

## SB 1581 A STAFF MEASURE SUMMARY

### Senate Committee On Education

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**Action Date:** 02/10/26

**Action:** Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)

**Vote:** 4-1-0-0

**Yeas:** 4 - Frederick, Neron Misslin, Sollman, Weber

**Nays:** 1 - Robinson

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

**Prepared By:** Ellen O'Brien, LPRO Analyst

**Meeting Dates:** 2/3, 2/5, 2/10

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#### WHAT THE MEASURE DOES:

The measure requires school districts to offer free breakfast and lunch to all students, with certain exceptions, beginning in the 2026–2027 school year. The measure takes effect on July 1, 2026.

#### Detailed Summary

- Requires a school or district to apply for special provisions of the U.S. Department of Agriculture’s National School Lunch Program (NSLP) or School Breakfast Program if it meets eligibility requirements
- Requires the Oregon State Board of Education to adopt rules for determining when free breakfast or lunch must still be provided if funds are insufficient, including prioritizing students with family incomes below 300 percent of federal poverty guidelines
- Requires a school district to make breakfast accessible at every school site after the school day begins
- Exempts a school from providing breakfast or lunch if it does not operate during traditional meal times
- Allows the Oregon Department of Education (ODE) to waive the requirement to provide breakfast for school districts that demonstrate financial hardship or any other reason established in rule
- Requires ODE to provide technical assistance to school districts to maximize federal reimbursements

#### ISSUES DISCUSSED:

- Stigma around free and reduced meals
- Impact of hunger and meals on student learning
- Sufficiency of funding for school meals
- Hunger and availability of school meals for students from high-income families

#### EFFECT OF AMENDMENT:

The amendment requires the State Board of Education to adopt rules for determining when free breakfast or lunch must still be provided even when funds are insufficient, with a priority given to students below 300 percent of federal poverty guidelines. It also removes the requirement for school districts to meet updated federal nutrition standards and reorganizes the measure’s provisions.

#### BACKGROUND:

The Student Success Act, House Bill 3427 (2019), created the Hunger Free Schools Account in the State Treasury. ODE can use the account to reimburse eligible school districts for the costs of offering breakfast and lunch free of charge; eligible districts include both those that are eligible to provide meals to all students under federal law and those that are not federally eligible but provide meals to students with family incomes below 300 percent of the poverty line. That second group of districts is reimbursed by the Oregon Expanded Income Eligibility Group Reimbursement Program, which is entirely state-funded. Under Oregon Administrative Rule 581-051-0615, ODE continuously tracks the balance of funds available for reimbursement and must give schools and districts a

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12-week notice before reverting to federal reimbursement rates.

House Bill 2536 (2021) allowed eligible school districts to participate in the special provisions of the NSLP, including the Community Eligibility Provision (CEP) and Provision 2. CEP allows schools and districts with high percentages of eligible children to offer meals at no charge to all children in the school without collecting applications from individual families. Provision 2 reduces the required applications to once every four years and simplifies meal counting and claiming procedures for school districts.

According to a [presentation from ODE](#) to the House Interim Committee on Education in September 2024, 94 percent of Oregon schools were set to provide universal school meals under the CEP during the 2024–2025 school year. Of the 21 schools not participating in CEP in the 2025–2026 school year, 10 are in Lake Oswego School District, 5 are in Sherwood School District, and 4 are in West Linn-Wilsonville School District. Two are charter schools located in Salem-Keizer and Forest Grove.

In April 2024, the U.S. Department of Agriculture’s Food and Nutrition Service published a [final rule](#) on nutrition requirements for school meals that addressed standards for added sugars, milk, whole grains, and sodium. School meals must begin meeting certain standards in the 2025–2026 school year; others must be implemented by the 2026–2027 or 2027–2028 school year.