



COMMONWEALTH of VIRGINIA

DEPARTMENT OF EDUCATION
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November 1, 2024

The Honorable Mamie E. Locke, Chair
Joint Subcommittee on Elementary and
Secondary Funding
201 North 9th Street, Room 1407
Richmond, VA 23219

The Honorable Sam Rasoul, Vice Chair
Joint Subcommittee on Elementary and
Secondary Funding
201 North 9th Street, Room 910
Richmond, VA 23219

Dear Chair Locke and Delegate Rasoul:

I am pleased to submit the enclosed Report on school meals. Senate Bill 283 (SB 283, [Chapter 586, 2024 Acts of Assembly](#)) required the Superintendent of Public Instruction, in coordination with the Secretary of Education, to convene a stakeholder work group to (i) study the estimated impact of offering free school meals to students statewide, (ii) identify options to reduce or eliminate student and school meal debt, and (iii) make recommendations regarding options to leverage other programs funded at the state and federal levels for student school meals.

If you have any questions or require additional information related to the work of this stakeholder group, please do not hesitate to contact me or our agency's Chief of Staff, Dr. Jeremy Raley at jeremy.rale@doe.virginia.gov or (804) 546-1496.

Sincerely,

Dr. Lisa Coons
Superintendent of Public Instruction

LC/cb

CC: Senator Roem

SCHOOL MEALS STAKEHOLDER WORK GROUP REPORT

Report from the SB 283 Stakeholder Work Group
Chapter 586 (2024 Regular Session, Acts of Assembly)



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EXECUTIVE SUMMARY

Senate Bill 283 (SB 283, [Chapter 586, 2024 Acts of Assembly](#)) “Free school meals; work group to study offering to students statewide,” required:

The Superintendent of Public Instruction, in coordination with the Secretary of Education, shall convene a stakeholder work group to (i) study the estimated impact of offering free school meals to students statewide, (ii) identify options to reduce or eliminate student and school meal debt, and (iii) make recommendations regarding options to leverage other programs funded at the state and federal levels for student school meals. The work group shall be chaired by the Superintendent of Public Instruction and shall include relevant stakeholders, including representatives of local school divisions and individuals with expertise in providing innovative solutions at the state and local levels to provide free school meals to students. The work group shall report its findings and recommendations to the Joint Subcommittee on Elementary and Secondary Education Funding by November 1, 2024. (See Appendix A).

The report will document the significant impact of free meals for high-need students who have food insecurities or identified as economically disadvantaged. This report will cover the National School Lunch Program (NSLP) and the School Breakfast Program (SBP). In addition, the Work Group studied the potential state impact of free school meals to all students without cost to the family (commonly referred to as Universal School Meals (USM)). This report summarizes data, research, findings, and recommendations of the School Meals Stakeholder Work Group.

While the *Code of Virginia* § 22.1-79.7:1 requires all public schools to participate in the National School Lunch Program (NSLP) and the School Breakfast Program (SBP), universal school meals or Community Eligibility Provision (CEP) would expand access for any public school child to receive school breakfast and lunch regardless of financial eligibility or household income and would change the intent of the NSLP and SBP to serve students whose families meet current household income requirements. (See Appendix B). Families of non-CEP schools are required to complete eligibility paperwork in order to qualify for free or reduced cost meals. Based on data reported by Virginia’s local school divisions on October 31, 2023, 709,796 students (56.42%) were deemed free meal eligible. In addition, 21,048 students (1.67%) were deemed eligible for meals at a reduced cost. This data showed that of the 1,257,975 students in Virginia, 730,844 (58.10%) were deemed eligible for either free or reduced meals while 527,131 students had families above the federal income threshold able to afford breakfast and school lunches.

There has been an effort across the Commonwealth to increase school division participation in CEP. During the 2023-2024 school year, 90 of the 131 school divisions in Virginia, participated fully in CEP. Every school in these divisions operated as a CEP school, allowing all students to have access to “free meals regardless of the household income.” There were 28 school divisions that had select schools within their school division that participated as a CEP school and 13

school divisions that operated without any school operating with CEP provisions. Local school divisions should make decisions that are appropriate to support their community.

Evidence shows participation in CEP and the use of free and reduced meal price options has a positive impact on economically disadvantaged students by addressing childhood hunger, promoting student health, enhancing child development and school readiness, and advancing academic performance.

The SB 283 School Meals Stakeholder Work Group had 29 members (See Appendix C) representing a wide range of roles including division superintendents, school food authority nutrition programs staff, local school business and finance professionals, non-profit organizations, including but not limited to Share Our Strength, the Virginia Parent Teacher Association (PTA), the Virginia School Boards Association, the Virginia Association of School Business Officials, as well as the Virginia Department of Education and the Virginia Department of Planning and Budget.

The School Meals Stakeholder Work Group was divided into four subcommittees:

1. Administration,
2. Finance,
3. Policy, and
4. Student and Community Impact.

Committee members were assigned subcommittees based on their expertise and role. The School Meals Stakeholder Work Group held five working sessions as a whole group with a focus on subcommittee reports for the three elements outlined in the legislation. Its four subcommittees met between work sessions from July to September 2024.

