



## **State School Meal Mandates and Reimbursements: School Year 2016-2017**

The National School Lunch Program (NSLP) and School Breakfast Program (SBP) are federally funded by the U.S. Department of Agriculture (USDA). The purpose of the school nutrition programs is to provide nutritionally balanced, low-cost or free meals to children each school day. Each year, the USDA sets rates to cover the cost of free and reduced meals, as well as partial support for paid meals.

Each state is also required to provide a certain matching amount based on a rate set in the 1980's. Many states provide additional reimbursement on top of the matching requirement, which can range from per meal reimbursements, to salary support, to general funds which assist with program operations. It is up to each state if participation in the federal meals programs is optional or mandated, resulting in diverse circumstances.

This report is a comprehensive summary of each state's mandates and financial support with an additional reference chart. The information reflected in this document is to the best of SNA's knowledge, collected from state agencies, and is subject to change.

### **State Legislation Summary**

#### **Alabama**

Alabama has no school meals mandates and does not provide additional state support for meal reimbursements.

#### **Alaska**

Alaska does not mandate participation in school meal programs and does not provide per meal reimbursements. However, the legislature does provide foundation formula state funds to all school districts, and the districts may choose to use some of the funds toward their school meals programs.

#### **Arizona**

The state mandates that all K-8 schools with an enrollment over 100 students participate in NSLP. There is no mandate for breakfast. Arizona provides no additional state funding for participation in the NSLP or SBP.

#### **Arkansas**

Arkansas does not mandate NSLP. Arkansas requires all schools with 20% or more of the students eligible for free and reduced meals to participate in SBP. The state does not provide a per meal reimbursement for breakfasts or lunches served to students.

#### **California**

California requires that all public schools and county offices of education must provide at least one meal that meets federal nutrition standards to all free and reduced price meal eligible students. California provides an additional reimbursement with state funds and provides support for schools not participating in the federal programs, but participating in the State Meal Program. For the 2015-2016 school year, the state reimbursement rate

was \$0.2271 for each qualifying free or reduced price meal (breakfast and lunch) served in public schools, not applicable to paid meals.

### **Colorado**

Colorado does not mandate participation in NSLP. Colorado established the Start Smart Nutrition Program that reimburses school districts the \$.30 co-pay for a reduced breakfast for PK-12. Public schools participating in the NSLP with 70% or more students eligible for free/reduced price meals in the prior school year must provide breakfast after the bell free of charge to all students. Colorado covers the \$.40 co-pay for reduced lunch for grades PK-5 through the Child Nutrition School Lunch Protection Program.

### **Connecticut**

There is no mandate that a school must participate in NSLP. However, if 80% of school lunches served in each school are for free or reduced price meals, that school must offer SBP. All public schools that participate in NSLP can receive additional reimbursement of \$.10 per lunch if they agree to meet the state nutrition standards. State reimbursement is provided to State-defined severe need (20% free and reduced) breakfast eligible schools for school breakfast programs up to \$3,000/year per school and up to \$.10 for each breakfast served.

### **Delaware**

Delaware does not have a mandate for lunch or breakfast. The state does not provide a per meal reimbursement for breakfast or lunch, but does provide up to 70% of School Food Authorities (SFAs) staff salaries. Effective in SY 17-18, all CEP schools will be required to serve an alternative service model.

### **Florida**

All schools must provide a lunch program, but it does not have to be NSLP. However, all districts that offer NSLP must provide SBP in schools serving grades K through 5. Breakfast programs shall be offered at no cost to the students in schools with 80% or more are eligible for free or reduced price meals.

### **Georgia**

Georgia requires all public schools to participate in NSLP. Georgia also mandates that K-8 schools must establish and support a breakfast program if at least 25% of the student population is eligible for free or reduced price lunch. For all other grades, a breakfast program is required if at least 40% of the student population receives free or reduced meals. The state supplements federal reimbursement by base salary assistance for full-time school lunch staff; two sick days' pay assistance for school lunch staff; and a manager's supplement.

### **Hawaii**

Hawaii does mandate school lunch and school breakfast, but not participation in NSLP or SBP. The Hawaii public school meals are paid for by the NSLP and revenue collected by the paying students. The remainder is paid through state funds. Hawaii State funds are budgeted to subsidize the remaining portion of the school meals.

### **Idaho**

There is no state mandate that schools must participate in NSLP or SBP. The state does provide some additional funding to assist school districts in covering FICA taxes for school nutrition employees.

