



TRACING RACE-RELATED TETHERS IN THE NATIONAL SCHOOL LUNCH PROGRAM:

EXPLORING CEP AS AN EQUITABLE SOLUTION FOR TOMORROW'S ALABAMA

2021 Hunger Free Community Report

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INTRODUCTION

This report tells a story of school lunches in Alabama. Starting with the historiography of school meals, it will trace the National School Lunch Program's (NSLP) roots into today's NSLP policy and discuss the subsequent impacts on children. More importantly, this report examines the inherently prejudiced nature of legislation surrounding school lunches and the disproportionate impact of food insecurity and school lunch program-related stigmas on Black, Indigenous, and People of Color (BIPOC). This is especially evident in Alabama, the state on which this report focuses. Prior to COVID-19, Alabama was found to be one of the hungriest and poorest states,¹ with 1 in 4 children facing hunger.² The reality is worse for Black and Latinx families, who reach poverty rates of 31 percent and 34 percent respectively, compared to a 14 percent poverty rate for whites.³

Through detailing the NSLP's evolution in Alabama, this report is also a case study of the Community Eligibility Provision (CEP). Though not a universal lunch system, the effects of CEP in various schools, districts, and communities in Alabama mimic those of universal free meals. The removal of means-based school meals applications, paperwork, verifications, collections, and subsequent stigmas unveils the potential and widespread benefits of offering no-cost school meals to all children. CEP, in many ways, provides a looking glass into the future of schools if meals were to become universal.

Rather than exploring only data and existing research reports, this report turns to Alabamians, amplifying the voices of those most directly impacted by the NSLP and CEP legislation. These stories were collected through a series of interviews with researchers, Child Nutrition Program (CNP) Directors, parents, and advocates.

Finally, given the unique nature of the time period during which this report was written, it explores the possibility of looking at the impact of COVID-19 legislation and what Alabama and the country could possibly learn from the unprecedented policy shifts witnessed during the 2020-2021 school year.

TETHERS TO THE PAST: THE NSLP AS A MILITARY STRATEGY & THE IMPACT THROUGH THE DECADES



Nestled within the opening NSLP legislation—followed shortly by health benefits that school lunch programs provide to youth—exists reference to the NSLP’s significance to U.S. national security. A nod to the often-forgotten driving force behind the NSLP.

Language of legislation:

“As a measure of national security, to safeguard the health and well-being of the Nation’s children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by assisting the States through grants in aid and other means, in providing an adequate supply of food and other facilities for the establishment, maintenance, operation and expansion of nonprofit school lunch programs.”⁴

First established in 1946, the passing of the NSLP was in large part a response to the struggling agricultural economy and the malnourishment of children. During the Great Depression, “mass unemployment, homelessness, hunger, and deprivation led the federal government to assume unprecedented responsibilities in banking, housing, agriculture, industry health, education, and social welfare...”⁵ Access to nutrition was decreasing, and advocates saw potential of school meals in solving this concern.

It was around 1929 that school meals were often discussed within the context of their stabilizing impact. At this point in history, school meals were developed and managed at the local level. School meals also came from local farmers and therefore positively impacted the agricultural economy during the early 1930s, when prices of agricultural production dropped forty percent.⁶ This noticeable and favorable effect of school meal programs on farmers and agriculture at-large inspired national attention. According to historian Andrew Ruis, school meals reached national attention not because of nutritional benefits, but because of the debate around who was supposed to solve the problem and what, if any, role the federal government had.⁷

The United States, under Esping-Andersen’s welfare classification, is a liberal welfare state. In line with such classification, federal intervention in day-to-day lives (read: school lunches for the purposes of this discussion) is avoided. If it were not for the devastating financial impact of the Great Depression and the long-term health effects on our nation’s youth, it is likely that the federal government would have never developed any policy intervention related to feeding children in schools.

However, when the United States entered World War II, there was no ignoring the grave and far-reaching impact of hunger and poverty experienced during the Great Depression. The military became aware of a critical issue: Men who were of recruiting age were ill-fit for war. Specifically, they were malnourished and too weak. One Major General testified that “57 percent of military applicants rejected for medical reasons and experienced health problems with ‘some relation to malnutrition.’”⁸

It was not long before the rampant and deep-rooted issues of food insecurity and hunger became a national security matter and one worthy of the federal government’s attention.⁹ Children—and their accompanying health—were now the United States’ second line of defense.¹⁰ This national security factor, along with the agricultural interest of Americans, skyrocketed school lunches into national policy. Researcher Jennifer Geist Rutledge posits that, “If the infrastructure of agricultural subsidies and school lunches as commodity dumping grounds had not been created during the Depression, it is unlikely that school lunches would have emerged as national policy. The development of agricultural subsidies was an important precursor, as the

material supplies were available. However, it was the explicit connection that activists made in the public arena between schools, security, and surpluses that resulted in the national school lunch program.”¹¹

Such widespread advocacy allowed the federal government to provide emergency federal relief. “By February 1942, school lunch programs were in operation in every state and provided federal assistance to 92,916 schools that served 6 million children daily.”¹² Though, even with this widespread buy-in,

“providing permanent federal support for school meal programs proved far more difficult than providing temporary relief during an economic crisis. What was once a humble initiative to improve children’s nutrition and increase academic performance became the center of a protracted and contentious debate over the extent of hunger and malnourishment, civil rights, and the proper role of the federal government in education health, and social welfare.”¹³

Even still, the growing support pushed the interventions to become permanent rather than temporary. Schools supported permanent federal intervention, as, under the emergency assistance, year-to-year relief, schools were unsure whether they would receive federal intervention the following year. Women’s political groups supported permanent legislation because more women entered into the workforce while their husbands went to war. Therefore, women no longer had the same amount of time to cook and provide lunches to children, not to mention their decreased financial resources. Farmers and groups invested in agriculture also supported enforcing permanent federal intervention, as it would provide a stable buyer for their crops. Military groups, too, supported federal school meal support becoming permanent in hopes that such a policy would decrease the rate at which men failed physicals due to malnourishment.

Stemming from the aforementioned support and continued advocacy, “in 1946, the House Committee on Agriculture advocated for the benefit of children, schools, and agriculture, the school lunch program should be made a permanent part of school systems and that the education features of a properly chosen diet should be emphasized.”¹⁴ In 2020, the United States witnessed similar advocacy surrounding school meals.