Virginia, through the state budget, currently provides the following funding to support and expand participation of eligible schools in the NSLP and SBP:

- \$1.0 million allocated annually to increase the number of school breakfast meals served through alternative breakfast service models, such as second chance breakfast and breakfast in the classroom (commonly referred to as Breakfast After the Bell funding),
- \$11.2 million (FY 2025) and \$12.4 million (FY 2026) for incentivizing breakfast meals served per student enrolled above the base year standard (2004),
- \$4.1 million per year for eliminating the student cost of reduced-price school breakfast and lunch meals, and
- \$5.8 million in school lunch state matching funds that are required for Virginia to be eligible to receive federal per meal reimbursement.

The alternative breakfast service model funding and the state matching funds were currently fully utilized during the 2023-2024. Continued efforts can be made to incentivize breakfast meals and eliminate the student cost of reduced-price school breakfast and lunch meals. The current total state investment for Fiscal Year 2025 in support for NSLP and SBP is \$22.17 million dollars. The 2024 Special Session I of the General Assembly increased the reimbursement rate from \$0.22 to \$0.28. This represents an increase of \$2.4 million for Fiscal Year 2025 and a planned increase of \$2.7 million in Fiscal Year 2026. These various state funding incentives for

school nutrition programs have led to significant increases in school breakfast participation over more than 10 years, including increased access to and participation in both breakfast and lunch by students in all eligibility categories.

Beginning in FY 2023, the state began providing school divisions with funding to cover the reduced-price meal costs in support of low-income working households whose income is too high to qualify for free meals but not enough to cover the daily costs of school meals. This change provided additional state funding to support meal costs to local school divisions.

The SB 283 Work Group subcommittees identified several strategies that could maximize these existing programs and current free and reduced-price meal programs in Virginia:

- Maintain current state funding allocations for targeted program efforts, without pulling from other student-based programs or creating unfunded mandates in the event of a need for the state to redirect funding during an economic downturn, to enhance existing school meal initiatives already in place (i.e. Breakfast After the Bell, elimination of reduced-price meals, etc.);
- Develop a process that maximizes school eligibility for current funding sources such as ensuring all schools participate in CEP maximize federal reimbursement as the first source of funding for school nutrition programs;
- Implement a process for non-CEP eligible schools to ensure free and reduced-price meal applications are submitted and acted upon to maximize federal reimbursement as the first source of funding for school nutrition programs;
- Modernize resources and technical training by VDOE to help school divisions increase participation rates of economically disadvantaged students utilizing school meals;
- Expand private-public partnerships with existing nonprofit organizations to provide greater access to student meals, without the need for funding from state or local sources; and
- Consider an alternative metric for a poverty proxy, such as Identified Student Percentage (ISP). ISP is the current metric used to evaluate CEP eligibility. The need for a consistent metric can enhance the allocation of funding across many state programs, including school meals.

The annual state cost to provide universal breakfast and lunch school meals in all Virginia public schools to all students regardless of family socioeconomic status or household income is significant, at an estimated \$201.5 million per year (see Appendix D). The continued expansion of CEP does not have a negative impact on state At-Risk funding due to the modification made in FY 2024 to use ISP as the metric for this state program.

Given this cost, concerns regarding the sustainability of any future program of this nature in the Commonwealth as well as the impact on local school divisions should future state funding be reduced or eliminated must be considered. Once funding is provided, any removal of that state funding would result in expected services to families, thus resulting in an unfunded mandate and burden on local school divisions.

DEFINITION OF TERMS

Community Eligibility Provision

The federal CEP of the NSLP and SBP is a non-pricing meal service option for eligible public schools and school divisions in low-income areas. CEP allows eligible schools and divisions to serve breakfast and lunch at no cost to all enrolled students without collecting household applications and regardless of household income. Eligibility is based on the Identified Student Percentage (ISP) using other means-tested federal program data.

Schools that adopt CEP 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, such as the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), and certain income-eligible Medicaid.

During the 2023-2024 school year, 90 of the 131 school divisions in Virginia, participated fully in CEP. Every school in these divisions operated as a CEP school, allowing all students to have access to “free meals regardless of the household income.” There were 28 school divisions that had select schools within their school division that participated as a CEP school and 13 school divisions that operated without any school operating with CEP provisions. Local school divisions should make decisions that are appropriate to support their community.

Household Application for Free and Reduced-Price School Meals

School divisions must make available a USDA-compliant household application for free and reduced-price school meals each school year in paper or online format. Applications may be submitted by households at any time during the school year and re-application can occur at any time there is a change to household income or size. An approved application remains in effect for the school year and there is a 30-day carryover for the following school year. Enrolled students who apply may be eligible for free or reduced-price meals if:

- The household earnings are at or below the current annual USDA Income Eligibility Guidelines for household size, or
- The household receives SNAP benefits (all the children in a household that receives SNAP who attend school could also automatically qualify for free school meals through direct certification without application), or
- The household participates in other qualifying federal assistance programs, including TANF and certain income-eligible Medicaid.

Applications are reviewed by local school nutrition officials to determine eligibility status which is used by the school division to claim reimbursable meals by category in schools that do not participate in an alternate claiming provision such as the 90 school divisions using CEP currently as a division. When students’ families have to complete Free and Reduced lunch forms, secondary students did not complete forms allowing them to have “free” or “reduced” lunch. Based on a decreased number of eligible secondary students qualifying for free and reduced lunch, the use of ISP becomes a better measurement for economically disadvantaged student meal participation and ensures that all elementary and secondary students have the opportunity to participate.

