



State Breakfast Legislation: Combining Breakfast After the Bell With Offering it at No Charge to All Students



Participation in the School Breakfast Program lags behind participation in the National School Lunch Program, with school breakfast serving just over half of the low-income children who participate in school lunch. State breakfast legislation offers an important strategy to increase participation in school breakfast. There are a number of different legislative approaches that will result in large increases in participation. A number of states have passed legislation that require high-poverty schools

to implement a breakfast after the bell program (which moves breakfast out of the school cafeteria served before school starts, such as by serving it in the classroom after the first bell, making it more accessible and part of the regular school day) that offers free breakfast to all students.

Combined, these two approaches — making breakfast part of the school day and offering breakfast for free to all students — allow schools to overcome the common barriers to school breakfast participation. The traditional school breakfast program in which a school offers breakfast in the cafeteria prior to the start of the school day misses too many kids. Bus schedules and morning commutes mean that most students are not in school early enough to participate. In addition, school breakfast is often viewed as a program for poor kids, causing many low-income children to opt out of the program. Offering school breakfast for free to all students eliminates the stigma frequently associated with participation. It also eliminates the cost barrier for children whose families are struggling, but are not eligible for free school meals, to participate. This is especially important for children who live in households that are eligible for reduced-price school meals, and those whose household income is near the cutoff line for free and reduced-price school meals. Offering school breakfast at no charge to all students

makes school meal program operations easier, and eliminates concerns about unpaid school breakfast debt.

Across the country, thousands of high-poverty schools have chosen to offer breakfast at no charge to all students after the bell without being required by state legislation. These schools have increased school breakfast participation significantly, proving the impact this approach has on growing school breakfast participation. But there remain many high-poverty schools that have not taken steps to making school breakfast accessible to students. These schools are ignoring the extensive research on school breakfast that shows participation improves academic achievement and test scores, and reduces absenteeism, tardiness, discipline referrals, and visits to the school nurse.

State legislation that requires high-poverty schools to implement breakfast after the bell programs and offer it to all students at no charge addresses the two primary barriers to school breakfast participation, and allows states to ensure that the children in their state start the school day ready to learn. A growing number of states are passing legislation and are growing school breakfast participation.

- **Breakfast After the Bell and Offering it for Free to all Students**
Legislation: Colorado, the District of Columbia, and New Mexico have passed universal Breakfast After the Bell legislation. They all require high-poverty schools to offer school breakfasts for free, which addresses the timing, cost, and stigma that can limit participation. All three had significant increases in participation after enacting their legislation.
- **Breakfast After the Bell Legislation:** West Virginia, which leads the nation in school breakfast participation, requires all schools to implement a breakfast program that ensures access to students and is approved by the state child nutrition agency, and sets a goal that schools should eventually offer free breakfast (and lunch) to all students (a goal that it is coming close to achieving). Illinois, Nevada, New Jersey, New York, and Washington state enacted legislation that focused solely on creating breakfast after the bell legislation. Nevada has had significant increases in participation, primarily due to an increase in participation in Clark County (Las Vegas), which had implemented community eligibility broadly, but not breakfast after the bell. Data on the impact of the other states' legislation is not yet available.
- **Offering Breakfast at no charge to all Students:** Florida and Texas have enacted legislation that requires high-poverty schools to offer free breakfast to all students. Florida's legislation gives a nod to implementing breakfast after the bell programs, but does not require it through language that directs school to implement alternative breakfast models to "the maximum extent practical."

Including the free breakfast component is financially viable for most schools with 70 percent of their students certified to receive free or reduced-price school meals. In the rare when a school district with that level of student poverty cannot break even, states can include a provision that allows a district to opt out of the requirement to offer breakfast at no charge to all students by showing the financial impact. Still, some states find enacting school breakfast legislation that includes requiring only breakfast after the bell or only free breakfast for all students, and that still can help increase school breakfast participation, even if it does not address all of the barriers to participation. Combining both approaches creates the strongest legislation for increasing school breakfast participation.