HISTORY ON REPEAT

The origins of the NSLP as a response to a national emergency in the mid-1900s prefigure today’s current, unprecedented federal intervention in school lunch programs amid the COVID-19 public health crisis and global disaster relief.

In the 1930s, the U.S. faced previously incomparable financial hardship, leading to the federal intervention in school lunch programs. Soon, the policy became permanent, furthering the impact of the federal government’s action surrounding food programs. Similarly, today the U.S. faces severe financial hardship. Such financial impact has caused unprecedented federal policy on school lunches and nutrition programs at-large. For the first time, the U.S. has universal free lunches, a by-product of the waiver extension that will be further discussed below. Though temporary, this emergency intervention has had significant impact on communities and on youth, much like initial federal intervention had on the country in the 1940s.

This comparison to historical roots would be misleading and incomplete if it did not also acknowledge the inequitable impact of meal programs and food systems on BIPOC communities stemming from the NSLP’s creation in 1946. BIPOC populations are far more likely to experience limited access to food, meaning they theoretically benefit more from school lunch programs. Within the world of free and reduced-price meals,

BIPOC families are more likely to be buried under paperwork and asked to verify school meal applications. Children are more likely to forgo meals entirely, fearing the stigma that is attached with participating in free and reduced-price meals at schools. However, these intrinsic and far-reaching racist policies and impacts are not new. Alongside other parallels between the start of school meals and today's federal intervention, the inequitable impact of federal legislation also has roots going back to the very beginning.

Recognizing the repetitious nature of school nutrition programs creates a path forward to address the evident disproportional effects. It is possible, in analyzing the historical impacts, to learn what needs to change as policy surrounding childhood nutrition is continually developed.

NSLP & FOOD INSECURITY IN ALABAMA



Like all states, Alabama received permanent federal assistance in providing school lunches in 1946 with the passing of the National School Lunch Act, the legislative home of the NSLP. As of 2019, there were 500,287 children in the state participating in the NSLP. According to a 2016-2017 data report produced by the National Center for Education Statistics, over half all children in Alabama are eligible to participate in NSLP.¹⁵ This alarming statistic is indicative of the larger issue that 17 percent of children in Alabama are considered food insecure,¹ the second highest rate in the country, with only Mississippi recording a higher percentage at 19 percent.¹⁶

Over time, the presence of the NSLP in Alabama schools has served as a theoretical safety net for children who would otherwise not have adequate or equitable access to nutrition. Further, since the establishment of the School Breakfast Program in 1975, students receive not just one meal, but two. Every school that participates in the NSLP serves not only lunch but also breakfast to eligible students.

To be eligible for meals at the free rate, household income must be less than 130 percent of the federal poverty guidelines. Families between 130 and 185 percent of the poverty lines are eligible for reduced lunch prices.² Despite the guidelines for eligibility and participation being objective, the results of who falls within each classification show the deep racial and socio-economic inequities which exists.

None of this is neither new nor surprising, however, particularly when looking at the origins of the NSLP.

RACE-RELATED ORIGINS OF THE NSLP

Prior to the passing of the NSLP, studies revealed malnutrition rates to be highest among “impoverished and disenfranchised groups.”¹⁷ Many of these groups also lived in rural and under-resourced urban neighborhoods, yet even so, schools in these areas found it most difficult to participate in the federal lunch program. Specifically, when NSLP switched from a commodity distribution program to a cash indemnity program (schools being reimbursed for money spent on meals), rural and schools in poor districts suffered. These schools suffered because, as the policy was enacted, the “healthier” meals served received higher reimbursement rates. However, only the most well-funded schools had the resources and kitchens needed to cook complete meals. Meanwhile rural and other poor school districts more often provided cold meals, meals deemed less healthy.¹⁸ Schools most in need of resources were punished for being unable to meet the standards despite never being provided with adequate supplies, an arguably intentional design flaw. The effect of this resulted in furthering the racial inequality in already disenfranchised communities.

When drafting a permanent version of the NSLP legislation, there was no mistaking the concern for racial inequities. Yet there was also no mistaking the fact that this concern was a pretense. Included in the NSLP was a half-baked attempt to prevent disbursement of federal funds being inequitable. Specifically, it said:

¹ The USDA defines food insecurity as a lack of consistent access to enough food for an active, healthy life. (source: Feeding America citing USDA definition found at: <https://www.ers.usda.gov/topics/food-nutrition-assistance/food-security-in-the-us/definitions-of-food-security.aspx>)

² It is important to note that today’s FPL levels are determined based on a poverty threshold developed in the 1960s and, subsequently, fails to capture poverty accurately.

“No Title I funds could ‘be paid or disbursed to any state or school if, in carrying out its functions under this title, it makes any discrimination because of race, creed, color, or national origin of children or between types of schools, or with respect to a State which maintains separate schools for minority and for majority races, it discriminates between such schools on this account.’”¹⁹

However, the language—already watery and weak—was unenforceable as it did not define “discrimination” nor did it consider the outright racist “separate but equal” policy as discriminatory. The discriminatory impacts of the early version of the NSLP are seen in the fact that even though the population of Mississippi is over half Black, only 16 percent of the federal lunch programs served Black students.²⁰

Despite efforts, civil rights advocates were unable to secure anti-racist legislation in the 40s. And a horrifying, albeit unsurprising, reality is that the very same racial impacts are still witnessed today within federal legislation. The unjust racial impacts have not been quelled, this time presenting themselves in data showing NSLP participation by race.

