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Nutrition Provisions in New House Build Back Better Legislation Could Substantially Reduce Children's Food Hardship

By Zoë Neuberger

The Build Back Better (BBB) legislation being considered by the House includes historic investments in proven child nutrition programs that would transform nutrition assistance for our nation's low-income schoolchildren.¹ BBB's nutrition provisions aim to address a long-standing problem that the COVID-19 pandemic exposed and exacerbated: some children face periods of food hardship, which is disproportionately experienced by Black and Latino children, and can have lasting impacts on children's health and learning. The nutrition proposals in BBB could usher in a new era in which food hardship is much rarer among school-age children, reducing the risk of long-term adverse consequences associated with even short periods of food insecurity during childhood.

To reduce food hardship among low-income schoolchildren and help their families make ends meet, the legislation would:²

- Provide children who receive free or reduced-price school meals during the school year with summer grocery benefits to reduce their higher levels of food hardship during the summer; and
- Expand community eligibility so that more schools serving large numbers of children with low income can provide meals at no charge to all students, including creating a statewide option so that states could more easily begin offering meals at no charge to all students.

¹ Build Back Better Act, H.R. 5376, <https://rules.house.gov/sites/democrats.rules.house.gov/files/BILLS-117HR5376RH-RCP117-17.pdf>.

² In addition to the provisions highlighted here that would increase access to food assistance, the legislation also provides funding to help schools offer healthier meals. It provides \$30 million for training and technical assistance to support cooking meals from scratch and grants for school kitchen equipment needed to prepare healthier meals, and \$250 million for other activities to promote healthier meals and eating habits.

Food hardship can have lasting negative consequences for children’s health and development.³ Studies link food insecurity among children with reduced intake of some key nutrients, health problems, behavioral issues, and mental health conditions. These problems, in turn, can lower children’s test scores, their likelihood of graduating from high school, and their future earnings. Moreover, parents struggling to meet basic needs often report high levels of stress, which can have serious consequences for their children’s emotional and behavioral outcomes.

Even short periods of food insecurity pose long-term risks for children. Conversely, interventions that provide access to affordable food and reduce food insecurity have been linked to better health for young children as well as long-term improvements in health and longevity, greater high school completion, and higher earnings and self-sufficiency in adulthood.⁴

Together, the nutrition provisions in BBB described below could help make food hardship much rarer among children by ensuring that school-age children get enough nutritious food every day of the year.

Provide Summer EBT Nationwide in Future Years

The end of the school year usually coincides with a troubling spike in childhood hunger, as children stop receiving the free or reduced-price school meals they rely on during the school year. School meals play a critical role in preventing hunger during the school year, but long-standing federal summer nutrition programs reach just 1 in 7 of the children who rely on free or reduced-price meals during the school year.⁵ As a result, children’s food hardship generally rises during the summer.⁶

Supplemental grocery benefits for low-income children provided through a Summer Electronic Benefits Transfer (EBT) demonstration program, launched in 2011, measurably decreased food hardship and improved the quality of children’s diets. Despite its success, policymakers have provided only limited funding for this demonstration, enabling only a few states to offer it each year. But there has been bipartisan interest in more comprehensively addressing the long-standing issue of summer hunger among children.

³ Brynne Keith-Jennings, Catlin Nchako, and Joseph Llobrera, “Number of Families Struggling to Afford Food Rose Steeply in Pandemic and Remains High, Especially Among Children and Households of Color,” CBPP, April 27, 2021, <https://www.cbpp.org/research/food-assistance/number-of-families-struggling-to-afford-food-rose-steeply-in-pandemic-and>.

⁴ Claire Zippel and Arloc Sherman, “Bolstering Family Income Is Essential to Helping Children Emerge Successfully From the Current Crisis,” CBPP, updated February 25, 2021, <https://www.cbpp.org/research/poverty-and-inequality/bolstering-family-income-is-essential-to-helping-children-emerge>.

