

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 843, Page 21, Section 191.756, Line 28, by inserting immediately after said line the
3 following:
4

5 "191.820. 1. For purposes of this section, "breakfast after the bell" means any food served
6 after the instructional day has officially begun but before any lunch period in the school begins.

7 2. Except as provided in subsections 5 and 9 of this section, in school year 2018-19 and
8 each school year thereafter, the following schools shall offer breakfast after the bell to each student
9 in their schools, including any student who arrives late or who arrives by a different mode of
10 transportation than most students:

11 (1) Any public school, including any charter school, in which seventy percent or more
12 students enrolled in the school in the immediately preceding school year were eligible for free or
13 reduced price meals through the National School Lunch Program or School Breakfast Program; and

14 (2) Any public school, including any charter school, that has an individual site percentage
15 for free or reduced price meals of seventy percent or more and that is a Provision 2 school as
16 described in 7 CFR 245.9 or that uses the United States Department of Agriculture Community
17 Eligibility Option.

18 3. Nothing in this section shall prohibit schools from providing breakfast before the
19 instructional day has officially begun.

20 4. Each school required to offer breakfast after the bell under this section may use any
21 service model that best suits its students. Service models include, but are not limited to, breakfast in
22 the classroom, breakfast after first period, and breakfasts to be picked up by students so that they
23 can eat where and when they want.

24 5. A public school, including any charter school, in which seventy percent or more of its
25 students who are eligible for free or reduced price meals participate in the School Breakfast
26 Program shall not be required to offer breakfast after the bell under this section.

27 6. A school initially required to offer breakfast after the bell but that later falls below the
28 seventy percent threshold described in subsection 2 of this section shall continue to offer breakfast
29 after the bell for two consecutive years beginning with the year in which the school does not meet
30 the requirements to serve breakfast after the bell under subsection 2 of this section. If, during the
31 second year of the two-year period, the school still does not meet the requirements to serve
32 breakfast after the bell under subsection 2 of this section, the school shall not be required to offer
33 breakfast after the bell at the conclusion of the two-year period. A school no longer required to
34 offer breakfast after the bell under the provisions of this subsection shall be required to again offer
35 breakfast after the bell if it becomes subject to the provisions of subsection 2 of this section.
36 Nothing in this section shall prevent a school from continuing to offer breakfast after the bell even if

Action Taken _____ Date _____

1 not required to do so.

2 7. The department of elementary and secondary education shall:

3 (1) Notify, on or before July first of each year, those schools required to offer breakfast after
4 the bell under this section of their duties under this section;

5 (2) Develop and distribute procedures and guidelines for the implementation of this section,
6 which shall comply with federal regulations governing the School Breakfast Program;

7 (3) Offer technical assistance to public schools and school districts regarding the
8 implementation of this section;

9 (4) If requested by a school subject to the provisions of this section, recognize time spent by
10 students consuming breakfast as instructional time if students consume the breakfast in the
11 classroom and are receiving instruction while consuming breakfast. No more than fifteen minutes
12 shall be recognized as instructional time while students are consuming breakfast;

13 (5) Annually collect information about the breakfast after the bell delivery models
14 implemented at each school and make the information publicly available;

15 (6) Assist schools subject to the provisions of this section that demonstrate breakfast
16 enrollment increases of less than ten percent annually in developing a plan for increased
17 participation; and

18 (7) Prepare and submit to the general assembly, on or before December thirty-first of each
19 year, a report on the implementation and effectiveness of the provisions of this section.

20 8. In fulfilling its responsibilities under this section, the department of elementary and
21 secondary education shall collaborate with nonprofit organizations knowledgeable about equity, the
22 opportunity gap, hunger and food security issues, and best practices for improving student access to
23 school breakfast. The department shall maintain a list of opportunities for philanthropic support of
24 school breakfast programs and make the list available to schools interested in breakfast after the bell
25 programs.

26 9. If the federal per-meal reimbursements for free or reduced price breakfasts are decreased
27 below 2018 levels or eliminated by Congress, schools shall not be required to offer breakfast after
28 the bell under this section."; and

29
30 Further amend said bill by amending the title, enacting clause, and intersectional references
31 accordingly.