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Ensuring Equitable Access to School Meals

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NUTRITIOUS SCHOOL MEALS for all children—regardless of family income—is important to our nation's future. Every day, children, families, schools, and our nation face ramifications of unpaid meal debt and associated lunch shaming. This article provides an overview of the increasing prevalence of unpaid meal debt and associated lunch shaming within our nation's schools and the Academy's current policy stance to address this issue, developed by the Child Nutrition Reauthorization working group and approved by the Academy Board of Directors. The Academy advocates for addressing the root cause of lunch shaming, which is unpaid meal debt, and thereby supports equitable access to school meals by expanding and strengthening universal school meal policies and programs and the Community Eligibility Provision.¹

INCREASING PREVALENCE AND RAMIFICATIONS OF UNPAID MEAL DEBT

Participation in the National School Lunch Program (NSLP) has declined over the last few years, with the biggest decline occurring in the paid student category while participation in the free category increased.²⁻⁴ In part, the shift in participation away from the paid toward the free category reflects the greater number of students qualifying for free and reduced-price meals during the 2007-2009 recession and slow economic recovery, as well as through the use and expansion of the Community Eligibility Provision (CEP). Launched after the passage of the Healthy, Hunger-Free Kids Act,² this provision allows a school to offer free meals to all students without collection

of the meal applications normally required for free and reduced-priced meals. Under CEP, schools are reimbursed using a formula based on the percentage of students categorically eligible for free meals given their participation in other specific means-tested programs, such as the Supplemental Nutrition Assistance Program and Temporary Assistance for Needy Families.⁵ Some Academy members reported in an informal information-gathering survey that CEP reduces administrative burden associated with free and reduced-price meal application management and allows for more focused time on healthy menu planning, nutrition education, and customer service.

Another reason for the decline in participation in the paid category is attributed to increasing school meal prices. A recent US Department of Agriculture's (USDA) School Nutrition and Meal Cost Study reported a 10-cent increase in the price of a paid lunch was associated with a decline of 0.7% in the rate of paid meal NSLP participation.⁶ Local discretion is used to establish the paid prices and to decide whether to extend a child in the paid category a credit or meal substitution if they do not have money to pay for their meal. The estimated average cost of a paid school lunch meal in the United States is between \$2.48 and \$2.74 depending on grade level.⁷ Meal debt can add up quickly over a week, month, or school year for families with multiple school-aged children living just above the reduced-priced category income cutoff who are unable to pay the balance.⁸

As NSLP student participation declines, students' unpaid meal debt—or the amount a student owes to the school lunch program for meals provided, without payment or other means of federal reimbursement—is growing and becoming a concern that affects both families and schools. Although there are limited data on the

exact source of unpaid student meal debt, a School Nutrition Operations Report found more than 75% of school districts surveyed reported having unpaid student meal debt at the end of the school year,⁸ with a median balance of \$3,400. These debts accrued even while school districts were employing proactive tactics to prevent or minimize student meal charges, including implementing online payment and account balance monitoring systems; notifying parents and care providers directly about low balances or meal charges; using automated phone calls, texts, or e-mails for low balance notifications; offering technical assistance to families completing free and reduced-price applications; and offering financial assistance through donations.

At the student level, effects of unpaid meal debt can include hunger and embarrassment (see callout box for examples). Now known as lunch shaming, this issue has made national headlines, with some reports highlighting instances where students with unpaid meal debt have been overtly identified as unable to pay for school meals resulting in the student visibly bearing the responsibility of the parents' inability to pay.^{9,10}

At the school district level, unpaid student meal debt is considered an unpaid meal charge, when a student is given a school meal but does not have the means to pay and does not participate or qualify for free or reduced-priced meals through the USDA School Meal Programs. The total amount a school accrues due to unpaid meal charges cannot statutorily be paid off using federal child nutrition funds and must be written off as an operating loss, which should be paid using the school district's general fund or other nonfederal sources.¹¹ In other words, cash-strapped schools use limited educational funds to cover student meals.