⁵ Food Research and Action Center (FRAC), “Hunger Doesn’t Take a Vacation: Summer Nutrition Status Report,” August 2020, <https://frac.org/wp-content/uploads/FRAC-Summer-Nutrition-Report-2020.pdf>.

⁶ Mark Nord and Kathleen Romig, “Hunger in the Summer: Seasonal food insecurity and the National School Lunch and Summer Food Service programs,” *Journal of Children and Poverty*, Vol. 12, No. 2, 2006, pp. 141-158, <https://www.tandfonline.com/doi/abs/10.1080/10796120600879582>; Jin Huang, Ellen Barnidge, and Youngmi Kim, “Children Receiving Free or Reduced-Price School Lunch Have Higher Food Insufficiency Rates in Summer,” *Journal of Nutrition*, Vol. 145, No. 9, September 2015, pp. 2161-68, <https://doi.org/10.3945/jn.115.214486>.

To prevent the usual summertime increase in children’s food hardship, BBB would make summer grocery benefits available nationwide to replace the school meals that children miss when school is out. It would do so through a Summer EBT program,⁷ modeled on the successful demonstration and Pandemic EBT (P-EBT) program,⁸ which policymakers created during the pandemic to provide grocery benefits to families to replace meals missed while schools and child care facilities were closed or providing remote instruction. BBB would make \$65 in monthly Summer EBT benefits available to low-income children nationwide for the summers of 2023 and 2024.⁹ (The P-EBT program provided benefits for the summer of 2021 and will remain in effect for the summer of 2022.)

P-EBT provides benefits on Supplemental Nutrition Assistance Program (SNAP) cards or similar EBT cards, which families can redeem at grocery stores. To date, 46 states, the District of Columbia, Puerto Rico, American Samoa, and the Virgin Islands have been approved to distribute P-EBT benefits for the summer of 2021 and other states can still submit a plan for approval from the U.S. Department of Agriculture (USDA) to issue benefits retroactively.¹⁰

Researchers found that receipt of P-EBT benefits reduced the share of SNAP households where children experienced very low food security by 17 percent and reduced food insufficiency among SNAP households by 28 percent.¹¹ P-EBT’s success at reducing food hardship further demonstrates how effective an ongoing Summer EBT program could be at reducing child hunger. Moreover, now that states have implemented P-EBT, the infrastructure exists to provide Summer EBT benefits on an ongoing basis.

⁷ Zoë Neuberger, “Recovery Legislation Could Help End Summer Childhood Hunger,” CBPP, June 30, 2021, <https://www.cbpp.org/research/food-assistance/recovery-legislation-could-help-end-summer-childhood-hunger>.

⁸ CBPP, “CBPP/FAC P-EBT Documentation Project Shows How States Implemented a New Program to Provide Food Benefits to Up to 30 Million Low-Income School Children,” www.cbpp.org/pebt.

⁹ The \$65 monthly benefit would be adjusted the next year for inflation.

¹⁰ USDA, “School Year 2020-2021 State Guidance on Coronavirus P-EBT,” October 21, 2021, <https://www.fns.usda.gov/snap/state-guidance-coronavirus-pandemic-ebt-pebt-sy20-21>.

¹¹ Lauren Bauer *et al.*, “An Update on the Effect of Pandemic EBT on Measures of Food Hardship,” Hamilton Project, September 29, 2021, https://www.brookings.edu/research/an-update-on-the-effect-of-pandemic-ebt-on-measures-of-food-hardship/?utm_campaign=Brookings%20Brief&utm_medium=email&utm_content=166599953&utm_source=hs_email. As explained in the technical appendix, households were considered to have very low food security among children if they reported that the children sometimes or often did not eat enough in the last seven days because the household could not afford food. Households that experienced food insufficiency reported that they were sometimes or often not able to get enough to eat in the previous seven days.