Identified Student Percentage (ISP)

The ISP is the percentage of enrolled students who are certified for free school meals without a household application, such as those directly certified through specific federal programs (e.g., SNAP). Under current regulations, the minimum ISP for eligibility is 25 percent. To be eligible for CEP, an individual public school, group of public schools, or school division, also known as a local education agency (LEA), must have an ISP equal to or greater than 25 percent

School Nutrition Programs (SNP)

The United States Department of Agriculture (USDA) Child Nutrition Programs are administered by the USDA Food and Nutrition Service and delivered at the state and local levels. The goal is to provide healthy food for children in both schools and community organizations. The USDA's School Nutrition Programs include:

- **National School Lunch Program (NSLP):** Provides reimbursable, nutritional lunches to children in participating schools with federal reimbursement provided to the school according to each student's eligibility category of free, reduced-price, or paid.
- **School Breakfast Program (SBP):** Provides reimbursable, nutritional breakfasts to children in participating schools that operate a nonprofit breakfast program according to federal regulations with federal reimbursement provided based on the student's income eligibility category.
- **Special Milk Program (SMP):** Provides milk to children in schools, childcare institutions and eligible camps that do not participate in other federal Child Nutrition Programs. The SMP reimburses schools and institutions for the milk they serve. Schools in the NSLP or SBP may only participate in the SMP to provide milk to children in half-day pre-kindergarten and kindergarten programs where those students do not have access to the NSLP and SBP.
- **Summer EBT:** Summer EBT is a grocery benefit available across most of the U.S. Families with eligible school-aged children can get \$120 per child to buy groceries during the summer. Families can receive Summer EBT on top of other benefits like SNAP and WIC.
- **Summer Food Service Program (SFSP):** Provides free meals to children in low-income areas through eligible organizations, primarily in the summer months when most schools are closed for instruction.
- **Supplemental Nutrition Assistance Program (SNAP):** Provides food benefits to low-income families to supplement their grocery budget so they can afford the nutritious food essential to health and well-being. Is part of the formula used to determine eligibility for CEP.
- **Temporary Assistance for Needy Families (TANF):** Provides assistance to families with parents or other relatives cannot provide for the family's basic needs. Is part of the formula used to determine eligibility for CEP.

Universal School Meals (USM)

A policy, sometimes referred to as “Healthy School Meals for All,” that allows public schools to serve free school breakfast and free school lunch to all public school students at no cost to the student, regardless of family income or financial status.

SCHOOL NUTRITION PROGRAM HIGHLIGHTS

School Nutrition Programs in Virginia

All students need access to meals during the school day. The NSLP and SBP was designed to ensure economically disadvantaged students had access to healthy meals at school. An overview of the existing school nutrition programs operating in Virginia is an important context when considering existing and future school nutrition programs. The Virginia Department of Education Office of School and Community Nutrition Programs (VDOE-SCNP) administers USDA’s NSLP and SBP. Participating public schools must meet the [federal nutrition standards](#) to receive federal reimbursement.

The per-meal federal reimbursement rates for the NSLP and SBP vary depending on the student income eligibility category: free, reduced-price, or paid. These rates are adjusted for inflation and are published annually by USDA. The federal free reimbursement rates are designed to approximate the full cost of producing a meal, including food, supplies, labor, benefits, equipment, and other expenses, based on USDA studies of per-meal school expenditures throughout the country.

Through the NSLP and SBP, 65.3 million breakfasts and 117.5 million lunches were served during School Year (SY) 2023-2024 in Virginia public schools. Table 1 displays the number of meals served by category.

Table 1. Total Free, Reduced-Price, and Paid Meals Claimed in Virginia in School Year 2023-2024.

Meal Type	Free Meals Claimed	Reduced-Price Meals Claimed	Paid Meals Claimed
SBP	51,163,813	970,455	13,138,110
NSLP	79,929,333	2,280,381	35,282,505

Meal Claims and Reimbursement Process

For school divisions to receive a federal reimbursement for meals served, they must submit claims in the VDOE SNPWeb system by program each month, within 60 calendar days of the last day of the claim month. At the federal level, most USDA school nutrition programs are considered *appropriated entitlements*, meaning their authorizing statutes establish a legal obligation to make payments, but that obligation is fulfilled through funding provided in congressional appropriations acts. There is no specified limit on the number of beneficiaries or the total amount of benefits that will be paid, therefore spending fluctuates based on the number of meals and snacks served in the programs and the annually adjusted per meal reimbursement rates.¹ Child Nutrition Block funds, comprised of the NSLP and SBP, are awarded quarterly to

¹ School Meals and Other Child Nutrition Programs: Background and Funding. Congressional Research Service (2023) 5; <https://crsreports.congress.gov/product/pdf/R/R46234>

the VDOE based on spending projections reported to USDA in the prior quarter. If the LEA demand for claims reimbursement exceeds projections and previously issued funds are spent, additional funding can be requested from the USDA-FNS. If meal reimbursements fall below projections and a balance remains unliquidated at the end of the period of performance, the balance is returned to USDA.

Community Eligibility Provision (CEP) and School Meal Participation Trends

As defined above, the Community Eligibility Provision (CEP) is a free meal service option for schools as identified with ISP. In October 2023, the 40-percentage point threshold was lowered to 25 percent; yet no additional federal funding was provided to fill the gap between 40 and 25 percent.