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Bill Title and Status ^a	Summary	Strengths (+) and Limitations (–)
Anti-Lunch Shaming Act of 2019 (HR ^b 2311 and S ^c 1119)	<p>Prohibits:</p> <ul style="list-style-type: none"> Stigmatization, such as requiring wristband or hand stamp, of a child unable to pay for a meal or who has unpaid meal debt Requiring children to perform chores or activities not generally required by students Served meal from being disposed <p>Requires:</p> <ul style="list-style-type: none"> All communication concerning debt be directed toward parents and distributed in a manner that does not stigmatize the child 	<ul style="list-style-type: none"> + Prohibits shaming/stigmatization of students + Specifies appropriate communication methods for addressing meal debt – Does not include provisions to address unpaid meal debt
No Shame at School Act (HR 3366 and S 1907)	<p>Prohibits:</p> <ul style="list-style-type: none"> Overt stigmatization, such as requiring wristband or hand stamp or withholding educational opportunities, of a child unable to pay for a meal or who has unpaid meal debt Served meal from being disposed <p>Requires:</p> <ul style="list-style-type: none"> All communication concerning debt be directed toward parents and distributed in a manner that does not stigmatize the child School districts to make efforts to directly certify or assist in school meal application for children in a family who owe a week or more of unpaid meal debt <p>Authorizes:</p> <ul style="list-style-type: none"> Federal government to retroactively reimburse meals for up to 90 days 	<ul style="list-style-type: none"> + Prohibits shaming/stigmatization of students + Specifies appropriate communication methods for addressing meal debt + Promotes mechanism to collect on unpaid meal debt – Does not address how the source of the majority of unpaid meal debt is not well understood so will likely fall short of fully addressing unpaid meal debt
Caregivers Access and Responsible Expansion for Kids Act of 2019 (S 2760)	<p>Authorizes:</p> <ul style="list-style-type: none"> Direct certification for free school meals for children who are being raised by a relative who receives adoption or guardianship assistance, being raised by a grandparent or relatives due to placement by a state or tribal child welfare agency, living with grandparents/relatives with housing assistance, or automatically eligible for Medicaid 	<ul style="list-style-type: none"> + Expands on the Healthy Hunger Free Kids Act inclusion of direct certification for foster children + Expands access to free school meals for vulnerable children – Does not address how the source of the majority of unpaid meal debt is not well understood so will likely fall short of fully addressing unpaid meal debt
Expanding Access to School Meals (HR 5308)	<p>Eliminates:</p> <ul style="list-style-type: none"> The reduced-price breakfast and lunch category <p>Increases or Expands:</p> <ul style="list-style-type: none"> Income eligibility for free school meals to 200% of federal poverty level Direct certification to Medicaid and CHIP^d recipients The CEP^e multiplier <p>Authorizes:</p> <ul style="list-style-type: none"> The federal government to retroactively reimburse meals for up to 90 days 	<ul style="list-style-type: none"> + Promotes mechanism to collect on unpaid meal debt with retroactive reimbursement + Promotes expansion of direct certification for the most vulnerable population of children + Improves eligibility criteria for free meals and increases reach of CEP – Does not address how the source of the majority of unpaid meal debt is not well understood so will likely fall short of fully addressing unpaid meal debt

(continued on next page)

Figure 1. Proposed current federal legislation to address unpaid meal debt and ensure equitable access to school meals.

Bill Title and Status ^a	Summary	Strengths (+) and Limitations (–)
School Modernization and Efficient Access to Lunches for Students Act of 2019 (HR 5283 and S 2692)	Provides funding: <ul style="list-style-type: none"> To improve direct certification process and infrastructure; and For USDA^f direct certification technical assistance Eliminates: <ul style="list-style-type: none"> CEP application deadline of June 30 and expands eligibility data time frame 	+ Improves mechanisms to support full uptake of both CEP and direct certification provisions + Expands access to free school meals for vulnerable children – Does not address how the source of the majority of unpaid meal debt is not well understood so will likely fall short of fully addressing unpaid meal debt
Universal School Meals Program Act of 2019 (S 2609 and HR 4684)	Prohibits: <ul style="list-style-type: none"> Children being denied school meals Provides: <ul style="list-style-type: none"> School lunch and breakfast for free to all children Free summer and after school meals and snacks to all children Increases or Expands: <ul style="list-style-type: none"> Promotion of procurement of local foods Reimbursement to the USDA-recommended amounts Summer EBT^g benefits to all eligible children 	+ Promotes mechanism to feed all children + Increases reimbursement to support the purchase of healthy meals + Promotes procurement of local food + Addresses year-round food needs – Expensive

^aAll bills have only been introduced and referred to their committees of jurisdiction in the House and/or Senate (as of April 1, 2020).
^bHR=House of Representatives.
^cS=Senate.
^dCHIP=Children's Health Insurance Program.
^eCEP=Community Eligibility Provision.
^fUSDA=US Department of Agriculture.
^gEBT=electronic benefit transfer.

Figure 1. (continued) Proposed current federal legislation to address unpaid meal debt and ensure equitable access to school meals.

ADDRESSING UNPAID MEAL DEBT AND ENSURING EQUITABLE ACCESS TO SCHOOL MEALS

In the Healthy, Hunger-Free Kids Act, the US Congress required the USDA to examine and report on school meal debt and alternate meal policies and practices of state agencies and local educational agencies, and it required a report on the feasibility of establishing national standards for such policies. The USDA included questions about charge and alternate meal policies in a multiyear, nationally representative study¹² and also issued a request for information that generated more than 460 comments.¹³ In their report to

Congress, the USDA shared that 58% of local educational authorities incurred unpaid meal costs during school year 2010–2011 and more than 93% served a reimbursable school meal on credit or an alternate meal to children who were not certified for free or reduced-price meals and were unable to pay for a meal. The study also found nearly all local educational authorities incurred unpaid meal debt and tried to recover the costs, usually by billing the student's parents or providers. Ultimately, the USDA required school districts to establish a policy for unpaid school meal fees but did not establish any national standards for what states or districts must include in these policies.¹⁴

