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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO EDUCATION -- FEDERAL AID

Introduced By: Senators Acosta, Vargas, Valverde, Mack, Britto, Lawson, Gu, Quezada,
Bell, and Lauria

Date Introduced: February 26, 2025

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Findings.

2 The general assembly hereby finds and declares that:

3 (1) Globally, diet-related chronic diseases are the leading cause of death;

4 (2) In 2024, almost forty percent (40%) of Rhode Island households with children were
5 food insecure;

6 (3) Student hunger is associated with poor learning outcomes, absenteeism, and behavioral
7 issues;

8 (4) Healthy school meals are associated with improved test scores;

9 (5) Many children consume one-third (1/3) to one-half (1/2) of their daily calories during
10 the school day;

11 (6) The 2012 nutrition standards for school meals (Nutrition Standards in the National
12 School Lunch and School Breakfast Programs, 77 Fed. Reg. 4088 [Jan. 26, 2012]) and 2016
13 nutrition standards for competitive foods (National School Lunch Program and School Breakfast
14 Program - Nutrition Standards for All Foods Sold in School as Required by the Healthy, Hunger-
15 Free Kids Act of 2010, 81 Feb. Reg. 50131 [July 29, 2016]) promulgated by the U.S. Department
16 of Agriculture were estimated to save up to seven hundred ninety-two million dollars
17 (\$792,000,000) in healthcare related costs over ten (10) years, prevent more than two million
18 (2,000,000) cases of childhood obesity, and reduce the risk of obesity by half among low-income
19 students over five (5) years;

1 (7) It is in the best interests of the people of the state to provide that all students have access
2 to a healthy and nutritious school breakfast and lunch during the school day.

3 SECTION 2. Chapter 16-8 of the General Laws entitled "Federal Aid [See Title 16 Chapter
4 97 — The Rhode Island Board of Education Act]" is hereby amended by adding thereto the
5 following section:

6 **16-8-16. "Healthy school meals for all" -- School breakfast and lunch programs.**

7 (a) The healthy school meals for all program shall be phased in over three (3) years.
8 Beginning in the 2026-2027 school year, all public elementary schools shall be required to make
9 breakfasts and lunches available to elementary students attending those schools. Beginning in the
10 2027-2028 school year, all public elementary and secondary schools shall be required to make
11 breakfast and lunches available to elementary and middle school through grade eight (8) for
12 students attending those schools. Beginning in the 2028-2029 school year, all public elementary
13 and secondary schools shall be required to make breakfasts and lunches available to elementary,
14 middle and high school students attending those schools in accordance with rules and regulations
15 as set forth by the United States Department of Agriculture and adopted by the department of
16 elementary and secondary education pursuant to the provisions of subsection (c) of this section.

17 (1) Schools that participate in the School Breakfast Program authorized under § 4 of the
18 Child Nutrition Act of 1966 (42 U.S.C. § 1773) and National School Lunch Program authorized
19 under the Richard B. Russell National School Lunch Act (42 U.S.C. § 1751 et seq.) shall provide
20 breakfast and lunch without charge to all enrolled, attending students, every school day.

21 (b) In operating its school breakfast and lunch program pursuant to this section, each public
22 educational entity shall seek to achieve the highest level of student participation, which may include
23 any or all of the following:

24 (1) Providing breakfast meals that can be picked up by students for consumption outside
25 the cafeteria;

26 (2) Making breakfast available to students in the classroom after the start of the school day;

27 (3) Collaborating with the entity's health and wellness subcommittee, as established under
28 § 16-21-28, in planning school meals; and

29 (4) Providing lunch periods of no less than twenty (20) minutes for students to be seated
30 and consume their lunch.

31 (c) In operating its school breakfast and lunch program, each public educational entity shall
32 seek to maximize access to federal funds for the cost of the school breakfast and lunch program by
33 participating in one of the following options:

34 (1) National School Lunch and School Breakfast Programs, Provision 2 Guidance as

1 promulgated by United State Department of Agriculture (USDA);

2 (2) The Community Eligibility Provision (hereinafter referred to in this section as "CEP")
3 promulgated by the USDA; or

4 (3) Any other federal provision that, in the opinion of the department of elementary and
5 secondary education, draws down the most possible federal funding for meals served in that
6 program, including the active dissemination and collection of meal benefit applications, as
7 applicable.

