

Model State School Foods Bill (2026)

This document provides a model school foods bill that can be adapted to fit needs and goals in your state. Several sections present different policy options to choose from. Italicized text is guidance for bill drafting and not meant for inclusion in a bill. Highlighted fields are intended to be customized for your jurisdiction.

The Healthy Food for [State] Kids Act

Section 1: Findings.

Whereas: Each year, over 350,000 U.S. deaths from cardiovascular disease, cancer, diabetes, and kidney disease are attributable to poor diet;

Whereas: Many children consume one-third to one-half of their daily calories during the school day;

Whereas: Modeling suggests that reducing sodium and added sugars and increasing whole grains in school meals can reduce BMI and blood pressure in childhood, respectively, and, in the long-term, reduce mortality from cardiovascular disease, diabetes, and cancer, lower disability adjusted life years (DALYs), and lower health-care related costs among adults;

Whereas: The Summer Food Service Program (SFSP) has markedly weaker nutritional standards than those of the National School Lunch Program and School Breakfast Program;

Whereas: Synthetic food dyes cause adverse neurobehavioral effects in some children, which can in turn impact classroom behavior;

Whereas: Non-nutritive sweeteners (NNS) are not recommended for children because long-term health effects associated with consumption in childhood are still unknown, and because it has been suggested that early exposure to NNS may predispose children to prefer higher levels of sweetness in the diet and unfavorably influence their future dietary patterns; and certain NNS have been linked to increased risks of various cancers and endocrine disruption;

Whereas: Marketing for unhealthy food is omnipresent throughout school campuses, including on digital devices used by students and teachers, and such marketing results in little to no revenue for schools;

Whereas: School meal periods that provide insufficient time to eat are linked to significantly lower consumption of school meals and increased food waste, while school meal periods that provide sufficient time to eat are associate with increased meal consumption and decreased plate waste;

[Optional: Expanding access to free meals – include if using Section 3, Option One]

[Whereas: Free meals for all students decrease shame and stigma associated with receiving a free meal;]

Whereas: Healthy school meals [and free meals] for all students are positively associated with diet quality, food security, and improved test scores;

Whereas: Increased funding for school meals, which can support increased staff, skills training, and updated kitchen equipment, allows schools to expand scratch preparation and increase use of fresh and minimally processed foods.

Section 2. Definitions.

- (a) “Fresh” means perishable and unaltered from its natural state when it arrives at a school for preparation.
- (b) “Grain- and potato-based foods” means food with a grain (such as corn, wheat, rice, or oats), a potato, or flour as the first ingredient in its ingredient list.
- (c) “Minimally processed” means food that is unprocessed or whole foods that are altered by industrial processes that extend shelf life (such as removal of inedible parts) but that do not add any new substances (such as fats, sugars, or salt).
- (d) “Processed meat” means meat that has been transformed to enhance flavor or improve preservation by curing (to add salt, sugar, or any source of nitrates or nitrites, including those listed in C.F.R. Title 21 Subpart B, celery-based products, wine, Swiss chard-based products, lactic acid starter culture, cherry-based products, vegetable juice powder, or rosemary extract to meat for color development, flavor enhancement, preservation, or safety), fermentation (to add fermentative bacteria to meat to add flavor or stop the growth of harmful organisms), salting (to preserve meat with sodium), or smoking (to expose meat to smoke from burning wood or apply liquid smoke ingredients to meat).

Section 3. School meals access.

This section expands access to school meals, ideally through free school meals for all (Option One). This section also provides two options for expanding access more incrementally (Option Two and Option Three).

Choose one of the following three options:

OPTION ONE

CSPI recommends Option One because it best supports child nutrition by achieving full healthy school meals for all (HSMFA) (maximizing federal reimbursement by encouraging/requiring Community Eligibility Provision (CEP) participation, with the state covering the difference in reimbursement and the cost for all non-CEP eligible schools).

- (a) Schools, including, but not limited to, public schools, private schools, and charter 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 students.

[Alternatively, as an incremental step, free breakfasts (but not free lunches) for all could be required using the following language: “shall provide breakfast without charge to all enrolled students.”]