CEP allows participating public schools and divisions to serve breakfast and lunch at no cost to all enrolled students without collecting household applications. Instead, schools that adopt CEP are reimbursed using a formula based on the percentage of students categorically eligible for free meals through their participation in other specific means-tested programs, such as SNAP, TANF, and other high-need student characteristics. The ISP is determined by the percentage of enrolled students in a school that participate in the SNAP, TANF, certain income-eligible Medicaid, and students who are homeless, migrant, runaway, enrolled in certain Head Start programs, or foster care placement. Figure 1 shows the number of schools in Virginia participating in CEP in SY 2023-2024 and the changes in participation since CEP was made available to all states in SY 2014-2015.

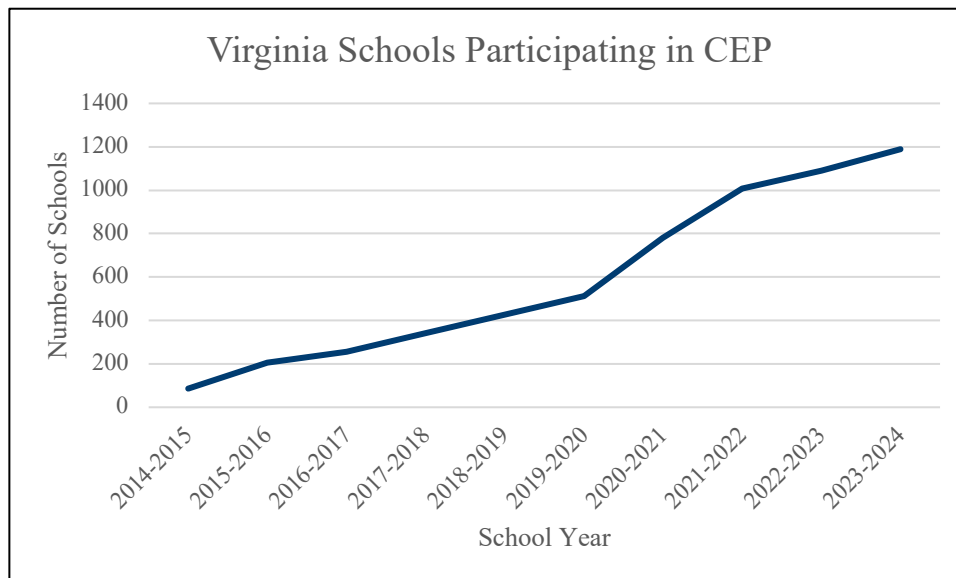
All breakfast and lunch meals claimed at a CEP school are provided at no cost to the students regardless of household income. However, the ISP multiplied by 1.6 determines the percentage of claimed meals that receive reimbursement at the Free rate (highest rate). The reimbursement rates defined by USDA for CEP schools is:

- 62.5 percent will receive (i.e., 62.5% x 1.6) the federal free reimbursement rate for 100 percent of all meals claimed,
- 40 percent will receive free reimbursement for 64 percent of meals claimed and the remaining 36 percent will be reimbursed at the paid rate, and
- 25 percent will receive free reimbursement for 40 percent of meals served and the remaining 60 percent will be reimbursed at the paid rate.

There has been an effort across the Commonwealth to increase school division participation in CEP. During the 2023-2024 school year, 90 of the 131 school divisions in Virginia, participated fully in CEP. Every public school in these divisions operated as a CEP school, allowing every student to have access to free meals regardless of the family's financial status. There were 28 school divisions that had select schools within their district that participated as a CEP school and 13 school divisions that operated without any school operating with CEP provisions.

In 2023-2024, from the 1,504 public schools across the Commonwealth that are eligible to participate in CEP, 1,186 schools have elected to participate. As outlined in Figure 1 below you can see the growth in Virginia schools participating in CEP from 2014-2015 through 2023-2024.

Figure 1. Number of Virginia Schools Participating in CEP in SY 2023-2024 and changes since SY 2014-2015.



There have been school divisions across the Commonwealth that are reluctant to move forward with the modified qualifying percentage of (25%) in part due to the financial burden placed on them to do so. School divisions or individual schools with ISPs of 62.5 or higher receive the free reimbursement rate for all reimbursable meals. School divisions or individual schools that have ISPs in excess of 25 percent, but lower than 62.5 can elect to participate in CEP, but they are not eligible for the free reimbursement rate for all meals provided. Given this reduced reimbursement rate, this can create a financial hardship on the participating public school or division level school nutrition program. Continued work with USDA should occur to seek increased federal meal reimbursement rates to assist in bridging the funding burden.

Evidence shows participation in CEP and the use of free and reduced meal price options has a positive impact on high need students by addressing childhood hunger, food insecurity, promoting student health, enhancing child development and school readiness, advancing academic performance, and improving student attendance. Additionally, “Improvements in student behavior have been observed with the Community Eligibility Provision* as well: multiple out-of-school suspension rates fell by about 15 percent for elementary students and 6 percent for middle school students after implementation of community eligibility in one study.”

SCHOOL NUTRITION PROGRAMS NATIONALLY

Across the nation, an increased number of public schools have participated in CEP over the past several years. According to a database maintained by the Food Research and Action Center, approximately 40,235 schools participated in CEP in school year 2022-2023, up from 30,620 schools in school year 2019-2020. This increased participation has resulted in positive impacts for economically disadvantaged students who participate in school nutrition programs.

