

Article - Education

1-101.

(d) "County board" means the board of education of a county and includes the New Baltimore City Board of School Commissioners.

(f) "Department" means the State Department of Education.

7-701.

(a) The State Board shall require each county board to provide in each elementary school a free and reduced price breakfast, unless the school is exempted under § 7-702 of this subtitle.

(b) The free and reduced price breakfast required to be provided under this section shall meet the standards of the United States Department of Agriculture.

7-702.

The State Superintendent shall exempt any elementary school from the requirements of this subtitle if:

(1) (i) The school has made a breakfast program available for at least 3 consecutive months; and

(ii) The participation is less than 25 percent of the number of students eligible for free and reduced price meals in each month;

(2) (i) The county board approves an alternative nutrition program that the school has instituted;

(ii) The school regularly conducts an assessment of the alternative program that provides evidence of success in achieving program objectives; and

(iii) The school submits an annual report of the assessment to the county board and the State;

(3) (i) The school requests an exemption for reasons of a compelling nature to the county board; and

(ii) After review and approval, the county board submits the request for exemption to the State Superintendent; or

(4) (i) The school has less than 15 percent of its enrollment approved for free and reduced price meals.

(ii) This exemption shall continue from year to year without the need for reapplication, until there is a 10 percent increase in the number of students approved for free and reduced price meals.