- (b) Schools that are eligible to participate in the Community Eligibility Provision authorized under section 11(a)(1)(F) of the Richard B. Russell National School Lunch Act (42 U.S.C. § 1759(a)(1)(F)) and that offer National School Breakfast Program breakfasts and National School Lunch Program lunches to all students without charge shall receive additional state funding to support their school meals operations. Such funding shall be provided in the form of **[adapt to jurisdiction]**.
- (c) Notwithstanding any other provision of law, schools may use the percentage of identified students under section 11(a)(1)(F) of the Richard B. Russell National School Lunch Act (42 U.S.C. § 1759a(a)(1)(F)) for eligibility of other federal programs.
- (d) The **[state agency]** shall reimburse the schools described in subsection (a) the difference between:
 - (1) The federal free reimbursement rate established annually by the United States Department of Agriculture for school breakfast and for school lunch; and
 - (2) The federal reimbursement rate received for each school breakfast and school lunch served.

OPTION TWO

Option Two is an incremental step towards achieving HSMFA that provides state financial support to make the Community Eligibility Provision financially viable for all eligible schools and districts and provides free meals up to 300% of the Federal Poverty Level for non-Community Eligibility Provision schools.

- (a) Schools that are eligible to participate in the Community Eligibility Provision authorized under section 11(a)(1)(F) of the Richard B. Russell National School Lunch Act (42 U.S.C. § 1759(a)(1)(F)) and that offer National School Breakfast Program breakfasts and National School Lunch Program lunches to all students without charge shall receive additional state funding to support their school meals operations. Such funding shall be provided in the form of **[adapt to jurisdiction]**.
- (b) The **[state agency]** shall reimburse the schools described in subsection (a) the difference between:
 - (1) The federal free reimbursement rate established annually by the United States Department of Agriculture for school breakfast and for school lunch; and
 - (2) The federal reimbursement rate received for each school breakfast and school lunch served to students qualifying for reduced price or paid meals.
- (c) Students enrolled in a school that participates in the School Breakfast Program, the National School Lunch Program, or both, but not described in subsection (a) shall be eligible for school breakfasts and school lunches without charge if their household income is 300 percent of the applicable family size income levels contained in the nonfarm income

poverty guidelines prescribed by the federal Office of Management and Budget, as adjusted annually in accordance with 42 U.S.C. 1758(b)(1)(B).

OPTION THREE

Option Three is an incremental step towards achieving HSMFA, but provides access to fewer students than Option Two. This option provides financial support to make the Community Eligibility Provision financially viable for all eligible schools and districts.

- (a) Schools that are eligible to participate in the Community Eligibility Provision authorized under section 11(a)(1)(F) of the Richard B. Russell National School Lunch Act (42 U.S.C. § 1759(a)(1)(F)) and that offer National School Breakfast Program breakfasts and National School Lunch Program lunches to all students without charge shall receive additional state funding to support their school meals operations. Such funding shall be provided in the form of [adapt to jurisdiction].
- (b) The [state agency] shall reimburse the schools described in subsection (a) the difference between:
 - (1) The federal free reimbursement rate established annually by the United States Department of Agriculture for school breakfast and for school lunch; and
 - (2) The federal reimbursement rate received for each school breakfast and lunch served to students qualifying for reduced price or paid meals.

The following provisions should be included regardless of which policy option (one, two, or three) is chosen above.

- (a) The [state agency] may adopt rules necessary for making reimbursements under this subsection. *Note: This provision will be provision (e) if using Option One, provision (d) if using Option Two, or provision (c) if using Option Three.*
- (b) Participation. School food authorities shall seek to achieve the highest level of student participation in free meals and maximize federal reimbursement, which may include the following:
 - (1) Participating in the Community Eligibility Provision or other federal special provisions authorized by section 11(a)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. § 1759(a)(1));
 - (2) Collaborating with the school's wellness community advisory council on planning school meals.

Section 4. Additional reimbursement incentive.

- (c) Additional reimbursement incentive. To carry out the requirements of section 5 of this chapter, the [state agency] may reimburse each school food authority an additional \$1 for each free, reduced-price, and paid breakfast served and an additional \$2 for each free, reduced-price, and paid lunch served.

Section 5. Nutrition standards.

This section codifies evidenced-based nutrition standards.

(a) School meal nutrition standards.

