

**2025 -- H 5742**

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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2025**

**A N A C T**

**RELATING TO EDUCATION -- FEDERAL AID**

Introduced By: Representatives Caldwell, Stewart, Potter, Cotter, Carson, Donovan,  
Edwards, Diaz, O'Brien, and Shanley

Date Introduced: February 26, 2025

Referred To: House 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 will 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 8) students  
12 attending those schools. Beginning in the 2028-2029 school year, all public elementary and  
13 secondary schools shall be required to make breakfasts and lunches available to elementary, middle  
14 and high school students attending those schools in accordance with rules and regulations as set  
15 forth by the United States Department of Agriculture and adopted by the department of elementary  
16 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 section 4 of  
18 the 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 (CEP) promulgated by the USDA; or  
3 (3) Any other federal provision that, in the opinion of the department of elementary and  
4 secondary education, draws down the most possible federal funding for meals served in that  
5 program, including the active dissemination and collection of meal benefit applications, as  
6 applicable.  
7 (d) In operating its school breakfast and lunch program, each public educational entity shall  
8 seek to improve meal quality by:  
9 (1) Complying with all state-specific nutrition requirements related to meals and snacks  
10 served as part of the school day;  
11 (2) Purchasing, to the maximum extent possible, locally grown/produced food items, as  
12 defined by the department of elementary and secondary education;  
13 (3) Freshly preparing scratch-cooked foods; and  
14 (4) Providing culturally relevant meals and engaging student and family voices in menu  
15 development.  
16 (e) No less frequently than quarterly, each public educational entity shall report to the  
17 department of elementary and secondary education data related to the purchasing of locally  
18 grown/produced food items as referenced in this section and used in the operation of its school  
19 breakfast and lunch program. Specific reporting requirements, including data points and format,  
20 shall be determined and communicated by the department annually.  
21 (f) The department of elementary and secondary education shall reimburse the public  
22 educational entities described in and operating in accordance with the provisions and requirements  
23 of this section, the difference between:  
24 (1) The federal free reimbursement rate established annually by the United States  
25 Department of Agriculture for school breakfast and for school lunch; and  
26 (2) The federal reimbursement rate received for each school breakfast and school lunch  
27 served.  
28 (g) The department of elementary and secondary education shall adopt rules and  
29 regulations necessary for making reimbursements pursuant to this section.  
30 (h) For each fiscal year, the general assembly shall make an appropriation by separate line  
31 item in the budget to allow school food authorities to provide breakfasts and lunches at no charge  
32 for children in state-subsidized early childhood education programs administered by public  
33 educational entities or in kindergarten through grade twelve (k-12), participating in the school lunch  
34 or breakfast program who would otherwise be required to pay for meals under these programs. The

1 appropriation to the department of elementary and secondary education shall be considered  
2 entitlement dollars and shall be adjusted as necessary to meet the needs of the program on an on-  
3 going basis, without disruption.

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

9 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 3 years. The program  
3 would begin with all elementary school students, then add all middle school students in year two  
4 (2), and then provide universal meals for all students by the 2027-2028 school year. The act would  
5 also direct that in operating its school breakfast and lunch program, each public educational entity  
6 would seek to maximize access to federal funds for the cost of the school breakfast and lunch  
7 program by participating in one of several identified federal programs in order to obtain federal  
8 funds to offset the costs to districts of providing free breakfasts and lunches and minimize the costs  
9 to the state.

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

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