Positive Impacts of School Nutrition Programs

School nutrition programs play a critical role in the health and academic success of public-school students. These programs are designed to provide nutritious meals that contribute to the overall well-being of children and adolescents. In recent years, the importance of these programs has gained recognition, especially in the context of rising childhood obesity rates and food insecurity. This following summary of relevant research explores the benefits of school nutrition programs, including their impact on physical health, academic performance, and other economic factors.

Healthy Eating Habits

One of the most significant benefits of school nutrition programs is their role in teaching children healthy eating habits, and thus, combating childhood obesity. According to the Centers for Disease Control and Prevention (CDC), the prevalence of obesity among children and adolescents has more than tripled since the 1970s.² According to the CDC, approximately 1 in 5 children and adolescents have obesity, equating to approximately 14.7 million United States youths aged 2-19 years. Programs that provide healthy meals can help reduce these rates by offering balanced nutrition that includes fruits, vegetables, whole grains, and lean proteins. The Food and Research Action Center indicated “free or reduced-price school lunches reduce rates of poor health by at least 29 percent and rates of obesity by at least 17 percent, based on estimates using national data”³.

A study published in the *American Journal of Public Health* found that schools that implemented healthy meal standards saw a decrease in obesity rates among students⁴. This reduction is critical, as childhood obesity is linked to various health problems, including diabetes, heart disease, and mental health issues. School nutrition programs are essential in ensuring that children receive adequate nutrition. Many students rely on school meals as a primary source of food, especially in low-income families. Research shows that students participating in school meal programs consume more fruits, vegetables, and whole grains compared to those who do not participate⁵. This improved dietary intake contributes to better overall health and development.

In addition to promoting healthier eating habits, school nutrition programs can help prevent nutrient deficiencies. A report by the Food and Nutrition Service (FNS) of the U.S. Department of Agriculture (USDA) indicates that school meals are often fortified with essential vitamins and minerals, such as calcium and iron, which are crucial for children's growth and development⁶. These findings are further supported by the Food Research & Action Center⁷, noting “School

² Centers for Disease Control and Prevention (CDC). (2024). Childhood Obesity Facts. Retrieved from [CDC website](#).

³ Food Research and Action Center (FRAC). (2021). School Meals are Essential for Student Health and Learning. Retrieved from [FRAC website](#).

⁴ Santos, J. A., et al. (2019). The effect of school meal policies on childhood obesity: A systematic review. *American Journal of Public Health*, 109(2), e1-e11.

⁵ Gordon, A., et al. (2015). The impact of school meal programs on dietary intake: A systematic review. *Public Health Nutrition*, 18(4), 748-756.

⁶ U.S. Department of Agriculture (USDA). (2021). School Meals: Nutrition Standards. Retrieved from [USDA website](#).

⁷ Food Research and Action Center (FRAC). (2024). Benefits of School Lunch. Retrieved from [FRAC website](#).

lunch is critical to student health and well-being, especially for low-income students and ensures that students have nutrition they need throughout the day to learn. Research shows that receiving free or reduced-price school lunches reduces food insecurity, obesity rates, and poor health. In addition, the new school meal nutrition standards are having a positive impact on student food selection and consumption, especially for fruits and vegetables.” Furthermore, school breakfasts have resulted in less nurse visits and positive impacts on mental health⁸.

Academic Performance

Nutrition plays a vital role in cognitive development and academic performance. Studies have shown that well-nourished students tend to perform better academically. A review published in the *Journal of School Health* highlights that adequate nutrition positively influences cognitive function, concentration, and memory retention⁹. For instance, students who eat breakfast, particularly a nutritious one, exhibit improved attention and performance in school. A study conducted by the *American Journal of Clinical Nutrition* found that children who consumed a balanced breakfast showed better academic outcomes than those who skipped it¹⁰.

Schools that implement effective nutrition programs can also reduce absenteeism. The availability of meals provided through school nutrition programs encourages regular and consistent attendance. This contributes to a more stable and effective learning environment. Healthier students are less likely to miss school due to illness, which correlates with improved academic achievement. According to the CDC, children with access to healthy meals are more likely to attend school regularly¹¹. This consistent attendance is essential for maintaining educational momentum and achieving long-term academic success. As noted by the Food Research and Action Center, behavioral, emotional, and academic concerns are more prevalent among children and adolescents struggling with hunger. A strong and viable school nutrition program can help to mitigate these potential impacts for children.

Economic Impact

School nutrition programs provide critical support for low-income families by alleviating food insecurity. Programs like the National School Lunch Program (NSLP) and the School Breakfast Program (SBP) ensure that children from economically disadvantaged backgrounds have access to nutritious meals. A report from the Food Research and Action Center (FRAC) indicates that these programs significantly reduce hunger and food insecurity among participating families¹². School nutrition programs can yield long-term economic benefits for society. Healthier students are likely to become healthier adults, reducing healthcare costs associated with diet-related diseases.

School Partnerships in Meal Access

⁸ Food Research and Action Center (FRAC). (2021). School Meals are Essential for Student Health and Learning. Retrieved from [FRAC website](#).

⁹ Taras, H. (2005). Nutrition and student performance at school. *Journal of School Health*, 75(6), 199-213.