In the Fall of 2015, the National Center for Education Statistics released a data report of the number and percentage distribution of public-school students, by percentage of students in school who are eligible for free or reduced-price lunch by various metrics, including student race/ethnicity. When isolating schools where at least 75 percent of

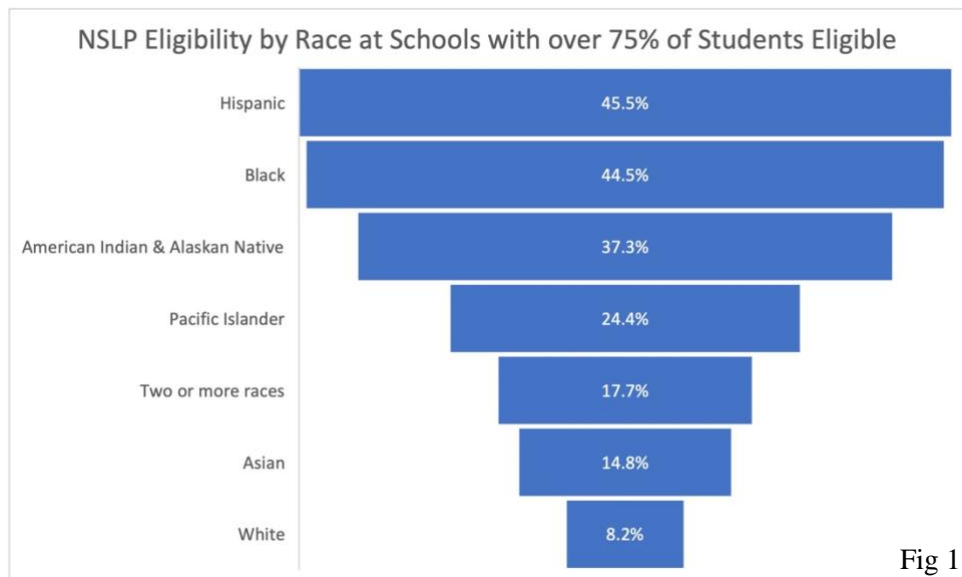


Fig 1

students are NSLP eligible, the disproportionality by race is evident on a national level.²¹ Fig. 1 shows that while only 8.2 percent of white students are in an environment where over 75 percent of students are eligible for free and reduced meals, 45.5 percent of Latinx children and 44.5 percent of Black children are.

RACIAL DISPROPORTIONALITY IN ALABAMA

The story of disproportionality of eligibility by race is not at all different in Alabama. Each year, Feeding America releases a map of food insecurity by counties in the U.S. According to a 2016³ version of this map, there were six counties in Alabama where the rate of childhood food insecurity were above 30 percent.²² In each of these counties, 71 percent of children are at or below 185 percent of FPL, making them eligible for NLSP. For most of the counties, the population most affected are Black students, as exhibited in *fig. 2* below.

County	% of children food insecure	% of all children in county eligible for NSLP	% of Black students eligible	% of white students eligible.
Conecuh	30.7%	83%	85%	15%
Dallas	33%	82%	76%	23%
Greene	34.3%	95%	100%	
Lowndes	30.7%	98%	100%	
Perry	35.1%	94%	100%	
Wilcox	34.8%	100%	100%	

Fig 2

The fact that Black students account for almost the entirety of NSLP eligibility in these six counties with the highest percentage of childhood food insecurity is also indicative of a larger public health problem for BIPOC populations.

³ I am choosing to use 2016 for the purposes of this paragraph, as the connection I make is from a report of the 2014-2015 school year and therefore the most relevant. I will address the current map data at a later point.

THE DEEPER IMPACTS OF FOOD INSECURITY

A study on childhood obesity in Alabama conducted in the 2011-12 school year found that girls in third grade were more likely to be obese if they were Latinx (27.9%) or Black (26.8%) rather than white (18.5%). The pattern exists among boys, as well: white (19.4%), Black (22.5%), and Latinx (29.4%). Overall, obesity rates in Alabama for school-age children are higher than the national average. According to the State of Childhood Obesity, “In Alabama, 17.3% of youth ages 10 to 17 have obesity, giving Alabama a ranking of 12 among the 50 states and D.C.”²³

“17.3% OF YOUTH IN ALABAMA ARE OBESE, AND THIS DISPROPORTIONALLY IMPACTS MINORITY STUDENTS

This statistic is unsurprising when compared to data on SNAP participation. As of 2018, 46.3 percent of SNAP participants—347,000—are children. White households make up 41.7 percent of all participants. Meanwhile, 53.1 percent of all participants are Black. 1.1 percent are Latinx.²⁴ The low Latinx percentage is due partly to the Latinx population in AL being a smaller percentage of households overall. In addition to this, SNAP data does not include undocumented families who, financially, could be eligible but are barred from access to do their status.²⁵ Participation in SNAP is also suggestive of the fact that a significant percentage of SNAP participants live in food deserts⁴ and therefore have less access to healthy food and more access to processed foods that increase the rate of diabetes, obesity, and other health concerns.

A report focusing on Alabama SNAP participation and food deserts explains that “The food desert argument suggests that residents of certain areas have disproportionately limited access to fresh, healthy, affordable foods resulting in poor diets which ultimately lead to numerous health-related issues.”²⁶ The National Institute of Health further reports that “Neighborhoods where economically disadvantaged and minority populations reside were more likely to have abundant sources of foods that promote unhealthy eating. Previous reviews have shown that limited access to supermarkets and grocery stores in low-income neighborhoods may represent a significant barrier to the consumption of healthy foods.”²⁷ The access—or lack thereof—to grocery stores and supermarkets in various counties mirrors the disproportionately high SNAP and NSLP participation. *Fig. 3* represents the total sales as reported by supermarket and grocery stores based on the 2010 census. The yellow and green areas of the map, representing \$5,642 or less spent at grocery stores per quartile, are found mostly in rural and semi-rural areas. The previously discussed six counties with highest rate of food insecure children (and up to 100 percent of NSLP participation by Black children) are found amidst the green and yellow in the southwest side of the map, as well.

⁴ A food desert is an area in which food is difficult to find. This does not mean any food, i.e., chips and sodas from a corner store. Specifically, food deserts are defined in context of access to foods of nutritional value.

