



HB 2402 and the Community Eligibility Provision

USD 259 – Wichita Board of Education

May 1, 2026



Kansas leads the world in the success of each student.

2026 House Bill 2402



- HB 2402 - Senate Passed 31-9, House Passed 91-33,
 - Annually requiring boards of education with one or more schools with 50% or more of the student population directly certified for free lunch eligibility to consider (by a majority vote) in an open public meeting participation in the Community Eligibility Provision (CEP) or demonstrating a financial hardship would exist if choosing not to participate in the program. Effective on and after July 1, 2026.
 - Extending the application deadline for authorization to operate as a public innovative district from December 1 to May 1 and deeming applications approved if not approved or denied within 45 days of submission to the state board. Effective upon publication in the Register.

What is CEP?



- Four-year reimbursement option for eligible high poverty Sponsors and sites
 - Allows free breakfast and lunch to all students
 - Eligible Sponsors/sites may opt in or out of CEP annually
 - Eligible sites may participate as a single school, a group of schools or the whole district.
 - Site eligibility and reimbursement rates are determined by the percentage of students who are Directly Certified for Free Meals Eligibility (Identified Student Percentage – ISP).
 - The ISP must be at least 25%.

How does CEP work?

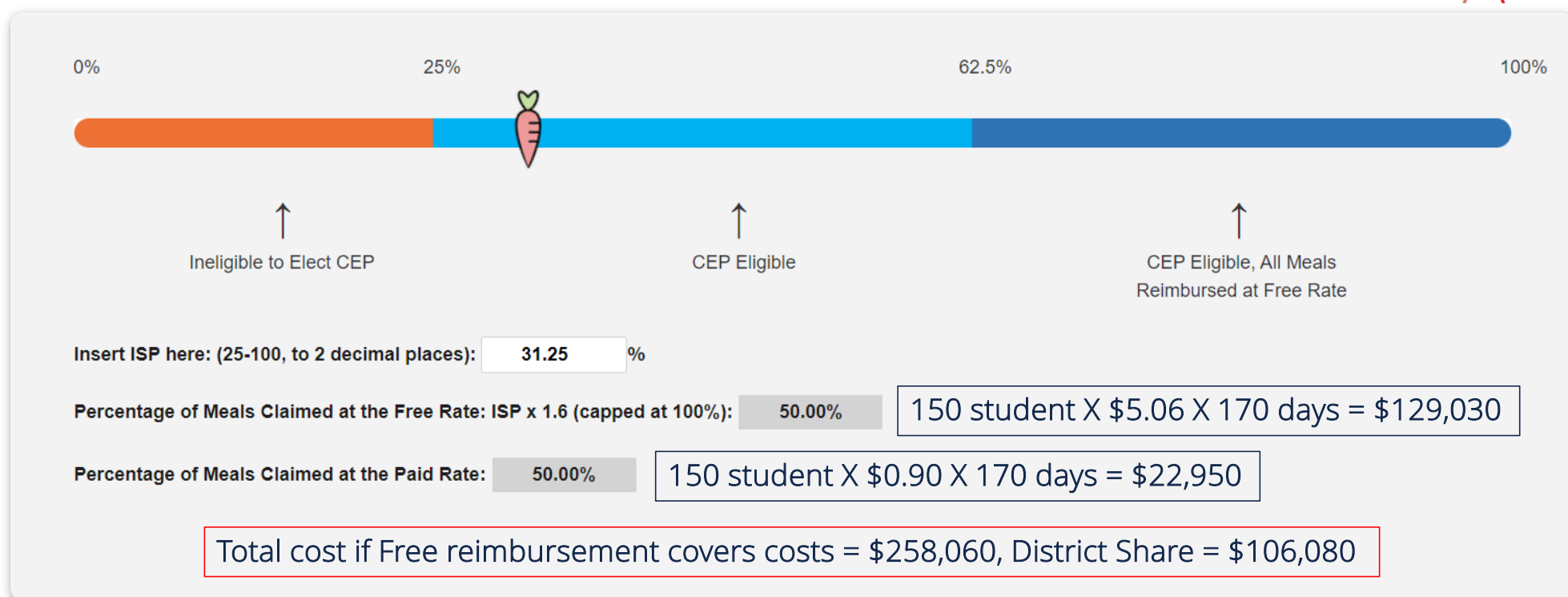


- The ISP multiplied by 1.6 determines the percentage of meals that are reimbursed at the Free Rate (Lunch \$5.06, Breakfast \$2.94).
- All other meals are reimbursed at the Paid Rate (Lunch \$0.90, Breakfast \$0.40).
- All students attending the site receive meals without charge.
- Students do not fill out a Free & Reduced Priced meal application.

