

Tiara Auxier proposes the following substitute bill:

School Lunch Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Tiara Auxier

Senate Sponsor:

LONG TITLE

General Description:

This bill enacts provisions related to school community councils and meals and recess in public school.

Highlighted Provisions:

This bill:

- defines terms;
- requires a local education agency to establish a share table program;
- requires a school community council and a charter trust land council to hold a 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.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

- 53F-2-423**, as enacted by Laws of Utah 2025, Chapter 203
- 53G-7-1202**, as last amended by Laws of Utah 2024, Chapter 66
- 53G-7-1205**, as last amended by Laws of Utah 2020, Chapter 161

ENACTS:

- 53G-7-1207**, Utah Code Annotated 1953
- 53G-9-216**, Utah Code Annotated 1953

29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62

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

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

53F-2-423 . School meal program.

(1) As used in this section:

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

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

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

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

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

(3) The state board:

(a) shall:

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

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

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

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

(4) An LEA may not:

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

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

- 63 (5) An LEA shall direct communications regarding a student's meal debt only to the
64 student's parent.
- 65 (6) An LEA participating in the National School Lunch Program shall consider, where
66 feasible, reducing food waste by[;]
67 [(a)] following the education model health and wellness policy on nutrition[;and] .
68 [(b) establishing a share table program.]
- 69 (7) An LEA shall establish and implement a share table program at each school within the
70 LEA's jurisdiction.

- 71 [(7)] (8)(a) Notwithstanding Subsection (3)(a)(i), if appropriations are insufficient to
72 fully reimburse each LEA for the cost of a reimbursable lunch described in this
73 section, the state board shall distribute the available funds in the fourth quarter of the
74 fiscal year to each LEA on a pro rata basis, not exceeding the available funds.
- 75 (b) An LEA may ask the parent of an eligible student to cover the remaining cost of a
76 subsidized lunch under this section.

77 Section 2. Section **53G-7-1202** is amended to read:

78 **53G-7-1202 . School community councils -- Duties -- Composition -- Election**
79 **procedures and selection of members.**

- 80 (1) As used in this section:
- 81 (a) "Digital citizenship" means the norms of appropriate, responsible, and healthy
82 behavior related to technology use, including digital literacy, ethics, etiquette, and
83 security.
- 84 (b) "Educator" means the same as that term is defined in Section 53E-6-102.
- 85 (c)(i) "Parent member" means a member of a school community council who is a
86 parent of a student who:
87 (A) is attending the school; or
88 (B) will be enrolled at the school during the parent's term of office.
- 89 (ii) "Parent member" may not include an educator who is employed at the school.
- 90 (d) "Safety principles" means safety principles that, when incorporated into programs
91 and resources, impact academic achievement by strengthening a safe and wholesome
92 learning environment, including continual efforts for safe technology utilization and
93 digital citizenship.
- 94 (e) "School community council" means a council established at a district school in
95 accordance with this section.
- 96 (f) "School employee member" means a member of a school community council who is

97 a person employed at the school by the school or school district, including the
98 principal.

99 (g) "School LAND Trust Program money" means money allocated to a school pursuant
100 to Section 53F-2-404.

101 (2) A district school, in consultation with the district school's local school board, shall
102 establish a school community council at the school building level for the purpose of:

103 (a) involving parents of students in decision making at the school level;

104 (b) improving the education of students;

105 (c) prudently expending School LAND Trust Program money for the improvement of
106 students' education through collaboration among parents, school employees, and the
107 local school board; and

108 (d) increasing public awareness of:

109 (i) school trust lands and related land policies;

110 (ii) management of the State School Fund established in Utah Constitution Article X,
111 Section V; and

112 (iii) educational excellence.

113 (3)(a) Except as provided in Subsection (3)(b), a school community council shall:

114 (i) create the School LAND Trust Program and LAND Trust plan in accordance with
115 Section 53G-7-1206;

116 (ii) hold a school lunch planning meeting in accordance with Section 53G-7-1207;

117 [~~(iii)~~] (iii) advise and make recommendations to school and school district
118 administrators and the local school board regarding:

119 (A) the school and its programs;

120 (B) school district programs;

121 (C) a child access routing plan in accordance with Section 53G-4-402;

122 (D) safe technology utilization and digital citizenship; and

123 (E) other issues relating to the community environment for students;

124 [~~(iii)~~] (iv) provide for education and awareness on safe technology utilization and
125 digital citizenship that empowers:

126 (A) a student to make smart media and online choices; and

127 (B) a parent to know how to discuss safe technology use with the parent's child;

