

SESSION OF 2026

SUPPLEMENTAL NOTE ON SENATE BILL NO. 387

As Amended by Senate Committee of the Whole

Brief*

SB 387, as amended, would require school districts to annually verify household gross income for students who are eligible for the At-Risk Weighting under the Kansas School Equity and Enhancement Act (KSEEA) and whose eligibility is not directly certified. The bill would also require school districts to receive legislative approval prior to utilizing the Community Eligible Provision under said program.

Income Verification

The bill would require school districts to annually verify the household gross income of students who would be an “at-risk” student for purposes of calculating a school district’s At-Risk Weighting under KSEEA unless such student’s eligibility is directly certified through enrollment in another benefit program. The bill would allow evidence of household income to be submitted either as part of the National School Lunch Program application or through other means.

[*Note:* Direct certification is the process by which a student is determined to be automatically eligible to receive free meals under the National School Lunch Program due to receiving benefits from other programs such as the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), certain Medicaid benefits, or if the student is in foster care.]

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

Failure to submit written evidence of household gross income would make the student ineligible to be counted toward the school district's At-Risk Weighting.

[*Note:* A student qualifies as "at-risk" if they are eligible to receive a free meal under the National School Lunch Program and, with the exception of students with Individualized Education Plans (IEPs), are enrolled full time in grades 1 through 12, and are under age 19.]

The bill would also require the Kansas State Department of Education (KSDE) to, subject to appropriations, provide school districts with state aid for each reduced-price meal served each day to eligible students, not to exceed one breakfast and one lunch per day per reduced-price-eligible student. The reimbursement would be determined by the State Board of Education (State Board) by calculating the difference between the federal reimbursement for a full-priced meal and the summation of the federal and state reimbursements for a reduced-price meal.

The bill would state that nothing within the bill should be construed to be verification under the National School Lunch Act.

Legislative Approval

The bill would prohibit school districts, on or after July 1, 2026, from seeking or implementing the Community Eligibility Provisions (CEP) within the National School Lunch Program without the express consent of the Legislature. Should the Legislature not be in session, the bill would allow for approval to be granted by the Legislative Coordinating Council (LCC). The LCC would be required to meet within 14 calendar days of receiving notification from a school district seeking authorization to implement the CEP.

[*Note:* The CEP allows eligible school districts, or schools within those districts, to receive federal meal

reimbursements using an alternative calculation method in exchange for the school district or school providing free meals to all students in attendance, regardless of income.]

Background

The bill was introduced by the Senate Committee on Government Efficiency at the request of Senator Shane.

Senate Committee on Government Efficiency

In the Committee hearing on January 29, 2026, **proponent** testimony was provided by Senator Shane and a representative of the FGA Action. The proponents generally stated that verifying student income eligibility helps ensure that funding is available for those truly in need and ensures long-term stability of both the National School Lunch Program and school district funding through the At-Risk Weighting.

Written-only proponent testimony was provided by Americans for Prosperity-Kansas.

Neutral testimony was provided by a representative of KSDE. The representative discussed both the application and income eligibility verification processes for the National School Lunch Program.

Opponent testimony was provided by representatives of the American Heart Association, Kansas Appleseed Center for Law and Justice, Kansas Association of School Boards, Kansas Interfaith Action, United School Administrators, and USD 259 (Wichita Public Schools). The opponents generally stated that the bill would violate federal regulations which require districts to verify 3,000 applications or 3.0 percent of their applications for the National School Lunch Program, whichever is less. Furthermore, the opponents generally noted the unfunded burden this would put on school districts

and the detrimental effect that more barriers to needy students receiving meals could have on their ability to learn.

Written-only opponent testimony was provided by representatives of AFT-Kansas, Community Food Network, Cultivate KC, Douglas County, Douglas County Food Policy Council, Flint Hills Breadbasket, Food and Farm Council of Riley County and City of Manhattan, Food Research and Action Center, Harvesters—The Community Food Network, Health and Wellness Coalition of Wichita, Kansas Action for Children, Kansas Food Action Network, Kansas Food Bank, Kansas Latino Community Network, Kansas National Education Association, Kansas Rural Center, Lawrence-Douglas County Public Health, LiveWell Douglas County, Second Harvest Community Food Bank, Sisters of Charity of Leavenworth, Thrive Allen County, Thrive Kansas, United Community Services of Johnson County, United Way Kaw Valley, USD 233 (Olathe Public Schools), USD 258 (Humboldt), USD 489 (Hays), USD 500 (Kansas City Public Schools), USD 512 (Shawnee Mission), and 8 private citizens, including 2 public school food service directors and 2 local board of education members.

No other testimony was provided.

The Senate Committee amended the bill to:

- Change the students who are required to be income-verified from those eligible to receive free-lunch under the National School Lunch Program to students who qualify for the At-Risk Weighting under KSEEA;
- Add language regarding the submission of evidence for household income verification and that failure to submit evidence will disqualify the student from being included in the school district's At-Risk Weighting;

- Clarify that the provisions of the bill shall not be construed to be verification under the National School Lunch Programs; and
- Add language requiring KSDE to, subject to appropriations, provide reimbursements to school districts to cover the co-pay costs for reduced-price lunch students.

Senate Committee of the Whole

The Senate Committee amended the bill to clarify that students who qualify as an “at-risk” student for purposes of school funding through the direct certification process would not be required to provide evidence of household income for verification purposes.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, KSDE estimated that verification of all free lunch applications would require approximately 15,000 additional staff hours of review time and, at an average cost of \$20 per hour, would increase school district costs by \$300,000. KSDE noted that, should the bill be enacted, the agency would request an appropriation in FY 2027 for the additional costs to school districts.

Legislative Administrative Services (LAS) indicated that enactment of the bill would increase LCC costs if additional meetings of the LCC were required. However, LAS was unable to estimate any additional cost due to the number of extra meeting days being unknown.

The Kansas Association of School Boards indicated that the bill would increase costs for school districts but that a fiscal effect cannot be estimated.

The Division of the Budget noted that any districts currently receiving CEP funding could see meal costs increase should a district not be given consent by the Legislature.

Any fiscal effects associated with the bill is not reflected in *The FY 2027 Governor's Budget Report*.

Education; At-Risk Weighting; Kansas School Equity and Enhancement Act; school funding; Community Eligibility Provision; eligibility; Legislative Coordinating Council