

Food Research and Action Center



School Breakfast Scorecard

School Year 2008-2009

December 2009

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About FRAC

The Food Research and Action Center (FRAC) is the leading national organization working for more effective public and private policies to eradicate domestic hunger and undernutrition.

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Executive Summary

At a time when the nation is in a long and severe recession, the School Breakfast Program is more indispensable than ever to maintain the health and well-being of low-income children. In 2008, nearly 16.7 million American children, or almost one in four, lived in food insecure households where their families faced a constant struggle against hunger. As more children and families become poor or near-poor and they become eligible for free or reduced-price meals, the School Breakfast Program can grow to meet this need. It ensures that children receive the healthy meals they require.

This report analyzes school breakfast participation for the 2008-2009 school year. While school breakfast participation (and lunch participation) increased from the previous school year, it did not grow fast enough to meet the urgent need. Less than half of eligible low-income children received breakfast at school each day. Much more must be done in order to reach eligible children and expand participation in the program.

Key Findings for 2009

- In 2008-2009, 8.8 million low-income children participated in the School Breakfast Program on an average day, an increase of 520,000 children, or 6.2 percent, the largest increase in children since the Food Research and Action Center began tracking participation in 1991.
- In 2008-2009, the National School Lunch Program reached 18.9 million low-income

children on an average day, an increase of 859,000 compared to the prior year. In the 2008-2009 school year, 18.9 million low-income children ate a school lunch each day, 859,000 more than the year before. This is the largest increase in lunch participation since 1992, also a recession year.

- Nationally, comparing free and reduced-price school breakfast participation to free and reduced-price lunch participation, 46.7 low-income children ate breakfast for every 100 children who ate lunch in school year 2008-2009. This was up from a ratio of 46.1 in 2007-2008.
- Nationally, if the school breakfast to lunch ratio had reached the goal of 60:100, 2.5 million more children would have been eating a healthy school breakfast every day, and states would have received an additional \$579 million in federal child nutrition funding in school year 2008-2009.
- Child Nutrition Reauthorization provides Congress the opportunity to increase low-income children's participation in school breakfast.
- Schools and state child nutrition agencies also need to implement strategies to ensure that the school nutrition programs are meeting the needs of many more low-income students, including those who have recently become eligible for free or reduced-price school meals.

Child Nutrition Reauthorization

The School Breakfast Program, along with all of the other child nutrition programs, will be reauthorized by Congress in 2010. Child Nutrition Reauthorization provides the opportunity to remove the barriers to participation and make program improvements so that more low-income children participate. The reauthorization should make the following improvements in the School Breakfast Program:

- create a grant program to support the start-up and expansion of universal and in-classroom school breakfast programs, especially in schools with high proportions of low-income children;
- expand universal breakfast programs (offered free to all students) by reducing or eliminating paper applications, and using alternative methods for determining eligibility, thereby reaching more children and reducing administrative costs for school districts that serve a high percentage of low-income children;
- raise the income eligibility cut-off for free meals to 185 percent of poverty and eliminate the reduced-price copayment for near-poor families; and
- Provide USDA commodities to schools for breakfast meals.

For more background materials on Child Nutrition Reauthorization, visit FRAC's Legislative Action Center at www.frac.org/Legislative/action_center/index.html

Introduction

As the economic security of millions of American families has deteriorated during this long and severe recession, it has highlighted the critical role federal nutrition programs like the School Breakfast Program play in maintaining the health and well-being of low-income children and their families. According to the U.S. Department of Agriculture (USDA), in 2008 nearly 16.7 million American children, or almost one in four, lived in food insecure households where their families faced a constant struggle against hunger. Although there is widespread agreement on the importance of eating a healthy breakfast, many struggling families lack the resources to provide their children with a nutritious meal every morning.

The School Breakfast Program is public policy at its best. Not only does the School Breakfast Program reduce hunger, but it has a range of other positive outcomes:

- Research shows that eating breakfast improves math grades, vocabulary skills and memory. Children who eat breakfast at school – closer to class and test-taking time – perform better on standardized tests than those who skip breakfast or eat breakfast hours earlier at home.

- Students who participate in school breakfast have lower rates of absence and tardiness and exhibit decreased behavioral and psychological problems. Children who eat school breakfast have fewer discipline problems and visit school nurses' offices less often.
- Children who participate in school breakfast eat more fruits, drink more milk, and consume a wider variety of foods than those who do not eat school breakfast or who have breakfast at home. Children and adolescents who eat breakfast are significantly less likely to be overweight, while skipping breakfast is associated with a higher risk of obesity.

Moreover, because it is an entitlement, the program can be particularly responsive during times of economic crisis: the program can grow when the economy is weak and more children need help.

Despite all these strengths of the School Breakfast Program, less than half of eligible low-income children are receiving school breakfast each day. It is essential to accelerate school breakfast participation if the nation is to reach its health and education goals, much less reach President Obama's goal to end childhood hunger by 2015.

Who is Eligible for School Breakfast?

- Any public school, nonprofit private school or residential child care institution can choose to participate in the School Breakfast Program, which is funded through and administered by the U.S. Department of Agriculture (USDA).
- Any student attending a school that offers the program can eat breakfast. The amount the school is reimbursed by the federal government depends on the student's family income.
- Families must complete an application, or be "directly certified," to determine eligibility for free or reduced-price meals through the National School Lunch Program. Based on their family income, children fall into one of three groups:
 - **Free:** Children from families with incomes at or below 130 percent of the federal poverty level eat at no cost. Also, children directly certified because of their participation in TANF, Food Distribution Program on Indian Reservations, or SNAP/Food Stamps eat at no cost. Schools were reimbursed \$1.40 for such children in the 2008-2009 school year.
 - **Reduced-Price:** Children from families with incomes between 130 and 185 percent of the poverty line can be charged no more than 30 cents per meal. Schools were reimbursed \$1.10 for such children in the 2008-2009 school year.
 - **Paid:** Children with family incomes above 185 percent of the poverty line pay the charges which are set by the school, but schools were reimbursed 25 cents per meal by USDA in the 2008-2009 school year.

Some schools, however, offer breakfast free to all students, as discussed later in this report.

Findings for 2008-2009

National Participation

In 2008-2009, 8.8 million low-income children participated in the national School Breakfast Program on an average school day, an increase of 520,000 children, or 6.2 percent, compared to the prior school year. This was the largest increase in the number of such children in any year since the Food Research and Action Center began tracking participation in 1991.

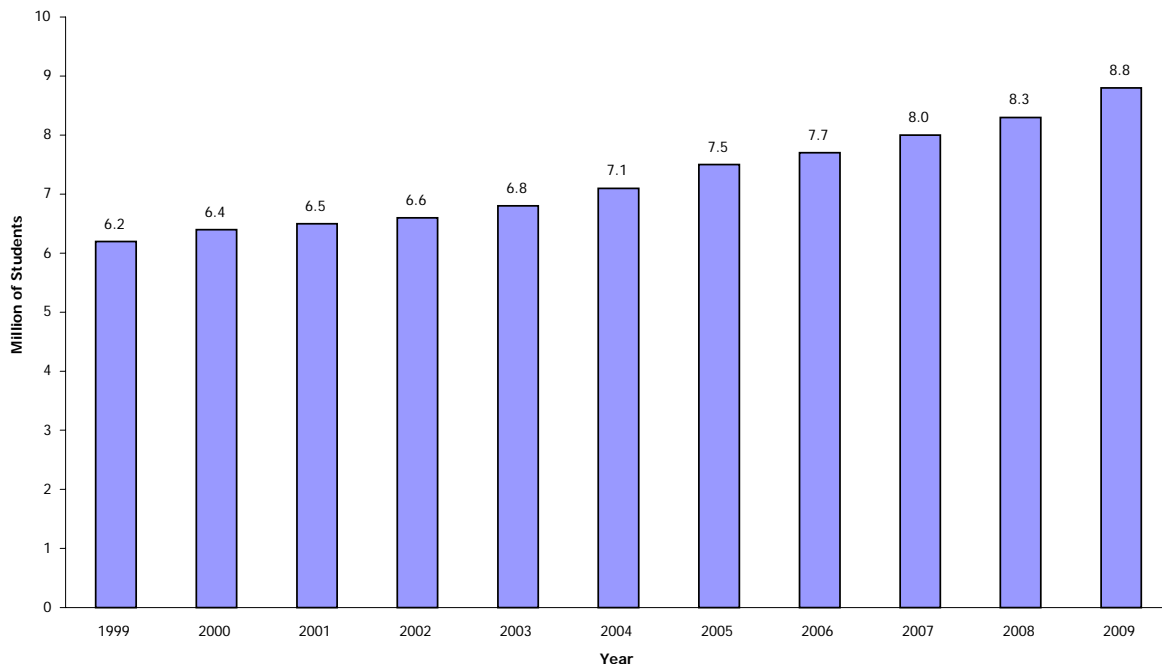
Some of this growth was because the ongoing efforts of schools, advocates, and state and federal officials that have been producing years of breakfast participation growth continued to have effect. But almost certainly the other major factor in the accelerated growth was the recession pushing many more children and families into poverty and near-poverty and therefore greater eligibility for – and need for – school meals.

