

ISSUE BRIEF

No. 4622 | NOVEMBER 3, 2016

Getting the Facts Straight on School Meals and Child Nutrition Reauthorization

Daren Bakst and Rachel Sheffield

The House and the Senate might soon consider child nutrition bills¹ that would reauthorize the infamous Healthy, Hunger-Free Kids Act of 2010.²

Both bills would maintain a new provision that gives free meals to students regardless of family income (i.e., universal school meals), leave intact (with some minor tweaks) the prescriptive federal school meal standards, and expand welfare and federal food assistance. As is too often the case, should either bill move forward, many policymakers, including conservatives, would be conceding child nutrition policy to those seeking greater federal control and a larger welfare state.

In considering child nutrition legislation, policymakers should carefully evaluate the many claims made by proponents about major aspects of the child nutrition programs. This paper addresses many of these claims.

Community Eligibility Provision

The Community Eligibility Provision (CEP), a provision in the Healthy, Hunger-Free Kids Act, makes it possible for students, regardless of family income, to receive free school meals.³ If 40 percent of students in a school, group of schools, or school district are identified as eligible for free meals because

they receive benefits from another means-tested welfare program like food stamps, then all students can receive free meals.⁴

The House bill (unlike the Senate bill) at least attempts to address this problematic policy.⁵ It would increase the 40 percent threshold to 60 percent, which would help increase the likelihood that only children who are truly in need would receive free meals.⁶ However, it still legitimizes the notion of universal school meals. Congress should not merely tinker with CEP. It should be eliminated.

Claim: Limiting or eliminating CEP would take free meals away from poor children.

Reality: CEP inappropriately expanded free meals to those who otherwise would not be eligible for free meals. If CEP were eliminated (as it should be), all students who are eligible for free or reduced-priced meals would remain eligible.⁷

Claim: If the House bill's change to the CEP threshold is adopted, some high-poverty schools will lose eligibility for CEP.

Reality: Increasing the CEP threshold or eliminating CEP would have no impact on whether high-poverty (a subjective term) schools could provide free and reduced-priced meals to eligible students. The school meal programs would continue to operate as in the past, providing free or reduced-price lunches to low-income students.

Further, the school meal programs are not designed to serve low-income *schools*; they are designed to serve low-income *children*. If every school in the country was no longer eligible for CEP, this would not affect whether low-income children could receive free or reduced-priced meals.

This paper, in its entirety, can be found at <http://report.heritage.org/ib4622>

The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
(202) 546-4400 | heritage.org

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Proponents of CEP fail to mention its impact on wealthy schools. By being able to group wealthy schools with high-poverty schools when calculating the threshold, CEP makes it possible for some wealthy schools (schools with few to no low-income students) to provide free meals for all students regardless of family income.⁸ Schools should not be providing welfare to middle-class and wealthy students.

Claim: According to the U.S. Department of Agriculture's (USDA) final evaluation of CEP, schools that participated in CEP saw an increase in school meal program participation: a 5 percent increase for school lunch participation and a 9 percent increase for school breakfast participation, on average.⁹

Reality: The USDA has not even measured whether any increased participation is due to more low-income students participating or due to more middle-income and upper-income students participating. If schools start giving away free meals to all students rather than just some, then of course more students will eat school meals.

Claim: CEP is needed because the application process for school meal programs is burdensome for schools.

Reality: Reducing burden does not justify providing free meals to students regardless of income. The application process is necessary to ensure that benefits are going to those who are truly eligible.

Ironically, many proponents of CEP claiming concern about administrative burden on schools are the same people supporting the burdensome and costly school meal standards.¹⁰

Claim: Some eligible children may be missing out on free school meal programs because the application process creates an obstacle for parents. CEP eliminates the need for parents to fill out applications, so eligible children will no longer miss out.

Reality: As explained, the application process ensures that benefits are going to those who are truly eligible. Further, based on communication with the USDA,¹¹ the department has no data to indicate the number of eligible students who are not participating in school meal programs nor does it have data indicating the reasons for nonparticipation.