For children, the impact of living in a food desert is extremely detrimental: “The health consequences of limited access to healthy food may be the most devastating for children. Given the associations between healthier eating and children’s academic performance, poor nutrition may be a mediating factor in the

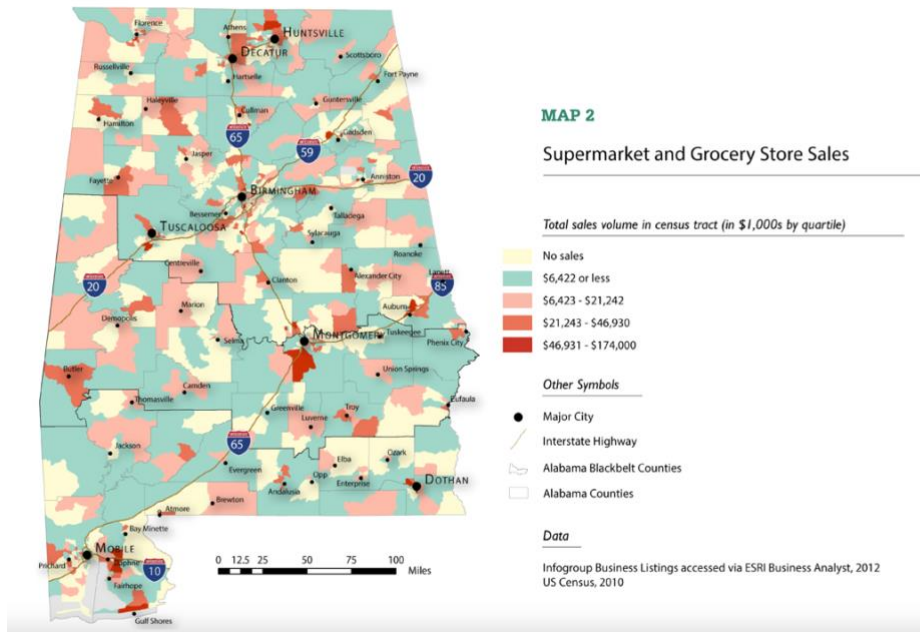


Fig 3

perpetuation of education achievement gaps in low-income areas.”²⁸ The importance of school lunches is therefore of utmost importance, as it helps to combat the long-term impacts of food insecurity. Rachel Fowler, a Child Nutrition Program (CNP)

Director of Homewood City Schools, described in an interview the tangible impact of school meals, including after school meals provided at some NSLP recipients, among her children:

“I SAW THE IMPACT ON CHILDREN THAT WOULD BRING TEARS TO YOUR EYES WHEN WE STARTED THAT AFTER SCHOOL MEAL PROGRAM IN ST. CLAIR COUNTY. I MEAN, KIDS... I HEARD KIDS COMMENTING ON HOW GRATEFUL THEY WERE TO HAVE THIS FOOD, HOW THEY WERE HUNGRY AFTER SCHOOL AND THEY DIDN'T HAVE ANY MONEY AND THEY WERE SO EXCITED TO GET THESE MEALS.”

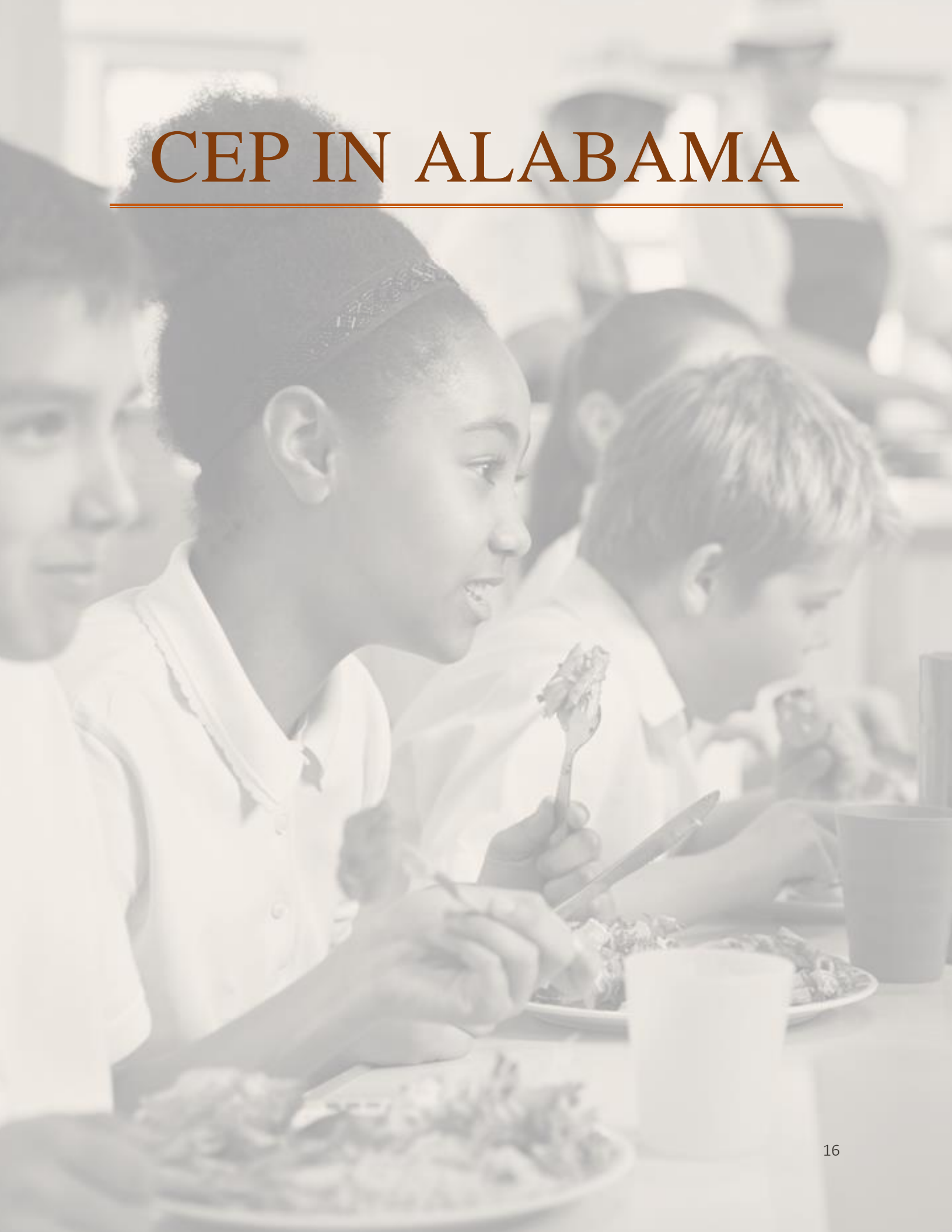
Fowler is one of many CNP directors in Alabama who work to ensure that all children have access to nutritious food. CNP directors are child advocates working to combat the inequities that emerge across policies and districts and within schools. Joyce Curry, a CNP director in Alabama’s Troy City School District, makes the point that “child nutrition is not just somebody cooking in a pot and slapping something on a plate and pass it off to their children. It's way more than that. It's more detail oriented,” Curry said. “We are a detailed group of people that care about the children in our community and all children, and we want them to have nutritious meals that are sustainable.”