¹⁰ Adolphus, K., Lawton, C., & Dye, L. (2016). The relationship between diet and cognitive performance in children: A systematic review. *American Journal of Clinical Nutrition*, 103(3), 693-701.

¹¹ Centers for Disease Control and Prevention (CDC). (2024). Childhood Obesity Facts. Retrieved from [CDC website](#).

¹² Food Research and Action Center (FRAC). (2021). School Meals are Essential for Student Health and Learning. Retrieved from [FRAC website](#).

Offering school meals with healthy and attractive options for students is associated with increased NSLP and SBP participation. No Kid Hungry asserts that communication, engaging students in the leadership of the program, and connecting breakfast programs to cooking increased participation. See [additional recommendations](#) to leveraging no profit partnership for school breakfasts. School nutrition programs can play a crucial role in promoting healthy eating habits in students that can be carried into adulthood. These habits have a positive influence on long-term health, reducing the risk of diet-related diseases and contributing to overall well-being. Moreover, proper nutrition positively affects students' behavior and mood, leading to fewer disciplinary issues¹³.

WORK GROUP RECOMMENDATIONS

There is a strong case for governmental provision of food to children whose parents can't—or won't—feed them. But that's not the question at hand. The question is whether the government should feed children whose parents can provide them with the food they need. This question raises important considerations about the role of government in providing for children, particularly regarding parental responsibility and societal obligations. On one hand, proponents of government-provided food argue that it can ensure that all children receive access to school meals regardless of their family's financial situation leading to improved health outcomes, educational performance and overall well-being. On the other hand, critics may argue that such a provision could undermine parental responsibility and encourage dependency on government support. Ultimately, the decision may hinge on broader societal values regarding child welfare, equity, and the role of government in private lives. Balancing the need to support vulnerable children while respecting family autonomy presents a complex challenge.

The School Meals Work Group was tasked with “*providing innovative solutions at the state and local levels to provide free school meals to students.*” In working towards solutions, the Work Group considered the research, cost and deliberated on impactful ways to ensure students who need free and/or reduced meals have access. Research showed clear impact of free and reduced lunch programs for economically disadvantaged students or those students with food insecurities. Therefore, the Work Group recommendations center around ensuring the current programming has the most robust impact. For the Joint Subcommittee on Elementary and Secondary Education Funding, as requested through SB 283, the Work Group has the following recommendations:

1. Increase Technical Assistance from VDOE's School Nutrition Office;
2. Expand NSP programming through innovative partnerships;
3. Ensure more public schools use CEP;
4. Maximize the use of federal funds;
5. Consider the use an alternative metric for calculating student poverty, and
6. Caution the use of a universal approach because of estimated budget impact.

¹³ “Healthy School Meals Boost Student Achievement | Alliance for a Healthier Generation.”

Increase Technical Assistance from VDOE’s School Nutrition Office

Many of the Work Group’s recommendations require school division technical support and resourcing to improve school nutrition programs. The Work Group recommended that VDOE ensure effective statewide communication structures exist between VDOE and school divisions, expanded support webinars, and individual technical assistance for those school divisions who need support maximizing programming.

In the event that new programming or program modifications occur, VDOE’s Office of School Nutrition and Community Programs should be tasked with establishing consistent and accurate communication protocols and program guidance to maintain transparency and efficiency for any program modifications. VDOE Office of School Nutrition and Community Programs staff will need to focus on establishing structures and processes for feedback from impacted stakeholder groups to ensure the consistent implementation across the Commonwealth. Additionally, staff will need to provide transparency with eligibility and reimbursement guidelines.

Finally, the Work Group also discussed eliminating student meal debt by helping school divisions creating individual policies for how they might clear meal debt from year to year or exploring non-federal sources for clearing meal debt year to year for non-CEP schools. This could be achieved through technical support of the VDOE School Nutrition Office.

Expand NSP programming through innovative partnerships

The Work Group recommended that school divisions work closely with statewide and local partners should work to increase participation and philanthropic funding incentive support for alternative school breakfast programs, such as Breakfast After-the-Bell. Continued efforts, through state funds currently allocated in the FY 2025 budget, to eliminate student costs of the reduced-price student, identified through the free and reduced lunch meal application process, breakfast and lunch meals to support families that are in need of support, but do not qualify for free meals under the current measures. This is particularly important for non-CEP eligible schools to ensure that programs are maximized to encourage participation in the school nutrition programs. VDOE can continue to assist in identifying partnership opportunities to increase participation rates of students for school meals. Expansion of partnerships with existing nonprofit organizations can also provide greater access to student meals without the need for additional state or local funding resources. [Chef Ann Foundation](#) for example, makes it their mission to empower schools nationwide with the tools, training, resources, and funding needed to serve meals. Another study from Kellogg Insight¹⁴ shared that the main driver of success in the partnership with nonprofit entities and school divisions was flexibility.

Ensure More Schools Use CEP

¹⁴ Kellogg Insight (2023). Kellogg School of Management at Northwestern University. Retrieved from [Northwestern website](#).

