

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 102**

**FISCAL  
NOTE**

By Senator Woelfel

[Introduced January 14, 2026; referred  
to the Committee on Education; and then to the  
Committee on Finance]

A BILL to amend and reenact §18-5D-6 of the Code of West Virginia, 1931, as amended, relating to requiring every county public school system to conduct an annual countywide survey of public school students to determine their non-school eating patterns and the availability of nutritious food to them when schools are closed; requiring each county board to collect and compile information regarding availability of food resources in the county during non-school days and distribute this information to all students; requiring each county board to provide its survey, a summary of its activities, and any findings or recommendations the county school board has related thereto to the West Virginia Office of Child Nutrition; and removing authority for each public school to include in its crisis response plan an assessment and plan to feed students during noninstructional or nontraditional remote learning days and public virtual school students that includes emergency situations that may require innovative ways to deliver food to student homes.

*Be it enacted by the Legislature of West Virginia:*

<b>ARTICLE</b>	<b>5D.</b>	<b>WEST</b>	<b>VIRGINIA</b>	<b>FEED</b>	<b>TO</b>	<b>ACHIEVE</b>	<b>ACT.</b>
<b>§18-5D-6.</b>	<b>West</b>	<b>Virginia</b>	<b>Emergency</b>	<b>School</b>	<b>Food</b>	<b>Act.</b>	

(a) The Legislature finds and declares that:

(1) The Feed to Achieve initiative has successfully improved the availability and awareness for the need to provide nutritious food to state students and the Shared Table Initiative has facilitated a spirit of innovation and consciousness in our counties to find alternative ways to feed children in need;

(2) A periodic assessment of the needs for county students and availability of county resources is necessary to determine what type of resources are available and needed to reduce food insecurity for students when they are not in school;

(3) That expansion of the Shared Table Initiative to include a program to encourage county schools to locate, participate in, and initiate programs to provide meals during summers and non-school-day times when some children may not have access to healthy meals could assist in

12 reducing food insecurity for thousands of children in this state, and therefore, creating a  
13 mechanism that is not a directive from the Legislature upon county school boards, but rather an  
14 authorization to use school resources to find innovative ways, within the means of the county  
15 school systems, to assist the communities they serve, will provide a public benefit.

16 (b) ~~Any~~ Every county public school system ~~may~~ shall conduct an annual countywide  
17 survey of public school students to determine their non-school eating patterns and the availability  
18 of nutritious food to them when schools are closed. The West Virginia Office of Child Nutrition will  
19 assist with and facilitate this survey to determine the needs for supplemental food services in  
20 every county.

21 (c) ~~Any~~ Each county board ~~may~~ shall also collect and compile information regarding  
22 availability of food resources in the county during non-school days and distribute this information  
23 to all students. These resources may include any public, private, religious group, or charity that will  
24 provide food to children with food insecurity.

25 (d) ~~Any~~ Each county school board may investigate and implement any program that may  
26 facilitate this initiative including, but not limited to, entrepreneurship programs to foster innovation  
27 in providing assistance, utilizing participation in programs as a positive discipline option, and  
28 creating mentorship programs or other opportunities to participate in non-school student feeding  
29 program.

30 (e) ~~Any~~ Each county school board may provide, at a minimum, an annual countywide or a  
31 coordinated regional training opportunity, with assistance from the West Virginia Office of Child  
32 Nutrition, that ensures that any entity that potentially qualifies as a summer or non-school day  
33 feeding site according to the county survey, is afforded the opportunity to receive training on  
34 operation of a feeding site.

35 (f) ~~Any~~ Each county board ~~may~~ shall provide its survey, a summary of its activities, and any  
36 findings or recommendations the county school board has related thereto, to the West Virginia  
37 Office of Child Nutrition at a date determined each year by that office.

38       ~~(g) Each West Virginia public school may include in its crisis response plan, created~~  
39       ~~pursuant to §18-9F-9, an assessment and plan to feed students during noninstructional or~~  
40       ~~nontraditional remote learning days and public virtual school students that includes emergency~~  
41       ~~situations that may require innovative ways to deliver food to student homes. Community support~~  
42       ~~and resources should be utilized when creating this plan~~

43       (h) (g) The West Virginia Office of Child Nutrition shall monitor these activities and share  
44       between counties information about innovative and successful program initiatives around the state  
45       to promote and facilitate the Summer Feeding for All program.

NOTE: The purpose of this bill is to establish the Summer Feeding for All initiative that will encourage county school systems to look for innovative ways to provide assistance to students in need to access nutritious foods during summer break and other times when school is not in session. The bill requires each county school board to conduct an assessment of the availability of food to students to determine what food insecurities exist in the student population. The bill directs each county school board compile and distribute a list of existing food providers in the community that will provide nutritious food to children with food insecurities on non-school days. The bill directs the Office of Child Nutrition to help facilitate county school boards coordinate and develop the public policy initiative of Feed to Achieve.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.