It is for this reason that many CNP directors advocate for their schools to opt into the USDA's Community Eligibility Program (CEP) if eligible. CEP is a provision of the National School Lunch Act that was introduced through the Healthy, Hunger-Free Kids Act of 2010 "to increase access to and participation in free meals, reduce paperwork for schools and families by eliminating applications for meals, and remove stigmas that free and reduced-price meal recipients may face in the cafeteria."²⁹ In CEP schools, over 40 percent of students are eligible for free and reduced-lunches. Further, unlike other NSLP schools, all children receive free lunch.

Increasing access to school meals through CEP and other legislation would also reduce risk factors related to lack of school meal access and food insecurity more generally. "Food-insecure teens who don't get enough to eat sometimes resort to extreme measures to cope with hunger—from saving school lunches for the weekend or going hungry so their younger siblings can eat to stealing or trading sex for money to buy food"³⁰

Alabama's high rate of food insecurity begs the question as to what happens to children of families which are—though food insecure—ineligible for the NSLP either because of the burden of filling out the application, the fear of exposing their citizenry, or simply being above the FPL line but still unable to afford paying for their children's lunches. Some teens even fail classes purposefully to be able to enroll in summer school and receive school lunches; this is a particular strategy used in districts which do not or are unable to opt into summer feeding programs.³¹ Fowler notes that CEP helps to capture kids who, though qualifying, will not have access—"Because a lot of a lot of times, you know, a child will qualify for free lunch. But if the parent doesn't complete an application, they don't get that benefit."

CEP IN ALABAMA



INTRODUCTION OF CEP

Amidst the high percentage of Alabama schools and districts which participate in the NSLP, there are 445 that have opted into CEP as of 2020.³²

CEP differs from the NSLP in its eligibility guidelines in that, rather than using applications from families to determine federal poverty lines for NSLP eligibility, CEP is determined through direct certification. Phrased another way, CEP uses adjunctive eligibility. To qualify for CEP enrollment, at least 40 percent of students must fall into an eligible category; this is known as a school's Individual Student Percentage (ISP). For instance, if a family is enrolled Supplemental Nutrition Assistance Program, Food Distribution Program on Indian Reservations, Temporary Assistance for Needy Families, then the student would be eligible for CEP. In addition to this, if a child has any of the following statuses, they, too, are eligible for CEP: foster child, homeless child, or migrant child. If a school, school district, or school grouping has an ISP of 40 percent of greater based on these categories *and* they have opted into CEP, then all students would receive free lunch.

Another difference is that CEP schools receive the free reimbursement rate for a set percentage of meals. This percentage is calculated by multiplying a school's ISP by the constant 1.6. The remaining meals, schools pay the full rate. Meanwhile, non-CEP schools will be reimbursement at each reimbursement rate based on proportion of meals of each served. In Alabama, the reimbursement rates are as follow: \$3.65 for free meals, \$3.25 for reduced meals, and \$.47 for paid (full-price) meals.³³

The 114th Congress pushed for a proposal in 2016 to increase the eligible ISP percentage to 60 percent versus 40 percent, which would have resulted (as of 2019), 6,500 current participating schools from being able to take part.³⁴ Meanwhile, the 116th Congress has made efforts to expand CEP eligibility by increasing the reimbursement rate from 1.6 to 1.8.³⁵ Such policy would encourage more schools to enroll, as they would be reimbursed at the free rate for more meals served.

If a school qualifies and opts into CEP, then all students receive free lunch. There is no separation of students in the lunchroom based on full price paying, partial pay, and free. This is only the start of the benefits CEP offers.

BENEFITS OF CEP

One of the largest barriers to students participating in school meals stems from stigma. Students who receive free and reduced-lunches often have separate lines, have a special card, or are singled out in other ways that stigmatize not being able to pay full price. In a year as recent as 2016, Alabama schools hit headlines for “branding” students with stamps that said “I need lunch money” if their accounts were low or in the negative.³⁶ Local Alabama mom Misha White recounts:

“As a young, young student, I was part of the reduced lunch program. And while I was a young student, of course [...] you do think about how others view you. And there was a lot of stigma behind having to have that reduced lunch card, which, as an adult, I realized that that was silly then

but as a child, you feel a little bit of shame, having to present your reduced lunch card and just wondering what other people think about you when you're having to do that.”

Such stigma attached to free and reduced-lunches, according to a 2011 NIH article, “is considered a harmful, health-adverse outcome.”³⁷ The National School Lunch Act further prohibits public identification of students who participate in NSLP; however, as indicated by Alabama’s practice, this is not followed. Notably, the majority of students impacted by stigma are BIPOC youth, as they are the ones who participate at a higher rate. In a 2018 article published by Anna Karnaze in the *Northwestern University Law Review* recounts that children referred to kids who received free lunches as “ghetto children” or that “white kids ate upstairs and Mexicans ate downstairs.”³⁸ The overrepresentation of minority students who participate in NSLP, Karnaze observes, means that the practice of identifying students based on paying and non-paying “could be shown to adversely affect students in protected classes by unlawfully creating barriers to—or even outright preventing—their full and meaningful participation in the NSLP.” She then goes on to explore the merits of Title VI in classifying such stigma as ridding of equal opportunity based on race.³⁹

