



Overview of the California Universal Meal Program:

California’s Universal Meal Program mandate went into effect for the 2022–23 school year. It requires all public-school districts, county offices of education, and charter schools serving students in grades transitional kindergarten (TK) through 12 to provide two meals free of charge (breakfast and lunch) during each school day to students requesting a meal, regardless of their free or reduced-price meal eligibility. The meals must be nutritiously adequate meals that qualify for federal reimbursement under programs such as the National School Lunch Program (NSLP) or School Breakfast Program (SBP), which provide federal reimbursement for meals provided to students who qualify for free and reduced-price meals. (Education Code section 49501.5.)

The state meals mandate applies to all LEAs noted above, whether or not the LEA participates in the National Schools Lunch Program (NSLP) or School Breakfast Program (SBP). However, LEAs that *do* participate in the NSLP and SBP are eligible to receive additional State reimbursement for all meals, free, reduced, or “paid”. (Note, all LEAs, including low-poverty schools, may participate in the NSLP and SBP federal meal programs. There are no minimum free or reduced-price eligibility requirements to participate.)

Private schools, nonpublic schools, and other private nonprofit agencies in California may participate in federal/state meal programs as a School Nutrition Program Operator and receive direct reimbursement from CDE. (See <https://www.cde.ca.gov/ls/nu/sn/app-process.asp> [under “Other Agencies”].) However, the CA Universal Meal Program mandate only applies to public school districts, county offices of education, and charter schools. (Education Code section 49501.5.)

Does the state meal mandate apply to public school students that are attending nonpublic, nonsectarian schools?

Since the pupils attending nonpublic, nonsectarian schools remain under the jurisdiction of the local LEA per EC Section 56365, the state meal mandate does apply and requires that nutritionally adequate meals be provided to these students. When entering into contracts with nonpublic, nonsectarian schools, **the LEA must ensure that the contract contains provisions to satisfy the state meal mandate.**

(*Universal Meals FAQs*, CDE, <https://www.cde.ca.gov/ls/nu/univmealsfaq.asp>)

Options to ensure students have access to the state meal mandate in an NPS may include:

- If the LEA is a School Food Authority (“SFA”) approved by the U.S. Department of Agriculture to operate the federal school meal programs, or part of one, the LEA may use the same food service facilities or Food Service Management Company to provide meals to NPS students as it uses to provide School Nutrition Program meals to its own students.
- An LEA or SELPA may contract with one or more SFA(s) to provide meals to NPS students.
- If the NPS participates in the federal NSLB and/or SBP, the NPS may be eligible for direct funding through CDE for meals provided to the LEA-enrolled students.

Ultimately, the means by which LEAs ensure their students have equal access to Universal Meals will likely depend on many factors specific to the LEA and NPS at issue, including but not limited to the LEA and/or NPS’ participation in federal and state meal programs.