Thus, the rising need fueled growth in free and reduced-price school lunch participation. In the 2008-2009 school year, 18.9 million low-income children ate a school lunch each day, 859,000 more than the year before. This is the largest increase in lunch participation since 1992, also a recession year. Yet, breakfast participation has been growing faster than lunch participation, and that was true again in the 2008-2009 school year.

While these gains in breakfast and lunch would be impressive in a typical school year, the dramatic growth in both the unemployment and underemployment rates dramatically altered the context. And, indeed, the fact that the rate of school meal growth in the recession has badly trailed the rate of growth in the Supplemental Nutrition Assistance Program (SNAP, the new national name for the Food Stamp Program), is cause for concern. It underscores the need for national, state and local initiatives to get school meals to more eligible children.

Because there is very broad participation in the National School Lunch Program by low-income students who receive the meal for free or at a reduced price, FRAC uses lunch participation as a benchmark against which to measure participation in school breakfast. Comparing free and reduced-price breakfast participation to free and reduced-price lunch participation, for every 100 children in the U.S. who ate lunch, 46.7 children ate breakfast in the 2008-2009 school year. This is an improvement from the previous year, when the ratio of breakfast to lunch participation was 46.1.

Figure 1: Student Participation in the Free and Reduced-Price School Breakfast Program



Participation in the States [Table 1]

In the 2008-2009 school year, the number of free and reduced-price children eating breakfast grew in all but five states – Rhode Island, Nevada, West Virginia, Tennessee and the District of Columbia. Nine states - Vermont, New Jersey, Michigan, Connecticut, Maine, Colorado, Delaware, Maryland, and Ohio - achieved double digit growth.

Reversing the trend of recent years, 38 states experienced a decrease in breakfast participation by children receiving paid meals. It is likely that due to the poor economy, many of these children became eligible for free or reduced-price meals.

Students Participating in the School Breakfast Program (SBP) per 100 in the National School Lunch Program (NSLP)

State	Ratio
Top 10 States	
New Mexico	62.8
South Carolina	60.2
Vermont	59.7
Oklahoma	58.2
Mississippi	57.7
Kentucky	56.5
Georgia	56.2
West Virginia	56.1
Idaho	55.8
Texas	54.7
Bottom 10 States	
Rhode Island	38.8
Wisconsin	38.7
Nebraska	38.0
Iowa	37.9
New Jersey	37.9
Nevada	37.3
Alaska	36.5
New Hampshire	35.7
Utah	34.7
Illinois	34.2

For a full list of states see Table 1.

When comparing states' ratios of student participation in the School Breakfast Program to those in the National School Lunch Program, most states' ratios improved, yet wide disparities remain. The 16 highest-performing states reach at least half of their eligible low-income children with breakfast, with New Mexico reaching 62.8 children

for every 100 eating lunch. But the bottom 13 states all serve fewer than 40 eligible low-income children, and two states – Utah and Illinois - serve fewer than 35 low-income children breakfast for every 100 eating lunch.

School Participation [Table 2]

In order for hungry children to have access to school breakfast, their school must participate in the program. While any school participating in the National School Lunch Program can also offer the School Breakfast Program, only 86.3 percent did so in 2008-2009, compared to 85.7 percent in 2007-2008. While this a major improvement from 1998-1999 when the rate was only 74.2 percent, nationally, one in seven schools that offer the National School Lunch Program still fails to offer its students breakfast.

The rate of school participation in the breakfast program varies from state to state. While 28 states had more than 90 percent of their schools with lunch programs also participating in the School Breakfast Program in 2008-2009, Connecticut, Wisconsin and New Jersey all reached fewer than 70 percent.

School Breakfast: Helping Achieve the 2015 Goal

Increasing participation in the School Breakfast Program would help achieve President Barack Obama's goal of ending childhood hunger by 2015. School breakfast exemplifies the potential of the nutrition programs not only to reduce hunger but to boost nutrition, health, learning and economic security in both the short and long term. Increasing participation in the child nutrition programs, including school breakfast, is one of FRAC's seven strategies to reach the President's goal. To learn more, visit www.endingchildhunger2015.org

The Cost of Low Participation Rates [Table 4]

Leaving untapped federal dollars that are available to feed low-income children is fiscally irresponsible and poor public policy, yet that is exactly what is happening in states with low participation in the School Breakfast Program. Not only are low-income children not getting to eat a healthy meal, but at a time when most states have severe

budget problems, hundreds of millions of dollars in federal child nutrition funding are going unclaimed by the states every year.

For each day a low-income child was not being served breakfast in the 2008-2009 school year, states lost at least \$1.40 in federal funding for every child who would have received a free breakfast, and \$1.10 for every child who would have received a reduced-price breakfast. If those children attended a "severe need" school – one in which at least 40 percent of lunches served were free or reduced-price – an additional \$0.28 per meal was forfeited.

Each year FRAC sets a benchmark for estimating a reasonable participation goal for states, and the dollars being lost to those states with participation in school breakfast below that goal. Based on the participation rates of the top-performing states, FRAC has set the attainable goal of 60 low-income children eating breakfast for every 100 eating lunch. By calculating the additional number of children that would be reached if this goal were met, and multiplying by the appropriate reimbursement rate for the national average number of school days breakfast is served, we can estimate of the amount of federal funding being lost by each state. (This method is conservative, as it does not include the additional severe need funds for which a state would qualify.)

In the 2008-2009 school year, nationally, if the school breakfast-to-lunch ratio had reached the goal of 60:100, versus the actual ratio of

46.7:100, 2.5 million more low-income children would have been eating a healthy school breakfast every day, and states would have received an additional \$579 million in federal child nutrition funding. While much of this money was lost by states with larger populations, (e.g., \$98 million in California, \$52 million in New York and \$44 million in Illinois), 17 states each forfeited more than \$10 million in federal funding, and 30 states lost more than \$5 million.

**Top Ten States in Lost Federal Funds
(Amounts Foregone Because State Fails to Reach 60 Free and Reduced Price Students in the School Breakfast Program per 100 Such Students in the School Lunch Program)**

State	Additional Students	Dollars Lost
California	427,545	\$97,968,624
New York	225,597	\$51,856,053
Illinois	191,678	\$44,492,903
Florida	169,466	\$38,948,542
Texas	122,791	\$28,321,441
Pennsylvania	110,845	\$25,510,099
Michigan	95,535	\$22,099,636
New Jersey	83,337	\$19,172,047
Ohio	81,734	\$18,878,010
Arizona	80,646	\$18,557,370

For a full list of states see Table 4

Michigan: State Superintendent Leadership

State Superintendent Mike Flanagan Michigan issued a 2-year challenge to schools in May 2008 to increase school breakfast participation by 50 percent. In the first year, 81 of the state's school districts met the challenge achieving the goal of a 50 percent increase, and Michigan achieved an impressive 12 percent state-wide growth in participation. Thirty thousand additional Michigan children (92 percent of whom were low-income) ate breakfast each day. "A healthy breakfast improves academic achievement, school attendance, and student attentiveness and behavior in the classroom," Flanagan noted. A [state policy](#) that allows breakfast in the classroom to count as instructional time is an important foundation of the program. Also key to the success of the initiative is the State's partnership with the United Dairy Industry of Michigan, which provides marketing support materials, equipment for schools, and monetary awards for the highest achieving schools. For more information, and to see the Superintendent's podcast, go to the [Michigan school breakfast website](#).

Child Nutrition Reauthorization

The School Breakfast Program, along with all of the other child nutrition programs, will be reauthorized by Congress in 2010. Child Nutrition Reauthorization should take the first early but decisive steps toward reaching President Obama's goal of ending childhood hunger by 2015. The Administration and Congress should work together to enact a reauthorization that focuses on increasing access and participation by low-income children, who are meant to be the primary beneficiaries of the child nutrition programs.

