It is enacted by the General Assembly as follows:

SECTION 1. Findings of fact. The general assembly finds as follows:

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

(2) In the wake of the COVID-19 pandemic, nearly one in three (3) households and over forty percent (40%) of households with children in RI experienced food insecurity in 2022;

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

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

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

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

(7) It is in the best interests of the people of the state to provide that all students have access
SECTION 2. Chapter 16-8 of the General Laws entitled "Federal Aid [See Title 16 Chapter 97 — The Rhode Island Board of Education Act]" is hereby amended by adding thereto the following section:

16-8-16. New mandatory school breakfast and lunch programs.

(a) All public elementary and secondary schools shall be required to make breakfasts and lunches available to students attending those schools in accordance with rules and regulations as set forth by the United States Department of Agriculture and adopted by the department of elementary and secondary education pursuant to the provisions of subsection (c) of this section.

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

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

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

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

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

(4) Providing lunch periods that are at least thirty (30) minutes in duration, and no less than twenty (20) minutes of which time is dedicated for students to be seated and consume their lunch.

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

(1) National School Lunch and School Breakfast Programs, Provision 2 Guidance as promulgated by United State Department of Agriculture (USDA);

(2) The Community Eligibility Provision (CEP) promulgated by the USDA; or

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

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

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

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

(3) Freshly preparing scratch-cooked foods; and

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

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

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

- The federal free reimbursement rate established annually by the United States Department of Agriculture for school breakfast and for school lunch; and

- The federal reimbursement rate received for each school breakfast and school lunch served.

(g) The department of elementary and secondary education may adopt rules necessary for making reimbursements under this section.

(h) For each fiscal year, the general assembly shall make an appropriation by separate line item in the budget to allow school food authorities to provide lunches at no charge for children in state-subsidized early childhood education programs administered by public educational entities or in kindergarten through twelfth grade, participating in the school lunch or breakfast program who would otherwise be required to pay for meals under these programs. The appropriation to the department of elementary and secondary education shall be considered entitlement dollars and shall be adjusted as necessary to meet the needs of the program on an on-going basis, without disruption.

(i) In addition to the funding required to reimburse public educational entities as described in this section, each fiscal year the general assembly shall make an appropriation by separate line item in the budget to support the cost of one full-time equivalent employee at the department of elementary and secondary education to aid in the administration and implementation of this program.
SECTION 3. This act shall take effect on July 1, 2024.
EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
AN ACT
RELATING TO EDUCATION -- FEDERAL AID

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1 This act would establish a statewide universal school breakfast and lunch program in Rhode Island public schools. The act would direct that in operating its school breakfast and lunch program, each public educational entity would seek to maximize access to federal funds for the cost of the school breakfast and lunch program by participating in one several identified federal programs so as to obtain federal funds to partially offset the costs of providing the breakfasts and lunches.

6 This act would take effect on July 1, 2024.