Another area that the Work Group was tasked with exploring was identifying options to reduce or eliminate student and school meal debt through greater CEP use. Throughout the Work Group discussions, members focused on strategies that eliminate student and school meal debt, and the group recommended encouraging more individual schools and school divisions to move towards a CEP model. As shared in the CEP Participation Table (Figure 1), participation has significantly increased over the last 10 years. If school divisions would participate in CEP, participating school divisions would no longer incur student meal debt because of federal stipulations. As a result, this would present significant administrative and resource challenges for many school divisions across Virginia-in particular our small and rural school divisions. With the modification by USDA to allow CEP participation at 25 percent, increased participation by school divisions could be carried out through a state incentive program that funds CEP participation for schools that have an ISP between the 25 percent and 40 percent. The current expansion of CEP allows participating school divisions to serve students both breakfast and lunch with reimbursement by federal government.

Maximize the Use of Federal Funds

The Work Group also recommended that VDOE maximize the use of federal funds that are available for use to enhance and grow school nutrition programming across the Commonwealth. Schools should complete an audit to ensure all eligible students are counted in the federal school nutrition programs; most importantly, schools should consider using alternate counting and claiming provisions, including CEP. This approach would maximize federal reimbursement and assure state funds would supplement, not supplant, available federal funding.

An emphasis on maximizing federal funding would also lower the state portion of cost, as meals claimed as “free” would require no state reimbursement and meals claimed as “reduced-price” would entail a state reimbursement significantly less than the reimbursement for “paid” meals as shown in Table 1.

Consider Using Alternative Metric for Student Poverty

As alternative programs such as CEP are utilized, free and reduced meal eligibility data becomes unavailable to use as a student poverty measure. The metric used for CEP determination is ISP. The Work Group identified other alternative indicators of student poverty including Small Area Income and Poverty Estimates (SAIPE) created by the U.S. Census Bureau, survey data, and forms using income bands or tiers that could be used. Currently, the state K-12 education funding formula in Virginia for K-3 Class Size Reduction, Algebra Readiness, and Virginia Preschool Initiative programs use the federal free lunch percentage as a proxy for educationally at-risk students. An alternative metric for measuring student poverty could be considered for school nutrition related program funding. This change will not have an impact on the state At-Risk program due to the modification in FY 2024 to use ISP as the metric for distribution.

Caution Use of Universal Approach because of Estimated Budget Impact

The decision to provide universal free meals to all children is a deeply philosophical decision,

touching on a fundamental belief whether children should receive free lunch at school regardless of their parent's ability to pay for their lunch. Only eight states, California, Colorado, Maine, Massachusetts, Michigan, New Mexico, Vermont, and Minnesota, currently use “universal meals for all” approach. A statewide universal school meals program would require a predictable and sustainable funding source in the state budget to fund the program. Currently, the metric used in the state education funding formula in Virginia is the federal free lunch percentage as a proxy for educationally at-risk students. The state funding cost estimate breakdown for a statewide USM program in Virginia can be found in Appendix E. The cost estimates are provided based on 2023-2024 data. The current state cost estimate included in Appendix D is significant, at \$201.5 million per year, and if a USM program were adopted statewide through the legislative process, it would likely be difficult to project the actual annual state cost in the first biennium with a high level of precision as the cost projection is based on several factors, including total meal participation rates, participation rate in CEP, meals claimed as free, reduced-price, or paid, and the federal reimbursement rate that is updated annually.

Therefore, sourcing actual costs would require an amended state biennial budget cycle to respond to changing conditions underlying the calculation of state costs. School divisions and local governments must have a high level of assurance that this cost projections on which program funding is based is reliable and sustainable, and moreover, that the reimbursement processes and structures would provide the timely funding that would allow for efficient and practical structural process to make program feasible. The Work Group identified the significant risk to local school divisions if USM state funding is not sustainable or is under-projected in the state budget. Without sustainable and accurate state funding, USM could become an unfunded local mandate that conflicts with federal and local policy that school nutrition programs be financially self-sufficient, which is defined as being able to generate adequate income for all expenses associated with operating the program.

In addition, a clear and streamlined reimbursement process must be established to ensure schools and divisions are compensated accurately, promptly, and within the same fiscal year. This process should be managed at the state level to avoid burdening individual school leaders. The Work Group notes the current VDOE automated system to issue state funds to LEAs on a semi-monthly basis for school meals programs is critical to achieving that objective. The current claiming and payment system used by VDOE would likely need capacity and functionality enhancements to reimburse LEAs for the additional USM state funding. VDOE finance and budget offices may need slight increases in staff time/positions to manage the tracking, analyzing, and adjusting of state appropriations and payment processing to support USM. The VDOE-SCNP software that processes meals claim reimbursement information and forwards it automatically to the VDOE payment processing system for issuance of the existing LEA payment accounts will likely need adjustments and updates. Coordination with the Department of Budget and Planning would be necessary to ensure that there was sufficient appropriation in any given fiscal year to process reimbursements in advance of June 30th each year or authorization to carry over funding to process prior year reimbursements in the subsequent fiscal year. The subcommittee identified potential factors to be considered such as possibly needing changes to the state education funding formula.

APPENDICES

Appendix A: SB 283

CHAPTER 586

An Act to require the Superintendent of Public Instruction to convene a stakeholder work group to study and make recommendations on offering free school meals to students statewide, report.
[S 283]

Approved April 5, 2024

Be it enacted by the General Assembly of Virginia:

1. §1. The Superintendent of Public Instruction, in coordination with the Secretary of Education, shall convene a stakeholder work group to (i) study the estimated impact of offering free school meals to students statewide, (ii) identify options to reduce or eliminate student and school meal debt, and (iii) make recommendations regarding options to leverage other programs funded at the state and federal levels for student school meals. The work group shall be chaired by the Superintendent of Public Instruction and shall include relevant stakeholders, including representatives of local school divisions and individuals with expertise in providing innovative solutions at the state and local levels to provide free school meals to students. The work group shall report its findings and recommendations to the Joint Subcommittee on Elementary and Secondary Education Funding by November 1, 2024.