8 (d) In operating its school breakfast and lunch program, each public educational entity shall
9 seek to improve meal quality by:

10 (1) Complying with all state-specific nutrition requirements related to meals and snacks
11 served as part of the school day;

12 (2) Purchasing, to the maximum extent possible, locally grown/produced food items, as
13 defined by the department of elementary and secondary education;

14 (3) Freshly preparing scratch-cooked foods; and

15 (4) Providing culturally relevant meals and engaging student and family voices in menu
16 development.

17 (e) No less frequently than quarterly, each public educational entity shall report to the
18 department of elementary and secondary education data related to the purchasing of locally
19 grown/produced food items as referenced in this section and used in the operation of its school
20 breakfast and lunch program. Specific reporting requirements, including data points and format,
21 shall be determined and communicated by the department annually.

22 (f) The department of elementary and secondary education shall reimburse the public
23 educational entities described in and operating in accordance with the provisions and requirements
24 of this section, the difference between:

25 (1) The federal free reimbursement rate established annually by the United States
26 Department of Agriculture for school breakfast and for school lunch; and

27 (2) The federal reimbursement rate received for each school breakfast and school lunch
28 served.

29 (g) The department of elementary and secondary education shall adopt rules and
30 regulations necessary for making reimbursements pursuant to this section.

31 (h) For each fiscal year, the general assembly shall make an appropriation by separate line
32 item in the budget to allow school food authorities to provide breakfasts and lunches at no charge
33 for children in state-subsidized early childhood education programs administered by public
34 educational entities or in kindergarten through grade twelve (k-12), participating in the school lunch

1 or breakfast program who would otherwise be required to pay for meals under these programs. The
2 appropriation to the department of elementary and secondary education shall be considered
3 entitlement dollars and shall be adjusted as necessary to meet the needs of the program on an on-
4 going basis, without disruption.

5 (i) In addition to the funding required to reimburse public educational entities as described
6 in this section, each fiscal year the general assembly shall make an appropriation by separate line
7 item in the budget to support the cost of one full-time equivalent employee at the department of
8 elementary and secondary education to aid in the administration and implementation of this
9 program.

10 (j) For the first year of implementation, schools designated as eligible for the CEP in
11 Kindergarten through grade five (K-5) are authorized to participate in the CEP program. However,
12 schools that serve additional grades including, but not limited to, grades kindergarten through grade
13 eight (K-8), or grades five (5) and six (6), shall have the option to voluntarily elect to participate in
14 the CEP program.

15 (k) In instances where a school has grades beyond the specified eligible range, such as
16 grades six (6) through eight (8) in the case of a kindergarten through grade eight (K-8) schools, or
17 grade six (6) in the case of a grade five (5) and grade (6) school, the state shall cover the cost of
18 providing CEP benefits to the non-eligible grades in the first year of implementation, ensuring that
19 grade six through eight (6-8) in a kindergarten through grade eight (K-8) school or grade (6) in a
20 grade five and six (5-6) school are eligible for coverage at no cost to the school or district.

21 (l) All local education agencies (“LEAs”) and eligible schools are hereby required to
22 participate in the federal CEP program if they meet the criteria for eligibility, as defined by federal
23 law. The state shall provide the necessary funding to cover the LEA's share of the program costs to
24 ensure full participation.

25 (m) LEAs and schools that meet the eligibility requirements shall participate fully in the
26 CEP, and it is the responsibility of the LEA to maximize the use of available federal funds under
27 the CEP. Failure to participate in the CEP program without a valid exemption will result in the
28 forfeiture of state funding intended to support CEP-related costs.

29 SECTION 3. This act shall take effect on July 1, 2026.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would establish a statewide “healthy school meals for all” universal school
2 breakfast and lunch program in Rhode Island public schools phased in over three (3) years. The
3 program would begin with all elementary school students, then add all middle school students in
4 year two (2), and then provide universal meals for all students by the 2027-2028 school year. The
5 act would also direct that in operating its school breakfast and lunch program, each public
6 educational entity would seek to maximize access to federal funds for the cost of the school
7 breakfast and lunch program by participating in one of several identified federal programs in order
8 to obtain federal funds to offset the costs to districts of providing free breakfasts and lunches and
9 minimize the costs to the state. The general assembly would be required to make an appropriation
10 by separate line items in the budget to provide breakfast and lunch at no charge for children in state
11 subsidized early childhood education programs.

12 This act would take effect on July 1, 2026.

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