

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1373

By: Reinhardt

AS INTRODUCED

An Act relating to schools; creating the Healthy Meals for Healthy Kids Act; providing short title; defining terms; requiring certain schools and allowing certain schools to establish certain program to offer meals at no charge; requiring school food authorities that establish certain program to offer certain meals at no cost to certain students and provide certain amount of seated lunch time; directing the State Department of Education to award funding to school food authorities that establish certain program; providing for calculation of funding amount; providing for use of funding; requiring the Department to inform certain school food authorities of certain funding amount by certain date; directing school food authorities to maximize access to certain federal funds; requiring participation in certain eligibility provision; requiring school food authorities that do not participate in certain provision to collect certain applications; directing school food authorities to directly certify students for certain status; directing the Department, in certain collaboration, to electronically submit certain report by certain date every three years; providing for promulgation of rules; directing the Department to establish certain grant program; providing for calculation of grant amount, subject to available funding; providing for use of grant funds; providing for establishment of grant application process; providing for codification; providing an effective date; and declaring an emergency.

1 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

2 SECTION 1. NEW LAW A new section of law to be codified
3 in the Oklahoma Statutes as Section 5-147.3 of Title 70, unless
4 there is created a duplication in numbering, reads as follows:

5 A. This act shall be known and may be cited as the "Healthy
6 Meals for Healthy Kids Act".

7 B. As used in this act:

8 1. "Community eligibility provision" means the federal
9 provision created pursuant to 42 U.S.C., Section 1759a that allows
10 public school districts to choose to receive federal special
11 assistance payments for school meals in exchange for providing free
12 school meals to all students enrolled in all or selected school
13 sites within the district;

14 2. "Direct certification" means the process by which eligible
15 students are certified for free meals without the need for a
16 household application based on household participation in one or
17 more means-tested federal assistance programs;

18 3. "Eligible meals" means meals served to full-price-paying
19 students that qualify for reimbursement pursuant to the National
20 School Lunch Act;

21 4. "Federal free meal reimbursement" means the free meal
22 reimbursement paid by the United States Department of Agriculture
23 for meals that qualify for reimbursement pursuant to the National
24 School Lunch Act;

1 5. "Federal paid meal reimbursement rate" means the paid
2 reimbursement rate set annually by the United States Department of
3 Agriculture for meals that qualify for reimbursement pursuant to the
4 National School Lunch Act;

5 6. "Identified student percentage" means the percentage of a
6 school food authority's student enrollment that is certified as
7 eligible for free meals based on a documentation of benefit of
8 receipt or categorical eligibility as provided for in 7 C.F.R.,
9 Section 245.6;

10 7. "Meal application" means an application for free- or
11 reduced-price meals pursuant to the National School Lunch Act;

12 8. "Paid meal rate" means the paid student rate reported by the
13 State Department of Education to the United States Department of
14 Agriculture based on the average paid meal rate charged by school
15 food authorities in the prior school year;

16 9. "School food authority" means school districts, public
17 charter schools, schools operated under the authority of the Bureau
18 of Indian Affairs, schools operated under the authority of federally
19 recognized Indian tribes, and private schools operating under the
20 National School Lunch Act;

21 10. "Unprocessed and minimally processed products" means raw or
22 frozen products; products that retain their inherent character
23 including, but not limited to, shredded carrots or ground beef; and
24 dried products including, but not limited to, beans. Unprocessed
25

1 and minimally processed products do not include products that are
2 heated, cooked, or canned; and

3 11. "Value-added processed products" means products that are
4 altered from their unprocessed or minimally processed state through
5 preservation techniques including cooking, baking, or canning.

6 C. 1. Public school districts and public charter schools in
7 this state shall, and schools operated under the authority of the
8 Bureau of Indian Affairs, schools operated under the authority of
9 federally recognized Indian tribes, and private schools may,
10 establish a program to offer high-quality meals at no charge to all
11 students attending schools operating under the National School Lunch
12 Act.

13 2. All school food authorities that establish such a program
14 shall:

15 a. offer one breakfast and one lunch at no cost to
16 students during each school day to any student who
17 requests a meal without consideration of the student's
18 eligibility for a free- or reduced-price meal, with a
19 maximum of one free meal for each meal service period,
20 and

21 b. provide students in grades kindergarten through five
22 with at least twenty (20) minutes of seated lunch time
23 each school day to provide lunch periods that are long
24 enough to give all students time to eat. To the

1 extent possible, participating school food authorities
2 shall provide recess prior to seated lunch time.