128 [~~(iv)~~] (v) partner with the school's principal and other administrators to ensure that
129 adequate on and off campus Internet filtering is installed and consistently
130 configured to prevent viewing of harmful content by students and school

- 131 personnel, in accordance with local school board policy and Subsection 53G-7-216
 132 (3);
- 133 [~~(v)~~] (vi) in accordance with state board rule regarding school community council
 134 expenditures and funding limits:
- 135 (A) work with students, families, and educators to develop and incorporate safety
 136 principles at the school; and
- 137 (B) hold at least an annual discussion with the school's principal and district
 138 administrators regarding safety principles at the school and district level in
 139 order to coordinate the school community council's effort to develop and
 140 incorporate safety principles at the school; and
- 141 [~~(vi)~~] (vii) provide input to the school's principal on a positive behaviors plan in
 142 accordance with Section 53G-10-407.
- 143 (b) To fulfill the school community council's duties described in Subsections (3)(a)(iii)
 144 and (iv), a school community council may:
- 145 (i) partner with one or more non-profit organizations; or
 146 (ii) create a subcommittee.
- 147 (c) A school or school district administrator may not prohibit or discourage a school
 148 community council from discussing issues, or offering advice or recommendations,
 149 regarding the school and its programs, school district programs, the curriculum, or
 150 the community environment for students.
- 151 (4)(a) Except as provided in Subsection (4)(e), each school community council shall
 152 consist of school employee members and parent members in accordance with this
 153 section.
- 154 (b) Except as provided in Subsection (4)(c) or (d):
- 155 (i) each school community council for a high school shall have six parent members
 156 and four school employee members, including the principal; and
- 157 (ii) each school community council for a school other than a high school shall have
 158 four parent members and two school employee members, including the principal.
- 159 (c) A school community council may determine the size of the school community
 160 council by a majority vote of a quorum of the school community council provided
 161 that:
- 162 (i) the membership includes two or more parent members than the number of school
 163 employee members; and
- 164 (ii) there are at least two school employee members on the school community council.

- 165 (d)(i) The number of parent members of a school community council who are not
166 educators employed by the school district shall exceed the number of parent
167 members who are educators employed by the school district.
- 168 (ii) If, after an election, the number of parent members who are not educators
169 employed by the school district does not exceed the number of parent members
170 who are educators employed by the school district, the parent members of the
171 school community council shall appoint one or more parent members to the school
172 community council so that the number of parent members who are not educators
173 employed by the school district exceeds the number of parent members who are
174 educators employed by the school district.
- 175 (e) The state board may make rules, in accordance with Title 63G, Chapter 3, Utah
176 Administrative Rulemaking Act, governing a school community council when, under
177 unique circumstances that the state board identifies, there are insufficient members to
178 fill the positions described in this Subsection (4).
- 179 (5)(a) Except as provided in Subsection (5)(f), a school employee member, other than
180 the principal, shall be elected by secret ballot by a majority vote of the school
181 employees and serve a two-year term. The principal shall serve as an ex officio
182 member with full voting privileges.
- 183 (b)(i) Except as provided in Subsection (5)(f), a parent member shall be elected by
184 secret ballot at an election held at the school by a majority vote of those voting at
185 the election and serve a two-year term.
- 186 (ii)(A) Except as provided in Subsection (5)(b)(ii)(B), only a parent of a student
187 attending the school may vote in, or run as a candidate in, the election under
188 Subsection (5)(b)(i).
- 189 (B) If an election is held in the spring, a parent of a student who will be attending
190 the school the following school year may vote in, and run as a candidate in, the
191 election under Subsection (5)(b)(i).
- 192 (iii) Any parent of a student who meets the qualifications of this section may file or
193 declare the parent's candidacy for election to a school community council.
- 194 (iv)(A) Subject to Subsections (5)(b)(iv)(B) and (5)(b)(iv)(C), a timeline for the
195 election of parent members of a school community council shall be established
196 by a local school board for the schools within the school district.
- 197 (B) An election for the parent members of a school community council shall be
198 held near the beginning of the school year or held in the spring and completed