**Illinois**

Illinois does not mandate NSLP, but does require schools provide free lunches to students that qualify. It also requires that schools with 40% or more free or reduced price eligible students offer a breakfast program. Beginning in SY2017-2018, schools with 70% or more free and reduced price eligible students must offer a breakfast after the bell meal service option. The State of Illinois reimburses schools at the rate of \$.0250 for each free breakfast and lunch served for SY 2016-17. School districts that offer a summer program and have 50% free and reduced must offer a meal.

**Indiana**

Indiana does not mandate participation in NLSP. It does mandate that if a school's enrollment is 15% or more eligible for free or reduced, it must offer SBP. Indiana does not provide additional state reimbursement.

**Iowa**

Iowa requires all public schools to operate a school lunch program with meals that meet the nutrition standards for NSLP. It is not mandatory to offer breakfast. Iowa divides the fixed state appropriation among all lunch and breakfast meals served between July 1 and May 31 which provides approximately \$.028 per meal.

**Kansas**

There is no state mandate for school lunch in Kansas. However, it does require that schools with 35% or more students eligible for free or reduced price meals offer school breakfast. School districts with less than 35% of students eligible for free or reduced price meals can request a waiver asking to be released from this requirement. Kansas provides approximately \$.04 of state reimbursement for each lunch served, but there is no state reimbursement for breakfast.

**Kentucky**

Kentucky has no school meals mandates and does not provide additional state reimbursements.

**Louisiana**

Louisiana requires all public schools to operate NSLP, and requires schools with at least 25% eligible for free and reduced price meals to operate SBP. It does provide additional, non-meal funds to support school nutrition programs.

**Maine**

Maine mandates that public schools must participate in NSLP through the 8<sup>th</sup> grade, but secondary schools may opt out. There is no mandate for breakfast. Public schools receive an additional reimbursement of \$.04 per lunch from July 1 through December as part of the federally required state match. Then a one-time allocation to fully utilize the state match based on the percent of number of lunches served at each district in February. Maine covers the \$.30 co pay for reduced price breakfast. It also provides grants for the purchase of fruits and vegetables for schools with more than 50% free and reduced meals and provides \$1 of reimbursement for every \$3 spent on local produce, which is capped at \$1,000 per district per year if funding is available. Maine also requires any district that has a school that is 50% or more free and reduced and offers education or recreational activity in the summer to participate in the Summer Food Service Program or hold a public hearing explaining why they cannot afford to offer the summer meals.

## **Maryland**

Maryland law states that each public school shall provide a program of subsidized or free feeding programs for children, but does not require NSLP. The state also mandates that each county board provide in each elementary school a free and reduced price breakfast, unless the school is exempted. The Maryland Meals for Achievement In-Classroom Breakfast Program is funded by the state legislature and in participating schools, no child pays for breakfast. The state reimburses all reduced price breakfasts at \$.30 and a formula is used to reimburse the paid meals based on the percentage of school enrollment in the free and reduced categories.

<u>Percent of free/reduced</u>	<u>Paid meal reimbursement</u>
40-50 %	\$.85
50+ - 60%	.75
60+ - 70%	.65
70+ - 80%	.55
80+ - 90%	.45
90+ - 100%	.35

## **Massachusetts**

Massachusetts requires all public schools to have a lunch program, but it does not have to be NLSP. The state reimburses an additional \$.06 of state funds per lunch. For breakfast, severe need schools are mandated to offer breakfast. Schools required to offer breakfast under state law are eligible for up to \$.10 for breakfast costs that exceed Federal Severe Need Reimbursement. These state-mandated schools must provide documentation of costs to receive this additional state reimbursement. In addition to the state mandated schools, we have an additional reimbursement (approx \$0.15 per breakfast) for schools that are mandated and have at least 60% of their student population free and reduced price and offer breakfast at no charge (State Universal Breakfast).

## **Michigan**

In Michigan, a lunch program is required to be operated in all public K-12 schools, and a breakfast program in schools with more than 20% eligible for free or reduced meals. Any school not required to have a breakfast program must hold an annual public hearing. Section 31d of the State Aid Act provides funds to schools to assist in operating a school lunch program. The payments made under this section include all state payments made to districts so that each receives up to 6.0127% of the necessary costs of operating the school lunch program.

## **Minnesota**

There is no state National School Lunch Program (NSLP) mandate in Minnesota, but the state requires that if a school is participating in the NSLP, a breakfast program must be offered at schools in which free or reduced lunches served is greater than 33% for 2nd prior year. Minnesota provides \$.40 to cover the co-pay for reduced lunches. The state also provides \$.125 for every lunch claimed, \$.30 for every reduced price breakfast claimed, \$.55 for every full paid breakfast claimed, and \$1.30 for all breakfast meals claimed for kindergartners. The state also provides \$.20 per half pint of milk served to Kindergarten students.

