

State School Breakfast Expansion Legislation

STATE	REQUIREMENT		LOW-INCOME STUDENT PARTICIPATION IN SCHOOL LUNCH AND SCHOOL BREAKFAST RANKING			AVERAGE DAILY LOW-INCOME STUDENT PARTICIPATION IN SCHOOL BREAKFAST			EXCEPTIONS	STATE FUNDING
	Requirement	Applies To	Effective School Year (SY)	Pre-requirement	Post-requirement*	Pre-requirement	Post-requirement	Percent Change		
Colorado HB 13-1006	Must offer all students free breakfast after the bell	Schools with 70% or more students certified for free or reduced-price (f/rp) school meals	SY 2015-2016	11th	12th	183,047	185,045	1.1%	Schools with 90% or more students taking the bus can choose to provide breakfast on the bus. "Small" and "rural" districts with less than 1,000 students and public or charter schools not participating in the National School Lunch Program may opt out.	None Provided
		Schools with 80% or more students certified for f/rp meals	SY 2014-2015	20th	11th	163,789	183,047	11.8%		
District of Columbia Healthy Schools Act	Must offer all students free breakfast after the bell**	Elementary schools with 40% or more students certified for f/rp meals must implement breakfast in the classroom. Middle and high schools with 40% or more students certified for f/rp meals must implement a Breakfast after the Bell program.	SY 2010-2011	20th	1st	21,493	28,884	34.4%	Not required for schools with at least 75% participation in school breakfast without using a breakfast after the bell model.	Newly participating breakfast after the bell schools are provided with a one-time subsidy of \$7 per student.
Florida HB 623	Must offer all students free breakfast	Schools with 80% or more students certified for f/rp meals	SY 2010-2011	25th	25th	632,101	668,043	5.7%	Schools may opt out of the provision only if they hear public testimony in at least 2 regular meetings.	None Provided

*All data in this document came from FRAC's annual School Breakfast Scorecards. The post-requirement refers to data reported after the first school year after the requirement went into effect. Low-income student refers to any student certified as eligible for free or reduced-price school meals. N/A means that data on the impact of the requirement is not yet available.

**The District of Columbia offers free breakfast to all students in all public and charter schools.

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Illinois SB 2393	Must offer breakfast after the bell	Schools with 70% or more students certified for f/rp meals or with at least 70% of students who are classified as low-income according to fall housing data or community eligibility.	SY 2017-2018	N/A	N/A	N/A	N/A	N/A	Schools with 70% or more of free and reduced-price students already participating in school breakfast; and schools proving that the reimbursement would not fully cover the costs to implement breakfast after the bell may opt out.	None Provided
Nevada SB 503	Must implement a breakfast after the bell program	Schools with 70% or more students certified for f/rp meals	SY 2015-2016	41st	25th	90,469	117,021	29.3%	Schools that can prove a financial hardship exists will be exempt from implementing.	A \$2 million grant fund was established for participating school districts with \$1 million distributed in the 2015-2016 and 2016-2017 school years.
New Jersey SB 1894	Must implement a breakfast after the bell program	Schools with 70% or more students certified for f/rp meals	SY 2019-2020	N/A	N/A	N/A	N/A	N/A	Schools may apply for a waiver if 70% or more students certified for f/rp meals are participating in school breakfast.	\$250,000 to fund Nourishing Young Minds.

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New Mexico HB 0271	Must offer all students free breakfast after the bell	Elementary schools with 85% or more students certified for f/rp meals	SY 2011-2012	2nd	1st	133,274	148,914	11.7%	Schools or school districts may apply for a waiver if they can demonstrate the program will pose an undue financial burden.	The New Mexico Public Education Department provides funding (\$1.6 million in the 2017-2018 school year) to supplement the federal reimbursement.
New York Executive Budget	Must implement a breakfast after the bell program	Schools with 70% or more of students certified for f/rp meals	SY 2018-2019	N/A	N/A	N/A	N/A	N/A	Schools can apply for a waiver if demonstrating an existing, successful program or can demonstrate that breakfast after the bell would result in economic hardship.	Grants totaling \$7 million will be available to schools to purchase start-up equipment. An additional \$5 million will be appropriated for state reimbursement of the School Breakfast Program.
Texas SB 376	Must offer all students free breakfast	Schools with 80% or more students certified for f/rp meals	SY 2013-2014	8th	7th	1,791,778	1,833,747	2.3%	Board of trustees must pass a vote to receive a waiver of exemption that is effective for only that academic year; before voting, the board must allow public comment on the waiver.	None Provided

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<u>Washington HB 1508</u>	Must implement breakfast after the bell program	Schools with 70% or more students certified for f/rp school meals	SY 2019-2020	N/A	N/A	N/A	N/A	N/A	<i>Breakfast after the bell is not required in high-need schools that have both a breakfast and lunch participation above 70%.</i>	<i>Depending on the availability of funds, the superintendent of public instruction will administer one-time grants to assist in the costs of breakfast after the bell.</i>
<u>West Virginia SB 663</u>	Must ensure that all students have access to breakfast by implementing a state agency-approved model	All schools	SY 2013-2014	3rd	1st	116,700	128,357	10.0%	<i>None Specified</i>	<i>Public-private partnerships will help cover additional costs for schools to offer universal free breakfast and/or lunch. The state agency will create a nonprofit foundation to help county boards of education raise funds to cover the cost.</i>