Example 1 – 300 Students ISP = 31.25%



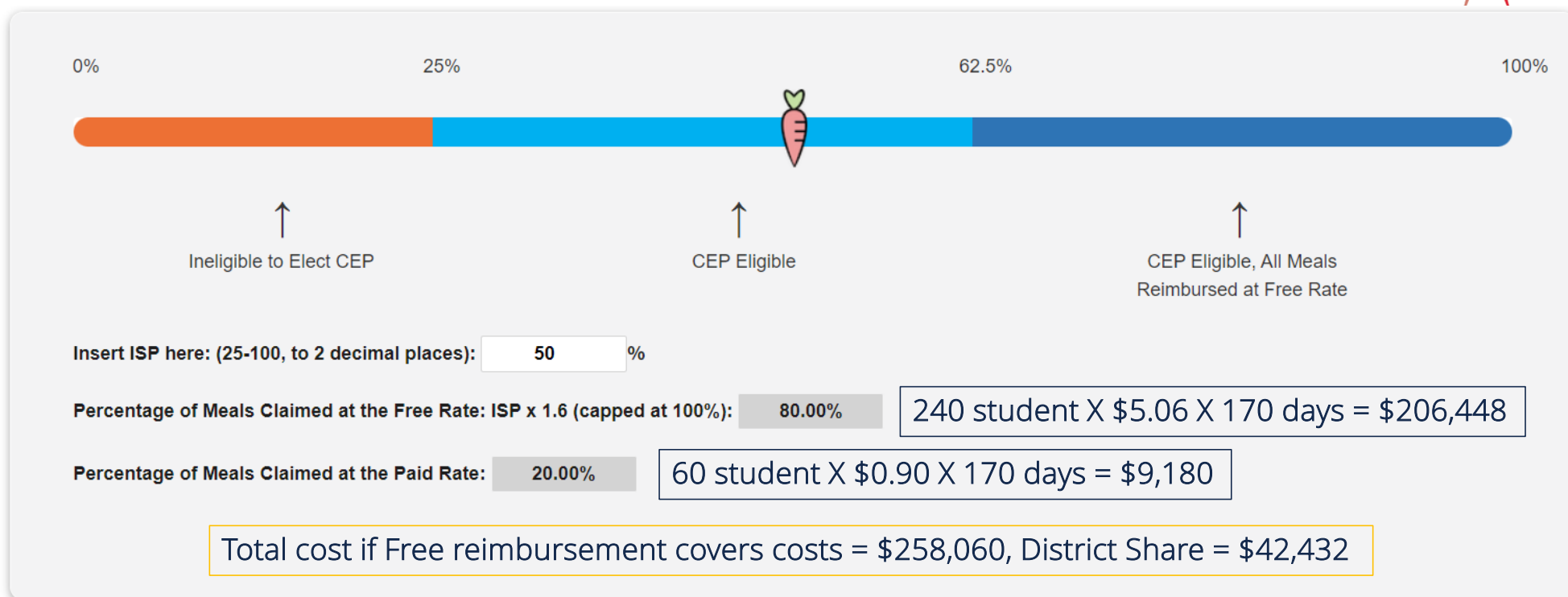
Graphic from fns.usda.gov/cn/cep/slider-tool



