

EFFECTIVE POLICY OPTIONS FOR INCREASING PARTICIPATION IN SCHOOL BREAKFAST PROGRAMS



INTRODUCTION

This resource highlights effective policy changes that states and districts can enact to increase participation in the School Breakfast Program (SBP). Policy change is an important tool for achieving sustainable, widespread change, and school breakfast is an area ripe for advocacy. Through state legislation, states and localities have taken steps to increase participation in school breakfast, including:

- Requiring schools to offer breakfast.
- Requiring innovative breakfast delivery models.
- Eliminating the reduced-price category.
- Providing free breakfast at no cost through special provisions such as the Community Eligibility Provision (CEP).
- Providing an additional per-meal reimbursement.
- Providing funding for start-up/expansion costs related to changing breakfast models.
- Requiring publication of school-level breakfast data.

This resource will also explain each of the policy options in detail, why it is imperative to implement each policy option accompanied by examples of states that have implemented these policies in their respective schools and school districts. The brief is structured in two major sections. Section one begins by explaining why the school breakfast program is vital for children and why policy change matters. Section two provides a list of effective policy options to increase school breakfast participation and explains why each policy options are crucial. The section also includes examples of states that have enacted each of the policy options.

WHY SCHOOL BREAKFAST MATTERS FOR CHILDREN?

Research finds breakfast is vital for improving children’s academic, behavioral and health outcomes while effectively reducing the risk of hunger and food insecurity. Despite these benefits, for a variety of reasons, many families have difficulty providing breakfast for their children every morning. Limited budgets, tight schedules and hectic mornings can mean that children skip breakfast or the breakfast they consume is not a balanced, healthy meal. The federal School Breakfast Program (SBP) can help, but currently only about half of low-income children who eat a school lunch also eat school breakfast. This means that on any given day more than 10 million low-income children may be going without a balanced school breakfast.

Traditionally, most schools serve breakfast in the cafeteria before the start of the school day. Unfortunately, too many children do not participate in the program, either because their parents cannot get them to school in time for school breakfast service, they are not hungry for breakfast that early in the morning, or they experience stigma that school breakfast is for “poor kids.” The traditional model for serving school breakfast in the cafeteria and before the bell often leads to low participation and, as a result, can be a financial liability for the school budget. However, innovative school breakfast delivery options, such as Breakfast in the Classroom or Grab and Go breakfast make the school breakfast part of the school day and result in much higher rates of participation. These programs can help combat childhood hunger, improve academic performance and nutrition and bring in much needed federal funds.

Why Policy Change Matters in the School Breakfast Program

Policy change is a powerful tool to effect sustainable social change. The passage of one piece of legislation can achieve widespread, lasting results that can surpass individual efforts in communities across the country.

Enacting new policies can also help institutionalize these changes so that they become permanent practice.

School nutrition policy, and school breakfast policy, in particular, is an area ripe for policy advocacy. Successful efforts in school districts and states across the country demonstrate that enacting school breakfast policy can result in relatively quick, meaningful changes to ensure that all children start the day with a healthy meal that prepares them for learning.

POLICY OPTIONS TO INCREASE PARTICIPATION IN SCHOOL BREAKFAST PROGRAM

Federal rules establish the basic structure of program requirements, but state and local districts are free to build on this structure to improve the program. Through legislation, states have taken the steps described below to increase access to school breakfast.

Require Schools to Offer Breakfast

Currently, there is no federal requirement for prescribing schools to offer breakfast. States can pass legislation to ensure that all or certain types of schools make breakfast available.

Why this matter?

Requiring schools to participate in the School Breakfast Program ensures that low-income students that are vulnerable to hunger and food insecurity have the option to eat school breakfast. Evidence suggests this can contribute to improvements in students' health, behavior and academic performances such as test scores and attendance rates.