3 D. The State Department of Education shall award funding to
4 each school food authority that establishes a program pursuant to
5 the provisions of subsection G of this section as follows:

6 1. For school food authorities that meet the meal quality
7 improvement requirements established pursuant to subsection G of
8 this section, the Department shall distribute to each such school
9 food authority an amount that is equal to the federal free meal
10 reimbursement rate multiplied by the total number of eligible meals
11 served during the applicable school year, minus an amount equal to
12 the federal paid meal reimbursement for eligible meals served during
13 the applicable school year; or

14 2. For school food authorities that do not meet the meal
15 quality improvement requirements established pursuant to subsection
16 G of this section, the Department shall distribute to each such
17 school food authority an amount that is equal to the paid meal rate
18 multiplied by the total number of eligible meals served during the
19 applicable school year.

20 E. School food authorities shall use the funds received
21 pursuant to subsection D of this section to purchase commodities
22 necessary to improve meal quality including food and other
23 consumables, equipment, staffing, training, and technical
24 assistance.

1 F. By August 1 of each year, the State Department of Education
2 shall inform eligible school food authorities of the amount of
3 program funding they will receive during the upcoming school year.
4 When calculating the amount of program funding that is due to a
5 school food authority, the Department shall assume that student
6 participation will remain at the same level as the previous school
7 year.

8 G. School food authorities shall maximize access to federal
9 funds for the cost of breakfast and lunch programs by adopting the
10 United States Department of Agriculture's community eligibility
11 provision or any other federal provision that, in the opinion of the
12 United States Department of Agriculture, results in the maximum
13 possible federal funding for meals served in that program. Each
14 school food authority that has a school site with an identified
15 student percentage of at least forty percent (40%), or the
16 identified student percentage authorized by federal law, as
17 determined annually by the deadline set by the United States
18 Department of Agriculture, shall participate in the federal
19 community eligibility provision in the subsequent school year and
20 throughout the duration of the community eligibility provision's
21 four-year cycle. School food authorities, to the extent
22 practicable, shall group public schools for purposes of maximizing
23 the number of schools eligible to participate in the community
24 eligibility provision.

1 H. If a school food authority does not participate in the
2 community eligibility provision or any other federal provision that,
3 in the opinion of the State Department of Education, results in the
4 maximum possible federal funding for meals served in that program,
5 school meal applications shall be collected and direct certification
6 shall be used to identify students receiving free- or reduced-price
7 meals and paid meals based on guidance provided by the United States
8 Department of Agriculture.

9 I. A school food authority shall take steps to maximize federal
10 revenues and minimize debt on the families of students enrolled in
11 schools served by the authority by, at least monthly, taking steps
12 to directly certify students for free school meal status.

13 J. By July 1, 2027, and by July 1 every three (3) years
14 thereafter, the State Department of Education, in collaboration with
15 the Oklahoma Department of Agriculture, Food, and Forestry and an
16 institution of higher education within The Oklahoma State System of
17 Higher Education, shall evaluate the impact of the provisions of
18 this section and shall electronically submit a report of findings
19 and recommendations to the Governor, the President Pro Tempore of
20 the Senate, and the Speaker of the House of Representatives.

21 K. The State Board of Education shall promulgate rules to
22 implement the provisions of this section including rules providing
23 for:
24
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1 1. Meal quality improvement requirements including purchasing
2 Oklahoma-produced food, freshly preparing scratch-cooked foods, and
3 engaging student and family voices and choices in menu development;
4 and

5 2. Procedures for annual certification.

6 SECTION 2. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 5-147.4 of Title 70, unless
8 there is created a duplication in numbering, reads as follows:

9 A. The State Department of Education shall establish a grant
10 program to encourage school food authorities to purchase Oklahoma-
11 grown, -raised, and -processed products. By August 1 of each year,
12 subject to the availability of funding, the Department shall
13 distribute to each participating school food authority the greater
14 of One Thousand Dollars (\$1,000.00) or an amount equal to ten cents
15 (\$0.10) multiplied by the number of meals that qualified for federal
16 reimbursement that the participating school food authority served to
17 students in the preceding school year. When calculating the amount
18 of program funding that is due to a school food authority, the
19 Department shall assume that student participation will remain at
20 the same level as the previous year.

21 B. A school food authority that receives a grant pursuant to
22 subsection A of this section shall use the funds to purchase
23 Oklahoma-grown, -raised, or -processed products whenever possible.
24 Seventy-five percent (75%) of the funds shall be used for the

1 purchase of minimally processed products, and the remaining twenty-
2 five percent (25%) of the funds may be used to purchase value-added
3 processed products.

4 C. The State Department of Education shall establish an
5 incentive grant application process. Grants shall be awarded on a
6 first-come, first-served basis. Grants shall be provided without
7 any limitation other than the amount of funds available and the
8 number of eligible school food authorities that apply.

9 SECTION 3. This act shall become effective July 1, 2026.

10 SECTION 4. It being immediately necessary for the preservation
11 of the public peace, health, or safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

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