



**Oral Opponent Testimony on
SB 387, concerning school meals income verification
Senate Committee on Government Efficiency**

**By
Shannon Kimball
Government Relations Specialist
Kansas Association of School Boards
skimball@kasb.org**

January 27, 2026

Chair Erickson and Members of the Committee,

Thank you for the opportunity to provide input on this proposed bill. KASB's member-adopted federal advocacy platform *"supports federal funds to provide free breakfast and lunch to all public-school students."* KASB's member-approved state priorities are equally clear that *"we support local boards' constitutional governing authority and generally oppose unfunded mandates, as well as mandates that create clear conflicts between state and federal requirements and laws,"* because unfunded mandates don't just burden districts—they siphon resources away from student learning. When the state imposes new requirements without providing the dollars to carry them out, local schools are forced to make damaging choices: cut programs, stretch staff even thinner, or divert funds from classrooms. School board members believe in responsible stewardship of taxpayer money while also protecting the educational opportunities their communities have worked hard to build.

These fundamental commitments in support of local control and in opposition to unfunded mandates shape the concerns we share regarding this draft legislation.

The Bill May Conflict with the National School Lunch Act and USDA Regulations

While states may add oversight to federal school meal programs, any added requirements cannot conflict with federal law or USDA rules. The proposed income-verification system raises several concerns:

- **Potential violations of federal privacy requirements:** The bill could require disclosure of students' or families' eligibility information to staff who are not authorized to access that data under federal rules.
- **Barriers to participation:** Requiring verification for every applicant—and adding a legislative approval process for community eligibility—creates delays and administrative burdens that may discourage or prevent families and schools from fully participating in the National School Lunch Program.



- **Conflicts with USDA verification rules:** The requirement of verification based on household gross income may conflict with USDA verification procedures; in particular, USDA uses net income, not gross income, for self-employed applicants and applicants relying on farm income, among others.¹
- **Undermining the goals of the federal program:** The additional verification and legislative approval procedures effectively undermine the stated goals of the federal program; the community eligibility provision in particular was adopted to “eliminate the need for schools to collect household income applications by sharing eligibility data between specific federal assistance programs, which can reduce administrative burden for both schools and families” in communities with higher numbers of low income students and families.²

If Kansas adopts these requirements, USDA could determine that they are overly burdensome or discourage participation—placing critical federal funding at risk.

The Bill Is a Significant Unfunded Mandate on Kansas Public Schools

Even if legally permissible, the bill is a substantial unfunded mandate on Kansas public schools. Requiring 100% verification would necessitate:

- New staff positions;
- Increased administrative costs;
- Longer application processing times;
- Delays in feeding eligible students.

USDA emphasizes reducing burdens, not increasing them. The proposed requirements add new layers of state bureaucracy to an already complex federal program.

Districts would likely need to spend millions of dollars annually to comply, with no funding provided in the bill. Those funds would come from district general budgets, diverting dollars from instruction and student services. Those resources could be better used to support classroom learning, rather than expanding administrative overhead.

LPA Audit and At-Risk Funding

Although not directly addressed in the bill, it appears the proposal may be rooted in concerns raised by the recent LPA audit and Kansas’s use of free-lunch counts as a proxy for at-risk funding.

¹ See Child Nutrition Programs: Income Eligibility Guidelines (2025-2026), <https://www.fns.usda.gov/cn/fr-031325> (accessed January 24, 2026) (“‘[I]ncome,’ as the term is used in this notice, means . . . (2) net income from nonfarm self-employment; (3) net income from farm self-employment; . . . (6) net rental income; . . . (13) net royalties . . .”).

² Final Rule: Child Nutrition Programs—CEP Increasing Options for Schools, <https://www.fns.usda.gov/cn/fr-092623> (accessed January 24, 2026).



KASB members support policies that “[r]ely on consistent, stable indicators of need to guide the equitable allocation of at-risk dollars to public schools.” Importantly, qualifying for free lunch does *not* qualify a student to *receive* at-risk services; it simply serves as a proxy measure used in the school finance formula.

Many district leaders report serving more at-risk students than they receive funding for, meaning the current proxy may actually underestimate the true cost of providing at-risk supports. If the legislature seeks a more accurate approach, we encourage a robust, research-based discussion about alternative or additional indicators, rather than adopting costly verification requirements that burden both schools and families.

Thank you for considering these concerns. For the reasons outlined—potential conflicts with federal law, substantial unfunded mandates, and misalignment with the goals of the federal school meal program—we respectfully encourage the Committee to reject the bill in its current form.

***KASB is a non-profit service organization built on an abiding belief in Kansas public schools.
We have put the needs of students and K-12 leaders first since 1917.***