Schools seem to go out of their way to inform families about the school meal programs.¹² In fact, the House bill includes a provision to limit the

1. "Improving Child Nutrition and Education Act of 2016," H.R. 5003, 114th Cong., 2nd Sess. (2015–2016), <https://www.congress.gov/bill/114th-congress/house-bill/5003> (accessed November 1, 2016), and "Improving Child Nutrition Integrity and Access Act of 2016," S.____, 114th Cong., 2nd Sess. (2016), <http://www.agriculture.senate.gov/imo/media/doc/WEL16005.pdf> (accessed October 26, 2016).
2. Healthy, Hunger-Free Kids Act of 2010, Public Law 111–296.
3. U.S. Department of Agriculture, Food and Nutrition Service, "School Meals: Community Eligibility Provision," September 6, 2016, <http://www.fns.usda.gov/school-meals/community-eligibility-provision> (accessed October 27, 2016).
4. U.S. Department of Agriculture, "The Community Eligibility Provision (CEP): What Does It Mean For Your School or Local Educational Agency?" April 2015, <http://www.fns.usda.gov/sites/default/files/cn/CEPfactsheet.pdf> (accessed October 26, 2016).
5. "Improving Child Nutrition and Education Act of 2016," and "Improving Child Nutrition Integrity and Access Act of 2016."
6. "Bill Summary: The Improving Child Nutrition and Education Act," Education & the Workforce Committee, U.S. House of Representatives, http://edworkforce.house.gov/uploadedfiles/bill_summary_-_improving_child_nutrition_and_education_act.pdf (accessed October 27, 2016).
7. Students eligible for reduced-priced meals would no longer receive free meals but would still receive reduced-priced meals. This is how the program has worked for many years, distinguishing between income levels.
8. Rachel Sheffield and Daren Bakst, "Child Nutrition Reauthorization: Time for Serious Reform, not Tinkering," Heritage Foundation *Issue Brief* No. 4570, May 26, 2016, <http://www.heritage.org/research/reports/2016/05/child-nutrition-reauthorization-time-for-serious-reform-not-tinkering>.
9. U.S. Department of Agriculture, Food and Nutrition Service, "Community Eligibility Provision Evaluation: Summary," February 2014, http://www.fns.usda.gov/sites/default/files/CEPEvaluation_Summary.pdf (accessed November 1, 2016).
10. Press release, "Costs of Nutrition Standards Threaten School Meal Programs," School Nutrition Association, August 25, 2015, <https://schoolnutrition.org/PressReleases/CostsofNutritionStandardsThreatenSchoolMealPrograms/> (accessed October 26, 2016).
11. The authors had e-mail and phone communications with USDA staff regarding this matter.
12. See e.g., Maryland Department of Education, "Activities and Resources for Increasing School Meal Participation," <http://archives.marylandpublicschools.org/NR/rdonlyres/C73389BB-4598-4056-B637-E8B7F58FBE29/21412/IncreasingSchoolMealParticipationattachment2.pdf> (accessed November 1, 2016), and Arizona Department of Education, "Tips for Increasing Participation in the NSLP," <https://www.azed.gov/health-nutrition/files/2012/03/tips-for-increasing-participation-in-the-nslp-sy2013.pdf> (accessed November 1, 2016).

number of times a school can request that a family apply.¹³

Current Federal School Meal Standards

The Healthy, Hunger-Free Kids Act put into place strict, one-size-fits-all meal standards that dictate the specific types and amount of food that schools can serve.¹⁴ For example, students are required to take fruits and vegetables, even if they do not want them, and only certain types of milk can be offered. These restrictions have caused an outcry among school officials, students, and parents.¹⁵

Claim: The federal government needs to dictate detailed school meal standards to ensure that students eat healthy food.

Reality: The most basic requirement of any school meal program should be to ensure that children actually eat. The current federal school meal standards have failed at meeting this basic requirement. There is still significant plate waste, as shown in the Government Accountability Office's research on the school lunch program.¹⁶ Local officials also have little flexibility to adapt meals to best meet the needs of their students.

Schools are rightfully complaining about the massive costs associated with implementing the new standards.¹⁷ There are even claims that some schools are diverting education money to meet federal meal requirements.¹⁸ The school meal standards "debate" is

not really a question of nutrition as much a question of federalism and control.¹⁹ Proponents are favoring a one-size-fits-all federally centralized policy while opponents are favoring states and local community control.

The details of school meal standards should be left to local communities who best know the specific needs of their students. This is a pro-parent approach as well. By making the decisions local, parents can have more say as to what schools serve. (It is easier to have influence on local officials than on unaccountable USDA bureaucrats.) Such an approach will encourage innovation that could help communities learn from each other.

The Summer EBT Program

The Summer Electronic Benefit Transfer (EBT) program provides low-income families with funds on a debit card to pay for food during the summer months when children are out of school.²⁰ The program has currently been operated as a pilot program, but the Senate bill would make it permanent²¹ and the House bill continues it as a pilot.²²

Claim: Congress needs to make the Summer EBT program permanent to ensure that children are fed during the summer months.

