

# STATE OF NEW YORK

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3433

2019-2020 Regular Sessions

## IN ASSEMBLY

January 29, 2019

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Introduced by M. of A. ORTIZ, COOK, GLICK, ENGLEBRIGHT, RAMOS -- read once and referred to the Committee on Education

AN ACT to amend chapter 537 of the laws of 1976, relating to a breakfast program for eligible pupils in certain school districts, in relation to establishing the school breakfast incentive program

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Chapter 537 of the laws of 1976, relating to a breakfast  
2 program for eligible pupils in certain school districts, is amended by  
3 adding a new section 3-a to read as follows:

4 § 3-a. The school breakfast incentive program (SBIP). a. The commis-  
5 sioner of education is hereby authorized to establish the school break-  
6 fast incentive program to provide grants, subject to available appropri-  
7 ations, to eligible school buildings or districts that increase  
8 participation in the school breakfast program by removing barriers to  
9 participation. An eligible school building or district is any school  
10 building or district that offered a breakfast program for at least one  
11 year prior to applying for a grant under this program. All eligible  
12 schools may apply for SBIP grants, but preference will be given to  
13 schools with a high percentage of free and reduced price eligible  
14 students and a low percentage of eligible students participating in the  
15 school breakfast program.

16 b. The commissioner of education shall develop regulations and crite-  
17 ria for awarding grants under this program based on the level of  
18 increased participation in the applicant's school breakfast program and  
19 the reduction in barriers to participation, including but not limited to  
20 enhancing the quality of meals served, conducting public information  
21 campaigns, and implementing innovative strategies designed to increase  
22 participation.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 c. i. School districts seeking SBIP funds must submit an annual appli-  
2 cation for funds under the school breakfast incentive program on forms  
3 prescribed by the commissioner of education.

4 ii. Schools may receive incentive program funds more than once contin-  
5 gent upon their ability to increase their pupil participation in the  
6 breakfast program with such funds and upon the availability of such  
7 funds.

8 d. Funds received by a school district under this program shall be  
9 considered separate and apart from any state funds received for the  
10 reimbursement of meals under the National School Lunch Program or Break-  
11 fast Program and separate from the provisions of chapter 798 of the laws  
12 of 1980 relating to full cost state reimbursement for breakfast  
13 programs.

14 § 2. This act shall take effect immediately.