

Tiara Auxier proposes the following substitute bill:

School Lunch Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Tiara Auxier

Senate Sponsor:

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LONG TITLE

General Description:

This bill enacts provisions related to school community councils, school 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 school's wellness committee or a charter trust land council to hold a school lunch planning meeting;
- creates a reporting requirement;
- 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
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29 *Be it enacted by the Legislature of the state of Utah:*

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

31 **53F-2-423 . School meal program.**

32 (1) As used in this section:

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

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

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

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

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

46 (3) The state board:

47 (a) shall:

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

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

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

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

58 (4) An LEA may not:

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

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

62 (5) An LEA shall direct communications regarding a student's meal debt only to the

63 student's parent.

64 (6) An LEA participating in the National School Lunch Program shall consider, where
65 feasible, reducing food waste by[~~±~~]

66 [~~(a)~~] following the education model health and wellness policy on nutrition[~~±~~ and] .

67 [~~(b)~~] establishing a share table program.]

68 (7) An LEA shall establish and implement a share table program at each school within the
69 LEA's jurisdiction.

70 [~~(7)~~] (8)(a) Notwithstanding Subsection (3)(a)(i), if appropriations are insufficient to
71 fully reimburse each LEA for the cost of a reimbursable lunch described in this
72 section, the state board shall distribute the available funds in the fourth quarter of the
73 fiscal year to each LEA on a pro rata basis, not exceeding the available funds.

74 (b) An LEA may ask the parent of an eligible student to cover the remaining cost of a
75 subsidized lunch under this section.

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

77 **53G-7-1202 . School community councils -- Duties -- Composition -- Election**
78 **procedures and selection of members.**

79 (1) As used in this section:

80 (a) "Digital citizenship" means the norms of appropriate, responsible, and healthy
81 behavior related to technology use, including digital literacy, ethics, etiquette, and
82 security.

83 (b) "Educator" means the same as that term is defined in Section 53E-6-102.

84 (c)(i) "Parent member" means a member of a school community council who is a
85 parent of a student who:

86 (A) is attending the school; or

87 (B) will be enrolled at the school during the parent's term of office.

88 (ii) "Parent member" may not include an educator who is employed at the school.

89 (d) "Safety principles" means safety principles that, when incorporated into programs
90 and resources, impact academic achievement by strengthening a safe and wholesome
91 learning environment, including continual efforts for safe technology utilization and
92 digital citizenship.

93 (e) "School community council" means a council established at a district school in
94 accordance with this section.

95 (f) "School employee member" means a member of a school community council who is
96 a person employed at the school by the school or school district, including the

97 principal.

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

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

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

103 (b) improving the education of students;

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

107 (d) increasing public awareness of:

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

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

111 (iii) educational excellence.

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

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

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

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

118 (A) the school and its programs;

119 (B) school district programs;

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

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

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

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

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

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

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

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

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

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

233 appoint a school employee who meets the qualifications of this section to fill the
234 position.

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

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

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

242 (j) Each school community council shall elect:

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

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

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

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

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

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

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

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

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

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

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

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

262 (c) on this part.

