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## SENATE BILL NO. 283

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance and Appropriations  
on February 12, 2024)

(Patron Prior to Substitute—Senator Roem)

A *BILL to amend and reenact § 22.1-207.4:1 of the Code of Virginia, relating to school meals; community eligibility provision.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 22.1-207.4:1 of the Code of Virginia is amended and reenacted as follows:**

**§ 22.1-207.4:1. Participation in the Community Eligibility Provision.**

A. As used in this section:

"Identified student" means any student who is directly certified for free meals through means other than the use of an individual household application.

"Identified student" includes (i) any student who is directly certified for free meals based on the student's participation in the Supplemental Nutrition Assistance Program (SNAP) or Temporary Assistance for Needy Families (TANF) or based on Medicaid income data and (ii) any homeless, runaway, migrant, or Head Start student, or any foster child, who is approved as categorically eligible for free meals by means other than a meal application.

"Identified student percentage" means the fraction, expressed as a percentage, that results from dividing the number of identified students enrolled in a public elementary or secondary school by the total number of students enrolled in such school.

B. Each school board that governs a local school division that contains any public elementary or secondary school ~~that has a minimum identified student percentage of 40 percent in the prior school year and is consequently~~ eligible to participate in the Community Eligibility Provision (CEP) administered by the U.S. Department of Agriculture Food and Nutrition Service (FNS) shall apply to FNS to participate in CEP for each such school, pursuant to FNS guidelines, by submitting (i) identified student data to FNS by April 1, unless an extension is in effect and (ii) its completed application to FNS by June 30, unless an extension is in effect.

C. Nothing in this section shall be construed to prohibit any school board from grouping elementary or secondary schools in the local school division and applying to FNS to participate in CEP for such group of schools.

D. The Superintendent for Public Instruction shall issue a waiver to the requirement set forth in subsection B in the sole circumstance that an evaluation of a school or group of schools that is eligible to participate in CEP determines that participation in CEP is not financially viable to such school or group of schools. The Department of Education shall develop a process and criteria for considering such waivers, including a process and criteria for conducting such CEP evaluations.

**2. That the Superintendent of Public Instruction, in coordination with the Secretary of Education, shall convene a stakeholder work group to (i) study the estimated impact of offering free school meals to students statewide, (ii) identify options to reduce or eliminate student and school meal debt, and (iii) make recommendations regarding options to leverage other programs funded at the state and federal levels for student school meals. The work group shall be chaired by the Superintendent of Public Instruction and shall include relevant stakeholders, including representatives of local school divisions and individuals with expertise in providing innovative solutions at the state and local levels to provide free school meals to students. The work group shall report on its findings and recommendations to the Joint Subcommittee on Elementary and Secondary Education Funding by November 1, 2024.**