

August 5, 2019

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Your Question:

You asked about state policies that aim to increase access to and participation in free and reduced-price meal programs.

Our Response:

Participation Rates and Research

In 2018, the U.S. Department of Agriculture (USDA) [reported](#) that 29.1 million children participated in the National School Lunch Program (NSLP), whereas only 14.69 million participated in the School Breakfast Program (SBP) and 2.7 million in the Summer Food Service Program. One factor associated with increased participation in free and reduced-price meal programs is that parents perceive meal options as healthy. [One study](#) of five low-income cities in New Jersey found that, in schools where parents perceived school lunch as either somewhat or very healthy, a higher percentage of children participated in school meal programs. Additionally, [a case study](#) of a middle school in the San Francisco Unified School District showed that new healthy food options increased participation in the federal school lunch program — a policy change that local parents spearheaded.

Contextual factors influencing students' meal choice can also impact meal program participation. Just as parents' perceptions regarding meal quality may influence participation, students' [own evaluation](#) of meal quality can affect participation. As they move into higher grade levels, students may be [less likely](#) to choose meal programs compared with à la carte options. In addition, social awareness may be a factor in participation: [Research](#) shows that meal programs can carry a social stigma, which has a negative effect on participation.

[Research](#) also suggests that the discrepancy between the number of students who participate in the NSLP and the SBP may stem from aspects of state policy that decrease positive student perception and increase social stigma. State approaches to improving access and participation to federally funded meal programs include universal school meals, breakfast after the bell and competitive food policy.

State Policy Examples

Universal School Meals

According to the [Clearinghouse Community](#), which is part of the [Shriver Center on Poverty Law](#), there are several ways schools and school districts can offer universal free school meals to all students, which typically involve expanding access to the NSLP.

For instance, the [Community Eligibility Provision](#) (CEP) of the NSLP, “allows the nation’s highest poverty schools and districts to serve breakfast and lunch at no cost to all students without collecting household applications.” The Clearinghouse Community found that the CEP was phased in from 2011-2014 in the District of Columbia, Florida, Georgia, Illinois, Kentucky, Maryland, Massachusetts, Michigan, New York, Ohio and West Virginia; and became available nationwide at the start of the [2014-2015 school year](#). During the phase-in, average daily participation increased in the NSLP and the SBP and the number of schools participating in the community eligibility also

increased.

Additionally, schools have been offering free meals to students through “[special-needs provisions](#) (e.g., [Provisions 1, 2, and 3](#)) designed to increase participation in high-poverty schools.” Schools use Provision 2, which is the most common method used, to offer free meals (breakfast, lunch or both) to students; but schools are still required to obtain school meal applications during the first year of the program to establish a base count. Over the next three years, schools are not required to obtain school meal applications but are required to track student meal counts. Reimbursements for these meals are based on participation rates from the base year. The state agency that focuses on child nutrition may extend the base rate of the first year if the student population of the school is relatively steady, or it may require the school district to establish a new base rate.

Since the CEP was [expanded](#) nationwide, research has found that participation rates in school meal programs increased substantially. Other [research](#) of the CEP along with Provisions 1, 2 and 3 echoed the same participation findings, particularly among students who are most at risk of food insecurity.

State Examples

California: [S.B. 138](#) (2017 – enacted) requires a school district or county superintendent of schools that has a very high-poverty school in its jurisdiction, on or before September 1, 2018, to apply to operate a federal universal meal service provision pursuant to specified federal law; and to begin providing breakfast and lunch free of charge through the universal meal service to all pupils at the very high poverty school upon state approval to operate that service.

Oregon: During the 2019 legislative session, [three legislative proposals](#) were introduced (one of which was enacted), including expanding the following initiatives or programs: school options in the form of universal school meals ([H.B. 2760](#) – did not pass), expansion of community eligibility provisions ([H.B. 3427](#) – enacted), and Breakfast After the Bell ([H.B. 2765](#) – did not pass).

West Virginia: According to [Universal Free Meals Pilot Project: Evaluation Report](#), the West Virginia Department of Education established the universal free meals pilot project to provide “a nutritious breakfast and lunch to all students regardless of financial need in 72 schools in seven counties during the 2011-2012 school year.” The report examined why the pilot project was needed in the state, as well as the implementation and results of the pilot project.

