

ADDRESSING HUNGER AND NUTRITION

A Tool Kit for Positive Results



National
Conference
of
State
Legislatures

National School Lunch Program

By Chandra Kring

June 2005

The National School Lunch Program is a federally assisted meal program that operates in public and nonprofit private schools and residential child care centers. It provides nutritionally balanced, low-cost or free lunches to more than 26 million children each school day. In 1998, Congress expanded the National School Lunch Program to include reimbursements for snacks served to children in after-school educational and enrichment programs to include children through age 18.

School districts and independent schools that choose to participate in the school lunch program receive cash subsidies and donated commodities from the USDA for each meal they serve. Schools can also receive “bonus” commodities when available from surplus agricultural stocks. In return, they must serve lunches that meet federal requirements, and they must offer free or reduced prices to eligible children.

Through Team Nutrition, USDA provides:

- Schools with technical training and assistance to help school food service staff prepare healthful meals.
- Nutrition education to help children understand the link between diet and health.

The USDA's Food and Nutrition Service (FNS) administers the National School Lunch Program at the federal level. At the state level, the program is administered by state education agencies, which operate the program through agreements with school food authorities.

School lunches must meet the recommendations of the Dietary Guidelines for Americans, but decisions about what specific foods to serve and how they are prepared are made by local school food authorities.

Eligibility

Any child who is enrolled in a participating school may purchase a meal through the National School Lunch Program. Children from families with incomes at or below 130 percent of the poverty level are eligible for free meals. Those with incomes between 130 percent and 185 percent of the poverty level are eligible for reduced-price meals, for which students cannot be charged more than 40 cents per meal.

No immigration restrictions exist for child nutrition programs; children may obtain meals regardless of their immigration status. Since free and reduced-price meals qualify as a non-cash benefit, receiving them will not prevent the child's parents from receiving a “green card” or legal permanent residence.

After-school snacks are provided to children on the same income eligibility basis as school meals. However, schools may serve all their snacks at no charge if the program operates in an area where at least 50 percent of students are eligible for free or reduced-price meals.

In fiscal year 2003:

- Congress appropriated \$7.1 billion for the National School Lunch program.
- The program served more than 28.4 million children each day.

Program Issues and Challenges

Local Wellness Policies

Recognizing that schools play a critical role in promoting student health and preventing childhood obesity, Congress passed a law that requires each school district that participates in the National School Lunch and/or School Breakfast program to establish a local wellness policy by the beginning of the 2006-2007 school year. These wellness policies should include nutrition guidelines for all foods available on the school campus, assurance that the guidelines for school meals are not less restrictive than those set by the U.S. secretary of agriculture, and goals for nutrition education and physical activity.

Cost for Low-Income Parents

According to the School Nutrition Association (SNA) about 1 million children in the United States are eligible for a reduced-price school lunch but do not participate in the National School Lunch Program. Although the cost for that lunch is only \$.40 per day, many children cannot participate because their parents cannot afford that fee. In 2004, more than 500 school boards, state boards of education, state and national education groups, and others passed resolutions asking Congress to eliminate the reduced-price category as part of the reauthorization of the federal child nutrition programs. More than 100 congressmen and 15 senators cosponsored legislation that would take this step, which also synchronizes the National School Lunch Program income guidelines with those of the WIC program. As a result of this support, a five state pilot project to test the concept was authorized as part of the Child Nutrition and WIC Reauthorization Act of 2004; however, no funding has been appropriated.

Program Access for Noncitizens

One barrier is the concern among immigrants of becoming a “public charge.” Receiving a school lunch, even at the free or reduced rate, does not make an immigrant a public charge; thus, the immigrant will not be deported, denied permanent resident status, or denied U.S. citizenship because the immigrant's child receives school lunch. Other barriers include confusion about program rules and regulations

relating to immigrant eligibility, fear about sponsor liability and sponsor deeming, and language barriers. America's population demonstrates a broad linguistic and cultural diversity, with a significant number of non-English speakers. Federal guidance on equal protection requires state agencies to make services accessible to non-English-speakers ("language access.") To accomplish this, school lunch administrators are faced with the challenge of addressing the language and cultural needs of non-English-speaking households.

Program Models and Promising Practice

Local Wellness Policy Guidelines

By working closely with the **Kansas** Legislature, the Kansas State Department of Education (KSDE) was able to encourage passage of S.B. 154. This new law supports the federal requirements for local wellness policies by directing the KSDE to develop nutrition guidelines for all foods and beverages, physical activities and wellness education, with the goal of preventing and reducing childhood obesity. The law also requires that, when establishing the wellness policy of the school district, the board of education of each district shall take into consideration the guidelines developed by the state board. To develop the wellness policy guidelines, the KSDE invited content experts to participate in the following work groups: nutrition, physical activity and nutrition education. The KSDE evaluated standards and policies from other states, the federal government and national organizations, and guidelines were drafted. After public meetings are held at locations around the state to obtain further public comment, the model guidelines will be presented to the State Board of Education in August 2005. More information on this process can be found at www.kn-eat.org.

Team Nutrition Program Web-based Clearinghouse

The Team Nutrition Program's Local Wellness Policy Clearinghouse contains a number of resources to assist school districts in formulating their wellness policy. The clearinghouse contains reference materials, sample policies, information on funding and implementation tools and resources. It can be accessed at <http://www.fns.usda.gov/tn/Healthy/wellnesspolicy.html>.

The *Rethinking School Lunch Guide* from the Center for Ecoliteracy provides a planning framework that contains tools and creative solutions to the challenges of improving school lunch programs, academic performance, ecological knowledge, and the well-being of children. The guide can be found at <http://www.ecoliteracy.org/programs/rsl-guide.html>.

Using Provision 2 to Offer Universal School Meals

Provision 2 is a special assistance option offered to school districts through the USDA National School Lunch and Breakfast Program. This provision requires that a school or district serve meals to participating children at no charge. In return, Provision 2 reduces the application process for students to once every four years and no longer requires that the food service staff count meals by free, reduced and paid price categories. By using Provision 2, six schools in the Milwaukee School District in **Wisconsin** will start a pilot program during the 2005-2006 school year to provide all students with free breakfast and lunch (Universal Meals). To gain support for this pilot program, the Hunger Task Force (a private, nonprofit community organization that exists to prevent and eliminate hunger) formed a broad coalition with several groups, including the Milwaukee PTA, the teachers' union, the Wisconsin Dietetic Association and faith-based organizations. The Hunger Task Force is conducting outreach in the neighborhoods of the pilot schools to inform parents that their children will have access to free meals. They put together a packet on Provision 2 to help other schools implement a universal meal program. More information about the Hunger Task Force can be found at www.hungertaskforce.org.

Resources

- Federal Program Overview: <http://www.fns.usda.gov/cnd/lunch/>
- State Agency Contacts: <http://www.fns.usda.gov/cnd/Contacts/StateDirectory.htm>

Contact Information:

Hunger and Nutrition Partnership
National Conference of State Legislatures
444 North Capitol Street, N.W., Suite 515
Washington, D.C. 20001

Project Staff:

Ann Morse, Program Director, (202) 624-5400, ann.morse@ncsl.org
Katherine Gigliotti, Policy Associate, (202) 624-8691, katherine.gigliotti@ncsl.org
Project Web site: www.ncsl.org/programs/immig/hungerpartnership.htm

Definitions of commonly used hunger and nutrition terms can be found in NCSL's Hunger and Nutrition Partnership *Glossary of Hunger and Nutrition Terms* at <http://www.ncsl.org/programs/immig/Glossary.htm>.