Key Considerations and Examples

About half of all states have established a requirement that all schools or schools with a certain percentage of students that are eligible for free or reduced-price meals offer breakfast. Some state laws requiring schools to serve breakfast have applied to all schools in the state while others have limited the requirement to only schools or school districts with a free or reduced-price student population percentage that exceeds a certain threshold. These free and reduced-price thresholds range from 15%-40% in most cases.

- [Rhode Island](#) requires all public schools to offer school breakfast to students attending the school. The provision of the law reads: "All public schools shall make a breakfast program available to students attending the school. The breakfast meal shall meet any rules and regulations that are adopted by the commissioner."
- [Illinois](#) requires those schools with 40% and above free and reduced-price meal eligible students or at least 40% or more of students that are classified as low-income according to the Fall Housing Data from the previous year to offer a breakfast program.

Require Breakfast After the Bell Implementation

Requiring schools and school districts that meet certain free and reduced-price eligibility thresholds to implement Breakfast After the Bell (BAB) is an effective and efficient strategy to increase school breakfast participation. Breakfast After the Bell service models include but are not limited to Breakfast in the Classroom, Grab and Go and Second Chance Breakfast.

What this matter?

The traditional school breakfast delivery model (cafeteria-based and before the bell rings) does not work for too many low-income children due to morning bus and transportation challenges that prevent them from getting to school in time for breakfast service and the stigma associated with participating in school breakfast. Breakfast After the Bell programs is effective at significantly reducing stigma and discrimination among low-income students who rely on school meals as a source of food and increasing school breakfast participation while boosting school nutrition budgets.

Key Considerations and Examples

Twelve states have enacted Breakfast After the Bell requirement legislation over the last 8 years while a number of other states have considered this type of legislation. The twelve states that have enacted a BAB requirement law are: Colorado ([HB 13-1006](#)), Delaware ([HB 408](#)) District of Columbia ([§38-821.02](#)), Illinois ([SB-2393](#)) Maine ([LD 359](#)), New Mexico ([HB271](#)), New Jersey ([S 1894](#)) Nevada ([SB-503](#)) New York ([A 9508](#)), Oregon ([HB 3427](#)), Washington ([H 1508](#)) and West Virginia ([SB 663](#)).

In most of these states, the law requires schools with at least 70 percent free and reduced-price eligible students to implement BAB, although more states are considering lowering this threshold to 60 percent or lower. Most of the laws in these states have clarified that time spent by students eating school breakfast is part of the instructional time. Several of these states have also provided funding to schools to support start-up implementation efforts such as equipment purchases, hiring new staff or training existing cafeteria staff.

- **New York:** the state enacted Breakfast After the Bell (BAB) legislation in its 2018 legislative session ([AB 9506](#)). The law requires all public elementary or secondary schools with at least 70% free or reduced-price eligible students to offer breakfast after the instructional day has begun. The law also provides \$7 million in state funds to support implementation costs such as equipment purchases.
- **Illinois:** the state enacted a Breakfast After the Bell law in 2016 requiring schools with 70% or higher free and reduced-price eligible students to serve Breakfast After the Bell starting from school year 17-18([SB-2393](#)).

Provide funding to Incentivize Breakfast After the Bell Implementation

States can appropriate funds to support and encourage schools that seek to improve access to and participation in their school breakfast programs by implementing Breakfast After the Bell.

Why this matter?

Starting a new school breakfast program or expanding an existing one to serve more children can carry one-time costs, such as purchasing equipment to serve breakfast or deliver meals to the classroom effectively and efficiently. This is particularly helpful for schools and school districts that are located in under-resourced areas. It is also a good option in places where passing policies to require schools to implement BAB is not feasible for various reasons.

Key Considerations and Examples

It is important to consider the goal of this funding and if there are certain types of schools that you want to prioritize encouraging to implement BAB. Funds can be restricted to schools that are implementing a specific type of breakfast model, such as Breakfast in the Classroom, or for schools with a high proportion of students that qualify for free or reduced-price meals or other school characteristics.