## **Mississippi**

Mississippi has no state meals mandate and does not provide additional state reimbursements.

**Missouri**

Missouri does not mandate school lunch. However, any school in which 35% or more of the enrollment is approved for free and reduced priced meals must participate in the SBP. Schools can apply for a waiver from this requirement if majority of the school board votes to opt out.

**Montana**

Montana has no school meals mandate and does not provide additional state reimbursements.

**Nebraska**

Nebraska does not mandate lunch or breakfast. State reimbursement in the amount of \$.01 per lunch served in public schools is paid as long as funds are available. The State match for lunch is paid twice a year. The first half is paid in January and is based on the total number of student lunches reported on the October claim; the second half is paid in May and is based on the total number of student lunches reported on the February claim.

The State breakfast match is paid once a year in January and is based on the total number of student breakfasts served in the second preceding year. The reimbursement amount is \$.05 per breakfast.

**Nevada**

Nevada does not mandate lunch or breakfast but has mandated Breakfast After the Bell in schools with 70% free and reduced eligible students. The legislation came with a \$2 million incentive fund over the biennium. There are no additional state reimbursements.

**New Hampshire**

New Hampshire mandates that public schools must provide a nutritious meal. The state provides \$.03 for every breakfast meal to schools who participate in NSLP and have an approved wellness policy in place.

**New Jersey**

New Jersey mandates public schools with 5% or more students eligible for free or reduced price meals must offer a lunch program that meets USDA standards, and they must offer free and reduced price meals to those that qualify. The program does not have to be NSLP. Public schools with 20% or more free or reduced enrollment must implement SBP. New Jersey provides an additional reimbursement of \$0.055 per free or reduced lunch served and \$0.04 per paid lunch served.

**New Mexico**

There is no state mandate for school lunch in New Mexico. All elementary schools with 85% free or reduced are required to establish a "breakfast before or after the bell" program, unless the school is granted a waiver. Under this state program, breakfast is provided at no cost to students and state funds/reimbursements are provided to select sites, through a state legislative appropriation, based on a school's free and reduced lunch percentage.

**New York**

New York has no mandate on participation for the school lunch program. Breakfast is mandated for schools at the elementary level (K-6), and middle and high schools with severe need status. Schools can obtain waivers for the breakfast mandate. New York

State provides the following reimbursement for the 2016-2017 school year: for lunch, NY provides \$.0599 for each paid meal, \$.1981 for reduced price, and \$.0599 for free meals. For breakfast, the rate is \$.0023 for paid, \$.1566 for reduced and \$.1013 for free.

### **North Carolina**

The state requires all public schools to participate in NSLP, but there is no mandate for breakfast. The state provides no additional funds for lunch, but it uses a portion of the required state revenue match to provide the \$.30 co pay for breakfast for all reduced price-eligible students that participate in the program.

### **North Dakota**

North Dakota has no meal mandates however; the state does pay the reduced charge for breakfast. Breakfast is at no charge for free and reduced price students.

### **Ohio**

The state board of education shall require the board of education of each school district to establish and maintain a school breakfast, lunch, and summer food service program pursuant to the "National School Lunch Act" and the "Child Nutrition Act of 1966." School breakfast is required in schools where at least 20% of the students are eligible for free or reduced meals, or where 50% or more of the students' parents have requested the SBP. Ohio does not provide additional per meal reimbursements.

### **Oklahoma**

Oklahoma does not mandate school meals. Oklahoma's legislature approves a state-match appropriation each year to reimburse school lunches, amount varying yearly.

### **Oregon**

Oregon does not have a state mandate for serving lunch. The state does require all Title I schools and schools where 25% or more students are eligible for free or reduced price lunches to participate in SBP. The State provides reimbursement to eliminate the reduced price fee of \$0.30 for breakfast and \$0.40 for lunch.

### **Pennsylvania**

There are no mandates requiring schools to provide lunch or breakfast. However, it provides additional support for lunch to schools that do provide breakfast. For breakfast, the state provides \$.10 per meal served. For lunch, if a school does not provide breakfast, it receives \$.10, for breakfast provided to less than 20% of students the rate is \$.12, and for breakfast served to more than 20% the rate increases to \$.14.

### **Rhode Island**

Rhode Island mandates (by statute) that public schools offer both school lunch and school breakfast. RI currently provides up to \$270,000 in reimbursement dispersed in proportion to the number of school breakfasts served.