- (1) School food authorities must meet, at minimum, the nutrition standards and meal patterns, including food components and quantities, established in USDA's 2024 Final Rule titled Child Nutrition Programs: Meal Patterns Consistent With the 2020-2025 Dietary Guidelines for Americans (89 Fed. Reg. 31962).
- (2) In consultation with the [state school nutrition association] and cafeteria workers, the [state agency] shall develop sodium reduction goals for school breakfasts and school lunches that allow students to feasibly consume a school breakfast, school lunch, and after school program supper and remain in alignment with the National Academies of Sciences, Engineering, and Medicine's Dietary Reference Intakes for Sodium and Potassium (2019). School food authorities shall comply with the requirement in this subsection no later than [one] year after the effective date of this chapter.
- (3) School food authorities must meet the following specifications:
 - (i) No later than [one] year after the effective date of this chapter, 30% of food purchases, by value, must be fresh or minimally processed food;
 - (ii) No later than [three] years after the effective date of this chapter, 50% of food purchases, by value, must be fresh or minimally processed food;
 - (iii) No later than [five] years after the effective date of this chapter, 75% of food purchases, by value, must be fresh or minimally processed food.
 - (iv) No later than [three] years after the effective date of this chapter, no processed meats shall be served.
- (4) Every à la carte item that is also an entrée or side dish offered as part of the National School Breakfast Program or National School Lunch Program must meet USDA's nutrition standards for competitive foods established in the 2016 Final Rule title 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 Feb. Reg. 50131, except entrée items on the day they are served as part the reimbursable meal.

(b) Nutrition standards for foods other than school meals.

- (1) Each school food authority may only allow the sale on campus of foods and beverages that:
 - (i) Meet the federal nutrition standards for competitive foods in 7 C.F.R. 210.11; and
 - (ii) Do not have packaging that is substantially similar to the packaging for food and beverage products that do not meet the federal competitive foods standards.

- (2) No later than [three] years after the effective date of the chapter, vending machines must meet the following requirements:
- (i) More than 50% of slots in each machine must be stocked with snacks that list minimally processed fruit, vegetables, beans, lentils, peas, nuts or seeds as the first ingredient;
 - (ii) Fewer than 50% of the slots must be stocked with grain- and potato-based foods; and
 - (iii) No processed meat may be sold.

(c) Summer meals.

- (1) School food authorities shall receive an additional [dollar amount – note that California reimburses an additional \$1.0015] per meal served under the Seamless Summer Option component of the federal National School Lunch Program.

(d) Elimination of unsafe additives.

- (1) No later than [two] years after the effective date of this chapter, school food authorities must eliminate the use, sale, and distribution of all products containing any of the following additives. The requirements of this subsection shall remain in effect until stronger state or federal requirements are established.

- (i) Azodicarbonamide
- (ii) Butylated hydroxyanisole (BHA)
- (iii) Caramel Color Class III
- (iv) Caramel Color Class IV
- (v) FD&C Blue 1
- (vi) FD&C Blue 2
- (vii) FD&C Green 3
- (viii) FD&C Red 40
- (ix) FD&C Yellow 5
- (x) FD&C Yellow 6
- (xi) Non-nutritive sweeteners as defined at 21 CFR 170.3(o)(19)
- (xii) Potassium Bromate
- (xiii) Titanium Dioxide

Section 6. Nutrition monitoring.

- (a) Baseline report. No later than one year after the effective date of this chapter, the [state agency] shall publish and make publicly available a baseline report on the nutritional quality of school meals in the state, including, but not limited to content of sodium, whole grains, saturated fat, and added sugars, and meal components, school meals and competitive foods offered. The baseline report shall also include the percentage, by value and by volume of food procured for school meals that are fresh or minimally processed.

- (b) Continued reporting. No later than two years after the effective date of this chapter, and annually thereafter, the [state agency], shall publish and make publicly available an updated version of the report required under subsection (a). Such report shall include trends regarding the sodium, whole grains, saturated fat, and added sugars content in meal components, school meals, and competitive foods offered, as well as trends in purchasing of fresh and minimally processed foods.

Section 7. Marketing.

- (a) Each school shall prohibit on-campus marketing to students of foods and beverages that do not comply with the federal competitive food standards found in 7 C.F.R. 210.11. This requirement shall apply at all times, including outside of the school day.
- (b) Each school district [or “each school” depending on which entity contracts for digital devices distributed to students] shall include in any contract made for the procurement of digital devices to be issued to students, a provision prohibiting the digital marketing on such devices of food and beverages that do not comply with the federal competitive food standards found in 7 C.F.R. 210.11.

Section 8. Time to eat.

