

## School Meals Legislation and Funding by State

Updated February 2021

State	State Mandate Requiring Some or All Schools to Offer School Breakfast and/or Lunch	States Providing Additional Funding for School Meal Programs	Other legislation addressing issues such as unpaid school meal fees, outreach programs and incentives for locally grown food
<b>Alabama</b>	None	None	None
<b>Alaska</b>	None	None	None
<b>Arizona</b>	All K–8 schools are required to participate in the National School Lunch Program. A waiver may be granted for school districts with fewer than 100 students if the school board determines at a public meeting to not participate. The requirement does not apply to charter schools [ <a href="#">ARIZ. REV. STAT. § 15-242</a> ].	None	
<b>Arkansas</b>	All schools located in a school district with 20 percent or more free and reduced-price certified students are required to participate in the School Breakfast Program. [ <a href="#">ARK. CODE ANN. § 6-18-705</a> ].	None	<p>School districts may use state education funding to the extent necessary to provide school meals without charge to all students in schools implementing Provision 2 and to provide school meals without charge to students otherwise eligible for reduced-price meals under the National School Lunch Program and the School Breakfast Program [<a href="#">ARK. CODE ANN. § 6-20-2305</a>].</p> <p>School districts are prohibited from providing an alternate meal, preventing access to meals or snacks, or taking any action that would stigmatize a student that has unpaid meal fees. The Department of Education’s Child Nutrition Unit also is required to implement a system for</p>

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			reviewing local unpaid meal practices, provide model policies that local districts can adopt, and share best practices for implementation [ARK. CODE ANN. §6-18-714]. <a href="#">HB 1356</a>
<b>California</b>	<p>All public schools (including charter schools beginning in school year 2019–2020) are required to offer at least one meal (breakfast or lunch) on school days to all free and reduced-price certified students [<a href="#">CAL. EDUC. CODE § 49550</a>].</p> <p>All school districts (including charter schools) that have an Identified Student Percentage (ISP) above 62.5 percent shall apply to provide free breakfast and lunch to all students by operating a federal universal meal service provision (Community Eligibility Provision, Provision 2). All school districts may use Medicaid data to directly certify students for free and reduced-price meals [CAL. EDUC. CODE §459564]. <a href="#">SB 138</a></p>	<p>The state provides an additional reimbursement of \$0.2445 per free and reduced-price breakfast and lunch served in the 2020-2021 school year. The rate is adjusted annually for increases in cost of living. [<a href="#">CAL. EDUC. CODE § 49430.5</a>].</p> <p>The state offers grant funding to school sites with at least 20 percent free or reduced-price certified students, with an annual allocation of \$1.017 million. This competitive grant program awards up to \$15,000 per school site for non-recurring expenses incurred in initiating or expanding a School Breakfast Program or summer food program [<a href="#">CAL. EDUC. CODE § 49550.3</a>].</p> <p>Effective school year 2019–2020, the state will provide a state-matching grant to federal Equipment Assistance Grant awardees, up to \$100,000 [<a href="#">CAL. EDUC. CODE §49571</a>].</p> <p>California-Grown Fresh School Meals Grant program provides up to \$2.5 million to School Food Authorities that use locally grown produce in school meals. <a href="#">AB 129</a></p>	<p>School districts are required to provide a reimbursable meal to all students, including those whose parent or guardian has unpaid school meal fees. School districts cannot shame or treat differently a student who has unpaid school meals fees. The unpaid meal policy must be publicly shared, and all communication concerning debt must be directed towards parents. Schools also are required to exhaust all options to directly certify students for free and reduced-price school meals, and cannot use debt collectors to collect fees. Under no circumstances can a school meal be denied to a child as a form of punishment. [<a href="#">CAL. EDUC.CODE §49557.5</a>]</p>