Expand Community Eligibility

To bring free meals to all students in more schools in low-income communities, the legislation would make it easier for schools serving large numbers of low-income children to offer meals at no charge under the federal Community Eligibility Provision.¹²

First implemented by schools in Illinois, Kentucky, and Michigan in 2011, community eligibility has transformed how children in low-income areas receive meals at school. It lets schools offer breakfast and lunch at no charge to all students and eliminates the need for schools to collect and process school meal applications, thereby increasing participation, reducing paperwork for families, and reducing administrative work for schools. It also reduces the stigma that students sometimes associate with eating free or reduced-price school meals and eliminates the meal fees that school districts struggle to collect from families.

Community eligibility is associated with a range of positive outcomes for students, including better academic performance, lower student suspension rates, and more students with a healthy body mass index, a growing body of research shows.¹³

The program's reach also speaks to its success. During the 2020-2021 school year, more than 15 million children in more than 33,000 schools and more than 5,000 school districts received free meals through community eligibility — representing more than 1 in 4 (or 27 percent of) elementary and secondary students nationwide.¹⁴

The option is only available to schools with large shares of students from low-income families. For a school (or group of schools) to qualify, 40 percent or more of its students must be enrolled automatically for free school meals (through a data-matching process known as direct certification), usually because their household receives SNAP or Medicaid benefits. Many other children in these schools are approved for free or reduced-price meals based on an application; few are much above the income limit for reduced-price meals.

Under community eligibility, school districts must cover any costs that exceed the federal reimbursement. Because the reimbursement sometimes falls short of covering a school's full meal costs, many eligible schools have chosen not to participate — including more than 4,200 eligible districts and more than 12,300 eligible schools in the 2020-2021 school year.

¹² Zoë Neuberger, “By Acting Now, Policymakers Can Connect More Low-Income Children With School Meals,” CBPP, September 2, 2021, <https://www.cbpp.org/blog/by-acting-now-policymakers-can-connect-more-low-income-children-with-school-meals>.

¹³ Arloc Sherman *et al.*, “Recovery Proposals Adopt Proven Approaches to Reducing Poverty, Increasing Social Mobility,” CBPP, August 5, 2021, <https://www.cbpp.org/research/poverty-and-inequality/recovery-proposals-adopt-proven-approaches-to-reducing-poverty>; Amelie A. Hecht, Keshia M. Pollack Porter, and Lindsey Turner, “Impact of The Community Eligibility Provision of the Healthy, Hunger-Free Kids Act on Student Nutrition, Behavior, and Academic Outcomes: 2011–2019,” *American Journal of Public Health*, Vol. 110, No. 9, September 2020, <https://ajph.aphapublications.org/doi/full/10.2105/AJPH.2020.305743>.

¹⁴ FRAC, “Community Eligibility: The Key to Hunger-Free Schools: School Year 2020-2021,” June 2021, <https://frac.org/wp-content/uploads/CEP-Report-2021.pdf>, and National Center for Education Statistics, “Table 105.20. Enrollment in elementary, secondary, and degree-granting postsecondary institutions, by level and control of institution, enrollment level, and attendance status and sex of student: Selected years, fall 1990 through fall 2029,” March 2021, https://nces.ed.gov/programs/digest/d20/tables/dt20_105.20.asp.

BBB would increase reimbursements under community eligibility and make schools in which 25 percent or more of the students are directly certified eligible for community eligibility. In addition, it would create an option that allows states to participate statewide, rather than at only the school or district level. Together, these changes would allow far more schools serving low-income areas to offer meals at no charge to all students.¹⁵ The changes would remain in effect for the next five school years, through June 30, 2027, which would allow the school districts that adopt community eligibility in the next couple of years to complete a four-year cycle under the federal option.

Making all children eligible for free meals would simplify program administration, reduce the stigma children sometimes feel about participating in the program, and ensure that low-income children aren't left out because they don't apply. While the funding in this legislation does not allow for providing meals at no charge to all students, expanding community eligibility would mean that more children would attend schools where meals are free for all students and, importantly, more children with low incomes would go to such schools.

