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School Lunch Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Tiara Auxier

Senate Sponsor:

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LONG TITLE

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General Description:

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This bill enacts provisions related to meals served in a public school and recess in an elementary school.

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Highlighted Provisions:

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This bill:

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- ▶ defines terms;
- ▶ requires local education agencies to establish a share table program;
- ▶ requires elementary schools and school community councils to hold an annual school lunch planning meeting;
- ▶ creates a school lunch target goal;
- ▶ requires the State Board of Education to research best practices related to school lunch;
- ▶ creates certain requirements regarding recess in an elementary school; and
- ▶ makes technical and conforming changes.

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Money Appropriated in this Bill:

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None

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Other Special Clauses:

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This bill provides a special effective date.

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Utah Code Sections Affected:

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AMENDS:

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53F-2-423, as enacted by Laws of Utah 2025, Chapter 203

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ENACTS:

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53G-7-1207, Utah Code Annotated 1953

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53G-9-216, Utah Code Annotated 1953

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53G-9-217, Utah Code Annotated 1953

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Be it enacted by the Legislature of the state of Utah:

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Section 1. Section **53F-2-423** is amended to read:

H.B. 440

31 **53F-2-423 . School meal program.**

32 (1) As used in this section:

33 (a) "Education model health and wellness policy on nutrition" means state board policy
34 emphasizing that an LEA promote efficient meal scheduling, provide adequate time
35 for eating, and implement practices that help reduce food waste.

36 (b) "Eligible student" means a student enrolled in kindergarten through grade 12 who
37 qualifies for reduced-price meals based on household size and income levels under
38 the National School Lunch Program.

39 (c) "National School Lunch Program" means the same as that term is defined in 7 C.F.R.
40 Sec. 210.2.

41 (d) "Share table program" means a system in a school where a student may return
42 unopened, uneaten food or beverages to a designated location for redistribution to
43 other students.

44 (2) An LEA participating in the National School Lunch Program shall provide lunch to an
45 eligible student on a school day at no charge.

46 (3) The state board:

47 (a) shall:

48 (i) subject to legislative appropriations, reimburse an LEA for each reimbursable
49 lunch provided under this section in an amount equal to the difference between the
50 federal reimbursement rates for a meal and a reduced-price meal, as determined
51 annually by the United States Department of Agriculture;

52 (ii) establish a reimbursement system where the board provides a monthly
53 reimbursement to an LEA that provides a meal under Subsection (2); and

54 (iii) accept private donations and grants for the purpose of funding the school meal
55 program described in this section; and

56 (b) may provide guidance and support to a school implementing the food waste
57 prevention strategies described in Subsection (6).

58 (4) An LEA may not:

59 (a) publicly identify or stigmatize a student unable to pay for a meal; or

60 (b) require a student to perform chores to pay for a meal unless the requirement applies
61 equally to all students regardless of whether the student pays for the meal.

62 (5) An LEA shall direct communications regarding a student's meal debt only to the
63 student's parent.

64 (6) An LEA participating in the National School Lunch Program shall consider, where

65 feasible, reducing food waste by[;]

66 [(a)] following the education model health and wellness policy on nutrition[; and] .

67 [(b) establishing a share table program.]

68 (7) An LEA shall establish and implement a share table program at each school within the
69 LEA's jurisdiction.

70 [(7)] (8)(a) Notwithstanding Subsection (3)(a)(i), if appropriations are insufficient to
71 fully reimburse each LEA for the cost of a reimbursable lunch described in this
72 section, the state board shall distribute the available funds in the fourth quarter of the
73 fiscal year to each LEA on a pro rata basis, not exceeding the available funds.

74 (b) An LEA may ask the parent of an eligible student to cover the remaining cost of a
75 subsidized lunch under this section.

