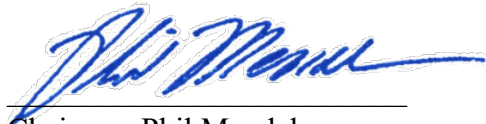
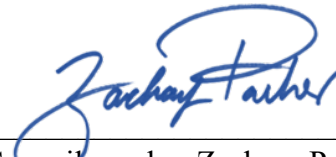


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3 Chairman Phil Mendelson


Councilmember Zachary Parker

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7 A PROPOSED RESOLUTION
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12 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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14 _____
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16
17 To declare the existence of an emergency with respect to administrative challenges implementing
18 existing requirements for school breakfast at Title I elementary schools and education
19 campuses.
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21 RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
22 resolution may be cited as the “Alternative Breakfast Service Model Emergency Declaration of
23 2026.”

24 Sec. 2. (a) The Healthy Students Amendment Act of 2018, effective March 13, 2019
25 (D.C. Law 22-240; D.C. Official Code § 38-821.01 *et seq.*) was passed to, among other things,
26 increase participation in school breakfast. The law requires elementary schools where 40% or
27 more of the students at a school qualify for free or reduced-price meals (Title I schools) to take
28 specific actions if participation in school breakfast is below 75%. In the first year where
29 participation lags, such a school can receive a waiver from the Office of the State Superintendent
30 of Education to implement alternative breakfast services models to improve participation;
31 however, if a school’s participation rate does not demonstrate incremental progress, the law
32 requires breakfast to be served in the classroom.

(b) After that legislation took effect, the District of Columbia Public Schools (DCPS) and the Washington Teachers' Union negotiated a new collective bargaining agreement (CBA) that covers the period from October 1, 2023 to September 30, 2028. Section 23.8 of CBA reserves the thirty-minute block between 8:10 AM and 8:40 AM for teacher-initiated or principal-led planning. Because classroom teachers cannot begin supervising students until 8:40 AM, an elementary school that is required by law to serve breakfast in the classroom cannot do so until 8:40 AM.

(c) As a result of the classroom breakfast requirement and the requirements of the CBA, some District elementary schools now face logistical challenges that are cutting into instructional time. One school community reports that the morning routine has been profoundly disrupted. Last year, all on-time students proceeded to the school cafeteria for breakfast and late-arriving students would receive grab-and-go breakfast near the front door. This year, all students from kindergarten through fifth grade must gather in the auditorium until 8:40 AM and then grab breakfast to go on their way to their classrooms where they spend the first minutes of their day eating rather than beginning instruction.

(d) Seventy percent of DCPS's 61 Title I elementary schools and education campuses are impacted. For the 2026-2027 school year, 15 DCPS elementary schools and education campuses have been required to serve breakfast in the classroom for all grades. A further 28 DCPS elementary schools and education campuses have received a waiver this year but may be subject to the requirement next year.

(e) The underlying emergency amends current law to provide Title I elementary schools with breakfast participation rates under 75% with more flexible options to increase participation. The new enhanced breakfast service options will include breakfast in the classroom, grab and go

breakfast, or a combination of both breakfast models. By providing impacted schools with this flexibility, the District can continue improving participation in school breakfast without creating logistical challenges that reduce instructional time at Title I public elementary schools and education campuses.

Sec. 3. The Council of the District of Columbia determines that the circumstances in section 2 constitute emergency circumstances, making it necessary that the Alternative Breakfast Service Model Emergency Amendment Act of 2026 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.