

**NEBRASKA DEPARTMENT
OF EDUCATION**

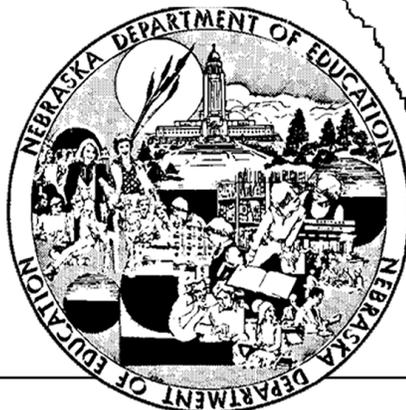
RULE 86

**REGULATIONS AND PROCEDURES FOR PUBLIC SCHOOL BREAKFAST
PROGRAM REIMBURSEMENT**

**TITLE 92, NEBRASKA ADMINISTRATIVE CODE,
CHAPTER 86**

**EFFECTIVE DATE
JANUARY 9, 2026
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**State of Nebraska
Department of Education
P.O. Box 94987
Lincoln, Nebraska 68509**



**TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION
CHAPTER 86 - REGULATIONS AND PROCEDURES FOR PUBLIC SCHOOL
BREAKFAST PROGRAM REIMBURSEMENT**

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001 General Provisions

001.01 Purpose. The Legislature has found that school breakfast and lunch programs are integral parts of Nebraska's educational system. Accordingly, the Legislature will reimburse each qualified public school in Nebraska a portion of the cost of such school's school breakfast program.

001.02 Statutory Authority. This Chapter is adopted pursuant to Neb. Rev. Stat. Sections 79-10,137 through 79-10,139.

001.03 Coverage. This Chapter sets forth the breakfast reimbursement requirements for qualified public schools in Nebraska for payments pursuant to Neb. Rev. Stat. Section 79-10,138.

002 Definitions

002.01 Breakfast means a meal which meets the nutritional requirements set out in 7 CFR Part 220.8, and which is served to the school's eligible students in the morning hours prior to the lunch meal, pursuant to the requirements of the federal School Breakfast Program at 7 CFR Part 220.

002.02 Department means the Nebraska Department of Education.

002.03 Eligible student means a qualified public school student who participates in a school lunch program as authorized by the Richard B. Russell National School Lunch Act found at 42 U.S.C. 1751, et seq.

002.04 Qualified public school means an accredited public school pursuant to Title 92, Nebraska Administrative Code, Chapter 10, (92 NAC 10), which operates a school lunch program as authorized by the Richard B. Russell National School Lunch Act.

002.05 State reimbursement means the state funds payable to a qualified public school for breakfasts served to eligible students.

002.06 USDA means the United States Department of Agriculture.

003 Reimbursement Procedures

003.01 Program and Site Applications. Each qualified public school that operates a school lunch program shall complete and submit both a sponsor application and a site application for each participating site to the Department. The sponsor application and site application must be submitted in the Department's online application and claims system.

003.02 Breakfast Requirements. Only breakfasts which meet the USDA regulatory requirements at 7 CFR Part 220, and are eligible for federal reimbursement according to the National School Lunch Act, shall be eligible for state reimbursement.

003.03 Claim Procedures. Claims shall be made through the Department's online application and claims system. No claim submitted to the Department after sixty

(60) days past the last day of the month during which the breakfasts were served will qualify for state reimbursement. The claim information submitted by qualified public schools is used to determine the state reimbursement for each school.

003.04 State Reimbursement. The rate for state reimbursement is five (5) cents for each breakfast served by a qualified public school to an eligible student. State reimbursements are made for breakfasts served in the second preceding school year. For example, state reimbursements made during the 2024-25 school year are based on claims for breakfasts served during the 2022-23 school year.