

**Testimony to the  
Joint Fiscal Committees on the SFY 2018-2019 Executive Budget  
Education**

**Submitted by the Food Research and Action Center  
February 9, 2018**

Thank you for the opportunity to provide comments in support of the initiatives the Governor set forth in the “No Student Goes Hungry” proposal. Specifically, we are submitting testimony in support of:

- **Breakfast After the Bell** (\$7 million in funding for capital start-up costs and \$5 million in meal reimbursement)
- **Anti-lunch shaming** to eliminate practices that withhold or substitute meals or potentially shame or embarrass students who do not have enough money to pay for school meals
- **Lunch Incentive** of .25 cents to support schools’ increased procurement of NYS products (\$10 million funding in meal reimbursement)

**About the Food Research & Action Center**

The Food Research and Action Center (FRAC) is the leading national nonprofit organization working to improve public policies and public-private partnerships to eradicate hunger and undernutrition in the United States. FRAC has worked for decades to improve and strengthen the federal School Breakfast and other child nutrition programs through federal and state legislation and works extensively with federal, state, and local government agencies, schools, private nonprofits and other stakeholders to ensure that the programs reach the children who need them.

**Support Breakfast After the Bell**

Well-nourished children are better learners, better test-takers and more active participants in school—more likely to arrive at school on time, to behave and be attentive in class.<sup>1</sup> Children experiencing hunger have been found to have lower math scores and be more likely to repeat a grade.<sup>2</sup> Teens experiencing hunger are more likely to have been suspended from school and have difficulty getting along with other children.<sup>3</sup> The nutrient-rich foods provided through the school meal programs, which must meet federal nutrition standards, also can help reduce participants’ risk of obesity. A nationally

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<sup>1</sup> Murphy, J.M. “Breakfast and Learning: An Updated Review.” *Journal of Current Nutrition and Food Science* 2007; 3(1): 3-36.

<sup>2</sup> Alaimo, K, Olson, C.M., Frongillo, E.A. Jr. “Food Insufficiency and American School-Aged Children’s Cognitive, Academic, and Psychosocial Development.” *Pediatrics* 2001; 108(1):44-53.

<sup>3</sup> Id.

representative study found that school breakfast participation was associated with a significantly lower body mass index (BMI), an indicator of excess body fat.<sup>4</sup> Further, school meal participants are less likely to have nutrient deficiencies, and are more likely to consume fruit, vegetables, and milk at breakfast and lunch.<sup>5</sup>

Many of these positive impacts are particularly pronounced in the School Breakfast Program, which is vastly underutilized: in New York, only 52 low-income students who ate school lunch during the 2016-2017 school year also received a school breakfast, below the national average of 56.7:100.<sup>6</sup> The reason for the low participation is simple; in many schools, breakfast is served in the cafeteria before the school day begins. Long bus rides and commutes and busy morning schedules make getting to school early either inconvenient or impossible for overextended families. Social stigma associated with participating in school breakfast serves as another impediment for low-income children.

School districts—large and small, urban, suburban, and rural—across the country have had tremendous success in countering the barriers that keep students from participating by implementing Breakfast After the Bell programs. In fact, FRAC’s most recent report on national and state school breakfast programs found that the states and school districts doing the best job at reaching low-income students with school breakfast are those that have broadly implemented Breakfast After the Bell programs.

Governor Cuomo’s 2019 FY Budget Proposal includes a requirement for schools with more than 70 percent free and reduced price eligible students to offer Breakfast After the Bell. These schools would be required to offer school breakfast after the start of the regular school day, either in the classroom, through a grab n’ go method, a second chance breakfast, or other approved model.

The proposal:

- Increases access to school breakfast in high-need schools by requiring them to implement a Breakfast After the Bell model;
- Provides flexibility to choose the model of Breakfast After the Bell model that will work best for them;
- Allows New York to draw down millions of federal dollars in federal school breakfast reimbursement that will support school nutrition programs and ensure that New York’s students start the school day ready to learn;
- Provides \$7M in start-up grant funds for schools to purchase equipment such as coolers or delivery carts
- Clarifies that time spent eating school breakfast in the classroom is counted as instructional time

This proposal will impact more than **1,400** high need schools in New York that will receive the resources and technical assistance necessary to implement Breakfast After the Bell. An additional **109,000** children

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<sup>4</sup> Gleason, P.M. and Dodd, A.H. (2009). School breakfast program but not school lunch program participation is associated with lower body mass index. *Journal of the American Dietetic Association*, 109 (2 Supplement 1), S118-S128.

<sup>5</sup> Clark, M.A. and Fox, M.K. (2009). Nutritional quality of the diets of U.S. public school children and the role of the school meal programs. *Journal of the American Dietetic Association*, 109 (2 Supplement 1), S44-S56.

<sup>6</sup> Melcher, Etienne, “School Breakfast Scorecard School Year 2016-2017” (2018).

are expected to participate in school breakfast in these schools every day, resulting in an additional \$40 million in federal school breakfast reimbursement coming into New York.

