

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Aaron Vega and Andres X. Vargas

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act Regarding Breakfast After the Bell.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Aaron Vega</i>	<i>5th Hampden</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>
<i>Bud Williams</i>	<i>11th Hampden</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act Regarding Breakfast After the Bell.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1C of chapter 69 of the General Laws, as appearing in the 2016 2
2 Official Edition, is hereby amended by inserting after the third paragraph the following 3
3 paragraphs:-

4 A public elementary or secondary school that is required to serve breakfast under the
5 second paragraph of this section, where not less than 60 per cent of the students at the school are
6 eligible for free or reduced-price meals under the federal National School Lunch Program, as
7 determined by the department, shall offer all students a school breakfast after the beginning of
8 the instructional day. A school subject to this paragraph may use the breakfast service model that
9 best suits its students in accordance with this section and the department’s guidelines including,
10 but not limited to: breakfast in the classroom, grab and go breakfast or second chance breakfast.
11 The department may promulgate regulations to implement this paragraph and may consult with
12 nonprofit organizations with experience regarding equity, the opportunity gap, hunger and food
13 security issues, and best practices for improving student access to school breakfast. The

14 department shall annually: (i) collect information about availability and participation rates of
15 students who partake in a school breakfast after the beginning of the instructional day under this
16 paragraph at each school; and (ii) make the information publicly available on its website not later
17 than July 1.

18 SECTION 2. The department of elementary and secondary education shall, not later than
19 January 1, 2020, develop and distribute a schedule for districts to begin implementing the
20 breakfast after the beginning of the instructional day program established in section 1C of
21 chapter 69 of the General Laws. Not later than December 31, 2021, the department shall review
22 all schools where not less than 60 per cent of students are eligible for free or reduced-price meals
23 under the federal National School Lunch Program and shall ensure full implementation of the
24 breakfast after the beginning of the instructional day program established in said section 1C of
25 said chapter 69 at all such schools not later than the start of the 2022-2023 academic year.

26 This requirement may be waived for a period of 1 year by the department if a public
27 elementary or secondary school demonstrates that in the previous academic year it consistently
28 met an 80 per cent or higher breakfast participation rate with its current delivery model, or if the
29 school demonstrates an extreme hardship to implementation.

30 SECTION 3. Section 1 shall take effect on August 1, 2020.

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