- **California:** the state provided a one-time appropriation of \$2 million (for SY17-18 through 18-19) for school districts or county offices of education that seek to start or expand Breakfast After the Bell programs where at least 60% of students are low-income, English learners or foster youth students. School districts or county offices of education will receive funding in the form of a grant. This funding was in addition to the annual \$1 million the state appropriates for the School Breakfast Grant program, which is intended to support start-up or expansion of the school breakfast and summer meals program. ([CA SB 828](#), Education Omnibus Trailer Bill)
- **Virginia:** In its 2019 fiscal year budget, Virginia appropriated a little more than \$1 million to support schools to implement Breakfast After the Bell. The funding was available to elementary, middle and high schools with at least 45% of their students eligible for free and reduced-price meals. The reimbursement is an additional \$0.05 per breakfast served in elementary schools and \$0.10 cents per breakfast served in middle and high schools. Schools serving traditional school breakfast before the bell are also eligible for these funds if they meet certain criteria. (Budget Bill [HB 1500](#))
- **Maryland:** In its 2019 fiscal year budget, Maryland appropriated an additional \$650,000 to support the provision of free, in-classroom breakfast for thousands of children across hundreds of elementary and secondary schools in the state under Maryland Meals for Achievement In-Classroom Breakfast (MMFA) program. MMFA funding was previously limited to students attending elementary school. This additional funding makes the total state funds awarded for schools under the MMFA program \$7.5 million for the school year 2018-19. (Chapter 562, SB818)

Incentivize Schools to Increase School Breakfast Participation

States can provide funding to incentivize schools and school districts to increase participation in the school breakfast program or to improve the quality and appeal of the breakfasts served.

Why this matter?

Although policy changes requiring or encouraging schools to adopt BAB are the most effective methods to increase access to and participation in school breakfast, there may be other reasons to provide additional financial support to school breakfast programs.

Key Considerations and Examples

While additional money can be helpful to school districts to support their school breakfast programs, there is no evidence that these types of policy changes lead to meaningful participation increases. Nonetheless, a number of states, including Wisconsin, New York, Michigan, Pennsylvania, Rhode Island, Washington and District of Columbia, have appropriated an extra per-meal reimbursement as an incentive for schools to expand access to school breakfast.

- **New York** provides an additional state reimbursement of \$0.1013 per free breakfast, \$0.1566 per reduced-price breakfast, \$0.023 per paid breakfast for SY2016-2017.
- **Pennsylvania** provides an additional state reimbursement of \$0.10 per breakfast served.
- **Minnesota** provides an additional reimbursement of 30 cents for each reduced-price breakfast, \$0.55 per paid breakfast served in grade 1-12, and \$1.30 per paid breakfast served in kindergarten and voluntary pre-kindergarten programs.

Eliminate the Reduced-Price Meals Category

Eliminating the reduced-price meals category can help increase participation in the school breakfast program among low-income children. School meals are reimbursed based on free, reduced-price and paid meal categorizations based on family income thresholds.

Why this matter?

Some low-income families have high enough incomes to only qualify them to receive reduced-price meals, but still, struggle to pay the reduced-price copayments. Eliminating the reduced-price meals category would reduce the financial burden and barriers for families who are required to make the copayments. It would also help reduce administrative challenges for schools that are otherwise required to keep track of which students qualify for reduced-price meals, collect these copayments and ensure delinquent accounts are repaid.

Key Considerations and Examples

Eleven states have eliminated the reduced-price copay for school breakfast and/or lunch for children from low-income families. Most of these states have provided funding to cover the cost of providing free meals to these children who would otherwise be required to copay for the reduced-price meal. A number of states have eliminated the reduced-price meal category for school breakfast or lunch or both.

The eleven states are Colorado, District of Columbia, Maine, Maryland, Minnesota, Oregon, New Hampshire, New York, North Carolina, Vermont, and Washington.