Reality: A new government food program is not the answer. Funding for child nutrition has doubled since 1990, in constant dollars.²³ Policymak-

13. Food Research and Action Center, "FRAC Analysis of the House Education & Workforce Committee's Majority Child Nutrition Reauthorization Bill," April 26, 2016, <http://frac.org/frac-analysis-of-the-house-education-workforce-committees-majority-child-nutrition-reauthorization-bill/> (accessed October 26, 2016).
14. U.S. Department of Agriculture, Food and Nutrition Service, "School Meals: Nutrition Standards for School Meals," August 11, 2016, <http://www.fns.usda.gov/school-meals/nutrition-standards-school-meals> (accessed October 26, 2016).
15. Rob Bluey, "These Gross School Lunch Pictures Are Going Viral with the Hashtag #ThanksMichelleObama," Daily Signal, November 21, 2014, <http://dailysignal.com/2014/11/21/gross-school-lunch-pictures-going-viral-hashtag-thanksmichelleobama/>.
16. U.S. Government Accountability Office, "School Nutrition: USDA Has Efforts Underway to Help Address Ongoing Challenges Implementing Changes in Nutrition Standards," September 14, 2015, <http://gao.gov/products/GAO-15-656> (accessed October 25, 2016).
17. Leslie Finnan, "AASA Senate CNR Hotline Letter," The School Superintendents Association, September 15, 2016, [http://www.aasa.org/uploadedFiles/AASA_Blog\(1\)/AASA%20Senate%20CNR%20Hotline%20Letter.pdf](http://www.aasa.org/uploadedFiles/AASA_Blog(1)/AASA%20Senate%20CNR%20Hotline%20Letter.pdf) (accessed October 26, 2016).
18. Erik Wasson, "Michelle's Meals Turn Off the Kids," *The Hill*, May 21, 2014, <http://thehill.com/policy/finance/206734-michelles-meals-turn-off-the-kids> (accessed October 26, 2016).
19. Rachel Sheffield and Daren Bakst, "Congress Shouldn't Push Obama's Flawed Child Nutrition Policy on Children," Daily Signal, January 25, 2016, <http://dailysignal.com/2016/01/25/congress-shouldnt-push-obamas-flawed-child-nutrition-policy-on-children/>.
20. U.S. Department of Agriculture, Food and Nutrition Service, "Summer Electronic Benefit Transfer for Children (SEBTC)," May 11, 2016, <http://www.fns.usda.gov/ops/summer-electronic-benefit-transfer-children-sebtc> (accessed October 25, 2016).
21. Katharine Ryan, "Senate Child Nutrition Bill Passes Committee," Food Lifeline, Frontburner blog, <https://foodlifeline.org/blog/201602/01-senate-child-nutrition-bill-passes> (accessed October 27, 2016).
22. "Bill Summary: The Improving Child Nutrition and Education Act," Education and the Workforce Committee.
23. Congressional Budget Office, "Child Nutrition Programs: Spending and Policy Options," September 25, 2015, <https://www.cbo.gov/publication/50737> (accessed October 25, 2016).

ers often fail to look at the entire government food assistance system, which already costs \$112 billion annually and consists of about a dozen food assistance programs.²⁴ These include food stamps and WIC (Women, Infants, and Children program), as well as an already existing summer food program for children.²⁵

The Summer EBT program is touted as a program for children, but it is difficult to label it a program for children when there is no way to determine whether children or adults are receiving the benefits. Anyone in the household can use the EBT card or eat food purchased by the funds. The Summer EBT program is effectively an expansion of the food stamps program, in that it provides money on a debit card to purchase food for anyone in the household.

Conclusion

Policymakers should reject the proposed legislation that is merely the “Healthy, Hunger-Free Kids Act Part II.” Instead, they should push child nutrition policies that ensure that school meals go to students who are truly in need (as has always been the case), develop school meal standards that give flexibility to local communities and respect both parents and students, and not add yet another program to the welfare state.

—*Daren Bakst is Research Fellow in Agricultural Policy in the Thomas A. Roe Institute for Economic Policy Studies, of the Institute for Economic Freedom and Opportunity, at The Heritage Foundation. Rachel Sheffield is a Policy Analyst in the Richard and Helen DeVos Center for Religion and Civil Society, of the Institute for Family, Community, and Opportunity, at The Heritage Foundation.*

24. Heritage Foundation calculations based on U.S. Office of Management and Budget, *President’s Budget for Fiscal Year 2017*, <https://www.whitehouse.gov/omb/budget> (accessed October 27, 2016).

25. U.S. Department of Agriculture, Food and Nutrition Service, “Summer Food Service Program,” <http://www.fns.usda.gov/sfsp/summer-food-service-program> (accessed October 27, 2016).