rules to develop an application process and to adopt standards to address evaluation criteria based on need for the funding of alternative breakfast delivery services in school administrative units pursuant to the Maine Revised Statutes, Title 20-A, section 6602, subsection 1, paragraph B-1 and subsection 4, paragraph A. The department shall adopt procedures to track health and academic outcomes through evaluation and data collection of students and schools that participate in alternative breakfast delivery services. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 4. Appropriations and allocations.** The following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF**

Initiative: Provides ongoing funding to school administrative units that operate alternative breakfast delivery services that provide breakfast after the start of the school day. A school administrative unit with a public school in which at least 50% of students qualified for a free or reduced-price lunch during the preceding school year qualifies for funding.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500,000	\$500,000
<b>GENERAL FUND TOTAL</b>	<b>\$500,000</b>	<b>\$500,000</b>

### **SUMMARY**

This bill requires a school administrative unit with a public school in which at least 50% of students qualified for a free or reduced-price lunch during the preceding school year to operate an alternative breakfast delivery service that provides breakfast after the start of the school day. It also provides a process for a school administrative unit to opt out of the alternative breakfast delivery service. This bill requires the Department of Education to adopt rules to develop an application process and to adopt standards to address evaluation criteria based on need for funding assistance for alternative breakfast delivery services in school administrative units. It also requires the department to develop a means to track health and academic outcomes of students and schools that participate in alternative breakfast delivery services.