The reauthorization should make the following improvements to the School Breakfast Program:

Fund the start-up and expansion of universal breakfast programs (offered free to all students), including in-classroom breakfast, especially in schools with many low-income students. Child nutrition reauthorization should include a grant program to support breakfast, offered free to all children ("universal" breakfast), including breakfast in the classroom (brought from the kitchen in containers that keep dishes at the right temperature hot or cold, or picked up from carts in the hallways as children enter class). The grant program would fund programs in schools with a high proportion of low-income children. Support is particularly needed for the purchase of equipment and for additional staff time to provide assistance with program implementation. Modest investments would yield significant benefits as many more children participate, achievement and health improve, and schools capture increased federal funds to support the program. Federal grants would provide one-time start up costs for equipment and staff training to implement in-classroom programs, as well as administrative funding for outreach and technical assistance.

Eliminate paper applications, thereby reducing administrative costs for school districts with a high percentage of low-income children. The paper application process is burdensome to families

who either never receive an application or do not complete one due to language barriers, privacy concerns or misunderstanding of eligibility rules. Participation in school breakfast by low-income students increases when unnecessary paperwork is eliminated and meals are provided at no charge. School districts with a large percentage of students who are eligible for free and reduced-priced meals can break even serving free breakfast to all when their administrative costs are reduced. High poverty school districts should be allowed to use reliable statistical data (e.g. census data) to determine reimbursement, while providing free meals to all children. Similarly, improving direct certification to include children with household incomes up to 133 percent of poverty who participate in Medicaid or the State Children's Health Insurance Program will reduce the need for paper applications.

Raise the income eligibility cut-off for free school breakfast to 185 percent of poverty and eliminate the reduced-price copayment. The benefits of school breakfast in improving nutrition, health and school achievement are so powerful that it is self-defeating to require a copayment for near-poor families which so many parents can't afford. This results in many such children (with family incomes between 130 and 185 percent of the poverty line) not benefiting from the program. Improving school breakfast access for near-poor children by eliminating the reduced-price category will reduce hunger and improve educational and health outcomes.

Provide USDA commodities for breakfast meals. Currently, school districts receive a federal commodity contribution for each lunch served, but not for breakfast. Many schools struggle to provide a healthy breakfast to their students without losing money. If commodity support is expanded to breakfasts, schools will have more resources to increase the amount of fresh fruit and vegetables, whole grains and low-fat dairy products.

Strategies for States and Local Schools

Schools and state child nutrition agencies do not have to wait for Child Nutrition Reauthorization. They can implement strategies immediately to increase the reach of the School Breakfast Program, especially as more and more children in the recession become eligible for free or reduced-price school meals. Key strategies include: offering universal, free meals to all children in school buildings with high percentages of free and reduced-price students; serving breakfast in the classroom; maximizing participation in school breakfast by eligible children; conducting application campaigns at the start of the school year to ensure that all eligible children are enrolled in the lunch and breakfast programs and conducting frequent outreach throughout the year to encourage families to apply for free or reduced-price meals; and improving direct certification systems. More information on strategies that schools can implement to respond to the recession are available on the FRAC website at: www.frac.org/back_to_school_resources_2009.htm.

Income Guidelines & Reimbursement Rates for the School Breakfast Program

Income Guidelines for School Year 2008 - 2009¹

Household Size	Free Meals Maximum Household Income (130% of Poverty)			Reduced-Price Meals Maximum Household Income (185% of Poverty)		
	Annual	Monthly	Weekly	Annual	Monthly	Weekly
1	\$ 13,520	\$ 1,127	\$ 260	\$ 19,240	\$ 1,604	\$ 370
2	18,200	1,517	350	25,900	2,159	499
3	22,880	1,907	440	32,560	2,714	627
4	27,560	2,297	530	39,220	3,269	755
5	32,240	2,687	620	45,880	3,824	883
6	36,920	3,077	710	52,540	4,379	1,011
7	41,600	3,467	800	59,200	4,934	1,139
8	46,280	3,857	890	65,860	5,489	1,267
Add for each additional person	+ 4,680	+ 390	+ 90	+ 6,660	+ 555	+ 129

Reimbursement Rates for School Year 2008 - 2009²

	Non-Severe Need	Severe Need ³	Price of Meals To Children
Free	\$1.40	\$1.68	\$0
Reduced Price	\$1.10	\$1.38	\$0.30 (maximum school can charge)
Paid	\$0.25	\$0.25	varies

Income Guidelines for School Year 2009 - 2010⁴

Household Size	Free Meals Maximum Household Income (130% of Poverty)			Reduced-Price Meals Maximum Household Income (185% of Poverty)		
	Annual	Monthly	Weekly	Annual	Monthly	Weekly
1	\$14,079	\$1,174	\$271	\$20,036	\$1,670	\$386
2	18,941	1,579	365	26,955	2,247	519
3	23,803	1,984	458	33,874	2,823	652
4	28,665	2,289	552	40,793	3,400	785
5	33,527	2,794	645	47,712	3,976	918
6	38,389	3,200	739	54,631	4,553	1,051
7	43,251	3,605	832	61,550	5,130	1,184
8	48,113	4,010	926	68,469	5,706	1,317
Add for each additional person	+4,862	+406	+94	+6,919	+577	+134

Reimbursement Rates for School Year 2009 - 2010⁵

	Non-Severe Need	Severe Need	Price of Meals To Children
Free	\$1.46	\$1.74	\$0
Reduced Price	\$1.16	\$1.44	\$0.30 (maximum school can charge)
Paid	\$0.26	\$0.26	varies

¹ Federal Register, Vol. 73, No. 69, 4/09/08, pp. 19186-19187. These guidelines applied to the 48 contiguous United States, the District of Columbia, Guam and the Territories. Alaska and Hawaii had higher maximum income limits.

² Federal Register, Vol. 73, No. 130, 7/7/08, pp. 38392-38394. These reimbursement rates applied to the 48 contiguous United States, the District of Columbia, Guam and the Territories. Alaska and Hawaii received higher rates.

³ Schools where at least 40 percent of the lunches served during the second preceding school year were free or reduced price qualify for extra "severe need" school breakfast reimbursements. New schools may qualify if it is determined that the 40 percent free or reduced price requirement would have been met in the second preceding year [7 C.F.R. 220.9 (d)].

⁴ Federal Register, Vol. 74, No. 58, 3/27/09, pp. 13410- 13412.

⁵ Federal Register, Vol. 74, No. 134, 7/15/09, pp. 34304-34306.

Technical Notes

The data in this report are collected from the U.S. Department of Agriculture (USDA) and an annual survey of state child nutrition officials conducted by FRAC. This report does not include students or schools that participate in school meal programs in Puerto Rico, Guam, the Virgin Islands, or Department of Defense schools.

Due to rounding, totals in the tables may not add up to 100 percent.

Student Participation

Student participation data for the 2007-2008 and 2008-2009 school years are based on daily averages of the number of breakfasts and lunches served during the nine months from September through May of each year, as provided by USDA.

States report to USDA the number of meals they serve each month. These numbers may undergo revisions by states as accounting procedures find errors, or other estimates become confirmed. For consistency, all USDA data used in this report are from the states' 90-day revisions of the monthly reports. The 90-day revisions are the final required reports from the states; but states have the option to revise numbers further at any time after this point. USDA applies a formula (divide by 0.927) to adjust numbers upwards as an attendance factor to account for participation by different students in a month.

School Participation

The number of participating schools is reported by states to the USDA in October of the relevant school year. The number includes not only public schools but also private schools, residential child care institutions, and other institutions that operate school meal programs. FRAC's School Breakfast Scorecard uses the October number, which is verified by FRAC with state officials.

The Cost of Low Participation Rates

For each state, FRAC calculated the average daily number of children receiving free or reduced-price breakfasts for every 100 children, on an average day, who were receiving free or reduced-price lunches during the same school year. Based on the performance of the top states, FRAC set a benchmark of every state reaching an average ratio of 60 children receiving free or reduced-price breakfast for every 100 receiving free or reduced-price lunch.

FRAC then calculated the number of additional children who would be reached if each state reached this 60-to-100 ratio. FRAC then multiplied this "unserved" population by the reimbursement rate for 169 school days of breakfast. (While some states served breakfast for more or fewer days during the 2008-2009 school year, 169 was the national average.) FRAC assumed each state's mix of free and reduced-price students would apply to any new participants, and conservatively assumed that no additional student's meal is reimbursed at the higher rate that "severe need" schools receive.