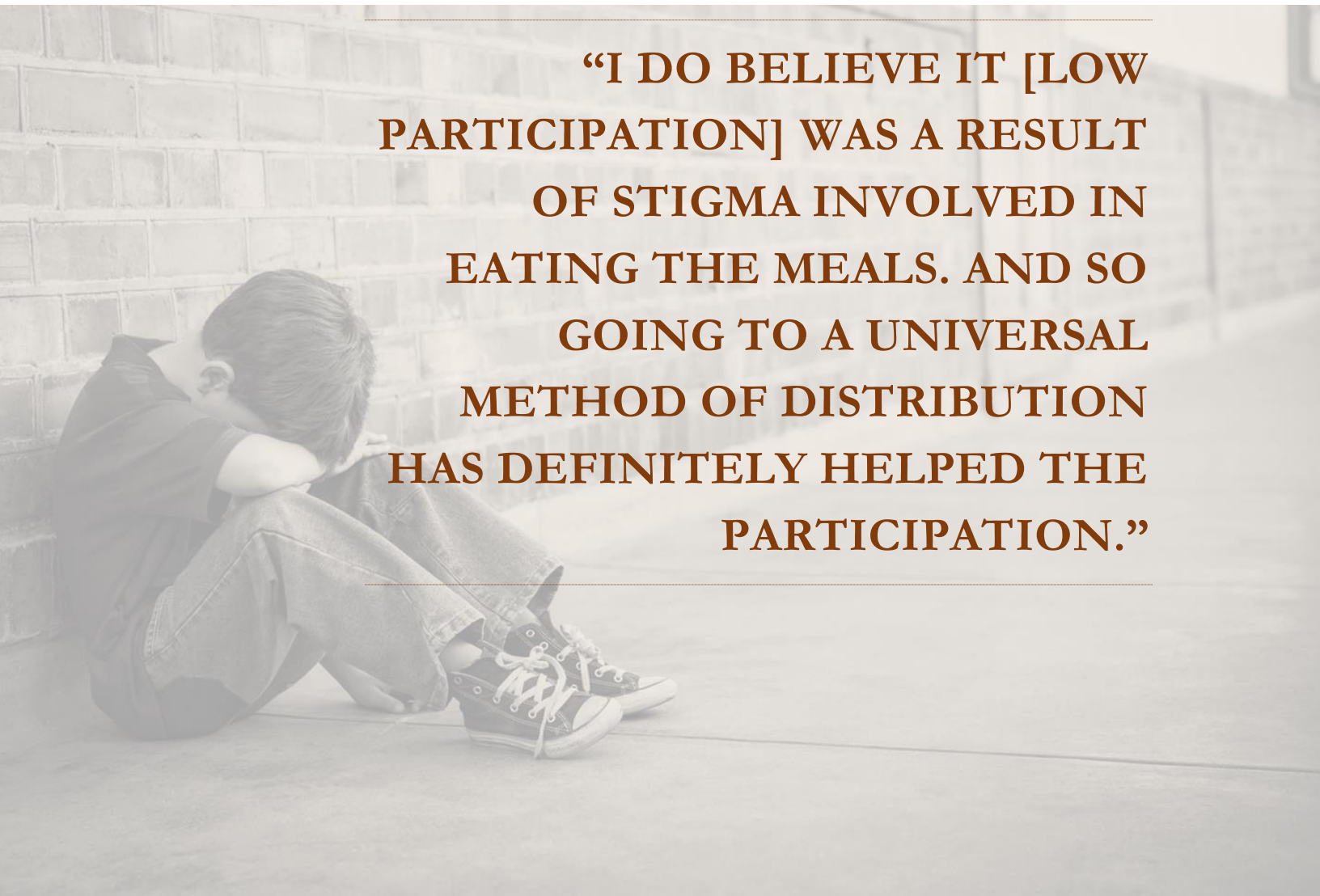
Comparatively, students enrolled in CEP schools do not face any stigma because all children receive free meals. There is no separate line for non-paying students and no stamping of children. White, now a mother with two boys, says: “We don't have to worry about where our next meal is coming from, we don't have to worry about if we have enough money to purchase lunch. This is a stress reliever, like we don't have to stress about those things. [...] It's truly a blessing.”

While White’s boys do not participate in NSLP, her time as a child and also her role as an advocate in her community and Alabama at-large means that she is aware of the benefits of the NSLP and especially CEP. “There are others that just need basic needs, food, and shelter. And, of course, social connection and love.” According to White, CEP is a step towards all children getting these needs met.

School officials have also experienced this firsthand. Arnisha Jordan has been a CNP director in Fairfield City Schools for four years. Fairfield City Schools has an ISP percentage of 77 percent meaning they are eligible for CEP and have been participating for a few years. When asked about why Fairfield opted into CEP, Jordan responded—

“Understanding the families that we serve influenced the decision. Knowing the burden of dealing with the applications that come with, you know, free or reduced— that has been alleviated because we participate in CEP. And then just CEP has helped remove some of the stigma associated with eating school meals.”

Detailing further on the stigma, Jordan thought back to when she was a cafeteria manager at Fairfield High, and she noticed the participation rate was low. “I do believe it [low participation] was a result of stigma involved in eating the meals. And so going to a universal method of distribution has definitely helped the participation.”

A young person with dark hair, wearing a dark t-shirt and jeans, is sitting on the ground against a brick wall. They are looking down, and their hands are resting on their knees. They are wearing dark sneakers with white laces. The background is a brick wall and a paved surface.

“I DO BELIEVE IT [LOW PARTICIPATION] WAS A RESULT OF STIGMA INVOLVED IN EATING THE MEALS. AND SO GOING TO A UNIVERSAL METHOD OF DISTRIBUTION HAS DEFINITELY HELPED THE PARTICIPATION.”

Fairfield is also a food desert, something that Jordan made sure to point out. She says that their participation in CEP not only helps their students but also their families by lifting one further burden. One such burden is the removal of applications. CEP schools do not have to manage sending out and having students return free and reduced-price meal applications. Likewise, families do not have to worry about the stigma of reporting their income and taking the time to fill out applications when they are likely otherwise busy.

Fowler, who works in a non-CEP school, notes the benefits that would emerge if her district did not have to manage applications: “[CEP] takes a lot of the pressure off the Child Nutrition Program Office that normally has to process free and reduced applications. That can take an incredible amount of time, depending on the district’s resources.” She then went on to explain how “less-affluent” districts have to do a lot of this by paper which takes even longer, as they do not have an established online application system.

Perhaps the biggest benefit that comes from participating in CEP is in the increased participation rates. May Lynn, Ph.D., an early researcher of CEP programs in the U.S., says that the school meal participation uptick seen within CEP schools can be explored in three pathways:

1. The removal of stigma
2. The ability for near-eligible students to now have access to meals, as even though the family might be above the NSLP FPL cutoff, it still might be a stretch to pay approximately \$4/day for lunch.
3. The flexibility that participating in CEP gives schools. For example, lines move faster and they can also implement more automated Breakfast programs such as Breakfast in the Classroom.