- (a) Lunch periods.
 - (1) Each school food authority shall provide lunch periods of at least 30 minutes each school day, including scheduled shortened school days. No less than 20 minutes of that time shall be dedicated for students to be seated to consume their lunch, and separate from the time required for students to navigate both to and from the classroom to the cafeteria, stand in line to receive lunch, acquire water, and clean up after themselves.
 - (2) Each school food authority shall provide lunch periods for all students that are scheduled after recess. Exemptions may apply for scheduled and unscheduled shortened school days.
- (b) Breakfast periods.
 - (1) School food authorities shall provide breakfast periods of at least 20 minutes each school day, including scheduled shortened school days. No less than 10 minutes of that time shall be dedicated for students to be seated to consume their breakfast, and shall be separate from the time required for students to navigate both to and from the classroom to the location where breakfast is served (if different than the classroom), stand in line to receive breakfast, acquire water, and clean up after themselves.
 - (2) School food authorities shall serve breakfast after the bell that signals the beginning of the school day, and may do so at locations within the school outside of the cafeteria, including classrooms. Breakfast may be served in a grab-and-go format.

Section 9. Kitchen equipment.

- (a) Beginning during the school year after the effective date of this chapter, the [state agency] shall provide funding for kitchen equipment and infrastructure improvements.
- (b) The [state agency] may, from funds available to it for this section, award grants to school food authorities. The amount of the grants shall be limited to [75 percent recommended – adapt to jurisdiction] of the cost deemed necessary by the [state agency] to construct, renovate, or acquire additional kitchen facilities and equipment to provide primarily fresh and minimally processed meals to students, and shall be reduced by the amount of funds available from federal or other sources.
- (c) Notwithstanding any other provision of law, the sum of [adapt to jurisdiction] is appropriated for fiscal year [add] and each subsequent fiscal year for kitchen equipment improvements under this subsection.

Section 10. Technical assistance.

Choose one of the following two options:

OPTION ONE *[Does not specify type of technical assistance]*

- (a) The [state agency] must provide technical assistance and training to assist school food authorities in meal planning that meets the nutrition requirements and procurement specifications of this chapter. Compliance assistance may be offered during trainings, onsite visits, online training modules, sessions at state conferences for food service professionals, and/or administrative reviews.

OPTION TWO *[Specifies type of technical assistance]*

- (a) To assist school food authorities in meeting the nutrition requirements of this chapter, the [state agency] shall:
 - (1) Develop and provide to school food authorities standardized recipes, menu cycles, model preparation techniques, and solicitation templates and tools;
 - (2) Provide school food authorities information regarding nutrient standard menu planning, assisted nutrient standard menu planning, and food-based menu systems;
 - (3) Develop and provide school food authorities with best practices and trainings on food preparation and procurement, including peer-to-peer trainings, online training modules, sessions at conferences for food service professionals, and other resources; and
 - (4) Work with food industry and local agriculture sector to support and affordability of products that meet the updated state standards.
- (b) The [state agency] may provide school food authorities with information regarding other approaches to meeting the nutrition requirements of this chapter.

Section 11. School meal debt.

This section should only be included when free school meals for all (Section 3, Option One) is not mandated.

- (a) Anti-stigmatization and anti-discrimination. A school shall not:
 - (1) Publicly identify or stigmatize a student who cannot pay for a meal or who owes a meal debt. Prohibited practices include, but are not limited to, requiring that student to wear a wristband or hand stamp.
 - (2) Require a student who cannot pay for a meal or who owes a meal debt to do chores or other work to pay for meals. Chores or work required of all students regardless of meal debt is permitted.
- (b) Debt collection practices.
 - (1) A school shall directly communicate about a student's meal debt with a student's parent or guardian and not with the student. Nothing in the subsection prohibits a school from sending a student home with a letter addressed to such student's parent or guardian.
 - (2) A school shall not require a parent or guardian to pay fees or costs imposed by collection agencies hired to collect meal debt.

Section 12. Effective date.

- (a) This chapter is effective immediately upon enactment.

In addition to the recommendations made in this model bill, the Center for Science in the Public Interest and our advocacy partners offer additional advocacy materials to improve the accessibility, health, quality, safety, and environmental sustainability of school meals. Check out these resources below.

Additional Resources

- **Center for Science in the Public Interest:** [Improving the Environmental Impact of the School Meals Programs](#)
- **Chef Ann Foundation:** [The Scratch Cooking in Schools Solution: A Policy Roadmap for Boosting Children's Health, Learning Outcomes, Environmental Sustainability, and Local Economies](#)
- **Food, Research, and Action Center:** [Healthy School Meals for All State Advocacy Guide: Reducing Childhood Hunger Through Innovative Policy](#)
- **New York City:** [Food Vending Machines – Implementation Guide](#)

For more information, please contact the Center for Science in the Public Interest at policy@cspinet.org.