TABLE 1: LOW-INCOME STUDENT PARTICIPATION IN SCHOOL LUNCH (NSLP) AND SCHOOL BREAKFAST (SBP)

School Years 2007-2008 and 2008-2009

State	School Year 2007-2008				School Year 2008-2009				Change in Ratio of SBP to NSLP Participation	Percent Change in Number of F&RP Students in SBP
	Free & Reduced-Price (F&RP) SBP Students	F&RP NSLP Students	F&RP Students in SBP per 100 in NSLP	Rank	F&RP SBP Students	F&RP NSLP Students	F&RP Students in SBP per 100 in NSLP	Rank		
Alabama	169,615	353,085	48.0	19	179,019	364,115	49.2	17	1.2	5.5%
Alaska	11,844	34,158	34.7	49	12,990	35,545	36.5	48	1.8	9.7%
Arizona	176,003	425,335	41.4	35	189,753	450,666	42.1	34	0.7	7.8%
Arkansas	124,514	231,088	53.9	10	130,648	239,966	54.4	11	0.5	4.9%
California	962,238	2,313,833	41.6	33	1,032,988	2,434,222	42.4	33	0.8	7.4%
Colorado	75,039	198,610	37.8	42	84,121	215,979	38.9	41	1.1	12.1%
Connecticut	51,215	143,458	35.7	47	58,011	148,293	39.1	40	3.4	13.3%
Delaware	21,431	43,665	49.1	18	23,997	47,321	50.7	16	1.6	12.0%
District of Columbia	15,921	31,842	50.0	16	15,876	33,717	47.1	21	-2.9	-0.3%
Florida	470,276	1,044,294	45.0	22	497,481	1,111,577	44.8	24	-0.2	5.8%
Georgia	434,819	779,577	55.8	7	459,165	816,693	56.2	7	0.4	5.6%
Hawaii	21,133	47,859	44.2	25	22,785	51,372	44.4	25	0.2	7.8%
Idaho	49,234	88,794	55.4	8	52,663	94,461	55.8	9	0.4	7.0%
Illinois	238,585	713,755	33.4	51	254,225	743,170	34.2	51	0.8	6.6%
Indiana	155,094	365,890	42.4	31	169,707	395,967	42.9	30	0.5	9.4%
Iowa	54,610	147,219	37.1	44	58,227	153,465	37.9	45	0.8	6.6%
Kansas	70,939	164,560	43.1	28	75,802	174,595	43.4	28	0.3	6.9%
Kentucky	180,329	316,625	57.0	5	192,477	340,554	56.5	6	-0.5	6.7%
Louisiana	199,990	381,610	52.4	13	204,367	391,987	52.1	15	-0.3	2.2%
Maine	24,226	54,517	44.4	23	27,273	56,721	48.1	19	3.7	12.6%
Maryland	101,228	228,972	44.2	24	111,731	240,825	46.4	23	2.2	10.4%
Massachusetts	109,584	248,251	44.1	26	111,406	258,378	43.1	29	-1.0	1.7%
Michigan	204,377	507,128	40.3	36	232,163	546,164	42.5	32	2.2	13.6%
Minnesota	96,406	232,079	41.5	34	101,214	240,806	42.0	35	0.5	5.0%
Mississippi	169,853	301,546	56.3	6	178,235	308,970	57.7	5	1.4	4.9%
Missouri	168,966	328,354	51.5	15	180,245	344,780	52.3	14	0.8	6.7%
Montana	18,135	42,273	42.9	29	19,286	43,852	44.0	26	1.1	6.3%
Nebraska	37,899	102,622	36.9	45	40,466	106,598	38.0	44	1.1	6.8%
Nevada	48,201	125,148	38.5	40	46,461	124,602	37.3	47	-1.2	-3.6%
New Hampshire	11,898	34,014	35.0	48	12,854	35,981	35.7	49	0.7	8.0%
New Jersey	124,206	338,661	36.7	46	142,786	376,871	37.9	45	1.2	15.0%
New Mexico	99,686	158,447	62.9	1	103,463	164,776	62.8	1	-0.1	3.8%
New York	445,489	1,142,693	39.0	39	462,652	1,147,081	40.3	38	1.3	3.9%
North Carolina	293,905	589,006	49.9	17	302,527	615,178	49.2	17	-0.7	2.9%
North Dakota	11,937	27,827	42.9	30	12,075	28,149	42.9	30	0.0	1.2%
Ohio	256,793	565,043	45.4	21	282,451	606,975	46.5	22	1.1	10.0%
Oklahoma	156,222	273,114	57.2	4	167,088	287,256	58.2	4	1.0	7.0%
Oregon	102,700	191,287	53.7	12	106,172	202,479	52.4	13	-1.3	3.4%
Pennsylvania	204,054	531,217	38.4	41	219,676	550,869	39.9	39	1.5	7.7%
Rhode Island	20,606	51,580	39.9	38	19,476	50,191	38.8	42	-1.1	-5.5%
South Carolina	193,498	321,261	60.2	2	201,340	334,587	60.2	2	0.0	4.1%
South Dakota	18,752	44,666	42.0	32	18,945	45,504	41.6	36	-0.4	1.0%
Tennessee	211,837	405,469	52.2	14	208,648	394,892	52.8	12	0.6	-1.5%
Texas	1,191,140	2,212,723	53.8	11	1,266,512	2,315,504	54.7	10	0.9	6.3%
Utah	46,610	137,003	34.0	50	51,164	147,537	34.7	50	0.7	9.8%
Vermont	12,833	23,176	55.4	9	14,818	24,814	59.7	3	4.3	15.5%
Virginia	161,327	341,254	47.3	20	173,775	364,186	47.7	20	0.4	7.7%
Washington	132,088	301,571	43.8	27	140,786	321,603	43.8	27	0.0	6.6%
West Virginia	67,451	117,582	57.4	3	66,442	118,345	56.1	8	-1.3	-1.5%
Wisconsin	92,240	245,025	37.6	43	100,216	259,012	38.7	43	1.1	8.6%
Wyoming	9,026	22,529	40.1	37	9,442	23,334	40.5	37	0.4	4.6%
TOTAL	8,326,005^R	18,071,295^R	46.1^R		8,846,090	18,930,484	46.7		0.6	6.2%

^R National figures revised to exclude Puerto Rico and the Territories for the 2007-2008 school year.