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<b>Colorado</b>	All schools with 70 percent or more free and reduced-price certified students are required to offer breakfast after the bell for free to all students [ <a href="#">COLO. REV. STAT. § 22-82.8</a> ].	<p>The state provides funding to eliminate the reduced-price fee of \$0.30 for breakfast in all schools [<a href="#">SB 18-013, COLO. REV. STAT. § 22-82.7-104</a>].</p> <p>The state provides funding to eliminate the reduced-price fee of \$0.40 for lunch for all pre-K–12 students [<a href="#">COLO. REV. STAT. §§ 22-82.9-104 to 105</a>].</p>	None
<b>Connecticut</b>	All K–8 schools in which 80 percent of lunches served are free or reduced-price are required to participate in the School Breakfast Program. [ <a href="#">CONN. GEN. STAT. Chap. 172, Sec. 10-266w</a> ].	<p>Within available funds, the state provides an annual grant of \$2,894, and up to \$0.10 per breakfast served, to all schools in which 20 percent or more of lunches served in the second preceding school year were free or reduced-price [<a href="#">CONN. GEN. STAT. Chap. 172, Sec. 10-266w</a>].</p> <p>The state provides an additional reimbursement of \$0.10 per lunch served in the preceding school year to school districts that meet optional state nutrition standards [<a href="#">CONN. GEN. STAT. Chap. 169, Sec. 10-215b</a>].</p>	The state agency is required to administer, within available appropriations, an outreach program to increase participation in the federal School Breakfast Program and other child nutrition programs. The state agency must encourage schools to: participate in the School Breakfast Program, employ alternative breakfast service methods, and apply to the in-classroom breakfast grant program; and publicize the availability of other child nutrition programs [ <a href="#">CONN. GEN. STAT. Chap. 169, Sec. 10-215h</a> ].
<b>Delaware</b>	All public schools, including charter schools, participating in the Community Eligibility Provision to offer free breakfast and lunch to all students must offer breakfast through an alternative service model, such as breakfast in the classroom or “grab and go,” in addition to traditional cafeteria service [ <a href="#">14 Del. C. § 4137</a> ].	The state supplements up to 70 percent of the salaries of school food service staff with funds not derived from local school lunch operations [ <a href="#">14 Del. C. § 1322</a> ].	If a child who is eligible for a free or reduced-price lunch is unable to attend a charter school because it does not provide lunch, the school shall provide free lunch to the child [ <a href="#">14 Del. C. § 506(f)</a> ].

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<b>District of Columbia</b>	<p>All public schools and public charter schools are required to offer free breakfast to all students. All schools with 40 percent or more free and reduced-price certified students are required to implement breakfast in the classroom. Middle and high schools may use alternative service methods in addition to serving breakfast in the classroom. A waiver may be granted if the school's breakfast participation rate exceeds 75 percent of average daily attendance without offering breakfast in the classroom [<a href="#">D.C. Code § 38-821.01 et seq. Sec. 203</a>].</p>	<p>The district provides funding to eliminate the reduced-price fee of \$0.40 for lunch [<a href="#">D.C. Code § 38-821.01 et seq. Sec. 102</a>].</p> <p>The district provides an additional reimbursement of \$0.20 per breakfast and lunch that meet the requirements of the Healthy Schools Act (including enhanced nutritional requirements). The district provides an additional reimbursement of \$0.05 per breakfast or lunch each day when at least one component is comprised of locally-grown, unprocessed foods in either breakfast or lunch [<a href="#">D.C. Code § 38-821.01 et seq. Sec. 102</a>].</p> <p>Any public (traditional or charter) school implementing an approved alternative breakfast model will receive an annual subsidy of \$2 per student per year starting in school year 2020–2021 [<a href="#">D.C. Code § 38-821.01 et seq. Sec. 102</a>].</p>	None
<b>Florida</b>	<p>All public elementary schools are required to implement a School Breakfast Program. All schools with 80 percent or more free and reduced-price certified students are required to offer free breakfast to all students. Schools may opt out of this requirement only after receiving public testimony concerning the proposed policy at two or more regular school board meetings. Schools that implement the universal requirement must, to the maximum extent practicable, make breakfast meals available to students at an</p>	<p>Under the General Appropriations Act, the state allocates annual funding to supplement school breakfast programs. The funding is based on each school district's number of free and reduced-price meals served [<a href="#">FLA. STAT. § 595.404</a>].</p>	<p>All school districts are required to provide information about the School Breakfast Program prepared by the district's school nutrition department annually to all students. The information must be communicated through school announcements and by written notice sent to all parents [<a href="#">FLA. STAT. § 595.405</a>].</p>

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	alternative site location outside of the cafeteria [ <a href="#">FLA. STAT. § 595.405</a> ].		
<b>Georgia</b>	<p>All K–8 schools with 25 percent or more free and reduced-price certified students, and all other schools with 40 percent or more free and reduced-price certified students are required to establish and support a School Breakfast Program [<a href="#">GA. CODE ANN. § 20-2-66</a>].</p> <p>All public schools must participate in the National School Lunch Program [<a href="#">GA State Bd. of Ed. Rule 160-5-6-01</a>].</p>	The state provides funding to offset labor costs, based on the number of full-time school nutrition staff [ <a href="#">GA. CODE ANN. § 20-2-187</a> ].	None
<b>Hawaii</b>	School breakfast and lunch must be made available in every school where the students are required to eat lunch at school [ <a href="#">HAW. REV. STAT. §302A-404</a> ].	State funds are budgeted to offset a portion of the cost to schools for breakfast and lunch.	School districts cannot deny meals to students with insufficient funds during the first 21 days of school. During the remainder of the school year, school districts also must provide a seven-day grace period to students that cannot pay for their school meals [ <a href="#">HAW. REV. STAT. §302A-404</a> ].
<b>Idaho</b>	None	School nutrition employees’ payroll tax costs are paid by the General Fund [ <a href="#">IDAHO CODE § 33-1015</a> ].	None