### **South Carolina**

South Carolina requires all public schools to participate in SBP and offer a lunch program. However, a waiver may be given by the State under certain circumstances. The state does not provide additional per meal reimbursements.

### **South Dakota**

South Dakota does not have any mandates regarding offering of meal programs. The state pays freight and storage of USDA Foods for public schools out of the state match

and then prorates distribution of the balance to public schools based on the number of NSLP lunches served. It was \$0.064 per lunch in 2016.

### **Tennessee**

Tennessee mandates that all school districts provide a school lunch program, but not necessarily NSLP. SBP is mandated in K-8 schools with 25% free or reduced price students and in all other schools that have 40% free or reduced. Tennessee does not offer per meal reimbursements.

### **Texas**

Texas has no mandate for lunch. Schools with 10% or more of the students eligible for free or reduced-price meals must make a reimbursable breakfast available to all students. Schools with 80% or more of the students are eligible for a free or reduced price meal must offer a free breakfast to all students. Texas does mandate that schools with 50% of NSLP participants receiving free or reduced lunch must offer a summer meal program. The state does not offer additional per meal reimbursements.

### **Utah**

Utah has no meal mandates. It uses proceeds from its liquor tax (proceeds vary yearly) to reimburse lunches to public schools only. 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 non-participating school. There are no additional per meal reimbursements.

### **Vermont**

Vermont requires participation by every school district in NSLP and SBP, unless the school board votes to exempt the district. If the district is exempt, the school board must vote on this issue every year. Vermont has eliminated the reduced price co-pay by providing the \$.40 to cover costs for lunch and \$.30 for breakfast.

### **Virginia**

There is no state mandate for schools to participate in NSLP. Participation in SBP is required in any public school in which 25% or more enrolled students are free or reduced price eligible. Virginia has a state breakfast incentive funding program for new breakfast participation where the states provides a reimbursement of \$.22 for each breakfast served in excess of each school division's established baseline per student breakfast meal participation rates. A second state breakfast incentive funding program provides an additional \$.05 in reimbursement for meals served using alternative service models that allow students to eat breakfast after the bell, such as breakfast in the classroom, grab and go, or second chance breakfast.

### **Washington**

Public schools must implement a lunch program where 25% or more of the enrolled students in schools with any grades from K-4 would be eligible for free or reduced price meals. SBP is mandated for public schools with more than 40% qualifying for free or reduced price meals. Washington provides support for K-3 reduced price lunches, eliminating the reduced price fee of \$0.40 and provides support for breakfast for all students, eliminating the reduced price co-pay of \$0.30. The state provides an additional reimbursement of approximately \$0.18 per free and reduced price breakfast served. In addition, \$201,000 is available through a competitive grant process to public schools who plan to start or expand breakfast and \$70,000 is available to all sponsors of the SFSP who are starting or expanding their summer meals program. Furthermore,

\$100,000 is prorated among SFSP sponsors who return to operate the program from the previous summer.

**West Virginia**

West Virginia requires participation by every public school in NSLP and SBP. There is no additional state reimbursement for school meals served.

**Wisconsin**

Wisconsin does not have meal mandates and uses a formula to provide additional per meal reimbursement to the extent funds are available. The state takes the number of lunches and breakfast served and divides it into the pot of funding available to determine the rate at which each school will get per meal. The cents per meal provided each year is dependent upon the total number of meals served each year.

**Wyoming**

Wyoming does not have school meal mandates and does not provide a per meal reimbursement.



### Reference for Meal Mandates and Reimbursements

Please note that while some states mandate a meal program, not all require the program to be the NSLP or the SBP.

State	Lunch Mandate	Breakfast Mandate	Lunch Reimbursement	Breakfast Reimbursement	Other Reimbursement
Alabama	No	No	No	No	
Alaska	No	No	No	No	State Formula that can be used towards school meal programs.
Arizona	NSLP for K-8.	No	No	No	Operation of school nutrition programs.
Arkansas	No	SBP if 20% F/R.	No	No	
California	Yes	In Severe Need Schools.	\$.23	\$.23	
Colorado	No	Must serve <i>free</i> breakfast if 70% F/R.	\$.40 to eliminate reduced price in NSLP, K-5.	\$.30 to eliminate reduced price, PK-12.	
Connecticut	No	SBP if over 80% F/R.	\$.10 to schools that serve NLSP and meet state standards.	\$.10 to 20% F/R up to \$3k/ school year per school.	
Delaware	No	SY 17-18, CEP schools must use alternative breakfast model.	No	No	State covers up to 70% of SFAs salary.
Florida	Yes	SBP in K-5 if offering NSLP.	No	No	
Georgia	Yes, NSLP.	Yes, K-8 if over 25% F/R; if over 40% other grades.	No	No	Assists with salary and benefits of SFAs.
Hawaii	Yes	Yes	No	No	Operation of school nutrition programs.
Idaho	No	No	No	No	Assists with FICA taxes for SFAs.