**Table 2: SCHOOL PARTICIPATION IN SCHOOL LUNCH (NSLP)
AND SCHOOL BREAKFAST (SBP)
School Years 2007-2008 and 2008-2009**

State	School Year 2007-2008				School Year 2008-2009				Percent Change in Number of SBP Schools
	SBP Schools	NSLP Schools	SBP Schools as % of NSLP Schools	Rank	SBP Schools	NSLP Schools	SBP Schools as % of NSLP Schools	Rank	
Alabama	1,533	1,529	100.3%	1	1,443	1,551	93.0%	20	-5.9%
Alaska	300	435	69.0%	47	323	433	74.6%	44	7.7%
Arizona	1,545	1,687	91.6%	23	1,563	1,715	91.1%	26	1.2%
Arkansas	1,148	1,221	94.0%	16	1,168	1,195	97.7%	9	1.7%
California	8,922	10,893	81.9%	35	8,756	10,751	81.4%	40	-1.9%
Colorado	1,404	1,718	81.7%	36	1,411	1,676	84.2%	34	0.5%
Connecticut	608	1,169	52.0%	51	631	1,172	53.8%	51	3.8%
Delaware	230	235	97.9%	7	238	242	98.3%	7	3.5%
District of Columbia	209	221	94.6%	13	195	215	90.7%	28	-6.7%
Florida	3,630	3,660	99.2%	5	3,572	3,606	99.1%	5	-1.6%
Georgia	2,311	2,391	96.7%	8	2,282	2,361	96.7%	11	-1.3%
Hawaii	288	306	94.1%	15	286	301	95.0%	13	-0.7%
Idaho	657	708	92.8%	20	662	707	93.6%	19	0.8%
Illinois	3,022	4,315	70.0%	46	3,084	4,335	71.1%	47	2.1%
Indiana	1,952	2,265	86.2%	32	1,963	2,254	87.1%	32	0.6%
Iowa	1,382	1,516	91.2%	25	1,365	1,492	91.5%	24	-1.2%
Kansas	1,393	1,610	86.5%	31	1,404	1,601	87.7%	31	0.8%
Kentucky	1,396	1,503	92.9%	19	1,334	1,347	99.0%	6	-4.4%
Louisiana	1,534	1,627	94.3%	14	1,548	1,652	93.7%	18	0.9%
Maine	621	710	87.5%	30	633	697	90.8%	27	1.9%
Maryland	1,475	1,572	93.8%	17	1,484	1,578	94.0%	15	0.6%
Massachusetts	1,604	2,276	70.5%	45	1,581	2,256	70.1%	48	-1.4%
Michigan	3,050	3,818	79.9%	41	3,107	3,811	81.5%	39	1.9%
Minnesota	1,597	2,124	75.2%	43	1,623	2,114	76.8%	43	1.6%
Mississippi	874	952	91.8%	22	870	950	91.6%	23	-0.5%
Missouri	2,247	2,516	89.3%	28	2,270	2,543	89.3%	30	1.0%
Montana	690	808	85.4%	33	699	805	86.8%	33	1.3%
Nebraska	684	992	69.0%	48	702	984	71.3%	46	2.6%
Nevada	510	560	91.1%	26	526	577	91.2%	25	3.1%
New Hampshire	407	499	81.6%	37	418	498	83.9%	36	2.7%
New Jersey	1,744	2,680	65.1%	49	1,782	2,687	66.3%	49	2.2%
New Mexico	778	805	96.6%	9	768	787	97.6%	10	-1.3%
New York	5,198	5,912	87.9%	29	5,105	5,684	89.8%	29	-1.8%
North Carolina	2,454	2,473	99.2%	3	2,490	2,509	99.2%	4	1.5%
North Dakota	339	417	81.3%	38	347	413	84.0%	35	2.4%
Ohio	2,925	4,091	71.5%	44	3,029	4,064	74.5%	45	3.6%
Oklahoma	1,801	1,896	95.0%	12	1,812	1,890	95.9%	12	0.6%
Oregon	1,261	1,318	95.7%	11	1,300	1,383	94.0%	16	3.1%
Pennsylvania	3,097	3,838	80.7%	39	3,158	4,087	77.3%	42	2.0%
Rhode Island	417	432	96.5%	10	437	445	98.2%	8	4.8%
South Carolina	1,141	1,150	99.2%	4	1,160	1,168	99.3%	3	1.7%
South Dakota	541	683	79.2%	42	545	688	79.2%	41	0.7%
Tennessee	1,647	1,771	93.0%	18	1,674	1,772	94.5%	14	1.6%
Texas	7,616	7,654	99.5%	2	7,867	7,869	100.0%	2	3.3%
Utah	713	856	83.3%	34	719	861	83.5%	37	0.8%
Vermont	314	344	91.3%	24	322	349	92.3%	21	2.5%
Virginia	1,869	2,023	92.4%	21	1,928	2,057	93.7%	17	3.2%
Washington	1,921	2,113	90.9%	27	1,939	2,105	92.1%	22	0.9%
West Virginia	736	745	98.8%	6	758	755	100.4%	1	3.0%
Wisconsin	1,530	2,474	61.8%	50	1,571	2,479	63.4%	50	2.7%
Wyoming	294	365	80.5%	40	294	355	82.8%	38	0.0%
TOTAL	85,559	99,876	85.7%		86,146	99,826	86.3%		0.7%

**Table 3: AVERAGE DAILY STUDENT PARTICIPATION IN SCHOOL BREAKFAST PROGRAM (SBP)
School Year 2008-2009**

State	Free (F) SBP Students		Reduced Price (RP) SBP Students		Total F&RP SBP Students		Paid SBP Students		Total SBP Students
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
Alabama	161,682	76.1%	17,337	8.2%	179,019	84.3%	33,435	15.7%	212,454
Alaska	11,203	66.9%	1,787	10.7%	12,990	77.6%	3,753	22.4%	16,743
Arizona	167,611	73.1%	22,142	9.7%	189,753	82.7%	39,592	17.3%	229,345
Arkansas	115,191	74.2%	15,457	10.0%	130,648	84.2%	24,526	15.8%	155,174
California	892,729	76.4%	140,259	12.0%	1,032,988	88.4%	136,195	11.6%	1,169,183
Colorado	70,765	66.7%	13,356	12.6%	84,121	79.3%	21,930	20.7%	106,051
Connecticut	51,671	74.0%	6,340	9.1%	58,011	83.1%	11,831	16.9%	69,842
Delaware	21,381	64.3%	2,616	7.9%	23,997	72.2%	9,249	27.8%	33,245
District of Columbia	14,105	69.4%	1,770	8.7%	15,876	78.1%	4,444	21.9%	20,320
Florida	436,714	71.7%	60,767	10.0%	497,481	81.7%	111,647	18.3%	609,127
Georgia	405,336	71.8%	53,829	9.5%	459,165	81.3%	105,692	18.7%	564,857
Hawaii	18,039	50.3%	4,746	13.2%	22,785	63.5%	13,105	36.5%	35,890
Idaho	43,460	61.3%	9,204	13.0%	52,663	74.3%	18,246	25.7%	70,909
Illinois	234,693	80.7%	19,532	6.7%	254,225	87.4%	36,520	12.6%	290,745
Indiana	149,059	71.5%	20,648	9.9%	169,707	81.4%	38,806	18.6%	208,513
Iowa	49,463	58.5%	8,764	10.4%	58,227	68.8%	26,346	31.2%	84,573
Kansas	63,651	66.4%	12,151	12.7%	75,802	79.1%	20,045	20.9%	95,847
Kentucky	170,467	70.5%	22,010	9.1%	192,477	79.6%	49,259	20.4%	241,736
Louisiana	186,967	77.3%	17,399	7.2%	204,367	84.5%	37,587	15.5%	241,954
Maine	23,239	63.3%	4,034	11.0%	27,273	74.3%	9,431	25.7%	36,705
Maryland	94,281	61.5%	17,450	11.4%	111,731	72.8%	41,644	27.2%	153,376
Massachusetts	101,274	75.1%	10,133	7.5%	111,406	82.6%	23,404	17.4%	134,810
Michigan	210,658	75.6%	21,505	7.7%	232,163	83.3%	46,624	16.7%	278,787
Minnesota	82,500	58.3%	18,713	13.2%	101,214	71.5%	40,396	28.5%	141,609
Mississippi	162,721	81.6%	15,514	7.8%	178,235	89.3%	21,277	10.7%	199,512
Missouri	156,751	66.8%	23,494	10.0%	180,245	76.8%	54,320	23.2%	234,565
Montana	16,075	62.8%	3,210	12.5%	19,286	75.3%	6,313	24.7%	25,599
Nebraska	33,932	58.8%	6,534	11.3%	40,466	70.2%	17,201	29.8%	57,668
Nevada	40,339	71.8%	6,122	10.9%	46,461	82.7%	9,728	17.3%	56,189
New Hampshire	11,024	50.2%	1,830	8.3%	12,854	58.6%	9,088	41.4%	21,942
New Jersey	125,977	73.9%	16,809	9.9%	142,786	83.7%	27,792	16.3%	170,577
New Mexico	90,578	70.3%	12,885	10.0%	103,463	80.3%	25,333	19.7%	128,796
New York	406,410	71.0%	56,242	9.8%	462,652	80.8%	109,857	19.2%	572,509
North Carolina	267,535	72.8%	34,992	9.5%	302,527	82.3%	65,064	17.7%	367,592
North Dakota	10,129	50.2%	1,946	9.6%	12,075	59.8%	8,107	40.2%	20,183
Ohio	254,308	71.0%	28,143	7.9%	282,451	78.9%	75,729	21.1%	358,180
Oklahoma	146,429	70.6%	20,658	10.0%	167,088	80.5%	40,390	19.5%	207,478
Oregon	91,348	65.6%	14,824	10.7%	106,172	76.3%	32,990	23.7%	139,162
Pennsylvania	194,189	67.6%	25,487	8.9%	219,676	76.4%	67,746	23.6%	287,422
Rhode Island	17,520	74.3%	1,956	8.3%	19,476	82.6%	4,113	17.4%	23,590
South Carolina	181,323	72.8%	20,017	8.0%	201,340	80.8%	47,872	19.2%	249,213
South Dakota	16,409	65.9%	2,536	10.2%	18,945	76.1%	5,960	23.9%	24,905
Tennessee	186,021	74.3%	22,627	9.0%	208,648	83.4%	41,627	16.6%	250,275
Texas	1,132,256	74.6%	134,256	8.8%	1,266,512	83.4%	251,961	16.6%	1,518,472
Utah	42,581	64.4%	8,582	13.0%	51,164	77.4%	14,974	22.6%	66,138
Vermont	12,104	56.9%	2,714	12.8%	14,818	69.7%	6,457	30.3%	21,275
Virginia	149,785	64.1%	23,991	10.3%	173,775	74.4%	59,794	25.6%	233,569
Washington	115,411	68.7%	25,375	15.1%	140,786	83.8%	27,227	16.2%	168,013
West Virginia	57,187	60.9%	9,256	9.9%	66,442	70.8%	27,409	29.2%	93,851
Wisconsin	86,126	64.2%	14,090	10.5%	100,216	74.8%	33,836	25.2%	134,052
Wyoming	7,404	52.2%	2,038	14.4%	9,442	66.6%	4,745	33.4%	14,186
TOTAL	7,788,013	71.8%	1,058,077	9.8%	8,846,090	81.6%	2,000,619	18.4%	10,846,709