- 199 before the last week of school.
- 200 (C) Each school shall establish a time period for the election of parent members of
201 a school community council under Subsection (5)(b)(iv)(B) that is consistent
202 for at least a four-year period.
- 203 (c)(i) At least 10 days before the date that voting commences for the elections held
204 under Subsections (5)(a) and (5)(b), the principal of the school, or the principal's
205 designee, shall provide notice to each school employee or parent of the
206 opportunity to vote in, and run as a candidate in, an election under this Subsection
207 (5).
- 208 (ii) The notice shall include:
- 209 (A) the dates and times of the elections;
- 210 (B) a list of council positions that are up for election; and
- 211 (C) instructions for becoming a candidate for a community council position.
- 212 (iii) The principal of the school, or the principal's designee, shall oversee the
213 elections held under Subsections (5)(a) and (5)(b).
- 214 (iv) Ballots cast in an election held under Subsection (5)(b) shall be deposited in a
215 secure ballot box.
- 216 (d) Results of the elections held under Subsections (5)(a) and (5)(b) shall be made
217 available to the public upon request.
- 218 (e)(i) If a parent position on a school community council remains unfilled after an
219 election is held, the other parent members of the council shall appoint a parent
220 who meets the qualifications of this section to fill the position.
- 221 (ii) If a school employee position on a school community council remains unfilled
222 after an election is held, the other school employee members of the council shall
223 appoint a school employee to fill the position.
- 224 (iii) A member appointed to a school community council under Subsection (5)(e)(i)
225 or (ii) shall serve a two-year term.
- 226 (f)(i) If the number of candidates who file for a parent position or school employee
227 position on a school community council is less than or equal to the number of
228 open positions, an election is not required.
- 229 (ii) If an election is not held pursuant to Subsection (5)(f)(i) and a parent position
230 remains unfilled, the other parent members of the council shall appoint a parent
231 who meets the qualifications of this section to fill the position.
- 232 (iii) If an election is not held pursuant to Subsection (5)(f)(i) and a school employee

233 position remains unfilled, the other school employee members of the council shall
234 appoint a school employee who meets the qualifications of this section to fill the
235 position.

236 (g) The principal shall enter the names of the council members on the School LAND
237 Trust website on or before October 20 of each year, pursuant to Section 53G-7-1203.

238 (h) Terms shall be staggered so that approximately half of the council members stand for
239 election each year.

240 (i) A school community council member may serve successive terms provided the
241 member continues to meet the definition of a parent member or school employee
242 member as specified in Subsection (1).

243 (j) Each school community council shall elect:

244 (i) a chair from its parent members; and

245 (ii) a vice chair from either its parent members or school employee members,
246 excluding the principal.

247 (6)(a) A school community council may create subcommittees or task forces to:

248 (i) advise or make recommendations to the council; or

249 (ii) develop all or part of a plan listed in Subsection (3).

250 (b) Any plan or part of a plan developed by a subcommittee or task force shall be subject
251 to the approval of the school community council.

252 (c) A school community council may appoint individuals who are not council members
253 to serve on a subcommittee or task force, including parents, school employees, or
254 other community members.

255 (7)(a) A majority of the members of a school community council is a quorum for the
256 transaction of business.

257 (b) The action of a majority of the members of a quorum is the action of the school
258 community council.

259 (8) A local school board shall provide training for a school community council each year,
260 including training:

261 (a) for the chair and vice chair about their responsibilities;

262 (b) on resources available on the School LAND Trust website; and

263 (c) on this part.

264 Section 3. Section **53G-7-1205** is amended to read:

265 **53G-7-1205 . Charter trust land councils.**

266 (1) As used in this section, "council" means a charter trust land council described in this

- 267 section.
- 268 (2) To receive School LAND Trust Program funding as described in Sections 53F-2-404
269 and 53G-7-1206, a charter school governing board shall establish a charter trust land
270 council, which shall prepare a plan for the use of School LAND Trust Program money
271 that includes the elements described in Subsection 53G-7-1206(4).
- 272 (3)(a) The membership of the council shall include parents or grandparents of students
273 enrolled at the charter school and may include other members.
- 274 (b) The number of council members who are parents or grandparents of students
275 enrolled at the charter school shall exceed all other members combined by at least
276 two.
- 277 (4) A charter school governing board may serve as the charter school's council if the
278 membership of the charter school governing board meets the requirements of Subsection
279 (3)(b).
- 280 (5)(a) Except as provided in Subsection (5)(b), council members who are parents or
281 grandparents of students enrolled at the school shall be elected in accordance with
282 procedures established by the charter school governing board.
- 283 (b) Subsection (5)(a) does not apply to a charter school governing board that serves as a
284 council.
- 285 (6) A parent or grandparents of a student enrolled at a charter school shall serve as chair or
286 co-chair of the charter school's council.
- 287 (7) In accordance with state board rule regarding charter trust land council expenditures and
288 funding limits, a charter trust land council shall:
- 289 (a) work with students, families, and educators to develop and incorporate safety
290 principles, as defined in Section 53G-7-1202, at the school; and
- 291 (b) hold at least an annual discussion with charter school administrators to coordinate
292 efforts to develop and incorporate safety principles, as defined in Section 53G-7-1202,
293 at the school level.
- 294 (8) A charter trust land council shall provide input to the school's principal on a positive
295 behaviors plan in accordance with Section 53G-10-407.
- 296 (9) A charter trust land council shall hold a school lunch planning meeting in accordance
297 with Section 53G-7-1207.