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<b>Illinois</b>	<p>All schools with 70 percent or more free and reduced-price certified students are required to offer breakfast after the bell beginning in school year 2017–2018 [<a href="#">105 ILL. COMP. STAT. § 126/16</a>].</p> <p>All public schools with 40 percent or more free and reduced-price certified students in the previous school year are required to participate in the School Breakfast Program. School districts may opt out under certain circumstances [<a href="#">105 ILL. COMP. STAT. § 126/15</a>].</p> <p>All public schools are required to operate a lunch program that provides free lunches (and free breakfasts if a school offers breakfast) to students certified for free meals [<a href="#">23 ILL. ADMIN. CODE § 305.10</a>].</p>	<p>The state authorized an additional reimbursement of \$0.15 per free breakfast and lunch served. The amount appropriated has been reduced in recent years due to limited state funding. Schools received \$0.04 per free meal served in school year 2018–2019 [<a href="#">105 ILL. COMP. STAT. §§ 125/2 and 125/6</a>].</p>	<p>School districts are required to provide a federally reimbursable meal or snack to a student, regardless of whether the student has the ability to pay for the meal or snack or owes money for prior meals or snacks. School districts cannot publicly identify or stigmatize a student who cannot pay for a meal or a snack or who owes money for a meal or snack [<a href="#">ILL. GEN Public Act 100-1092</a>].</p>
<b>Indiana</b>	<p>All public schools with 15 percent or more free and reduced-price certified students are required to participate in the School Breakfast Program [<a href="#">IND. CODE §§ 20-26-9-2 and 13</a>].</p>	None	None
<b>Iowa</b>	<p>All public schools are required to provide lunch that meets the nutrition standards for the National School Lunch Program for students who attend public school four or more hours each school day and wish to participate [<a href="#">IOWA CODE § 283A.2</a>].</p>	<p>The state appropriates funding to provide an additional reimbursement for each breakfast and lunch served between July 1 and May 31 of each school year. For school year 2018–2019, schools received approximately \$0.028 per meal.</p>	<p>Prohibits schools from publicly identifying or stigmatizing a student who cannot pay for a meal and encourages schools to provide a reimbursable meal [<a href="#">IOWA CODE §8A.504, 283A.11</a>].</p>

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<b>Kansas</b>	All public schools are required to participate in the School Breakfast Program. A waiver may be granted for schools with less than 35 percent free and reduced-price certified students [ <a href="#">KAN. STAT. ANN. § 72-5125</a> ].	The state provides an additional reimbursement of \$0.04 per lunch out of state revenue-match funds [ <a href="#">KAN. STAT. ANN § 72-17,143</a> ].	None
<b>Kentucky</b>	None	None	All school districts are required to arrange bus schedules to arrive in sufficient time for schools to serve breakfast prior to the instructional day [ <a href="#">KY. REV. STAT. ANN. § 158.070</a> ].  Schools may not have physical segregation or other discrimination against any child because of inability to pay the full cost of a meal [ <a href="#">702 KY. ADMIN. REG. § 6:050</a> ].
<b>Louisiana</b>	All public schools are required to provide a lunch program. All school districts with at least one school with 25 percent or more free and reduced-price certified students are required to participate in the School Breakfast Program in all schools in the district. A waiver may be provided if it can be demonstrated with sufficient proof to the department of education that at least 50 percent of the free and reduced-price eligible students refuse to participate in the breakfast program [ <a href="#">LA. STAT. ANN. §17:192</a> ].	None	If a public-school system has a policy of denying meals to children in elementary schools for non-payment of meal fees, the school board must implement procedures relative to denying meals. Prior to denying a meal, public elementary schools are required to notify the child's parent or legal guardian as to the date and time after which meals may be denied, the reason for such denial, any action needed to prevent further denial of meals, and the consequences of the failure to take appropriate actions to prevent such denial; and verify that the child does not have an Individual Education Plan (IEP) that requires the child to receive school meals. The school must provide a substitute for the denied meal. School boards must report

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			annually on the number of denied meals and students whose meals were denied [ <a href="#">LA. STAT. ANN. §17:192.1</a> ].
<b>Maine</b>	<p>All K–8 public schools are required to participate in NSLP [<a href="#">20-A ME. REV. STAT. ANN. § 6602</a>].</p> <p>All public schools with 50 percent or more free and reduced-price certified students are required to offer breakfast after the bell. A waiver may be provided if the school board holds a public hearing regarding the service, and votes that the service would not be financially or logistically viable [<a href="#">20-A ME. REV. STAT. ANN. § 6602</a>].</p>	The state provides funding to eliminate the reduced-price fee of \$0.30 per breakfast and \$0.40 for lunch in public schools [ <a href="#">20-A ME. REV. STAT. ANN. § 6602</a> ].	Requires schools to provide a reimbursable meal to any student who requests one, regardless of a student’s ability to pay or accrued meal debt. Prohibits schools from punishing or stigmatizing students if they cannot pay for a meal [ <a href="#">20-A ME. REV. STAT ANN. § 6681</a> ].
<b>Maryland</b>	<p>All public elementary schools are required to operate a free and reduced-price breakfast program. A waiver may be granted for schools with less than 15 percent free and reduced-price certified students [<a href="#">MD. EDUC. CODE. ANN. § 7-701 and 7-702</a>].</p> <p>All public schools are required to operate a free and reduced-price lunch program [<a href="#">MD. EDUC. CODE. ANN. § 7-601</a>].</p>	<p>The state provides funding for Maryland Meals for Achievement, a program that allows high-poverty schools to offer free breakfast after the bell to all students. Schools with at least 40 percent of students certified to receive free or reduced-price meals can apply to receive funding. Schools are reimbursed \$0.30 per reduced-price breakfast, and a formula determines the reimbursement per paid meal. The allocation for school year 2016–2017 was \$6.9 million [<a href="#">MD. EDUC. CODE. ANN. § 7-704</a>].</p> <p>The state provides funding to eliminate the reduced-price fee for school breakfast and lunch over a four-year phase-in period, starting in school year 2019–2020. The state will increase</p>	None



