

# SENATE . . . . . No. 2441

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## The Commonwealth of Massachusetts

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In the One Hundred and Ninetieth General Court  
(2017-2018)  
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SENATE, Thursday, April 19, 2018

The committee on Education, to whom was referred the petitions (accompanied by bill, Senate, No. 242) of Sal N. DiDomenico, Jason M. Lewis, Joseph W. McGonagle, Jr., James B. Eldridge and other members of the General Court for legislation relative to breakfast in the classroom; and (accompanied by bill, House, No. 327) of Aaron Vega and others relative to expanding the public school breakfast in the classroom program,- reports the accompanying bill (Senate, No. 2441).

For the committee,  
Sonia Chang-Diaz

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## The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court  
(2017-2018)

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. The department shall, no later than January 1, 2019, develop and distribute  
2 a schedule and waiver process for districts to implement breakfast after the beginning of the  
3 instructional day. The department shall review all schools where at least sixty percent of students  
4 are eligible for free or reduced-price meals under the federal National School Lunch Program in  
5 order to determine level of need and create an implementation schedule to be phased in  
6 beginning with the 2019-2020 school year and ending no later than the 2021-2022 school year.

7           SECTION 2. Section 1C of chapter 69 of the General Laws, as appearing in the 2014  
8 Official Edition, is hereby amended by inserting after the fourth paragraph the following  
9 paragraphs:-

10           All public elementary and secondary schools required to serve breakfast under section 1C  
11 of chapter 69 of the General Laws where at least sixty percent of students are eligible for free or  
12 reduced-price meals under the federal National School Lunch Program shall offer all students a  
13 school breakfast after the beginning of the instructional day, according to the implementation  
14 schedule developed by the department; provided however, that this requirement shall be in effect

15 only if funding for one-time start-up costs, as determined by the department, has been provided  
16 to each eligible school through a state appropriation or by a philanthropic organization in  
17 collaboration with the department; and provided further, that nothing in this section shall prevent  
18 an eligible school from independently funding start-up costs for a school breakfast program that  
19 meets the requirements of this section.

20 Each school may use the breakfast service model that best suits its students in accordance  
21 with the guidelines of this section including, but not limited to: “breakfast in the classroom”,  
22 “grab and go breakfast”, and “second chance breakfast,” so called.

23 The department may promulgate regulations for the implementation of this section.

24 The department shall annually collect information about availability and participation  
25 rates of breakfast after the bell at each school. The department shall make the information  
26 publicly available on its website.

27 In fulfilling its responsibilities under this section, the department may consult with  
28 nonprofit organizations knowledgeable about equity, the opportunity gap, hunger and food  
29 security issues, and best practices for improving student access to school breakfast.

30 SECTION 3. Section 2 shall take effect beginning August 1, 2019.