**Table 4: ADDITIONAL PARTICIPATION AND FUNDING IF
60 LOW-INCOME (FREE AND REDUCED PRICE) STUDENTS WERE SERVED SCHOOL
BREAKFAST (SBP) PER 100 SERVED SCHOOL LUNCH (NSLP)
School Year 2008-2009**

State	Actual Total Free & Reduced Price (F&RP) SBP Students	Total F&RP Students if 60 SBP per 100 NSLP	Additional F&RP Students if 60 SBP per 100 NSLP	Additional Annual Funding if 60 SBP per 100 NSLP F&RP Students
Alabama	179,019	218,469	39,450	\$9,117,408
Alaska	12,990	21,327	8,337	\$1,909,667
Arizona	189,753	270,399	80,646	\$18,557,370
Arkansas	130,648	143,980	13,332	\$3,066,605
California	1,032,988	1,460,533	427,545	\$97,968,624
Colorado	84,121	129,588	45,467	\$10,365,581
Connecticut	58,011	88,976	30,965	\$7,136,818
Delaware	23,997	28,392	4,395	\$1,013,142
District of Columbia	15,876	20,230	4,355	\$1,003,190
Florida	497,481	666,946	169,466	\$38,948,542
Georgia	459,165	490,016	30,851	\$7,098,242
Hawaii	22,785	30,823	8,038	\$1,812,282
Idaho	52,663	56,677	4,013	\$911,675
Illinois	254,225	445,902	191,678	\$44,492,903
Indiana	169,707	237,580	67,873	\$15,600,908
Iowa	58,227	92,079	33,852	\$7,731,636
Kansas	75,802	104,757	28,955	\$6,599,022
Kentucky	192,477	204,333	11,855	\$2,729,433
Louisiana	204,367	235,192	30,825	\$7,142,340
Maine	27,273	34,033	6,759	\$1,544,716
Maryland	111,731	144,495	32,764	\$7,473,846
Massachusetts	111,406	155,027	43,621	\$10,094,275
Michigan	232,163	327,698	95,535	\$22,099,636
Minnesota	101,214	144,484	43,270	\$9,807,462
Mississippi	178,235	185,382	7,147	\$1,655,232
Missouri	180,245	206,868	26,623	\$6,107,720
Montana	19,286	26,311	7,025	\$1,598,839
Nebraska	40,466	63,959	23,492	\$5,352,551
Nevada	46,461	74,761	28,300	\$6,490,495
New Hampshire	12,854	21,589	8,735	\$1,998,637
New Jersey	142,786	226,122	83,337	\$19,172,047
New Mexico	103,463	98,865	--	--
New York	462,652	688,249	225,597	\$51,856,053
North Carolina	302,527	369,107	66,579	\$15,323,878
North Dakota	12,075	16,889	4,814	\$1,096,959
Ohio	282,451	364,185	81,734	\$18,878,010
Oklahoma	167,088	172,354	5,266	\$1,209,906
Oregon	106,172	121,487	15,315	\$3,506,310
Pennsylvania	219,676	330,521	110,845	\$25,510,099
Rhode Island	19,476	30,115	10,638	\$2,456,726
South Carolina	201,340	200,752	--	--
South Dakota	18,945	27,303	8,358	\$1,915,904
Tennessee	208,648	236,935	28,288	\$6,521,001
Texas	1,266,512	1,389,302	122,791	\$28,321,441
Utah	51,164	88,522	37,358	\$8,499,946
Vermont	14,818	14,888	70	\$15,925
Virginia	173,775	218,512	44,736	\$10,245,770
Washington	140,786	192,962	52,176	\$11,838,358
West Virginia	66,442	71,007	4,564	\$1,045,090
Wisconsin	100,216	155,407	55,191	\$12,633,214
Wyoming	9,442	14,001	4,559	\$1,026,173
TOTAL	8,846,090	11,358,290	2,517,386	\$578,898,199

M: State mandate
\$: State funding

R: Reporting requirement
S: Scheduling requirement

U: Universal breakfast funding
O: Outreach requirement

School Meals Legislation by State

Types of state legislation (school breakfast and *school lunch*) included in this table:

State mandate (M) – State law requiring that all or certain schools participate in the School Breakfast Program (SBP)
State funding (\$) – State funds for a purpose related to the SBP
Universal breakfast funding (U) – State funding for universal free school breakfast in certain schools
Reporting requirement (R) – State law that schools or districts report reasons for nonparticipation in the SBP
Scheduling requirement (S) – State law that school schedules allow students time to eat breakfast
Outreach requirement (O) – State law that requires outreach related to the SBP

Alabama		NONE
Alaska		NONE
Arizona		NONE
Arkansas	M	School breakfast is required in schools with 20 percent or more free and reduced-price (F&RP) eligible students. ARK. CODE ANN. § 6-18-705
California	M \$	<p>Public schools must provide at least one free or reduced-price meal daily to all F&RP eligible students. CAL. EDUC. CODE § 49558</p> <p>Grants of up to \$15,000 are available per school, on a competitive basis, up to the annual appropriation (\$1,017,000), for nonrecurring breakfast start-up and expansion expenses in schools with 20 percent or more students approved for F&RP meals. CAL. EDUC. CODE § 49550.3</p> <p>The State provides an additional reimbursement for all free and reduced-price meals, adjusted annually. The rate for 2007-08 and 2008-09 was \$0.2195; however funds were insufficient in 2009 and schools received a smaller reimbursement (\$0.0695) for meals served in May and June 2009. The 2007 Budget Act (and its accompanying legislation) appropriated \$24.9 million in additional funding to increase state meal reimbursement to \$0.2195; in exchange, foods provided in a school meal cannot contain trans fats or be deep or flash fried. CAL. EDUC. CODE §49536</p> <p>Senate Bill 281, signed into law on September 15, 2005, provided \$18.2 million annually to increase fruit and vegetable consumption through the School Breakfast Program. Schools could receive \$0.10 for additional fruit or vegetables served with each breakfast. This funding was repealed in 2007.</p>
Colorado	\$	<p>The State may appropriate moneys for the creation, expansion, or enhancement of the SBP in low performing schools (any school that received an academic performance rating of low or unsatisfactory the preceding school year). The State appropriated \$250,000 for 2008-09 and 2007-08. COL. REV. STAT. § 22-54-123.5</p> <p>The State created the Start Smart Program for the elimination of the reduced-price family co-payment for K- 12 school breakfast and appropriated \$700,000 for the program for School Year 2007-08 and 2008-09. COL. REV. STAT. § 22-82.7-101</p> <p>In 2008, the State eliminated the reduced-price family copayment for lunch in grades K-second. The state reimburses school districts \$0.40 per each reduced-price lunch served.</p>