76 Section 2. Section **53G-7-1207** is enacted to read:

77 **53G-7-1207 . School lunch planning meeting.**

78 A school community council shall:

79 (1) in accordance with the requirements of Section 53G-7-1203, hold a school lunch
80 planning meeting to:

81 (a) discuss how to best achieve the school lunch target goal defined in Section
82 53G-9-216;

83 (b) create a plan for the school's lunch and recess times, including how much seated time
84 a student will have to eat lunch and if midday recess will be before or after lunch;

85 (c) review and discuss the research the state board provides in accordance with
86 Subsection 53G-9-216(4), on:

87 (i) recess schedules; and

88 (ii) student eating time;

89 (2) ensure that the meeting described in Subsection (1)(a):

90 (a) is open to members of the public; and

91 (b) allows for public comment during the course of the meeting without the requirement
92 that a member of the public sign up to speak before the meeting starts;

93 (3) at least one week in advance of the date on which the meeting is set to occur, notify
94 each parent of a student enrolled at the school of:

95 (a) the research that the school community council plans to review and discuss at the
96 planning meeting, in accordance with Subsection (1)(c);

97 (b) the meeting's time; and

98 (c) the meeting's location;

99 (4) hold the meeting described in Subsection (1)(a):
100 (a) once per year for five years; or
101 (b) until the school community council's plan meets the school lunch target goal defined
102 in Section 53G-9-216; and
103 (5) after holding the meeting described in Subsection (1)(a):
104 (a) send a survey to each parent of a student enrolled at the school through email to
105 collect the parent's input on the school lunch plan;
106 (b) report to the state board on the agreed upon plan discussed at the meeting; and
107 (c) if the school community council does not meet the school lunch target goal defined
108 in Section 53G-9-216, provide a written explanation to the state board detailing why
109 the school community council failed to implement the school lunch target goal.

110 Section 3. Section **53G-9-216** is enacted to read:

111 **53G-9-216 . School lunch target goal.**

112 (1) As used in this section:
113 (a) "School" means a district or charter school that provides instruction to a student in
114 grades kindergarten, one, two, three, four, five, or six.
115 (b) "School lunch target goal" means a minimum standard that each school seeks to
116 achieve by:
117 (i) providing a student with a minimum of 20 minutes of seated eating time to
118 consume lunch; and
119 (ii) scheduling lunch recess to occur immediately prior to the lunch period in the
120 daily schedule.
121 (2)(a) A school shall hold an annual planning meeting to:
122 (i) plan how the school can work toward achieving the school lunch target goal; and
123 (ii) discuss how the school plans to comply with the requirements of Section
124 53G-9-217.
125 (b) After holding the annual planning meeting described in Subsection (2)(a) a school
126 shall:
127 (i) affirmatively work toward the target goal; or
128 (ii) in accordance with Subsection (3), affirmatively choose to explain the failure to
129 follow the target goal to the state board.
130 (3) A school shall provide a written explanation to the state board that states the reasons the
131 school failed to implement the school lunch target goal if:
132 (a) the school does not implement the school lunch target goal after the required annual

133 meeting described in Subsection (2)(a); or
134 (b) a school that implements the school lunch target goal later chooses to no longer
135 follow the school lunch target goal.

136 (4) The state board shall:

137 (a) research best practices in schools on:
138 (i) recess scheduling; and
139 (ii) student eating time; and
140 (b) provide the results of the research described in Subsection (4)(a) to:
141 (i) each school; and
142 (ii) each school community council in accordance with Section 53G-7-1207.

143 Section 4. Section **53G-9-217** is enacted to read:

144 **53G-9-217 . Recess in an elementary school.**

145 (1) As used in this section:

146 (a) "Elementary school" means a district or charter school that provides instruction to a
147 student in grades kindergarten, one, two, three, four, or five.
148 (b) "Elementary school student" means the same as that term is defined in Section
149 53G-7-501.

150 (2) An elementary school may not:

151 (a) withhold, from an elementary school student, recess, physical education, or other
152 physical activity, as a punishment for:
153 (i) poor behavior;
154 (ii) incomplete classwork; or
155 (iii) remediation purposes; and
156 (b) reduce the total minutes of daily recess for any grade level to meet the school lunch
157 target goal as that term is defined in Section 53G-9-216.

158 (3) Notwithstanding Subsection (2), an educator or administrator may withhold recess,
159 physical education, or other physical activities from an elementary school student if:

160 (a) the restriction is consistent with the elementary student's:
161 (i) IEP; or
162 (ii) Section 504 accommodation plan; or

163 (b) there is an immediate or significant risk to the health or safety of the elementary
164 student or others.

165 Section 5. **Effective Date.**

166 This bill takes effect on July 1, 2026.