There are two ways that the legislature can improve this proposal:

- **Offer Breakfast After the Bell at no charge in schools with 70 percent and above.** Schools with 70 percent or more free and reduced-price certified are able to offer free breakfast to all students without losing money. Most of the schools impacted by the Governor's proposal already offer free breakfast to all students, but 9 percent—103 schools—do not. This creates inequity among these schools by limiting participation among students certified for reduced-price school meals, who are charged for part of the cost of their breakfast; as well as those whose families are struggling to make ends meet, but who do not qualify for subsidized school meals. Federal options like the Community Eligibility Provision are available for the remaining 103 schools to offer free breakfast to all students at no additional cost to local districts or the state. **The legislature should require schools at 70 percent and above to offer free meals to all students.** By eliminating the barriers of school meal fees in high poverty schools, schools eliminate the stigma that the school breakfast program is only for low-income students, the problem of unpaid school meal fees, and Breakfast After the Bell programs are more efficient and result in the highest program participation. This approach—Breakfast After the Bell combined with offering breakfast for free to all students—has been combined in the two highest performing states on School Breakfast: New Mexico and West Virginia.
- **Lower Breakfast After the Bell Threshold from 70 to 60 percent.** Breakfast After the Bell legislation is a proven strategy to increase and maintain participation in the School Breakfast program, especially among low income students. The legislature could strengthen the proposal to grow participation in schools between 60 and 70 percent free and reduced price eligibility range, which still have significant poverty. These schools can help further close the school breakfast participation gap in all areas of the state. Every additional child who participates in Breakfast After the Bell starts the school day ready to learn. Broad participation in school breakfast which occurs through Breakfast After the Bell models, helps to increase the likelihood that low-income students participate and supports a more viable and sustainable school breakfast program. This simple change would reach an additional 35,000 children – for a total of 144,000 statewide – and would provide an estimated \$53 million in federal reimbursements.

This combined with the requirement for schools at 70 percent free and reduced-price certified also would make New York's Breakfast After the Bell policy one of the most progressive in the nation.

#### **Set a Strong Unpaid School Meal Policy**

The Governor's proposal on unpaid school meal policies will have an immediate positive impact on the lives of school children across the state. To address the issue of unpaid school meal fees, USDA requires school district to set and communicate a policy on what they will do when a child arrives in the school cafeteria without money in their school meal account or without cash in hand. However, there are not even minimum federal standards to protect students and too many districts' policies are silent on key components.

We are pleased that the Governor's proposal embraces the best practices that for unpaid school meal policies:

- Schools should communicate directly with parents or guardians to resolve outstanding meal debt without using the student as an intermediary.

- Schools should operationalize a process to establish eligibility for free/reduced price meals for students who are accruing meal debt.
- Schools should provide a meal that meets reimbursement criteria to all students regardless of their ability pay.
- Schools should eliminate any practice that singles out or otherwise punishes or embarrasses a student for their inability to pay.

The legislature can improve upon this proposal with the following amendments:

- **Ensure schools are connecting eligible families to free and reduced price school lunch throughout the year.** The current proposal does an excellent job of setting parameters for the free and reduced-price school meal application process at the beginning of the year. Yet, the bill language does not lay out requirements for school districts to share applications or assist in filling out applications throughout the school year. Specific language can be added to ensure eligible families are enrolled in free and reduced-price meals throughout the year, which is particularly important as many families experience unforeseeable circumstances over the course of the school year like losing a job or hours at work.
- **Ensure high-need schools implement options that limit or eliminate fees paid by households.** The best way to element unpaid school meal debt is to eliminate school meal fees. Many school districts have taken steps to offer free breakfast and/or lunch through Community Eligibility Provision or Provision 2, but many have not. In addition, many districts eliminate the reduced-price copay, which allows struggling families to participate in school meals. The requirement to offer free breakfast in schools with 70 percent free and reduced-price eligible students in conjunction with Breakfast After the Bell will play a significant role in reducing school meal debt.

The proposal takes a strong stand on supporting a healthy school nutrition environment for all students.

### **Support an Increased State Reimbursement for School Lunch Programs with 30 percent Locally-Sourced Food**

Farm to School programs offer an important way to improve the quality and appeal of school breakfast and lunch. This will lead more low-income children to participate in school meals, resulting in reduced hunger and improved nutrition. Governor Cuomo has proposed \$10 million to quadruple the current meal reimbursement – from 6 cents to 25 cents – for schools who purchase 30 percent of the previous year’s total food costs of from New York farmers, growers, producers, and processors. It is important to note that requiring the *total* food cost be local in order to be eligible for this additional reimbursement puts high-poverty schools at a disadvantage. High-poverty schools tend to have higher food costs because they provide more school breakfasts, afterschool snacks, and summer meals. Supporting local produce in high poverty schools is crucial since so many low-income students receive the majority of their nutrition through school meals. The proposed Farm to School Program would be more equitable if the additional lunch reimbursement was solely tied to lunch costs. We recommend the legislature support this budget appropriation and clarify that this additional lunch reimbursement be tied specifically to the food costs of lunch, and not the district’s overall food costs. This incentive will help more school children eat fresh, local produce while also supporting local and clarifying the language will allow high poverty schools to tap into this impactful program.

**FRAC urges the legislature to adopt these initiatives and their related funding proposals in its final budget. We look forward to working with the Senate and Assembly to enact these proposals and to supporting the state agency, schools, and other stakeholders to implement these programs in the 2018-2019 fiscal year. These proposals will have an immediate and positive benefit on the children of New York, supporting stronger academic achievement and better health and nutrition.**