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		<p>its coverage of the fee by \$0.10 per student per year until the entire \$0.30 fee for breakfast and \$0.40 (and above) fee for lunch is completely covered by 2022 [<a href="#">MD. EDUC. CODE. ANN § 7-602</a>].</p>	
<p><b>Massachusetts</b></p>	<p>All public schools are required to make lunches available to children. All severe-need schools and those with more than 50 percent students certified for free and reduced-price meals in the preceding school year are required to participate in the School Breakfast Program [<a href="#">69 MASS. GEN. LAWS § 1C</a>].</p> <p>All high-poverty K-12 Massachusetts public schools are required to offer breakfast after the instructional day begins. (<a href="#">H 4218</a>)</p>	<p>The state provides an additional reimbursement of \$0.10 per breakfast to severe-need schools for free and reduced-price meals if breakfast costs exceed federal reimbursements. The per-meal rate is reassessed each March [<a href="#">69 MASS. GEN. LAWS § 1C</a>].</p> <p>The state provides an additional per-breakfast reimbursement to schools with at least 60 percent free and reduced-price certified students that offer breakfast free to all children. Payments of \$0.18 per meal are made twice per year.</p> <p>The state reimburses an additional \$0.06 of state funds per lunch.</p>	<p>None</p>

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<b>Michigan</b>	All K–12 school districts are required to participate in the National School Lunch Program. All schools with 20 percent or more free and reduced-price certified students during the preceding school year are required to participate in the School Breakfast Program. Other schools are not required to participate in the School Breakfast Program if, after annual public hearings on this issue, the board decides not to participate. School districts may apply for an exemption if a financial emergency exists [ <a href="#">MICH. COMP. LAWS § 380.1272A-to-C</a> ].	<p>The state provides funds to K–12 public school districts participating in the National School Lunch Program to supplement federal reimbursements. These payments provide each district with up to 6.0127 percent of the necessary costs of operating the National School Lunch Program. Schools that are not required to provide school lunch are paid up to \$10 per eligible pupil plus \$0.05 for each free lunch and \$0.02 for each reduced-price lunch provided [<a href="#">MI HB 5291, Sec. 31d. 2016</a>].</p> <p>The state provides an additional reimbursement to cover the cost of providing breakfast. The payment is at a per-meal rate equal to the percent difference between a district’s reported costs and revenues, up to the statewide average cost of a breakfast served [<a href="#">MICH. COMP. LAWS § 388.1631f</a>].</p>	As a part of 10 Cents a Meal for School Kids and Farms, a state-funded pilot project to support locally grown foods, the state provides matching grants up to an additional \$0.10 per meal for any Child Nutrition Program meal, which includes a Michigan-grown fruit, vegetable, or legume. The funding is available only for specific counties [ <a href="#">HB 5579 Section 31j</a> ].
<b>Minnesota</b>	All public schools in which 33 percent or more of lunches served in the second preceding school year were free or reduced-price are required to participate in the School Breakfast Program [ <a href="#">MINN. STAT. § 124D.117</a> ].	<p>The state provides funding to eliminate the reduced-price fee of \$0.30 for breakfast. It provides an additional reimbursement of \$0.55 per paid breakfast served in grades 1–12. The state provides funding to offer free breakfast in kindergarten and all voluntary pre-kindergarten programs [<a href="#">MINN. STAT. §124D.1158</a>].</p> <p>The state provides funding to eliminate the reduced-price fee of \$0.40 for lunch, and an additional reimbursement of \$0.125 per free, reduced-price, or paid lunch served [<a href="#">MINN. STAT. § 124D.111</a>].</p>	None