M: State mandate
\$: State funding

R: Reporting requirement
S: Scheduling requirement

U: Universal breakfast funding
O: Outreach requirement

Connecticut	M	School breakfast is required in K-8 schools where 80 percent of lunches served are F&RP eligible. CONN. GEN. STAT. ANN. § 10-266w
	\$	The State established in 2008 an In-Classroom School Breakfast Program. The State maintains a competitive grant program to assist up to ten severe need schools to establish in-classroom breakfast programs. CONN. GEN. STAT. ANN. §10-215g(a) All Connecticut public school districts that participate in the National School Lunch Program are required to certify whether all food items sold to students do or do not meet the Connecticut Nutrition Standards. (Compliance is optional.) Eligible districts that opt for the "healthy food certification" receive 10 cents per lunch, based on the total number of reimbursable lunches (paid, free and reduced) served in the district in the prior school year. CONN. GEN. STAT. ANN. §10-215f
Delaware		NONE
District of Columbia		NONE
Florida	M	School breakfast is required in all public elementary schools. FLA. STAT. § 1006.06
	U	Starting in the 2010-11 school year, universal school breakfast programs shall be offered in schools in which 80 percent or more of the students are eligible for free or reduced-price meals. Each school shall, to the maximum extent practicable, make breakfast meals available to students at an alternative site location outside the cafeteria. FLA. STAT. § 1006.06
	\$	The State annually allocates funds to public school districts provided from the school breakfast supplement in the General Appropriations Act based on each district's total number of free and reduced-price breakfast meals served. FLA. STAT. § 1006.06
Georgia	M	School breakfast is required in K-8 schools with 25 percent or more F&RP eligible students and in all other schools with 40 percent or more F&RP eligible students. GA. CODE ANN. § 20-2-66
	\$	The State supplemental funds for salaries for local school nutrition employees were reduced by 10% in school year 2008-09 due to State budget shortfalls. GA. CODE ANN. § 20-2-187
Hawaii	M	School lunches must be made available in every school where the students are required to eat lunch at school. §302A-404
	\$	The State provides approximately \$0.13 per breakfast.
Idaho		NONE
Illinois	M	School breakfast is required in all public schools with 40 percent or more F&RP eligible students. Each school district's board of education must determine each school year which schools meet the 40 percent F&RP criterion, based on data submitted to the Illinois State Board of Education. Schools that have 40 percent or more of their students eligible for F&RP meals the previous school year must offer breakfast. School districts may opt out under certain circumstances. Every public school must have a free lunch program.
	\$	The State provides three types of breakfast incentive funding: 1) start-up funds of up to \$3,500 per school for nonrecurring costs; priority is given to schools with at least 40 percent F&RP eligible students, 2) an additional \$0.10 reimbursement for each free, reduced-price and paid breakfast served if breakfast participation exceeds the number of breakfasts served in the same month of the previous year, and 3) grants for schools to offer the school breakfast program in non-traditional settings or using non-traditional methods (e.g. grab and go, breakfast in the classroom.) Priority is given to schools that

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Illinois (cont.)	R	<p>are on the Early Academic Warning List. IL. STAT. § 105 ILCS 125/2.5</p> <p>The \$723,500 allotment for the three School Breakfast Incentives (above) was reduced by 50% to \$361,800 in Fiscal Year 2010 due to state budget cuts.</p> <p>The State also provides \$0.1275 per free breakfast served. The State may reduce or disapprove state funding if it is found that the total funding for the SBP exceeds expenditures. IL. STAT. § 105 ILCS 125/6</p> <p>The State Board of Education is required to provide the Governor and the General Assembly lists of schools that have started breakfast programs during the past year, that have utilized the above grant funds, that have exercised Provisions 2 or 3, and that have been granted an exemption from the school breakfast mandate. IL. STAT. § 105 ILCS</p>
Indiana	M	<p>School breakfast is required in public schools with 15 percent or more F&RP eligible students. Ind. Code ANN. § 20-26-9 (13-17).</p>
Iowa	M	<p>All schools must provide a school lunch program. The school lunch program shall be provided for all students in each district who attend public school four or more hours each school day and wish to participate in a school lunch program. IA Code § 283A.2</p> <p>\$ The State provides \$0.03 per breakfast until appropriated funds are depleted. The State provides \$0.04 per lunch until appropriated funds are depleted.</p>
Kansas	M	<p>A public school must offer breakfast unless it has been granted an annual waiver by the Kansas State Board of Education. No waiver shall be granted for a school building in which 35 percent or more of the students are F&RP eligible. KAN. STAT. ANN. § 72-5125</p>
Kentucky	S M R	<p>School districts are required to arrange bus schedules so that all buses arrive in sufficient time for schools to serve breakfast prior to the instructional day. KY. REV. STAT. ANN. § 158.070</p> <p>Lunches must be made available to all children attending each school. Schools may not have physical segregation or other discrimination against any child because of inability to pay the full cost of a meal. 702 KAR 6:050</p> <p>All schools without breakfast must report the reasons and any problems that inhibit participation by September 15th. The state shall inform the school of the value of the SBP (its favorable effects on attendance and performance) and the availability of funds. KY. REV. STAT. ANN. § 157.065</p>
Louisiana	M	<p>The school board must operate the National School Lunch Program and also the School Breakfast Program if at least 25 percent of the students enrolled in one or more schools in the system are F&RP eligible. LA. REV. STAT. ANN. §17:192</p>
Maine	M \$	<p>Public schools serving K – 8 must participate in the National School Lunch Program. Title 20-A, Section 6602</p> <p>Public schools receive a State reimbursement per lunch and breakfast in addition to the Federal reimbursement. The state reimbursement for breakfast is about \$0.0175 per breakfast. Generally, state reimbursement for lunch is between .03 and .05, depending on participation statewide.</p> <p>Starting in SY 2008-09, all public schools must provide school breakfast to all children eligible for free and reduced-price meals at no cost to the student. The State provides funding for the costs of the program that are not reimbursed by the Federal Government. \$1.4 million is allocated from the Fund for a Healthy Maine for fiscal year 2008-09 and the school breakfast program is added to the health-related initiatives that are eligible to receive funds from the Fund for a Healthy Maine. Sec. 8. 22 MRSA §1511</p>

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Maryland	M	<p>School breakfast is required in public elementary schools, but those schools with less than 15 percent F&RP eligible students may be exempted. MD. CODE. ANN. EDUC. § 7-701 and §7-702</p> <p>Each public school must provide a subsidized or free lunch program. MD. CODE. ANN. EDUC. § 7-603</p>
	\$	<p>The State provides \$4.3 million in funding to schools for meals served using a formula-based allocation method.</p>
	U	<p>The State sponsors Maryland Meals for Achievement, an in-classroom universal free school breakfast program. [MD. CODE. ANN., EDUC. § 7-704] The allocation has been approximately \$3 million annually since school year 2006-2007; the current funding level is \$2.82 million.</p>
Massachusetts	M	<p>School lunch is required in all public schools. School breakfast is required in public schools in severe need schools and where more than 50 F&RP meal applications are on file from the preceding school year. MASS. GEN. LAWS ch.69 §1C</p>
	\$	<p>Mandated schools receive an additional \$0.14 for F&RP meals if breakfast costs exceed federal severe need reimbursements.</p>
	U	<p>The State provides \$2 million to support universal breakfast in elementary schools with 60 percent or more free and reduced-price eligible students. The State requires schools that receive these funds to use Provision 2 as well. Participating schools receive approximately \$0.42 per breakfast if costs exceed other reimbursements (this reimbursement is separate from the additional \$0.10 for mandated schools).</p>
Michigan	M	<p>School lunch is required in each school operated by a K-12 district. School breakfast is required in schools with 20 percent or more F&RP eligible students during the immediately preceding school year. MICH. COMP. LAWS § 380.1272a</p>
	\$	<p>The State provides funds to K-12 public school districts operating the school lunch program. These payments provide each district up to 6.0127% of the necessary costs of operating the state mandated school lunch program. [MICH. COMP. LAWS § 388.1631d] The State provides per meal reimbursements, subject to annual appropriation, to cover the lesser of actual costs or 100 percent of the cost of an efficiently operated program. [MICH. COMP. LAWS § 380.1272d] \$9.625 million was appropriated for FY 2008.</p>
Minnesota	M	<p>School breakfast is required in public schools at which 33 percent of school lunches were served free or at reduced-price in the second preceding year. MINN. STAT. § 124D.117</p>
	\$	<p>The State provides each elementary and secondary school that participates in the SBP with a state reimbursement of \$0.30 for each fully paid breakfast and for each free and reduced price breakfast not eligible for the "severe need" rate. In addition, each school year the state must reimburse schools \$0.55 for each free and reduced price breakfast not eligible for the "severe need" rate if between 33 and 40 percent of the school lunches served during the second preceding school year were served free or at a reduced price. MINN. STAT. §124D.1158</p> <p>The state provided each elementary and secondary school that participated in the national school lunch program \$0.12 in 2007-08 for each lunch served. MINN. STAT. §124D.111</p>
Mississippi		NONE

