

HOUSE BILL No. 6072

May 24, 2018, Introduced by Rep. Kosowski and referred to the Committee on Education Reform.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1272a (MCL 380.1272a), as amended by 1995 PA
289, and by adding section 1272e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1272a. (1) The board of a K to 12 school district shall,
2 and the board of another school district may, establish and operate
3 a program under which lunch is made available to all full-time
4 pupils enrolled and in regular daily attendance at each public
5 school of the school district.

6 (2) ~~The~~ **SUBJECT TO SECTION 1272E, THE** board of a K to 12
7 school district shall establish and operate a program under which
8 breakfast is made available to all full-time pupils enrolled and in
9 regular daily attendance at each public school of the school

1 district unless no more than 20% of the pupils enrolled in the
2 school building in the immediately preceding school year met the
3 income eligibility criteria for free or reduced-price lunch under
4 the federally funded school lunch program, as determined using
5 October claims reported to the department by December 31 of the
6 immediately preceding school year, and, after a public hearing on
7 the issue, which shall be held annually with notice to parents and
8 pupils, the board decides not to operate such a program in that
9 school building and publishes a public justification report
10 explaining its decision. The board of another school district may
11 establish and operate a school breakfast program.

12 (3) To the extent permitted by federal law, the department
13 shall encourage innovative cost effective models of breakfast
14 distribution designed to maximize pupil participation.

15 **SEC. 1272E. (1) THERE IS CREATED THE BREAKFAST AFTER THE BELL**
16 **NUTRITION PROGRAM. THE PURPOSE OF THE PROGRAM IS TO OFFER A FREE**
17 **BREAKFAST TO EACH PUPIL ENROLLED IN A PUBLIC SCHOOL IN WHICH AT**
18 **LEAST 70% OF THE PUPILS ENROLLED ARE ELIGIBLE FOR FREE OR REDUCED-**
19 **COST LUNCH UNDER THE SCHOOL LUNCH PROGRAM.**

20 (2) BEGINNING IN THE 2019-2020 SCHOOL YEAR, AND EACH SCHOOL
21 YEAR THEREAFTER, EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, EACH
22 PUBLIC SCHOOL IN WHICH AT LEAST 70% OF THE PUPILS ENROLLED IN THE
23 PRECEDING SCHOOL YEAR WERE ELIGIBLE FOR FREE OR REDUCED-COST LUNCH
24 UNDER THE SCHOOL LUNCH PROGRAM SHALL OFFER A FREE BREAKFAST TO EACH
25 PUPIL ENROLLED IN THE SCHOOL. IF A PUBLIC SCHOOL FALLS BELOW THIS
26 70% THRESHOLD FOR 2 CONSECUTIVE SCHOOL YEARS, THE PUBLIC SCHOOL MAY
27 CONTINUE PARTICIPATING IN THE PROGRAM UNDER THIS SECTION BUT IS NOT

1 REQUIRED TO DO SO. A PUBLIC SCHOOL THAT DOES NOT PARTICIPATE IN THE
2 SCHOOL LUNCH PROGRAM IS NOT REQUIRED TO PARTICIPATE IN THE PROGRAM
3 UNDER THIS SECTION.

4 (3) THE SCHOOL BOARD OR BOARD OF DIRECTORS THAT OPERATES A
5 PUBLIC SCHOOL REQUIRED TO PROVIDE BREAKFAST UNDER SUBSECTION (2)
6 MAY DETERMINE THE BREAKFAST SERVING MODEL THAT BEST SUITS THE
7 PUPILS ENROLLED IN THE PUBLIC SCHOOL.

8 (4) NOT LATER THAN NOVEMBER 1, 2019, THE DEPARTMENT SHALL
9 DEVELOP AND DISTRIBUTE GUIDELINES FOR THE IMPLEMENTATION AND
10 ENFORCEMENT OF THIS SECTION. THESE PROCEDURES SHALL BE IN
11 COMPLIANCE WITH THE SCHOOL BREAKFAST PROGRAM AND SCHOOL LUNCH
12 PROGRAM.

13 (5) THE DEPARTMENT SHALL ANNUALLY COLLECT INFORMATION ABOUT
14 BREAKFAST AFTER THE BELL DELIVERY MODELS IMPLEMENTED AT EACH PUBLIC
15 SCHOOL OPERATING A BREAKFAST AFTER THE BELL PROGRAM UNDER THIS
16 SECTION AND MAKE THE INFORMATION PUBLICLY AVAILABLE IN A FORM AND
17 MANNER DETERMINED BY THE DEPARTMENT.

18 (6) AS USED IN THIS SECTION, "SCHOOL LUNCH PROGRAM" MEANS THE
19 FEDERAL SCHOOL LUNCH PROGRAM ESTABLISHED UNDER THE RICHARD B.
20 RUSSELL NATIONAL SCHOOL LUNCH ACT, 42 USC 1751 TO 1769J.

21 Enacting section 1. This amendatory act takes effect 90 days
22 after the date it is enacted into law.