

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Childhood Hunger Relief Act is amended by
5 adding Section 16 as follows:

6 (105 ILCS 126/16 new)

7 Sec. 16. Breakfast after the bell program.

8 (a) For the purposes of this Section, "breakfast after the
9 bell" means breakfast is provided to children after the
10 instructional day has officially begun. This term does not
11 prohibit schools from also providing breakfast before the
12 instructional day begins.

13 (b) The board of education of each school district in this
14 State shall implement and operate a breakfast after the bell
15 program by the first school day of the next academic year after
16 the effective date of this amendatory Act of the 99th General
17 Assembly, if a breakfast after the bell program does not
18 currently exist, in each school building within its district
19 (1) in which at least 70% or more of the students are eligible
20 for free or reduced-price lunches based upon the previous
21 year's October claim (for those schools that participate in the
22 National School Lunch Program); (2) in which at least 70% or
23 more of the students are classified as low-income according to

1 the Fall Housing Data from the previous year (for those schools
2 that do not participate in the National School Lunch Program);
3 or (3) that has an individual site percentage for free or
4 reduced-price meals of 70% or more (for those schools using
5 Provision 2 under Section 11(a)(1) of the federal Richard B.
6 Russell National School Lunch Act or the Community Eligibility
7 Provision under Section 104(a) of the federal Healthy,
8 Hunger-Free Kids Act of 2010 to provide universal meals). If a
9 school falls below the applicable 70% threshold for 2
10 consecutive years, it has the option to continue participating
11 in the program, but is not required to do so.

12 (c) Each school under this Section may determine the
13 breakfast after the bell service model that best suits its
14 students. Service models include, but are not limited to,
15 breakfast in the classroom, grab and go breakfast, and
16 second-chance breakfast.

17 (d) School districts required to implement a breakfast
18 after the bell program provided for under this Section that
19 demonstrate that (i) they are delivering school breakfast
20 effectively, as defined by 70% or more of free or reduced-price
21 eligible students participating in the School Breakfast
22 Program, or (ii) due to circumstances specific to that school
23 district, the expense reimbursement would not fully cover the
24 costs of implementing and operating a breakfast after the bell
25 program may be relieved of the delivery model requirement
26 provided for in this Section after a cost analysis is submitted

1 to the board of education of the district, the board of
2 education holds a public hearing, and the board of education
3 passes a resolution that the district cannot afford to operate
4 a breakfast after the bell program. The district shall post
5 information that sets forth the time, date, place, and general
6 subject matter of the public hearing on its website and notify
7 the State Board of Education at least 14 days prior to the
8 hearing.

9 (e) Before the beginning of the next academic year after
10 the effective date of this amendatory Act of the 99th General
11 Assembly, the State Board of Education shall develop and
12 distribute guidelines for the implementation of this Section,
13 which must be in compliance with federal regulations governing
14 the school breakfast program.

15 (f) The State Board of Education shall annually collect
16 information about breakfast after the bell delivery models
17 implemented at each school and make the information publicly
18 available. Final resolutions approving a breakfast after the
19 bell exemption must be submitted by the board of education of
20 the district to the State Board of Education upon passage.

21 (g) In fulfilling its responsibilities under this Section,
22 the State Board of Education shall collaborate with school
23 districts and nonprofit organizations knowledgeable about
24 equity, the opportunity gap, hunger and food security issues,
25 and best practices for improving student access to school
26 breakfast. The State Board of Education shall collaborate with

1 nonprofit organizations knowledgeable about food security
2 issues and best practices for improving access to school
3 breakfast to create and post a list of opportunities for
4 philanthropic support of school breakfast programs on its
5 website. This information must also be shared with school
6 districts.

7 Section 99. Effective date. This Act takes effect January
8 1, 2017.