Example 2 – 300 Students ISP = 50%



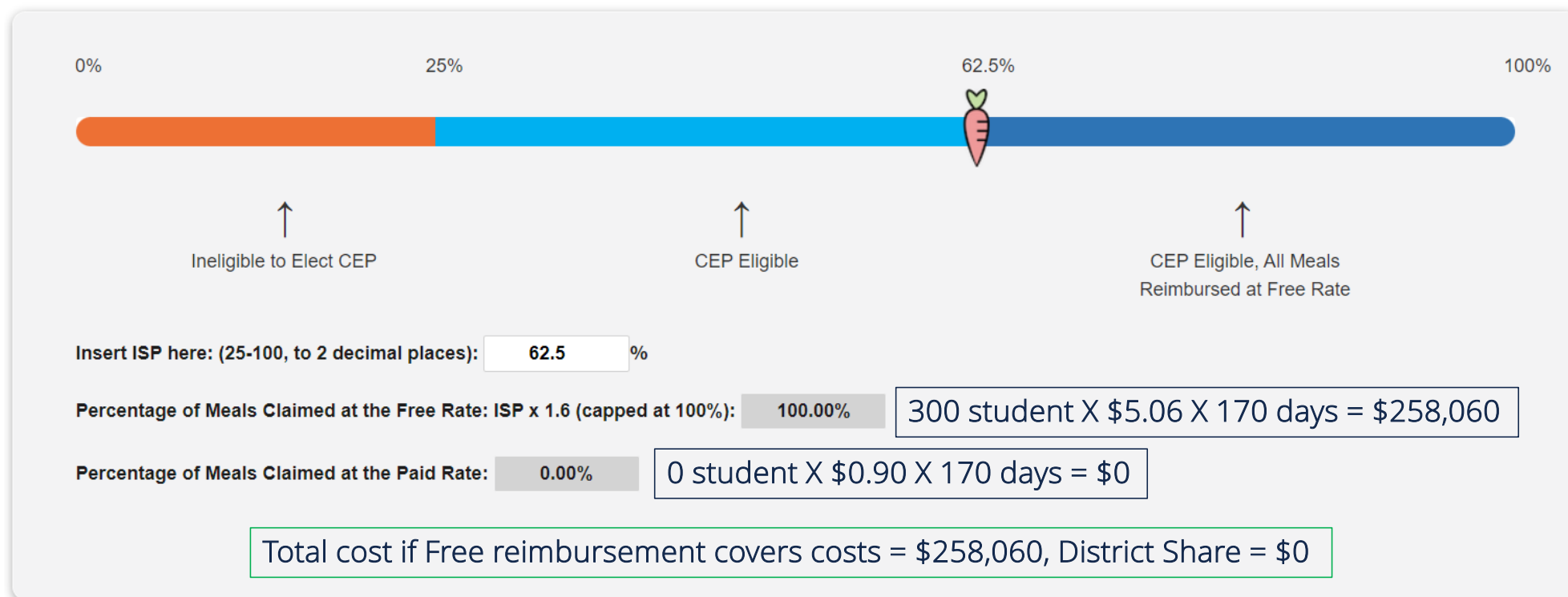
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Example 3 – 300 Students ISP = 62.5%+



Graphic from fns.usda.gov/cn/cep/slider-tool



Requirements for BOE from HB 2402



- For the 2027-28 school year, boards of education will be required to take action regarding participation in the CEP for each site in the district with 50% or more of the students Directly Certified for Free Meal Eligibility
- Possible Actions:
 - Elect to participant in CEP
 - Demonstrate that participating in CEP would cause a financial hardship
- Sources of Possible Financial Hardship
 - Sites with ISP below 62.5%, additional funds will be required to provide free meals to all students.
 - Participation in the CEP may impact At-Risk funding for the district.

CEP and At-Risk Funding



- At-risk funding is determined by the number of full-time free lunch eligible students in the district.
- Students who are Directly Certified for Free Meals will count for At-Risk Funding.
- Students who are not Directly Certified for Free Meals but would otherwise qualify for Free Meals through the Free and Reduced-Price Meal application would need to submit a Household Economic Survey showing they meet the income guidelines.
- Historically, districts receive Household Economic Surveys at a lower rate than Free and Reduced-Price Meal Applications which may negatively impact At-Risk funding.
- There are currently districts participating in CEP and using the Household Economic Survey for identifying students eligible to count towards the district's At-Risk funding.



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