Appendix B: Code of Virginia § 22.1-79.7:1.

§ 22.1-79.7:1. School meals; availability to students.

A. Each school board shall require each public elementary and secondary school in the local school division to participate in the federal National School Lunch Program and the federal School Breakfast Program administered by the U.S. Department of Agriculture and to make lunch and breakfast available pursuant to such programs to any student who requests such a meal, regardless of whether such student has the money to pay for the meal or owes money for meals previously provided, unless the student's parent has provided written permission to the school board to withhold such a meal from the student.

B. Nothing in this section shall be construed to limit the ability of a school board to collect payment for meals provided pursuant to subsection A, provided, however, that no such school board shall utilize a nongovernmental third-party debt collector to collect on such debt.

2020, c. [683](#).

Appendix C: Work Group Member List

Jeremy Raley

Virginia Department of Education

Chief of Staff (Superintendent of Public Instruction Designated Chair)

Patrick Barnes

Prince George County Public Schools
Chief Support Services Officer

Christina Berta

Hanover County Public Schools
Assistant Superintendent of Business and Operations

William (Bill) Bowen

York County Public Schools
Chief Financial Officer

Dr. Jeffrey Cassell

Waynesboro County Public Schools
Superintendent

Dr. Eric Coleman

Alexandria City Public Schools
School Nutrition Director

Dr. Sandy Curwood

Virginia Department of Education, Office of School and Community Nutrition Programs
State Director

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Lynne Fellin

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Shannon Girouard

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Zach Jacobs

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Virginia School Boards Association
Government Relations Specialist

Dr. Clint Mitchell

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Craig Moscetti

Share our Strength, No Kid Hungry Center for Best Practices
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Melissa Velazquez
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Planning and Budget
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Specialist

Appendix D: State Cost Estimate to Implement Universal School Meals for all Virginia Public Schools

Purpose: To estimate the state cost to reimburse school divisions at the federal free rate for breakfast and lunch meals claimed under the paid or reduced-price rates to provide meals at no cost to all students attending participating public schools

Estimated State Cost for Lunch and Breakfast Using SY 2024-2025 USDA Federal Breakfast and Lunch Reimbursement Rates: \$201,478,671

- Statewide Cost for the School Breakfast Program: \$40,311,705
- Statewide Cost for the National School Lunch Program: \$160,679,272
- Reduced-Price Student Payment Elimination Required Funds (existing program): \$487,694

Assumptions and Cost Estimation Procedures:

- Actual USDA School Breakfast Program and National School Lunch Program meal claims for SY 2023-2024 were used. Meal claims change annually.
- Participating public schools were grouped into three categories with corresponding calculations used for each category.
 - *CEP participating schools.* Meal claims for free and paid meals, per CEP procedures, were used without any escalation percentage. These schools currently provide meals at no cost to all students and meal claims reflect the increased levels of student participation after USM.
 - *CEP eligible, but not participating schools.* Total meal claims were adjusted to reflect CEP meal claiming procedures. Free and paid claiming percentages, as well as participation escalation of 23% for breakfast and 26% for lunch were applied to reflect meal claim changes after CEP implementation.
 - *Schools not eligible for CEP.* These schools do not meet the minimum 25 percent identified student percentage to use CEP. Meal claims after USM would continue to use traditional meal count categories of free, reduced-price, and paid, even though students would not make any payments. Student participation was escalated by 23 percent for breakfast and 26 percent for lunch consistent with Virginia school meal counts after meals at no cost are implemented. In addition to the state funds for paid meals under USM, these schools would continue to receive the current state reduced-price student payment elimination funds.
- Expansion of CEP does not have a negative impact on At-Risk funding due to the change to use ISP as the metric rather than free and reduced lunch measures. It is important to note the overall cost of the state if all Virginia public schools shift to CEP rather than using the free and reduced lunch (FRL) metric could impact programs such as K-3 class size reduction, Algebra Readiness and Virginia Preschool Initiative. These programs use FRL to calculate the distribution of funding to school divisions.
- USDA Federal Reimbursement Rates for SY 2024-2025 were used to calculate the rate differential between free and paid meals. Federal rates adjust annually each July.

State Cost Estimates by School Category:

CEP Participating Schools:		
SBP =		\$17,782,028.95
NSLP =		\$42,880,177.11
Total =		\$60,662,206.06
CEP Eligible Not Participating Schools:		
SBP =		\$13,225,991.59
NSLP =		\$40,996,785.73
Total =		\$54,222,777.32
Not Eligible for CEP Schools:		
SBP =		\$9,303,684.02
NSLP =		\$76,802,309.04
Total =		\$86,105,993.06
Statewide Paid Meal Cost Totals:		
SBP =		\$40,311,704.56
NSLP =		\$160,679,271.88
Total =		\$200,990,976.44
Reduced-price Student Payment Elimination Cost:		
SBP =		\$112,555.50
NSLP =		\$375,138.80
Total =		\$487,694.30
Grand Total Estimated State Cost =		\$201,478,670.74