298 Section 4. Section **53G-7-1207** is enacted to read:

299 **53G-7-1207 . School lunch planning meeting -- Target goal.**

- 300 (1) As used in this section:

- 301 (a) "School" means a district or charter school that provides instruction to a student in
302 kindergarten or grade 1, 2, 3, 4, 5, or 6.
- 303 (b) "School lunch target goal" means a minimum standard that each elementary school
304 seeks to achieve by:
- 305 (i) providing a student with a minimum of 20 minutes of seated eating time to
306 consume lunch; and
- 307 (ii) scheduling lunch recess to occur immediately prior to the lunch period in the
308 daily schedule.
- 309 (2) A school community council and a charter trust land council shall:
- 310 (a) hold a school lunch planning meeting to:
- 311 (i) review and discuss:
- 312 (A) the state board's model policy on health and wellness;
- 313 (B) the research the state board provides in under Subsection (3), on recess
314 schedules and student eating time; and
- 315 (C) the survey results from the survey described in Subsection (c)(i);
- 316 (ii) plan how each school can work toward achieving the school lunch target goal; and
- 317 (iii) create a plan for the school's lunch and recess times, including:
- 318 (A) how much seated time a student will have to eat lunch; and
- 319 (B) if midday recess will be before or after lunch;
- 320 (b) ensure that the meeting described in Subsection (2)(a):
- 321 (i) is open to members of the public; and
- 322 (ii) allows for public comment during the course of the meeting without the
323 requirement that a member of the public sign up to speak before the meeting starts;
- 324 (c) at least one week in advance of the date on which the meeting is set to occur:
- 325 (i) before holding the meeting described in Subsection (2)(a) instruct the principal of
326 each school to send a survey to each parent of a student enrolled at the school
327 through email to collect the parent's input on the:
- 328 (A) school lunch target goal; and
- 329 (B) school lunch plan the school community council plans to discuss in the
330 meeting; and
- 331 (ii) notify each parent of a student enrolled at the school of:
- 332 (A) the research that the school community council plans to review and discuss at
333 the planning meeting, in accordance with Subsection (2)(a)(i);
- 334 (B) the meeting's time; and

- 335 (C) the meeting's location;
- 336 (d) hold the meeting described in Subsection (2)(a):
- 337 (i) once per year for five years; or
- 338 (ii) until the school community council's plan meets the school lunch target goal; and
- 339 (e) after holding the meeting described in Subsection (2)(a) instruct the principal of each
- 340 school to:
- 341 (i) send a signed, written assurance to the state board on the agreed upon plan
- 342 discussed at the meeting; and
- 343 (ii) if the school community council does not agree to work toward the school lunch
- 344 target goal, provide a signed, written assurance to the state board detailing why
- 345 the school community council failed to implement the school lunch target goal.

346 (3) The state board shall:

- 347 (a) research best practices in schools on:
- 348 (i) recess scheduling; and
- 349 (ii) student eating time; and
- 350 (b) provide the results of the research described in Subsection (4)(a) to each school
- 351 community council in accordance with this section.

352 Section 5. Section **53G-9-216** is enacted to read:

353 **53G-9-216 . Recess in an elementary school.**

354 (1) As used in this section:

- 355 (a) "Elementary school" means a district or charter school that provides instruction to a
- 356 student in kindergarten or grade 1, 2, 3, 4, or 5.
- 357 (b) "Elementary school student" means the same as that term is defined in Section
- 358 53G-7-501.

359 (2) An elementary school may not:

- 360 (a) withhold, from an elementary school student, recess, physical education, or other
- 361 physical activity, as a punishment for:
- 362 (i) poor behavior;
- 363 (ii) incomplete classwork; or
- 364 (iii) remediation purposes; and
- 365 (b) reduce the total minutes of daily recess for any grade level to meet the school lunch
- 366 target goal as that term is defined in Section 53G-7-1207.

367 (3) Notwithstanding Subsection (2), an educator or administrator may withhold recess,

368 physical education, or other physical activities from an elementary school student if:

- 369 (a) the restriction is consistent with the elementary student's:
- 370 (i) IEP; or
- 371 (ii) Section 504 accommodation plan; or
- 372 (b) there is an immediate or significant risk to the health or safety of the elementary
- 373 student or others.

374 Section 6. **Effective Date.**

375 This bill takes effect on July 1, 2026.