

29 (a) "Alternative breakfast service model" means a method of serving breakfast to a
30 student after the instructional day begins.

31 (b) "National School Lunch Program" means the same as that term is defined in 7
32 C.F.R. Sec. 210.2.

33 (c) "Public school" means:

34 (i) a school under the control of a school district;

35 (ii) a charter school; or

36 (iii) the Utah Schools for the Deaf and the Blind.

37 (d) "School Breakfast Program" means the same as that term is defined in 7 C.F.R.
38 Sec. 220.2.

39 (e) "Start Smart Utah Program" or "program" means the Start Smart Utah Program
40 created in Subsection (2).

41 (f) "Traditional breakfast service model" means a method of serving breakfast to a
42 student before the instructional day begins.

43 (2) (a) There is created the Start Smart Utah Program.

44 (b) Except as provided in Subsection (3), a public school that participates in the
45 National School Lunch Program shall participate in the School Breakfast Program.

46 (c) (i) Beginning with the [~~2020-21~~] 2021-22 school year, a public school in which
47 70% or more of the students qualify for free or reduced lunch shall use an alternative breakfast
48 service model.

49 (ii) Beginning with the [~~2021-22~~] 2022-23 school year, a public school in which 50%
50 or more of the students qualify for free or reduced lunch shall use an alternative breakfast
51 service model.

52 (iii) Beginning with the [~~2022-23~~] 2023-24 school year, a public school in which 30%
53 or more of the students qualify for free or reduced lunch shall use an alternative breakfast
54 service model.

55 (d) Notwithstanding Subsection (2)(c):

56 (i) a public school that is subject to the requirements described in Subsection (2)(c)

57 may use a traditional breakfast service model in addition to an alternative breakfast service
58 model; and

59 (ii) a public school in which 70% or more of the students who qualify for free or
60 reduced lunch participate in the School Breakfast Program is exempt from the requirements
61 described in Subsection (2)(c).

62 (3) (a) A public school may apply to the state board for a waiver of the requirements
63 described in Subsection (2), if the requirements cause undue hardship.

64 (b) The state board shall make rules in accordance with Title 63G, Chapter 3, Utah
65 Administrative Rulemaking Act, to create a waiver application, submission, review, and
66 approval process.

67 (4) The state board shall:

68 (a) administer the program in accordance with this section and in conjunction with the
69 state board's duties as the administering agency of federal child nutrition programs;

70 (b) track implementation of alternative breakfast service models in public schools; and

71 (c) provide guidance and technical assistance to public schools related to implementing
72 the Start Smart Utah Program in accordance with the requirements of this section, including
73 assistance with soliciting parent feedback on the program.

74 (5) The requirements of this section shall be nullified by the termination of the
75 entitlement status of the School Breakfast Program by the federal government.