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<b>Mississippi</b>	None	None	None
<b>Missouri</b>	All schools with 35 percent or more free and reduced-price certified students in the preceding school year are required to participate in the School Breakfast Program. A waiver may be granted if a majority of the school board votes to opt out [ <a href="#">MO. REV. STAT. § 191.803</a> ].	The state provides supplemental hardship grant funding for the School Breakfast Program, subject to appropriation. Any school that participates in the School Breakfast Program can apply, and grants are awarded to schools with the highest need [ <a href="#">MO. REV. STAT. ANN. § 191.805</a> ].	Agencies responsible for administering food programs, including the School Breakfast Program, are required to collaborate on designing and implementing culturally and linguistically appropriate outreach programs focused on populations at risk of hunger that effectively describe the programs, their purposes, and how to apply for them [ <a href="#">MO. REV. STAT. § 191.813</a> ].
<b>Montana</b>	None	None	None
<b>Nebraska</b>	None	The state provides an additional reimbursement of \$0.05 per breakfast served in the second preceding school year to public schools that also participate in the National School Lunch Program [ <a href="#">NEB. REV. STAT. § 79-10.138</a> ].	None
<b>Nevada</b>	All schools with 70 percent or more free and reduced-price certified students are required to offer breakfast after the bell. The state allocated \$2 million for start-up grants over the first two years of implementation to support schools executing breakfast after the bell programs [ <a href="#">N.V. SB 503, 2015</a> ].	None	None

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<b>New Hampshire</b>	All schools are required to make a meal available during school hours to every student and are required to provide free and reduced-price meals to any “needy” children. A waiver may be granted by 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 [ <a href="#">N.H. REV. STAT. § 189:11-A</a> ].	The state provides funding to eliminate the reduced-price fee of \$0.30 for breakfast [ <a href="#">N.H. REV. STAT. § 189:11-A</a> ].	All schools must have a school meal charge policy that ensures all students have access to a healthy school lunch and are not treated differently in school meal practices. Knowledge of the policy is to be shared and confirmed by all households [ <a href="#">N.H. REV. STAT. § 189:11-A</a> ].
<b>New Jersey</b>	<p>All schools with 70 percent or more free and reduced-price certified students are required to offer breakfast after the bell starting in the 2019–2020 school year. Schools that had 70 percent of eligible students participate in the School Breakfast Program in the previous school year can receive a waiver. Each school district is required to submit a breakfast after the bell implementation plan to the state department of agriculture within six months of the effective date of the law. The state department of agriculture also is required to provide a list of available resources for school districts to help implement the program [<a href="#">S 1894</a>].</p> <p>All schools with 20 percent or more free and reduced-price certified students are required to participate in the School Breakfast Program. A one-year waiver</p>	<p>The state provides an additional reimbursement of \$0.055 per free or reduced-price lunch served and \$0.04 per paid lunch served in public and charter schools.</p> <p>The state provides funding to eliminate the reduced-price fee for breakfast and lunch. [<a href="#">A5855/4200</a>].</p>	

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	<p>may be granted to schools that lack the staff, facilities, or equipment [N.J. STAT. ANN. § 18A:33-10 to -12].</p> <p>All schools with 5 percent or more free and reduced-price certified students are required to offer a lunch program that meets USDA standards and provides free and reduced-price meals to those that qualify [N.J. STAT. ANN. § 18A:33-4].</p>		
<b>New Mexico</b>	<p>All elementary schools with 85 percent or more free or reduced-price certified students during the prior school year are required to establish a breakfast after the bell program unless the school is granted a waiver [N.M. STAT. ANN. § 22-13-13.2].</p>	<p>The state department of education allocates approximately \$1.5 million to support participating breakfast after the bell schools. The funding for each district is determined by the dollars remaining after the school districts has been federally reimbursed [N.M. STAT. ANN. § 22-13-13.2].</p> <p>Provide funding to each school district and charter school that administers a school breakfast or school lunch program to cover the cost of eliminating reduced price copayments. Funding will be based on a per-meal basis at the difference between the federal free meal rate and the reduced-price copayment rate. <a href="#">[HB 10]</a></p>	<p>School districts must always provide a reimbursable meal to children, regardless if they do not have the funds to pay for it. Students shall not be shamed or asked to work in the cafeteria. Schools are required to attempt to certify students with continuous debt for free or reduced-price meals through methods such as direct certification and school meal applications. All communication about debt must be held only between the school and the parents [SB 374]. <a href="#">[N.M. STAT. ANN. § 22-3C-5]</a></p> <p>The New Mexico Public Education Department will create a working group to study food insecurity, food waste, academic benefits of proper nutrition and the repackaging of school meals for donations to students. [SM 10]</p>