In states with high poverty levels, and in rural states where low-income families are spread across school district boundaries, the statewide option would be especially important. It would allow states, with a modest investment of state funds, to offer meals at no charge to all students, which would make it easier for schools to operate a meal program and for low-income children to receive free meals without interruptions when they move or change schools.

Important Opportunities Ahead

Federal policymakers will have an opportunity to extend the Summer EBT and community eligibility provisions included in BBB beyond 2024 and 2027, respectively. Doing so would continue to reduce food hardship for school-age children. In the meantime, state officials have another avenue to reach more children with free or reduced-price school meals.

To ensure that families who are most likely to face food hardship have access to free school meals, policymakers have enabled certain categories of children to be enrolled automatically through direct certification. States or school districts match the names of children living in households that receive certain federal benefits (the most common of which is SNAP) with school enrollment records.¹⁶ Under a demonstration project launched in the 2010 Healthy, Hunger-Free Kids Act, children enrolled in Medicaid and in families with income below 185 percent of the federal poverty line may be directly certified in 19 states, which include roughly 60 percent of eligible children

¹⁵ Zoë Neuberger, "American Families Plan Could Substantially Reduce Children's Food Hardship," CBPP, May 21, 2021, <https://www.cbpp.org/research/food-assistance/american-families-plan-could-substantially-reduce-childrens-food-hardship>.

¹⁶ Currently, school districts must directly certify children in households that receive SNAP. School districts can also conduct data matching to directly certify children receiving Temporary Assistance for Needy Families cash assistance or Food Distribution Program on Indian Reservations benefits; children in foster care; children who are homeless, runaway, or migrant; or children in Head Start.

nationwide.¹⁷ The share of students certified for free school meals rose as a result of using Medicaid data, a USDA study showed.¹⁸

While BBB does not include a provision included in earlier legislation that would make the use of Medicaid data for direct certification an option available to all states,¹⁹ USDA has opened the demonstration project to additional states.²⁰ States can apply by September 30, 2022 to begin using Medicaid data to directly certify children for free or reduced-price school meals for the 2023-2024 school year.²¹ Using Medicaid data to expand direct certification would allow more low-income students to benefit from direct certification's simplified enrollment process while strengthening program integrity and simplifying program administration. Expanding the data sources available for direct certification also would make it easier for schools to identify their low-income students and, thus, it would qualify more schools for community eligibility or would qualify eligible schools for a higher reimbursement rate under it.

¹⁷ USDA, "Demonstration Projects to Evaluate Direct Certification with Medicaid," <https://fns-prod.azureedge.net/sites/default/files/resource-files/direct-cert-medicaid-demo-RFA.pdf>.

¹⁸ Lara Hulsey *et al.*, "Direct Certification with Medicaid for Free and Reduced-Price Meals (DCMF/RP) Demonstration, Year 1," USDA, August 2019, https://fns-prod.azureedge.net/sites/default/files/resource-files/Evaluation-DCM_Year1.pdf.

¹⁹ Build Back Better Act, H.R. 5376, <https://rules.house.gov/sites/democrats.rules.house.gov/files/BILLS-117HR5376RH-RCP117-17.pdf#page=14>; Zoë Neuberger, "Nutrition Provisions in Economic Recovery Legislation Could Substantially Reduce Children's Food Hardship," CBPP, September 9, 2021, <https://www.cbpp.org/research/food-assistance/nutrition-provisions-in-economic-recovery-legislation-could-substantially>.

²⁰ Neuberger, September 2021.

²¹ Food and Nutrition Service, "National School Lunch Program and School Breakfast Program Demonstration Projects to Evaluate Direct Certification with Medicaid," USDA, September 16, 2021, <https://www.fns.usda.gov/cn/direct-certification-medicaid-demonstration-project>.