

1.1 ..... moves to amend H.F. No. 1037 as follows:

1.2 Delete everything after the enacting clause and insert:

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

1.4 **124D.1158 SCHOOL BREAKFAST PROGRAM.**

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

1.11 Subd. 1a. **Definitions.** (a) "Breakfast in the classroom" means a meal delivered to each  
1.12 classroom near the beginning of the student's school day.

1.13 (b) "Federal reimbursement rate for free breakfast" means the federal reimbursement  
1.14 rate for free breakfast for a Minnesota school not in severe need.

1.15 (c) "Full federal reimbursement of meals served" means that the reimbursement under  
1.16 the Community Eligibility Provision program under section 11(a)(1) of the Richard B.  
1.17 Russell National School Lunch Act, United States Code, title 42, section 1759a(a)(1), covers  
1.18 the full stated meal price for each meal served.

1.19 (d) "Grab and go" means a breakfast model where foods are available for students to  
1.20 take at the start of the school day or between morning classes to eat in the classroom or as  
1.21 otherwise designated by the school.

1.22 (e) "Participating student" means a student at the school site enrolled in:

1.23 (1) an approved voluntary prekindergarten program under section 124D.151;

2.1 (2) kindergarten; or

2.2 (3) grades 1 to 12.

2.3 (f) "Second chance breakfast" means food served for breakfast available later in the  
2.4 morning, including during recess or nutrition breaks.

2.5 Subd. 1b. **Breakfast after the bell program.** In order to increase participation in school  
2.6 breakfast programs, a school may establish a voluntary "breakfast after the bell" program.  
2.7 A breakfast after the bell program may include grab and go breakfasts, second chance  
2.8 breakfasts, or breakfasts in the classroom according to a plan developed by the participating  
2.9 school site.

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

2.12 Subd. 3. **Program reimbursement; regular school breakfast.** Each school year, the  
2.13 state must reimburse each participating school 30 cents for each reduced-price breakfast,  
2.14 55 cents for each fully paid breakfast served to students in grades 1 to 12, and ~~\$1.30~~ \$1.35  
2.15 for each fully paid breakfast served to a prekindergarten student enrolled in an approved  
2.16 voluntary prekindergarten program under section 124D.151 or a kindergarten student.

2.17 Subd. 3a. **Program reimbursement; voluntary breakfast after the bell.** (a) A school  
2.18 district required to offer a school breakfast program under section 124D.117, at its discretion,  
2.19 may elect, on a site by site basis, to receive funding for its breakfast programs under this  
2.20 subdivision or under subdivision 3, but not both. In order to receive aid under this  
2.21 subdivision, a school district with an eligible school site must apply to the commissioner  
2.22 in the form and manner specified by the commissioner and demonstrate to the commissioner's  
2.23 satisfaction that the school site is not eligible for full federal reimbursement of its meals  
2.24 served. A school district's application must include:

2.25 (1) documentation of engagement between the applicant school's administration and  
2.26 staff indicating support to implement a breakfast after the bell program; and

2.27 (2) a description of the breakfast after the bell program model that will be used at the  
2.28 school.

2.29 (b) Each school year, the state must reimburse each participating breakfast after the bell  
2.30 school an amount equal to the greater of zero, or the difference between:

2.31 (1) the product of the number of breakfasts served to participating students and the  
2.32 federal reimbursement rate for free breakfast; and

3.1 (2) the federal school breakfast program nonsevere reimbursements for the school.

3.2 Subd. 4. **No fees.** (a) A school that receives school breakfast aid under this section  
 3.3 subdivision 3 must make breakfast available without charge to all participating students at  
 3.4 that school site in grades 1 to 12 who qualify for free or reduced-price meals and to all  
 3.5 prekindergarten students enrolled in an approved voluntary prekindergarten program under  
 3.6 section 124D.151 and all kindergarten students.

3.7 (b) A school that receives breakfast aid under subdivision 3a must make breakfast  
 3.8 available without charge to all participating students.

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

3.10 Sec. 2. **APPROPRIATION; SCHOOL BREAKFAST.**

3.11 Subdivision 1. **Department of Education.** The sums indicated in this section are  
 3.12 appropriated from the general fund to the Department of Education in the fiscal year  
 3.13 designated.

3.14 Subd. 2. **School breakfast.** (a) For school breakfast aid under Minnesota Statutes, section  
 3.15 124D.1158:

3.16 \$            .....        .....    2020

3.17 \$            .....        .....    2021

3.18 (b) The commissioner of education must report to the education committees of the  
 3.19 legislature by February 15, 2021, on the outcomes and barriers of breakfast after the bell  
 3.20 programs. The report must list the number of schools and the number of participating students  
 3.21 by each type of breakfast after the bell program. The report must also identify the barriers  
 3.22 to participation in the breakfast after the bell program, including for those school sites that  
 3.23 are eligible for free breakfast but don't participate and school sites that are eligible for the  
 3.24 Community Eligibility Program but do not participate. The report must recommend legislative  
 3.25 actions that would simplify and eliminate barriers to participation in the breakfast after the  
 3.26 bell program and the Community Eligibility Program."

3.27 Amend the title accordingly