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Missouri	M	School breakfast is required in schools with 35 percent or more F&RP eligible students. A school may receive a waiver from this requirement through a majority vote of the school board. MO. REV. STAT. § 191.803
	O	Agencies responsible for administering food programs, including the SBP, shall collaborate in designing and implementing outreach programs focused on populations at risk of hunger, that effectively describe the programs, their purposes, and how to apply for them. These programs shall be culturally and linguistically appropriate for the populations most at risk. MO. REV. STAT. § 191.813
	\$	Subject to appropriation, the state board of education shall establish a hardship grant program to provide state supplemental funding for the federal SBP. Any school that participates in the SBP can apply for a hardship grant. Hardship grants will be awarded to schools with the highest need. MO. ANN. STAT. § 191.805
Montana		NONE
Nebraska	\$	The State provides \$0.05 per breakfast in those public schools that also participate in a lunch program. NEB. REV. STAT. § 79-10,138
Nevada		Through a Resolution, the state legislature strongly encourages school districts to offer school breakfast in every school that has a population of more than 100 students, and increase the number of students participating in the School Breakfast Program. NV ASSEMBLY CONCURRENT RESOLUTION 5
New Hampshire	M	Each school board shall make a meal available during school hours to every pupil and shall provide free and reduced-price meals to any needy children. Schools may receive waivers from the state school board, but the state is then directed to study and formulate a plan to implement the above requirement in those schools that have been granted waivers. N.H. Stat. § 189:11-a
	\$	The State provides \$0.03 for every breakfast served by districts that have complied with the federal wellness policy requirement of the 2004 Child Nutrition and WIC Reauthorization Act. N.H. Stat. § 189:11-a
New Jersey	M	Any school (pre-K – 12 th grade) that has 20 percent or more students eligible for free or reduced-price lunch must participate in the SBP. [N. J. STAT. § 18A:33-10] One-year waivers may be granted by the New Jersey Department of Agriculture to schools that lack the staff, facilities, or equipment to offer the SBP. N. J. 210 TH LEG, 2 ND REG. SESSION, NO. 1498 Each school district must make school lunch available to all children enrolled in the district. Any school in which less than 5 percent of pupils enrolled meet the eligibility requirements for a free or reduced price lunch may apply for an exemption. L.1974, c. 53, s. 1, 18A:33-4.
	\$	The State appropriates approximately \$3.2 million annually to provide \$0.10 for all breakfasts served: free, reduced-price and paid.
New Mexico	U	The State appropriates funds to support universal breakfast (to all children regardless of income) at low performing elementary schools (any school not meeting adequate yearly progress performance rating). Funding for school year 2009-10 is \$3.43 million. Funding for school year 2008-09 was 3.45 million and \$ 2.8 million for school year 2007-08.

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New York	M	School breakfast is required in elementary schools; in schools located in school districts with at least 125,000 inhabitants; and in schools that participate in the school lunch program and have 40 percent or more of lunches served to F&RP eligible students. N.Y. COMP. CODES R. & REGS. tit. 8, § 114.2
	\$	State funding was cut twice for 2008-09 school year, first by 2%, and then by 6%. In the 2007-08 school year the State provided reimbursements of \$0.11 for free breakfasts, \$0.17 for reduced-price breakfasts, and \$0.0025 for paid breakfasts. The State also provides reimbursement of all expenses exceeding revenues in first year of breakfast implementation in a public school.
North Carolina	U	The State provides approximately \$2.2 million per year to provide free universal school breakfast to kindergarten students in districts where 50 percent or more of the kindergarten students are eligible for F&RP school meals.
North Dakota		NONE
Ohio	M	Each school district is required to establish and maintain a school lunch program. Each school district and each chartered or non-chartered nonpublic school must establish a breakfast program in every school where at least 20 percent of students are eligible for free meals. OHIO REV. CODE ANN. § 3313.81.3
	\$	The State appropriated \$3.7 million for SBPs, including \$900,000 for outreach. Funds are used to supplement reimbursements at approximately \$0.07 per breakfast, and for a Breakfast Incentive Program to reward schools for significantly increasing breakfast participation, for starting a new breakfast program with a certain level of participation, or for schools that maintain a 75 percent participation rate.
Oklahoma		NONE
Oregon	M	School breakfast is required in all schools where 25 percent or more of the students are F&RP eligible, and in Title 1 schools. OR. REV. STAT. §327.535
	\$	In 2009 the legislature appropriated \$2.29 million for the school years 2009-10 and 2010-11 to eliminate the \$.30 breakfast copayments by reduced-price households. Funds reimburse school districts for the lost revenues. OR SB695
Pennsylvania	\$	The State provides no less than \$0.10 per breakfast and lunch served. The State provides an additional \$0.02 (\$0.12 total) per lunch to schools that participate in both lunch and breakfast. The State also provides an additional \$0.04 (\$0.14 total) per lunch to schools that have over 20 percent of student enrollment participating in school breakfast. 22 PA. STAT. § 13-1337.1 (2000)
Rhode Island	M	School lunch and breakfast are required in all public schools. R.I. GEN. LAWS § 16-8-10.1
	\$	The State has had an annual appropriation of \$600,000 for breakfast supervision costs, which was reduced by 50% in 2008-09 because of the state budget deficit. The per-breakfast subsidy, based on breakfasts served during school year 2007-08, was \$0.077572538.
South Carolina	M	School breakfast is required in all public schools. The State Board of Education may grant a waiver if the school lacks equipment or facilities to implement such a program, if the program is not cost-effective, or if implementation creates substantial scheduling difficulties. SC CODE ANN. §59-63-790 and §59-63-800

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South Dakota		NONE
Tennessee	M	Every school must offer school lunch. School breakfast is required in K-8 schools with 25 percent or more F&RP eligible students and in all other schools with 40 percent or more F&RP eligible students. TENN. CODE ANN. § 49-6-2302
Texas	M R	School breakfast is required in public schools and open-enrollment charter schools with 10 percent or more F&RP eligible students. TEX. EDUC. CODE ANN. § 33.901 The commissioner was required to provide a report describing the results of a study of breakfast program participation no later than October 31, 2008, to the governor, the lieutenant governor, and the speaker of the house of representatives. The report included a cost-benefit analysis; outline of effective programs and practices; and recommended to the legislature methods for increasing participation in the breakfast program. Chapter 12, Agriculture Code, Sec. 12.043
Utah	R	The State requires elementary schools without breakfast to report reasons for nonparticipation for three years. UTAH CODE ANN. § 53A-19-301
Vermont	M \$	School lunch and breakfast are required in all public schools unless the commissioner grants a waiver or the district is exempt from the requirement. VT. STAT. ANN. § 1265 Exemptions are granted for one year if the voters of the district vote for exemption at an annual or special meeting, and the school board must review the exemption annually. VT. STAT. ANN. § 1265 The State appropriates approximately \$133,000 for breakfast reimbursements. The per plate reimbursement rate is determined by dividing total funds by total number of breakfasts served. In 2008, \$170,000 was appropriated to extend free breakfast by eliminating the \$0.30 copayment for all students eligible for reduced-price meals starting in school year 2008-09.
Virginia	M \$	School breakfast is required in public schools with 25 percent or more F&RP eligible students. VA. CODE ANN. § 22.1-207.3 The State appropriated funds beginning in FY 2006 to establish an incentive program to increase student participation in the SBP. The funds are available to any school division as a reimbursement for school breakfast meals served in excess of the per student baseline established in 2003-2004. Schools are eligible to receive up to \$0.20 per breakfast for increased student participation.
Washington	M \$	School lunch must be offered to children in grades kindergarten through four enrolled in schools where twenty-five percent or more of the enrolled students qualify for a free or reduced-price lunch. WASH. REV. CODE § 28A.235.160 and 2004 c 54 s 2 Any school with 40 percent or more enrollment of students that qualify for free or reduced-price meals must have a school breakfast program. HB 1771 (July, 2005) The State appropriated \$4.5 million in 2007 to eliminate the co-payment for breakfasts served to K-12 students eligible for reduced-price meals and to provide a reimbursement for every free and reduced-price breakfast served. For school year 2007-08 the state provided funding to eliminate the reduced price co-payment for lunch for all public school students in grades K-3. The superintendent of public instruction may grant additional funds for breakfast start-up and expansion grants, when appropriated. WASH. REV. CODE § 28A.235.150

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West Virginia	M	School breakfast is required in all schools. Waivers, of up to two years, may be granted to schools with compelling circumstances. W. VA. CODE § 18-5-37
	S	The Board of Education requires that students be afforded at least 10 minutes to eat after receiving their breakfast. W. VA. CODE ST. R. tit. 126, § 86-7
Wisconsin	\$	In the 2007-2009 State Biennial Budget, the legislature provided \$1,458,100 in addition to the base funding of \$1,055,400 to increase the state school breakfast reimbursement from \$0.10 to \$0.15 per breakfast served that meets the nutritional requirements in both public and private schools. WIS. STAT. §115.341
Wyoming		NONE