

Illinois School Meal Service Mandates

Illinois Free Lunch and Breakfast Programs Mandate

Per [105 ILCS 125/4](#) and [23 Illinois Administrative Code 305.10](#), every public school, including public special education facilities, must have a free lunch program that provides free lunches (and free breakfasts if a school offers breakfast) to students eligible to receive free meals.

State reimbursement to offset a portion of the cost of the meal is available if a site serves a reimbursable meal to a student eligible for a free meal and the site is enrolled in the Illinois Free Breakfast and Lunch Programs. Sites participating in a federally-funded school meals program, National School Lunch Program (NSLP), and/or School Breakfast Program (SBP) are automatically enrolled in the corresponding Illinois Free Program.

School Breakfast Program Mandates

BREAKFAST: Per [105 ILCS 126/15](#), every public school in which at least 40 percent of the students were eligible for free or reduced-price lunches in October of the preceding year* must operate a [school breakfast program](#).

State reimbursement to offset a portion of the cost of the meal is available if a site serves a reimbursable meal to a student eligible for a free meal and the site is enrolled in the Illinois Free Breakfast and Lunch Programs. Both state and federal reimbursement is available if a site enrolls in the National School Lunch Program (NSLP), and/or School Breakfast Program (SBP).

A district wishing to utilize the opt-out provision [105 ILCS 126/15 (d)] of this mandate for the upcoming school year, must petition their regional superintendent of education no later than February 15 of the current school year.

BREAKFAST AFTER THE BELL: Per [105 ILCS 126/16](#), every public school in which at least 70 percent of the students were eligible for free or reduced-price lunches in October of the preceding year* must operate a breakfast after the bell program. Breakfast after the bell means breakfast is provided to children after the instructional day has officially begun and does not prohibit schools from also providing breakfast before instructional day begins. Schools may choose whichever delivery model that best suits the students. Typical options include:

- **Breakfast in the Classroom:** Food is delivered (by staff, students or volunteers) to each classroom after school begins and students are permitted to eat breakfast in the classroom.
- **Grab and Go:** Students pick-up bagged or boxed breakfast from carts or specified areas and are permitted to eat in either designated areas or the classroom.
- **Breakfast After First:** An extended passing or breakfast period is offered in the cafeteria, following the first or second period of the day.

- Other options include serving breakfast during an early recess or outdoor lesson. As long as breakfast is offered to all students after the instructional day has begun, schools and districts have great flexibility in serving breakfast after-the-bell.

State reimbursement to offset a portion of the cost of the meal is available if a site serves a reimbursable meal to a student eligible for a free meal and the site is enrolled in the Illinois Free Breakfast and Lunch Programs. Both state and federal reimbursement is available if a site enrolls in the National School Lunch Program (NSLP), and/or School Breakfast Program (SBP).

Schools participating in the School Breakfast Program must inform families of the availability of breakfasts just prior to the beginning of the school year and throughout the school year via routine methods of communicating with families, such as website posting, weekly messages, public address system, etc.

Districts may be relieved from this Breakfast After the Bell requirement if they demonstrate either:

- 1) they are delivering a school breakfast effectively, as defined by 70% or more of the free and reduced-price students participating in the School Breakfast Program,
or
- 2) due to circumstances specific to that school district, the expense reimbursement would not fully cover the costs of implementing and operating a breakfast after the bell program. District must submit cost analysis to district's board of education, district board holds public hearing, and district board passes a resolution that district cannot afford to operate a breakfast after the bell program. District must post date, time, place, and subject matter of meeting on its website; notify ISBE by emailing cnp@isbe.net at least 14 days prior to the hearing; and submit final resolution approving the breakfast after the bell exemption to ISBE by emailing cnp@isbe.net upon passage.

Summer Food Service Mandate

Per [105 ILCS 126/20](#), every public school in which at least 50 percent of the students were eligible for free and reduced-price lunches in October of the preceding year* AND has a summer program operating during the summer months must provide a [summer breakfast and/or lunch program](#) for the children in that community. The plan must be implemented each year so long as the above criteria are met and must operate for the duration of the school's summer school program. A school wishing to utilize the opt-out provision [105 ILCS 126/20 (d)] of the program for the upcoming summer must petition their regional superintendent by Jan. 15 of the current school year.

Federal reimbursement to offset a portion if not all of the cost is available if a site serves a reimbursable meal to a child and site is enrolled in either the National School Lunch Program's Seamless Summer Option (SSO) or the Summer Food Service Program (SFSP).

*** Determining if Site is Required to Operate Meal Service Programs**

All public schools must offer the Illinois Free Lunch/Breakfast Program. However school boards must determine which schools must operate the School Breakfast Program and Summer Food Service Program.

To assist school boards, the Illinois State Board of Education has two sources of data available online:

If the site(s) participates in the NSLP, school boards should use the previous year's October claim data collected annually by the Nutrition Programs Division. For example, for school year 2018-2019 (fiscal year 2019), use the October 2018 (fiscal year 2018) data. You can access the data at <https://www.isbe.net/Pages/Seamless-Summer-Option-Meal-Eligibility.aspx>.

1. Locate the name of the school.
2. Locate the percentage free and reduced-price eligible.
 - If the site is at least 50 percent free and reduced-price eligible, that site is mandated to operate a School Breakfast Program as well as Summer Breakfast/Lunch program, in addition to the IL Free Lunch and Breakfast Program.
 - If the site is at least 40 percent free and reduced-price eligible, that site is mandated to operate a School Breakfast Program in addition to the IL Free Lunch and Breakfast Program.
 - If the site is less than 40 percent free and reduced-price eligible, then the site is mandated to operate only the IL Free Lunch and Breakfast Program.

If the site(s) does not currently participate in the National School Lunch Program (NSLP), school boards should use low income data reported on the previous year's fall housing report. You can access the data at http://www.isbe.net/research/htmls/fall_housing.htm.

1. Click on School Summary Data.
2. Locate the name of the school/site.
3. Divide *low-income* by *K-12 enrollment* to determine the low income percentage.
 - If the site is at least 50 percent free and reduced-price eligible, that site is mandated to operate a School Breakfast Program as well as Summer Breakfast/Lunch program, in addition to the IL Free Lunch and Breakfast Program.
 - If the site is at least 40 percent free and reduced-price eligible, that site is mandated to operate a School Breakfast Program in addition to the IL Free Lunch and Breakfast Program.

- If the site is less than 40 percent free and reduced-price eligible, then the site is mandated to operate only the IL Free Lunch and Breakfast Program.

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