Jordan also made sure to note that enrolling in CEP has eased implementing breakfast after the bell, as all students receive the meal. Most notably, she said that Breakfast in the Classroom has captured chronically late student and enabled them to have another meal. “Otherwise, you know, they would not eat,” Jordan said. “And we know that studies show that when children don’t eat, they have difficulties learning. So that definitely helped with absenteeism. It has helped with behavior,” she continued. “And like I said, our parents, our families that we serve, really appreciate the fact that they don’t have to come up with whatever the meal price would be, because of our election of CEP.”

Lynn also notes the important reality that “CEP is as much a nutrition program as it is a food insecurity or food assistance program,” and even concludes that “having a safe safety net at school just is a good idea.”

Jordan goes as far to say that “even if there were a significant increase in paperwork to participate in this universal program, we would still take it on, because it’s the right thing to do for our kids.” Beyond this, “The most, I guess significant effect [of CEP] is—it helped build trust,” Jordan said. “And not saying that it didn’t exist prior to our election of CEP, but it definitely strengthened our partnership with our families. And it all goes back to knowing the community that we serve. And, you know, being able to say, ‘Hey, we see that there aren’t grocery stores in this area, we see that there is a program that would fill a gap. And you won’t have to worry about your child coming home and afternoon raiding your refrigerator, because they’ve eaten three hot meals.’ I think that went a long way.”

**“CEP IS AS MUCH A
NUTRITION
PROGRAM AS IT IS
A FOOD
INSECURITY OR
FOOD ASSISTANCE
PROGRAM”**

Yet despite the clear benefits to CEP, many eligible schools still choose to forgo participation.

OBSTACLES IN ADOPTING CEP

In the 2018-19 school year, at least 15,400 eligible schools did not opt into CEP nationwide.

Butler County Schools, a district in the southern, central region of Alabama, piloted CEP when it first became available, yet the district chose not to continue. Linda Perdue, CNP Director of Butler County, explained in an interview that “Down the line, it began to affect the Title 1 money that comes into those particular schools.” Perdue expounded this to be part of Butler County’s choice to withdraw from CEP participation. Perdue even went as far to say that if CEP did not impact Title I funding, Butler would have permanently adopted it “because CEP is a way for all kids to access a nutritious meal without having to worry about the burden of having the money to pay for it.”

When CEP first launched in 2010, of the initial 11 states, all mentioned concerns surrounding CEP’s impact on Title I and e-rate funding. 10 out of the 11 were specific to the Title I funding effect as the “largest barrier to adopting and implementing CEPs.”⁴⁰

The reason CEP participation impacts Title I funding is that Title I funds are often allocated based on information received on the NSLP applications. Therefore, by CEP ridding of the need for applications, schools seemingly no longer receive the information necessary for their Title I funding allotment. While this is perhaps the largest barrier to CEP adoption, it is by no means the only.

Perdue went on to explain that another reason Butler County chose to discontinue their participation is that the reimbursement formula did not favor Butler County Schools, as not all were of a high enough ISP percentage to make it worthwhile financially. She noted that some schools had very high ISP rates and therefore they would receive full reimbursements. However, other schools had low ISP rates, and when all schools combined, the reimbursement rate was not high enough for them to be able to continue being enrolled, as Butler County was ultimately losing money. Nationally, despite the national ISP-average of CEP-eligible schools being 48 percent, schools with an ISP percentage above 55 percent are most likely to participate, and the average ISP of participating schools is 61 percent.⁴¹

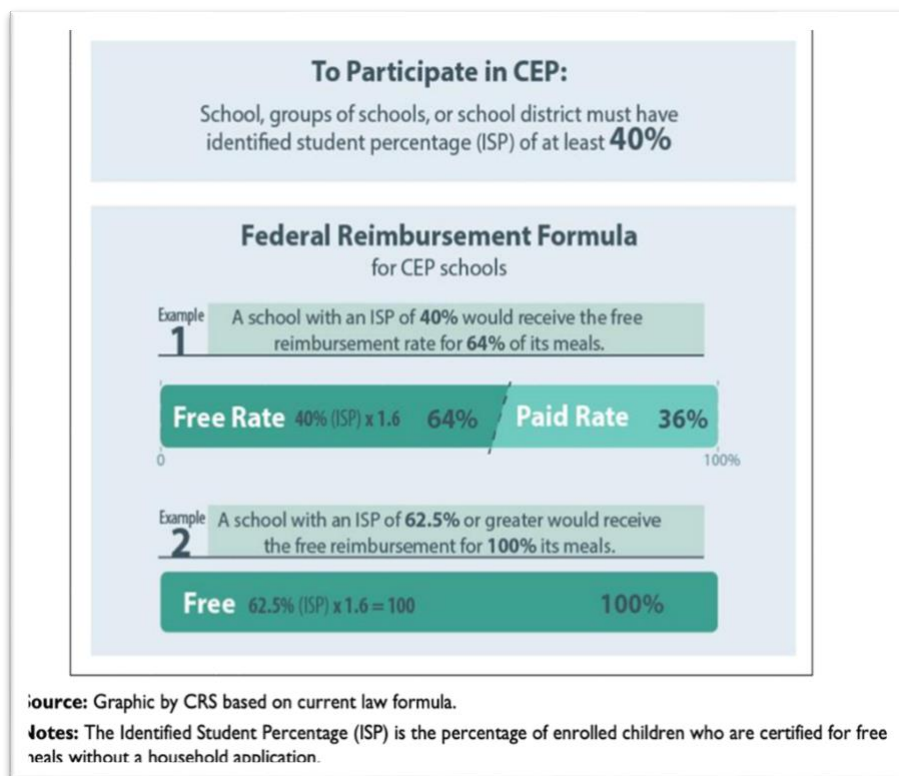


Fig 4

As previously mentioned, CEP schools are reimbursed the free rate (\$3.65) for their ISP percentage $\times 1.6$ and then the paid rate (\$.47) for the remaining meals. Fig 4⁴² clearly demonstrates what this means in practice. Specifically, it shows that for schools to not have to pay at all for school lunches, they would need an ISP rate of 62.5 percent. This indicates why the average ISP of all participating schools hovers at 61 percent. Schools with an ISP percentage of 40 percent, the baseline eligibility,

would therefore be responsible for paying the remaining balance of paid meals for 36 percent of schools, often meaning they would pay more under CEP than free and reduced-rates as they might have a high percentage of reduced-rate lunch participating and few who are full-pay.