State	Lunch Mandate	Breakfast Mandate	Lunch Reimbursement	Breakfast Reimbursement	Other Reimbursement
Illinois	Yes, for free.	Yes, if 40% F/R.	\$.03	\$.03	
Indiana	No	SBP if 15% F/R.	No	No	
Iowa	Yes, NSLP.	No	\$.028	\$.028	
Kansas	No	Yes, if 35% F/R.	\$.04	No	
Kentucky	No	No	No	No	
Louisiana	NSLP	SBP if 25% F/R.	No	No	Operation of school nutrition programs.
Maine	NSLP, K-8.	No	\$.04	\$.30 to eliminate reduced price.	Covers \$1 for every \$3 spent on local produce - capped at \$1000 per district.
Maryland	Yes	Yes	No	\$.30 to eliminate reduced price.	See state summary for breakdown of additional reimbursement.
Massachusetts	Yes	Yes, if it's a severe need schools.	\$.06	\$.10, for severe need schools; \$.15 available to mandated schools with 60% F/R and offer universal free.	
Michigan	Yes	Yes, if 20% F/R.	No	No	Operation of school nutrition programs.
Minnesota	No	Yes, if 33% F/R.	\$.125/meal plus \$.40 to eliminate reduced price.	\$.30 to eliminate reduced price; \$.55 for paid.	\$1.30 for Kindergartener breakfast; \$.20 Kindergartener milk.
Mississippi	No	No	No	No	
Missouri	No	Yes, if 35% F/R	No	No	
Montana	No	No	No	No	
Nebraska	No	No	\$.01	\$.05	
Nevada	No	Yes, breakfast after the bell if 70% F/R.	No	No	\$2 million in breakfast after the bell incentive funds.

State	Lunch Mandate	Breakfast Mandate	Lunch Reimbursement	Breakfast Reimbursement	Other Reimbursement
<b>New Hampshire</b>	Yes	No	No	\$.03 if NSLP & Wellness Policy.	
<b>New Jersey</b>	Yes, if 5% F/R.	SBP if 20% F/R.	\$.055 for F/R, \$.04 for paid.	No	
<b>New Mexico</b>	No	Yes, if 85% F/R.	No	Funds provided to select sites based on F&R %.	
<b>New York</b>	No	Yes, K-6 & severe need mid. & high.	\$.0599 paid, \$.1981 reduced, & \$.0599 free.	\$.0023 for paid, \$.1566 for reduced and \$.1013 for free.	
<b>North Carolina</b>	NSLP	No	No	\$.30 to eliminate reduced price.	
<b>North Dakota</b>	No	No	No	Breakfast at no charge for F/R students.	
<b>Ohio</b>	Yes	Yes, if 20% F/R.	No	No	
<b>Oklahoma</b>	No	No	Varies	Varies	
<b>Oregon</b>	No	SBP if 25% F/R.	\$.40 to eliminate reduced price.	\$.30 to eliminate reduced price.	
<b>Pennsylvania</b>	No	No	Please see state summary for all information.	\$.10	
<b>Rhode Island</b>	Yes	Yes	No	\$270,000 proportional to breakfasts served.	
<b>South Carolina</b>	Yes	SBP	No	No	
<b>South Dakota</b>	No	No	Prorates.	No	Freight, storage of USDA Foods.
<b>Tennessee</b>	Yes	Yes, K-8 if 25% F/R.	No	No	
<b>Texas</b>	No	Yes	No	No	
<b>Utah</b>	No	No	Uses proceeds from liquor tax.	No	
<b>Vermont</b>	NSLP	SBP	\$.40 to eliminate reduced price.	\$.30 to eliminate reduced price.	
<b>Virginia</b>	No	SBP if 25% F/R.	No	\$.22 in certain cases, \$.05 for breakfast after bell.	\$540,000 additional funds for BIC
<b>Washington</b>	Yes, if 25% F/R.	Yes, if 40% F/R	\$.40 to eliminate reduced price category K-3.	\$0.18 plus \$.30 to eliminate reduced price.	
<b>West Virginia</b>	NSLP	SBP	No	No	Operations.
<b>Wisconsin</b>	No	No	Determined by State, prorated.	Determined by State, prorated.	
<b>Wyoming</b>	No	No	No	No	