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

264 **53G-7-1205 . Charter trust land councils.**

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

- 267 (2) To receive School LAND Trust Program funding as described in Sections 53F-2-404
 268 and 53G-7-1206, a charter school governing board shall establish a charter trust land
 269 council, which shall prepare a plan for the use of School LAND Trust Program money
 270 that includes the elements described in Subsection 53G-7-1206(4).
- 271 (3)(a) The membership of the council shall include parents or grandparents of students
 272 enrolled at the charter school and may include other members.
- 273 (b) The number of council members who are parents or grandparents of students
 274 enrolled at the charter school shall exceed all other members combined by at least
 275 two.
- 276 (4) A charter school governing board may serve as the charter school's council if the
 277 membership of the charter school governing board meets the requirements of Subsection
 278 (3)(b).
- 279 (5)(a) Except as provided in Subsection (5)(b), council members who are parents or
 280 grandparents of students enrolled at the school shall be elected in accordance with
 281 procedures established by the charter school governing board.
- 282 (b) Subsection (5)(a) does not apply to a charter school governing board that serves as a
 283 council.
- 284 (6) A parent or grandparents of a student enrolled at a charter school shall serve as chair or
 285 co-chair of the charter school's council.
- 286 (7) In accordance with state board rule regarding charter trust land council expenditures and
 287 funding limits, a charter trust land council shall:
- 288 (a) work with students, families, and educators to develop and incorporate safety
 289 principles, as defined in Section 53G-7-1202, at the school; and
- 290 (b) hold at least an annual discussion with charter school administrators to coordinate
 291 efforts to develop and incorporate safety principles, as defined in Section 53G-7-1202,
 292 at the school level.
- 293 (8) A charter trust land council shall provide input to the school's principal on a positive
 294 behaviors plan in accordance with Section 53G-10-407.
- 295 (9) A charter trust land council may hold a school lunch planning meeting in accordance
 296 with Section 53G-7-1207.
- 297 Section 4. Section **53G-7-1207** is enacted to read:
- 298 **53G-7-1207 . School lunch planning meeting.**
- 299 (1) As used in this section, "school" means a district or charter school that provides
 300 instruction to a student in kindergarten or grade 1, 2, 3, 4, 5, or 6.

- 301 (2) A school community council and a charter school's wellness committee or charter trust
302 land council shall:
- 303 (a) hold an annual school lunch planning meeting to:
- 304 (i) review and discuss:
- 305 (A) the state board's model policy on health and wellness; and
306 (B) the survey results from the survey described in Subsection (2)(c)(i);
- 307 (ii) propose a plan for how each school can work toward implementing the policies
308 described in the state board's model policy on health and wellness regarding
309 school lunch; and
- 310 (iii) create a proposed plan for the school's lunch and recess times, including:
- 311 (A) how much time a student will have to eat lunch; and
312 (B) if midday recess will be before or after lunch;
- 313 (b) ensure that the meeting described in Subsection (2)(a):
- 314 (i) complies with the open and public meeting requirements described in Section
315 53G-7-1203; and
- 316 (ii) allows for public comment during the course of the meeting without the
317 requirement that a member of the public sign up to speak before the meeting starts;
- 318 (c) at least one week in advance of the date on which the meeting is set to occur:
- 319 (i) before holding the meeting described in Subsection (2)(a), instruct the principal of
320 each school to send a survey to each parent of a student enrolled at the school
321 through email to collect the parent's input on the:
- 322 (A) policies described in the state board's model policy on health and wellness
323 regarding school lunch; and
- 324 (B) proposed school lunch plan the school community council, charter school
325 wellness committee, or charter trust land council will discuss during the
326 meeting; and
- 327 (ii) notify each parent of a student enrolled at the school of:
- 328 (A) the meeting's time; and
329 (B) the meeting's location; and
- 330 (d) after holding the meeting described in Subsection (2)(a) instruct the principal of each
331 school to send a signed, written assurance to the state board:
- 332 (i) confirming the occurrence of the meeting; and
333 (ii) detailing the proposed plan discussed at the meeting and the reasons for
334 proposing the plan.

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

336 **53G-9-216 . Recess in an elementary school.**

337 (1) As used in this section:

338 (a) "Elementary school" means a district or charter school that provides instruction to a
339 student in kindergarten or grade 1, 2, 3, 4, or 5.

340 (b) "Elementary school student" means the same as that term is defined in Section
341 53G-7-501.

342 (2) An elementary school may not:

343 (a) withhold, from an elementary school student, recess, physical education, or other
344 physical activity, as a punishment for:

345 (i) poor behavior;

346 (ii) incomplete classwork; or

347 (iii) remediation purposes; and

348 (b) reduce the total minutes of daily recess for any grade level to meet the school lunch
349 target goal as that term is defined in Section 53G-7-1207.

350 (3) Notwithstanding Subsection (2), an educator or administrator may withhold recess,
351 physical education, or other physical activities from an elementary school student if:

352 (a) the restriction is consistent with the elementary student's:

353 (i) IEP; or

354 (ii) Section 504 accommodation plan;

355 (b) there is an immediate or significant risk to the health or safety of the elementary
356 student or others; or

357 (c) the student engaged in poor behavior during recess or a physical education class.

358 Section 6. **Effective Date.**

359 This bill takes effect on July 1, 2026.