

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.