- **Colorado:** the state law under [CO SB 07-059](#) eliminated the \$0.30 reduced-price copayment for breakfast paid by families for students in all grades, whereas the law under [CO SB 08-123](#) eliminated the reduced-price copayment of \$0.40 for lunch at all grade levels (K-12).
- **New York:** The state provided \$2.3 million in its fiscal year 2020 budget to eliminate the reduced-price copays for both school breakfast and lunch. ([SB1503-D](#))

Require or Encourage Eligible Schools to Offer CEP

Encouraging or requiring eligible schools and districts to implement the Community Eligibility Provision (CEP), a federal financing option that allows high-poverty schools to offer free school breakfast and lunch to all students. This type of policy could also include a requirement that CEP eligible but non-participating schools and school districts provide the reasons for non-participation and the support they would need in order to participate in the CEP program.

Why this matter?

The Community Eligibility Provision helps to reduce the incidence of stigma and discrimination that low-income children face participating in the school meals programs since all children eat free regardless of income. It also helps schools by eliminating the paperwork and labor related to collecting free and reduced-price eligibility information from families and tracking meal payments based on eligibility status, mitigates the problem of unpaid meal charges, and supports the financial bottom-line of schools. For schools that implement BAB, this policy option will also help address some of the payment logistics, making the implementation of BAB strategies much easier. However, despite these benefits, CEP is underutilized and not all eligible schools and districts are participating. Policy changes can help to encourage adoption or pinpoint reasons for non-adoption that the state agency or advocates can work with schools to address.

Key Considerations and Examples

This is a growing policy opportunity area for states. In order to develop a targeted intervention that would address the unique needs of each school and district, requiring schools and districts to identify reasons for CEP non-participation can be a helpful starting point for determining future policy options to encourage CEP adoption.

- **Washington State:** enacted a law in 2019 ([WA H 1151/S 5105](#)), which has the following notable features:
 - It requires the state education agency, Office of Public Instruction (OPI), to develop and implement a plan to increase the number of schools participating in CEP in school year 18-19 and the subsequent years.
 - It also requires OPI to prepare and submit an annual report evaluating barriers to CEP implementation; policy and legislative recommendations to address barriers; reasons potentially eligible schools and school districts are not participating in CEP and approaches other states are taking to adopt CEP.
- Minnesota, Oregon, South Carolina, Rhode Island, and Texas have also considered bills that would encourage or require schools and districts to adopt CEP but has only been successful in Oregon and

South Carolina. Most of these CEP bills would have required CEP eligible schools/district to implement it and identify reasons and barriers for non-participation for those that are eligible but not participating in CEP.

Require Publicly Available School-Level Breakfast Participation Data

Require the state agency to make school-level breakfast and lunch participation data publicly available, including the breakfast delivery models schools are implementing.

Why this matter?

Publication of school-level breakfast and lunch data in a way that the public can easily access would help advocates identify schools with high need and low breakfast participation rates. It can also be helpful to track participation trends and assess the effectiveness of programs or policies aimed at improving breakfast participation.

Broadly, this policy option would help ensure accountability and transparency in school meal programs, equipping policymakers and educators to make data-driven and evidence-based policy decisions on how best to address participation barriers in the school meal programs. Requiring the collection of breakfast model type can also help identify the landscape of Breakfast After the Bell implementation and the effectiveness of those models at meeting the need for the school meal programs.

Key Considerations and Examples

Maine, Pennsylvania, and Texas are notable states that publicly post school-level breakfast participation and related information.

- **Maine:** The Department of Education publishes school-level breakfast participation data on its website under a report called [School Participation Rate Report](#).
- **Pennsylvania:** The state has a [Building Data Reports](#) system, which is published annually and hosted at the Department of Education's website. The system publishes school/site-level data pertaining to free and reduced-price meals approved students and the percentage of free and reduced-price eligible students per the enrollment.
- **Texas:** The Texas Department of Agriculture, which administers the child nutrition programs, introduced a new system called [Texas Open Data Portal](#) where the school/site-level program participation rate is publicly available.