In light of the lack of a federal mandate on what must be included in district unpaid school meal fee policies, school meal debt continues to grow. The Academy supports efforts to develop a federal data strategy to help determine a more accurate annual estimate of unpaid meal debt and a more contextualized understanding of the real source of unpaid meal debt across diverse school settings.¹⁵

The Academy's child nutrition reauthorization priorities include promoting direct certification systems and the CEP to address both unpaid meal debt and lunch shaming.¹⁶ More work remains to be done to increase the number of students eligible through direct certification, such as expanding

Anti—Lunch Shaming Legislation	Elimination of Reduced-Price Meal Category Legislation	Universal Meal or Establishment of Funding to Support Free Meals for All Legislation
Arkansas, California, Georgia, Iowa, Kentucky, Louisiana, Maine, New Hampshire, New Jersey, New York, North Carolina, New Mexico, New York, Oregon, Pennsylvania, Virginia, Wisconsin	Colorado, Washington DC, Maine, Maryland, Minnesota, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Oregon, Vermont, Washington	Oregon, West Virginia

Figure 2. States aiming to address lunch shaming and unpaid meal debt through legislation.

Medicaid direct certification to all states, permitting children receiving Supplemental Security Income benefits or living in households receiving guardianship or adoption assistance to be directly certified for school meals, encouraging state agencies to perform direct certification more often to ensure newly eligible households are categorized correctly as soon as possible, and extending categorical eligibility to all children in a household if another child has been certified. Although more than 24,000 school districts currently participate in the CEP, including entire cities such as New York City, not all schools are eligible to participate; only a fraction of the 45% of eligible NSLP schools have chosen to participate. According to the USDA Economic Research Service, high-poverty schools are most likely to adopt CEP.¹⁷

Figure 1 lists proposed current federal legislation striving to protect the NSLP as a reliable source of nutritious meals 5 days a week during the school year, free from stigma. Although slightly unique in their approaches, many of these bills if passed would help make significant progress toward increasing access and reach of school meals and reducing lunch shaming. Eliminating lunch shaming relies on fully addressing unpaid meal debt, which was the Academy's rationale for supporting universal meals in its most recent child nutrition reauthorization priorities.

Unpaid meal charge: When a student is given a school meal but does not have the means to pay and does not participate or qualify for free or reduced-price meals through the US Department of Agriculture (USDA) School Meal Programs.

Unpaid meal debt: The amount a student owes to the school lunch program for meals provided, without payment or other means of federal reimbursement. Also refers to the total amount a school has accrued due to unpaid meal charges.

Lunch shaming: When a student who has unpaid meal debt is overtly identified as unable to pay for school meals; examples include throwing the meal away at the end of the service line, marking a child's hand with an x, or giving an alternate meal of minimal nutritional value.

Universal school meals: Allows all students to eat school meals at no cost to the participating students.

Community Eligibility Provision: A USDA Food and Nutrition Service non-pricing meal service option for schools and school districts in low-income areas that allows our nation's highest-poverty schools and districts to serve breakfast and lunch at no cost to all enrolled students without collecting household applications. Schools are reimbursed using a formula based on the percentage of students categorically eligible for free meals based on their participation in other specific means-tested programs (e.g., the USDA Supplemental Nutrition Assistance Program or Temporary Assistance for Needy Families).

Several state governments have considered and enacted legislation to address lunch shaming and unpaid meal debt. Fifteen states have enacted anti-lunch shaming legislation, 13 states have enacted legislation to eliminate the reduced-price meal category, and 2 states have enacted legislation to support movement toward universal meals for all students (see Figure 2). The Academy appreciates innovation in this area but also encourages states to continue to monitor and, if needed, respond to certain instances of unintended consequences of increasing meal debt. If a school district avoids lunch shaming and provides a student an unpaid meal charge, it ultimately must manage increased unpaid meal charges. Locally, many school districts have been developing innovative strategies and partnerships to mitigate unpaid meal debt and lunch shaming, such as encouraging families to complete their school meal applications and raising funds to pay off debt. The Academy is concerned that many local solutions are temporary and thus not sustainable and not always an option for communities with limited resources.

INVEST IN THE FUTURE

Healthy school meals are as important to learning as textbooks and pencils. The Academy believes an investment in universal school meals is an investment in our country's future. It is the position of the Academy of Nutrition and Dietetics that access to enough food for an active, healthy life is a basic human need and fundamental right and that children and adolescents should have access to an adequate supply of healthful and safe foods that promote optimal physical, cognitive, and social growth and development.^{18,19} Academy members see firsthand the negative effects of lunch shaming and have voiced support for policy solutions addressing the underlying cause of lunch shaming: unpaid meal debt. We are also tackling feeding low-income children during an unprecedented COVID-19 pandemic and recognize the immediate need for innovative federal nutrition assistance approaches such as strengthening CEP

to help address food insecurity and alleviate poverty.²⁰ As President Harry Truman stated when establishing NSLP: “In the long view, no nation is any healthier than its children or more prosperous than its farmers.”²¹

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