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<b>New York</b>	<p>All elementary and secondary schools with 70 percent or more free or reduced-price certified students are required to establish a breakfast after the bell program at the beginning of the 2018–2019 school year. Allows time spent consuming breakfast in the classroom to be considered instructional time. Provides \$7 million in state funding to help schools with implementation costs [<a href="#">8 N.Y. CODES R. &amp; REGS. § 114.1</a>].</p> <p>All public elementary schools that participate in NSLP, all public schools where 40 percent or more of the lunches served in the second preceding school year were free or reduced-price, and all school districts in cities with at least 125,000 inhabitants are required to participate in SBP. Schools and districts may apply for exemptions [<a href="#">8 N.Y. CODES R. &amp; REGS. § 114.1</a>].</p>	<p>The state provides reimbursement of all expenses exceeding revenues in the first year of breakfast implementation in a public school [<a href="#">8 N.Y. CODES R. &amp; REGS. § 114.1</a>].</p> <p>The state provides an additional reimbursement of \$0.1013 per free breakfast, \$0.1566 per reduced-price breakfast, \$0.0023 per paid breakfast, \$0.0599 per paid and free lunch, and \$0.1981 per reduced-price lunch served for school year 2018–2019.</p> <p>The state provides funding to eliminate the reduced-price fee of \$0.25 for breakfast and lunch.</p>	<p>All schools that are not eligible to serve school meals through the Community Eligibility Provision or Provision 2 must develop a plan to ensure that a student with unpaid meal fees is not shamed or treated differently. The plan, required to be posted on the school’s website must include a statement that the school shall provide the student with a reimbursable meal of choice if the student requests one, unless the student’s parent has specifically provided written permission to withhold a meal; an explanation of how staff will be trained to ensure procedures are carried out correctly, and how parents will be provided with assistance in establishing free or reduced-price eligibility; procedures requiring the school to notify the student’s parent that the student’s balance is exhausted and unpaid meal charges are due; a procedure to support eligible families enrolling in free and reduced-price meals without shaming the student [<a href="#">8 N.Y. CODES R. &amp; REGS. § 114.5</a>].</p>
<b>North Carolina</b>	<p>All public-school districts are required to provide school food services to the extent practicable [NC G.S. § 115C-263].</p> <p>Public schools are required to participate in the National School Lunch Program [NC G.S. § 115C-264].</p>	<p>The state uses a portion of the required state revenue match to eliminate the reduced-price fee of \$0.30 for breakfast.</p>	<p>The state board of education passed a resolution that breakfast may be included in the instructional day as long as appropriate educational activity is taking place while students are eating breakfast.</p>
<b>North Dakota</b>	None	The state provides funding to eliminate the reduced-price fee of \$0.30 for breakfast.	None

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<b>Ohio</b>	All schools (including charter schools) with 20 percent or more students certified for free meals are required to participate in the National School Lunch Program and the School Breakfast Program. Schools must establish a breakfast program when one half of the parents of children in the school request one <a href="#">[OHIO REV. CODE § 3313.81.3 and 3314.18]</a> .	In years that the state appropriates funds for this purpose, all schools subject to the School Breakfast Program are required to provide free breakfast to students who qualify for reduced-priced meals <a href="#">[OHIO REV. CODE § 3314.18]</a> .	None
<b>Oklahoma</b>	None	None	State department of education policy prohibits school districts from withholding student records from households with school meal debt.
<b>Oregon</b>	All Title I schools and schools with 25 percent or more free and reduced-price certified students are required to participate in the School Breakfast Program <a href="#">[OR. REV. STAT. §327.535]</a> .  All schools with 70 percent or more free or reduced-price certified students are required to establish a breakfast after the bell program at the beginning of the 2020–2021 school year.	The state provides funding to eliminate the reduced-price fee of \$0.30 for breakfast and \$0.40 for lunch <a href="#">[OR SB 695]</a> .  Beginning July 1, 2020, the state will provide \$40 million in funding from the new Hunger-Free Schools Account to expand the number of schools providing free breakfast and lunch to all students through the Community Eligibility Provision and to increase the income eligibility for free meals to 300 percent of the poverty line at non-CEP schools. Will go into effect fall 2020 if the ballot referral is passed in January 2020 <a href="#">[HB 3427 §29-32]</a> .	Time spent by students consuming breakfast in the classroom while instruction is being provided is considered instructional time, up to 15 minutes <a href="#">[OR. REV. STAT. §327.535]</a> .  School districts must provide a child a federally reimbursable meal, regardless if they have the funds to pay for it. Students with school meal debt cannot be publicly identified, shamed, or forced to work in the cafeteria in exchange for school meals. The school district must attempt to directly certify students with school meal debt, and encourage the completion of a school meal application for households that are not certified for free or reduced-price meals. All communication concerning school meal debt must be directed towards parents <a href="#">[HB 3454]</a> .