[Breakfast After the Bell](#)

While a traditional SBP entails schools serving breakfast before the first class period, some states are shifting where and when breakfast is served. Serving breakfast before classes begin may cause challenges for students, regarding transportation, timing and social stigma. A breakfast after the bell (BAB) policy may increase convenience for students to participate in the SBP. In general, there are [three](#) basic BAB policy models:

1. Grab and go breakfast: Students receive breakfast in prepackaged portions in central areas.
2. Second chance breakfast: Students receive breakfast in an extended break between first and second class periods.
3. Breakfast in the classroom: Students receive breakfast directly in classrooms.

Additionally, states vary in how they structure their policies and which student populations they target. For example, some states could require all schools to implement a BAB program. Others may target specific schools or high-need grade levels, which can be determined by the percentage of students eligible and receiving free or reduced-price

meals. Finally, some states may offer supplemental funds for implementing a BAB policy, whereas others require only programmatic changes to existing SBPs in school districts.

According to a [report](#) from the Center for Best Practices of the No Hunger Campaign — which is run by the nonprofit Share Our Strength — all BAB policies have been found to increase participation in schools' SBPs. In fact, [analysis](#) has shown that schools using the breakfast in the classroom model increase average participation by 88%; the grab and go and second chance breakfast models are associated with participation increases of 59% and 58%, respectively.

State Examples

Delaware [H.B. 408](#) (2016) requires all schools that participate in the CEP to implement BAB model.

Maine [S.P. 99](#) (2019) requires schools with at least 50% free and reduced-price (FRP) eligibility to serve a BAB program starting in the 2019-2020 school year. Provides \$500,000 in state funds to support school implementation for two years as well.

New Jersey [S.B. 1894](#) (2018) requires BAB program in all schools with 70% or more of students who are eligible for FRP.

Competitive Food Policy

Students encounter many meal options other than what is offered through school meal programs, which are commonly referred to as competitive foods. Compared with school meal programs, competitive foods are typically less [nutritious](#) and their availability [deters](#) students from choosing meals offered through the NSLP or SBP. In response, states have pursued competitive food policies, either creating higher nutrition standards for competitive foods or eliminating their sale during meals. The rationale for these policies is to decrease social stigma associated with school meal programs and offer competing healthy food options instead of healthy versus unhealthy.

The USDA sets nutritional standards for national meal programs (CFR [§210, 220](#)), which prohibit the sale of foods deemed to have minimal nutritional value (e.g., soft drinks, candy) in the food service area. The Healthy Hunger-Free Kids Act of 2010 established the [Smart Snacks in School](#) program, which sets nutritional [standards](#) for all foods sold within a school that are not a part of a national meal program (i.e., competitive foods). Any school that participates in either the NSLP or SBP must comply with Smart Snacks standards.

However, states may set their own nutrition standards, which exceed the baseline established by Smart Snacks. According to a [report](#) by the Institute of Health Research and Policy, 18 states have policies that meet Smart Snacks standards, 13 states have not modified their standards to meet Smart Snacks and another four only recommend nutrition standards.

Both imposing strict nutrition standards and banning competitive foods are associated with increased participation in school meal programs. [Research](#) into competitive food nutritional state standards before Smart Snacks showed increased participation in school meal programs. A [case-study analysis](#) of eight school districts that implemented stronger competitive food standards also found increased participation in school meal programs. Additionally, [research](#) into **Connecticut's** competitive food policy — incentivizing school districts to adopt nutritional standards for competitive foods — revealed increased statewide participation in school meal programs. A [case study](#) of a school district that eliminated competitive foods found that school meal program participation increased, which was attributed to a decrease in stigma associated with meal programs.

One concern some school administrators have with competitive food standards is that they may decrease revenue that came from the popular, yet unhealthy, competitive foods. However, increased enrollment in school meal

programs has been linked to [increased revenue](#) in some school districts after the adoption of competitive food standards.

State Examples

Colorado [2202-R-01.00](#) disallows outside food service operations from competing with federal school meal programs 30 minutes before and after service. Allows local boards of education to establish additional time and place rules on competitive foods.

Virginia [S.B. 414](#) (2010) requires adoption of statewide nutrition standards for competitive foods in line with either the guidelines put forward by the Alliance For a Healthier Generation or the Institute of Medicine. Requires the state board of education to update nutritional guidelines for competitive food periodically.