

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **House Bill 4871**

**FISCAL  
NOTE**

By Delegates G. Howell, Pritt, Foggin, Dean,  
Stephens, Toney, Statler, Ellington, Campbell, Garcia,  
and Dittman

**BY REQUEST**

[Introduced January 28, 2026; referred to the  
Committee on Education]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article  
2 designated §18-5H-1, §18-5H-2, §18-5H-3, §18-5H-4, §18-5H-5, and §18-5H-6, relating to  
3 meal options in schools; providing legislative findings; authorizing rulemaking authority;  
4 and establishing a process to provide students a vegetarian meal option.

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

**ARTICLE 5H. VEGETARIAN MEAL OPTIONS IN PUBLIC SCHOOL NUTRITION  
PROGRAMS.**

**§18-5H-1. Legislative findings.**

1 The Legislature finds that participation in school nutrition programs is essential to student  
2 health and academic success and that federal law permits vegetarian meals to qualify as  
3 reimbursable meals when they meet applicable nutritional standards. The Legislature further finds  
4 that some students voluntarily follow vegetarian diets and that reasonable planning by school  
5 systems can accommodate such diets without undue administrative or financial burden.

**§18-5H-2. Requirement to make vegetarian options available.**

1 Each county board of education operating a school nutrition program shall make available  
2 a vegetarian meal option for students enrolled in its schools, provided that such meals comply with  
3 all applicable federal nutritional guidelines and reimbursement requirements established under  
4 the National School Lunch Program and School Breakfast Program.

**§18-5H-3. Advance request requirement.**

1 A county board of education may require that a request for a vegetarian meal option be  
2 submitted in advance in accordance with procedures established by the board.

3 (1) The procedures may include reasonable deadlines to allow for menu planning, food  
4 ordering, and meal preparation.

5 (2) If a vegetarian meal option has not been requested in advance in accordance with the  
6 board's procedures, the school shall not be required to provide a vegetarian meal option on that

7 day.

**§18-5H-4. Local implementation authority.**

1 County boards of education shall have authority to determine the method of  
 2 implementation, including but not limited to:

3 (1) The form and manner of advance requests;

4 (2) The duration for which a request remains valid;

5 (3) Menu planning and meal service logistics; and

6 (4) Procedures to ensure compliance with applicable federal reimbursement standards.

**§18-5H-5. No expansion of medical or religious accommodation requirements.**

1 Nothing in this section shall be construed to alter or expand existing federal or state  
 2 requirements regarding medical or disability-based dietary accommodations, which shall continue  
 3 to be governed by applicable law.

**§18-5H-6. Rulemaking authority.**

1 The State Board of Education may promulgate rules consistent with this section to provide  
 2 guidance to county boards of education and to ensure compliance with federal school nutrition  
 3 requirements.

NOTE: The purpose of this bill is to provide students enrolled in schools with the option of vegetarian meals which comply with all applicable federal nutritional guidelines.

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