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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1037

02/11/2019 Authored by Edelson, Jurgens, Richardson, Albright, Cantrell and others
The bill was read for the first time and referred to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to education finance; modifying the calculation of school breakfast aids;
1.3 increasing school breakfast aids to high-poverty school sites; appropriating money;
1.4 amending Minnesota Statutes 2018, section 124D.1158.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 124D.1158, is amended to read:

1.7 124D.1158 SCHOOL BREAKFAST PROGRAM.

1.8 Subdivision 1. Purpose. (a) The purpose of the school breakfast program is to provide
1.9 affordable morning nutrition to children so that they can effectively learn. Public and
1.10 nonpublic schools that participate in the federal school breakfast program may receive state
1.11 breakfast aid. Schools shall must encourage all children to eat a nutritious breakfast, either
1.12 at home or at school, and shall must work to eliminate barriers to breakfast participation at
1.13 school such as inadequate facilities and transportation.

1.14 (b) In order to increase participation in breakfast programs, schools are encouraged to
1.15 implement "breakfast after the bell" programs under various models, such as:

1.16 (1) "grab and go" models where breakfast foods are available for students to take at the
1.17 start of the school day or between morning classes;

1.18 (2) "second chance breakfast" models where breakfast foods are available later in the
1.19 morning, including during recess or nutrition breaks; or

1.20 (3) "breakfast in the classroom" models where breakfast is delivered to each classroom
1.21 early in the school day.

2.1 Subd. 2. **Program; eligibility.** Each school year, public and nonpublic schools that  
 2.2 participate in the federal school breakfast program are eligible for the state breakfast program.

2.3 Subd. 3. **Program reimbursement.** Each school year, the state must reimburse each  
 2.4 participating school 30 cents for each reduced-price breakfast, 55 cents for each fully paid  
 2.5 breakfast served to students in grades 1 to 12, and ~~\$1.30~~ \$1.35 for each fully paid breakfast  
 2.6 served to a prekindergarten student enrolled in an approved voluntary prekindergarten  
 2.7 program under section 124D.151 or a kindergarten student.

2.8 Subd. 3a. **Program reimbursement; high-poverty sites.** (a) Notwithstanding subdivision  
 2.9 3, the program reimbursement for a site required to offer a breakfast program under section  
 2.10 124D.117 must be calculated according to this subdivision. In order to receive aid under  
 2.11 this subdivision, a school must demonstrate to the commissioner of education that the school  
 2.12 has evaluated its eligibility for the Community Eligibility Provision program under section  
 2.13 11(a)(1) of the Richard B. Russell National School Lunch Act, United States Code, title 42,  
 2.14 section 1759a(a)(1).

2.15 (b) Each school year, the state must reimburse each school an amount equal to the greater  
 2.16 of zero or (1) the number of breakfasts served to students in kindergarten through grade 12  
 2.17 and all prekindergarten students enrolled in an approved voluntary prekindergarten program  
 2.18 under section 124D.151 times the federal reimbursement rate for free breakfast, minus (2)  
 2.19 the sum of federal school breakfast program reimbursements for the school. For the purpose  
 2.20 of this paragraph, "federal reimbursement rate for free breakfast" means the federal  
 2.21 reimbursement rate for free breakfast for a Minnesota school not in severe need.

2.22 Subd. 4. **No fees.** (a) A school that receives school breakfast aid under this section must  
 2.23 make breakfast available without charge to all participating students in grades 1 to 12 who  
 2.24 qualify for free or reduced-price meals and to all prekindergarten students enrolled in an  
 2.25 approved voluntary prekindergarten program under section 124D.151 and all kindergarten  
 2.26 students.

2.27 (b) A school receiving aid under subdivision 3a must make breakfast available without  
 2.28 charge to all participating students in kindergarten through grade 12 and to all prekindergarten  
 2.29 students enrolled in an approved voluntary prekindergarten program under section 124D.151.

2.30 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2020 and later.

3.1 Sec. 2. APPROPRIATIONS.

3.2 Subdivision 1. Department of Education. The sums indicated in this section are  
3.3 appropriated from the general fund to the Department of Education for the fiscal years  
3.4 designated.

3.5 Subd. 2. School breakfast. For school breakfast aid under Minnesota Statutes, section  
3.6 124D.1158:

3.7 \$ ..... 2020

3.8 \$ ..... 2021