

May 8, 2023

School Meals Policy Division
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Re: Docket No FNS-2022-0044, Child Nutrition Programs: Community Eligibility Provision — Increasing Options for Schools

Dear School Meals Policy Division:

The Academy of Nutrition and Dietetics appreciates the opportunity to submit comments to the United States Department of Agriculture in response to its request for comments on the proposed rule, “Child Nutrition Programs: Community Eligibility Provision — Increasing Options for Schools,” originally published in the Federal Register on March 23, 2023 (FNS-2022-0044). The Academy supports efforts to increase access to school meals.

Representing more than 112,000 registered dietitian nutritionists, nutrition and dietetic technicians, registered, and advanced-degree nutritionists, the Academy is the largest association of food and nutrition professionals in the United States. We are committed to accelerating improvements in the nation’s health and well-being through food and nutrition. The Academy’s vision is “A world where all people thrive through the transformative power of food and nutrition.” Increasing access to school meals for more children through changes proposed in this comment opportunity will help reduce and eliminate nutrition and health disparities and increase nutrition security for school-age children receiving school lunches and school breakfasts.

The Academy strongly supports and advocates for healthful school meals. School meals are crucial in alleviating childhood food insecurity, and studies continue to show schools are the healthiest place in the U.S. for children to eat. School meals can have a positive impact by helping to reduce racial disparities in health and education, while also supporting learning, attendance and behavior.

The Community Eligibility Provision has been key for ensuring all students in eligible schools have access to the nutritious meals needed to grow and learn to their fullest potential. CEP increases participation in school meals, helps eliminate stigma around participation in free and/or reduced meal provision, reduces administrative burdens, and streamlines food service operations. These multiple benefits accrue to students, families, and school districts. Moreover, CEP is a proven strategy for reducing household food insecurity and combatting child hunger.

Throughout the COVID-19 pandemic, schools across the country reported a myriad of benefits of offering free meals to all students: reduction in student hunger, supporting household finances, improvements in

student behavior and academic achievement, and easing administration and operations.¹ Conversely, the return to a tiered-eligibility system has been challenging for students, families, and schools, with many districts reporting an increase in school meal debt.

The proposed rule lowering CEP's eligibility threshold to 25% Individual Student Percentage will exert a positive impact on schools and communities, creating the opportunity for an additional nine million students to have access to free school meals, and increasing operational efficiencies for 20,000 more schools. We encourage USDA to give states the option to implement the 25% threshold even if the new rule is finalized after the June 30 election deadline. This will allow states and schools to benefit from the change in the upcoming 2023-2024 school year.

While expanded CEP eligibility is imperative in the fight against child hunger, districts must ensure CEP is a financially viable option for school food services. Despite an abundance of technical assistance, many schools struggle to adopt CEP at lower ISP levels with the current 1.6 multiplier.

Over the last year, five states have enacted legislation ensuring all students have access to healthy school meals. State funding will encourage schools with lower ISPs to adopt CEP; however, concern remains for newly eligible schools that lack financial support. In order to further support states that have taken this important step, USDA should approve waivers from states to operate CEP statewide and explore creating statewide CEP demonstration projects to evaluate the approach.

USDA's 2019 *School Nutrition and Meal Cost Study* shows that districts spend more to produce a school meal than they are reimbursed.² Any administrative savings generated by CEP allows school nutrition departments to combat rising food prices, improve the nutritional quality of meals served, expand nutrition education and farm to school initiatives, and invest in operations that ensure long term program viability.

We commend USDA for its continued work to increase participation in CEP, ensuring that all students have access to nutritious school meals, and we encourage USDA to explore every opportunity to make CEP financially viable for all eligible schools. Thank you for your consideration of these comments during your deliberations. Please contact either Jeanne Blankenship at jblankenship@eatright.org or Karen Ehrens at kehrens@eatright.org with any questions or requests for additional information.

Sincerely,



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¹ Bylander, A., FitzSimons, C., and O'Connor, G. (2022) *Large School District Report Operating School Nutrition Programs During the Pandemic*. Food Research and Action Center. <https://frac.org/wp-content/uploads/large-school-district-report-2022.pdf>

² Food and Nutrition Service and Mathematica Policy Research. (2019). *School Nutrition and Meal Cost Study Summary of Findings*. United States Department of Agriculture. https://fns-prod.azureedge.us/sites/default/files/resource-files/SNMCS_Summary-Findings.pdf