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<b>Pennsylvania</b>	None	The state provides an additional reimbursement of no less than \$0.10 per breakfast or lunch served. Schools that participate in NSLP and SBP receive an additional \$0.02 (\$0.12 total) per lunch, and schools with more than 20 percent of their student enrollment participating in school breakfast receive an additional \$0.04 (\$0.14 total) per lunch [22 PA. CONSOL. STAT. § 13-1337.1].	School districts must provide a child a meal, regardless if they have the funds to pay for it, unless the student's parent has provided written directive to withhold a school meal. Students with unpaid school meal fees cannot be publicly identified, shamed, or forced to work in the cafeteria in exchange for school meals. When a student owes money for five or more meals, the school district must make at least two attempts to reach the student's parents and encourage the completion of a school meal application for households that are not certified for free or reduced-price meals. All communication concerning school meal debt must be directed towards parents. Schools may restrict privileges or activities of students who owe money for school meals if those same restrictions apply to students who owe money for other school-related purpose [22 PA. CONSOL. STAT. § 13-1337.2].
<b>Rhode Island</b>	All public schools are required to operate a school breakfast and lunch program [R.I. GEN. LAWS §§ 16-8-10 to 10.1].	The state provides an additional reimbursement per breakfast served, which is distributed based on each district's proportion of the number of breakfasts served in the prior school year relative to the statewide total in the same year. For school year 2017–2018, the state provided schools with an additional \$0.047 per breakfast served.	All public schools are prohibited from stigmatizing child that are unable to pay for meals [ <a href="#">R.I. GEN. LAWS § 16-8-10.2</a> ].
<b>South Carolina</b>	All public schools are required to participate in the School Breakfast Program and the National School Lunch	None	School districts are required to directly certify students eligible for free and reduced-price school meals to the extent permitted



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	<p>Program. A waiver may be granted by the state board of education if the school lacks necessary equipment or facilities, if the program is not cost-effective, or if implementation creates substantial scheduling difficulties [<a href="#">S.C. CODE ANN. §§ 59-63-790 and 59-63-800</a>].</p>		<p>under federal law. School districts in which all schools are eligible to receive the free federal reimbursement rate under the Community Eligibility Provision are required to participate in community eligibility. If a district is unable to participate, the school board must adopt a resolution stating why it is unable to participate in the Community Eligibility Provision. The resolution shall be published on a public meeting agenda concurrently with the proposed district budget as an action item and shall be approved by a majority of the board. School districts shall ensure that parents or guardians of students eligible for free and reduced-price school meals receive the necessary application and instructions and upon request are provided with assistance in completing the paperwork. Schools are not allowed to publicly identify a student who is unable to pay for a meal for any reason. Communications from the district regarding any school meal debt must be directed to only the parent or guardian but can be sent home through the student.</p>
<b>South Dakota</b>	None	None	None
<b>Tennessee</b>	<p>All schools are required to operate a school lunch program. All K–8 schools in which 25 percent or more of the students, and all other schools in which 40 percent or more of the students received a free or reduced-price lunch</p>	None	None

State	State Mandate Requiring Some or All Schools to Offer School Breakfast and/or Lunch	States Providing Additional Funding for School Meal Programs	Other legislation addressing issues such as unpaid school meal fees, outreach programs and incentives for locally grown food
	are required to participate in SBP [ <a href="#">TENN. CODE ANN. § 49-6-2302</a> ].		
<b>Texas</b>	<p>All public schools and open enrollment charter schools with 10 percent or more free and reduced-price certified students are required to participate in the School Breakfast Program. Schools have the option to offer a breakfast program that is not under the School Breakfast Program if the school district is granted a waiver by the commissioner.</p> <p>All schools with 80 percent or more free and reduced-price certified students are required to offer breakfast free to all students [<a href="#">TEX EDUC. CODE ANN. § 33.901</a>].</p>	None	School districts must provide a grace period for students with insufficient funds to continue receiving school meals. School districts cannot charge households for school meals that are provided during the grace period, but are required to notify parents concerning the school meal debt [ <a href="#">SB 1566, TEX EDUC. CODE § 11.151</a> ].
<b>Utah</b>	None	The state provides public schools with an additional per meal reimbursement for lunch from the proceeds of a state liquor tax.	<p>Local school boards are required to review the reasons for a school's nonparticipation in SBP at least every three years. After two reviews, a local school board may, by majority vote, waive any further reviews of the nonparticipating school [UTAH CODE ANN. § 53G-9-205].</p> <p>HB 16 amends specific provisions regarding the use of school meal revenue and sets reporting requirements for the School Breakfast Program. The bill requires an</p>

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			<p>annual review of participation in the school breakfast program.</p> <p>HB 222 creates the Smart Start Breakfast Program to expand access to school breakfast in public schools. This new law creates an alternative breakfast service model and requires the state board of education to specify waivers for non-participation.</p>
<b>Vermont</b>	<p>All public schools are required to participate in the National School Lunch Program and the School Breakfast Program. In the event of an emergency, a waiver may be granted by the commissioner for up to 20 school days [<a href="#">16 VT. STAT. ANN. § 1264</a>]. School boards may vote to exempt districts from these requirements for up to one year [<a href="#">16 VT. STAT. ANN. § 1265</a>].</p>	<p>The state provides funding to eliminate the reduced-price fee of \$0.30 for breakfast and \$0.40 for lunch [<a href="#">16 VT. STAT. ANN. § 1264</a>].</p>	<p>None</p>
<b>Virginia</b>	<p>All public schools with 25 percent or more free and reduced-price certified students during the previous school year are required to participate in the School Breakfast Program [<a href="#">VA. CODE ANN. § 22.1-207.3</a>].</p>	<p>The state provides funding for an incentive program to increase School Breakfast Program participation. Funds are available to any school district as a per-meal reimbursement for each breakfast served in excess of the participation baseline set in school year 2003–2004. Schools annually receive \$0.22 per additional breakfast served over the baseline participation rate.</p> <p>Elementary schools with 45 percent or more free and reduced-price certified students are eligible to apply for an additional \$0.05 per breakfast served if implementing a breakfast model that will increase school breakfast participation. Middle and high schools are</p>	<p>Requires each local school board to adopt policies that prohibit employees from making a student who cannot pay for a meal at school or has unpaid meal fees to do chores or other work to pay for such meals, or wear a wristband or hand stamp; and to direct any communication relating to a school meal debt to the student's parent [<a href="#">VA. CODE ANN. § 22.1-79.7</a>].</p> <p>Requires school districts that collect information to determine free and reduced-price meals eligibility to establish and post prominently on its website a web-based application (that complies with the U.S. Department of Agriculture's web-based</p>

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		eligible to apply for an additional \$0.10 per breakfast served for fiscal year 2019.	prototype application) for student participation, as well as provide a paper-based application to students [ <a href="#">VA. CODE ANN § 22.1-207.2:2</a> ].
<b>Washington</b>	<p>All schools with 70 percent or more free or reduced-price certified students are required to establish a breakfast after the bell program in the 2019–2020 school year. Allows time spent consuming breakfast in the classroom to be considered instructional time if students are engaged in an educational activity. Provides \$1.2 million in state funding to help schools with implementation costs [<a href="#">H.B. 1508</a>].</p> <p>All public schools with 25 percent or more free and reduced-price certified students are required to operate NSLP for all K–4 students. All public schools with 40 percent or more free and reduced-price certified students are required to participate in SBP [<a href="#">WASH. REV. CODE § 28A.235.160</a>].</p> <p>HB 2660 increases the availability of school meals provided to public school students at no student cost. In 2020–2021, each school with a school lunch program and school breakfast program must make school meals available to all students at no charge if the school or district has an identified student</p>	<p>The state provides funding to eliminate the reduced-price fee of \$0.40 for lunch for K–3 public school students and to eliminate the reduced-price fee of \$0.30 per breakfast in K–12 public schools.</p> <p>The state provides an additional reimbursement of \$0.17 per free and reduced-price breakfast served in school year 2018–2019 [WASH. REV. CODE §4198-01].</p> <p>The superintendent of public instruction may grant additional funds for breakfast start-up, as well as expansion grants, when appropriated [<a href="#">WASH. REV. CODE § 28A.235.150</a>].</p>	<p>The state prohibits any school district personnel from taking any action that would publicly identify a student who cannot pay for a school meal or for meals previously served to the student, including requiring the student to wear a wristband, hand stamp, or other identifying marker, or by serving the student an alternative meal. [<a href="#">WASH. REV. CODE § 28A.235.270</a>].</p>

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	percentage of at least 40% or 70% of the students of the school or school district qualify for free or reduced price meals. [ <a href="#">HB 2660</a> ].		
<b>West Virginia</b>	All schools are required to operate a school breakfast and lunch program. Beginning in school year 2015–2016, all schools are required to adopt a delivery system approved by the state agency that ensures all students are given an adequate opportunity to eat breakfast, including but not limited to, “grab and go,” breakfast in the classroom, or breakfast after the bell [ <a href="#">W. VA. CODE §§ 18-5D-1 to 5</a> ].	Public-private partnerships will be developed to help cover additional costs for schools to offer free breakfast and/or lunch to all students. The state agency will create a nonprofit foundation to help county boards of education raise funds to cover the cost [ <a href="#">W. VA. CODE §§ 18-5D-1 to 5</a> ].	The board of education requires that students be afforded at least 10 minutes to eat after receiving their breakfast and 20 minutes after receiving lunch [ <a href="#">W. VA. C.S.R. § 126-86-9</a> ].  All county boards of education must establish a program to assist and encourage schools to participate in the “Shared Table” initiative, which collects unused foods for appropriate redistribution [ <a href="#">W. VA. CODE §§18-5D-5</a> ].
<b>Wisconsin</b>	None	The state provides an additional per meal reimbursement of \$0.15 for both lunch and breakfast. If the state appropriation is insufficient, these payments may be prorated. For school year 2018–2019, the state provides \$0.0491 per lunch served and \$0.08137 per breakfast served [ <a href="#">WIS. STAT. §115.341</a> ].	Requires public schools to provide a school lunch or breakfast to any student that requests one. Prohibits schools from taking certain actions against any student unable to pay for meals and requires schools to provide information and take certain actions related to free or reduced-price meal applications [ <a href="#">WIS. STAT. § 115.3415</a> ].
<b>Wyoming</b>	None	None	None

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