Another barrier in CEP participation is simply knowledge around what CEP is and how it works in practice. The federal legislation, though intended to help districts increase access to meals for students, is all but hidden behind an opaque veil. Perdue, as CNP director, said that the biggest burden she found is “schooling local, state, and federal regulations and guidelines as to what we can and can’t do.” Yet this concern, as others, has potential solutions.

POTENTIAL REMEDIES TO CEP OBSTACLES IN ALABAMA

Increasing awareness and knowledge surrounding CEP is perhaps one of the first steps that Alabamians can—and have already—take in addressing CEP under-enrollment. Celida Soto Garcia, Alabama Arise’s Hunger Advocacy Coordinator, has been at the forefront of this effort. Garcia spends her days talking with CNP directors and other hunger advocates to discuss the barriers schools are experiencing in adopting CEP. This vital work focused on the importance of offering a dependable system to ensure all children receive a healthy meal, particularly during a state-of-emergency. This became most evident when news of COVID accentuated CEP’s practicality: “Most days, hungry children can look forward to school meals to help keep them fed. But school closures amid the pandemic have disrupted this lifeline. Fortunately, several changes are helping, and the Community Eligibility Provision (CEP) is making those changes work even better,” Garcia wrote.⁴³

Beyond de-mystifying CEP for schools, steps could be taken to address eligibility and impact on Title I. Fowler suggests that instead of using a direct service percentage, schools should be able to use a percentage of applicants or even census data. This method is used to determine eligibility for the Child and Adult Care Food Program, the same entity that administers the summer feeding program and schools qualify to serve school meals to children with a higher risk of experiencing hunger. While the NSLP's means-based application is a common way of determining Title I fund allocation, "federal law provides districts with multiple options to measure the percentage of poverty at each school. School districts can use poverty data based on one or more of the following programs to allocate Title I funds:

- National School Lunch Program, which includes a school's percentage of identified students if participating in community eligibility;
- TANF;
- Medicaid; and
- U.S. Census data"⁴⁴

The Food Research Action Center notes that enrolling in CEP does not impact a district's Title I funding. What it can do, however, is impact the rank of schools within a district for Title I funding.⁴⁵ Therefore, schools with higher ISP might rank higher in a district than schools with a lower ISP, or, conversely, if a high-ISP school is grouped with lower ISP school, then Title I funding could change at individual schools. Further education along with potential amendments could help schools and districts determine the best data to use to apply for Title I funds. Even eliminating misleading information, particularly around CEP's impact on Title I, could lead to counties like Butler not withdrawing from participating in CEP.

Likewise, increasing awareness that schools can partake in a pilot year, not having to commit to a 5-year program, can help expansion. When asked about any advice she would give to other CNP Directors or superintendents considering adopting CEP, Curry said, "Go for it [...] just go for it. I mean, the advantage of CEP, you can have a pilot year, and that's what we're in right now. We're in a pilot year. And if it works, great, continue on, and then you'll have that five-year cycle. If it doesn't work for your system, you can opt out after the pilot year is complete." Conducting a trial year could potentially help districts see firsthand the effects that CEP has in schools and also better parse through the previous deterrents with little or nothing to lose.

COVID & IMPACT ON STUDENTS AND SCHOOL MEALS



It was March 16, 2020, that Alabama Public Schools went remote in response to COVID-19. Though justifiably worried about the public health of Alabamians due to the spread of COVID-19, CNP directors statewide also had another concern on their mind—how were students going to access meals? With such a high percentage of students participating in school meal programs in Alabama, schools were charged with developing emergency plans quickly, as the normal way of distribution (in-person congregation) was now a deadly weapon.

Garcia wrote a report in May 2020 that discussed the fact that “COVID-19 has highlighted the need to strengthen safety net programs supporting health and childhood nutrition throughout Alabama.”⁴⁶ Garcia went on to cite the benefits that Alabamians saw through Pandemic EBT (P-EBT), even going so far as to extol P-EBT’s federal approval as “a remarkable example of state agencies coming together to fortify safety net programs during turbulent times.”⁴⁷

As schools started navigating this in March, legislation adapted and plans were made and extended, even as far as the entirety of the 2020-2021 school year.

WAIVERS

At the onset of COVID-19, many Alabama schools closed their doors before any mandates. Because of this, early on there were no waivers and no immediate solutions to remedy the reality that students no longer had access to school meals. Alabama and states across the country were realizing that the NSLP was not a safety net able to respond to a national emergency. Shortly after the mandate that schools close their doors, the government opened up waiver applications to allow schools to distribute meals in non-congregate and non-learning environments. Alabama applied for this and was approved in late March.

The next hurdle schools faced was determining eligibility. Parents would come to school to pick up meals and schools had to determine whether the child for whom the meal was being picked up was eligible for free and reduced-lunches. At least, this was a hurdle that non-CEP schools faced. During this period, many schools elected sponsors to deliver meals to students. While this removed the burden from the family to drive to the school every day, it increased the complexities of determining student eligibility and price owed. Having community organizers and stake holders learn about and gain access to the AL State Department of Education systems proved an impossible feat.

The State soon realized that schools were unable to get meals out quickly or abundantly enough. This was particularly true for schools serving predominantly Black and Latinx populations. *Civil Eats* published an article in the beginning of 2021 that highlighted the impact of disproportional school meal access within Alabama’s Black Belt, a rural area often cut off from resources. The article delved into the fact that schools in rural Alabama, despite efforts, do not have access to resources to make their efforts fruitful and, often, this is the result of “a history of discrimination against people of color.”⁴⁸

In response to the difficulty of distributing school meals, the USDA moved forward with Pandemic Electronic Benefit Transfer (P-EBT), an action enabling school children receiving free and reduced-lunch to get nutrition benefits loaded onto EBT cards. P-EBT was approved at the end of April and even included retroactive payments to families for the previous month or longer that children had been out of schools. The payments placed on the cards were equivalent to \$5.75 per day, per child.

P-EBT rolled out in three phases. The first phase included providing P-EBT cards to students whose families were receiving SNAP and also eligible free and reduced-meals, and foster and migrant children.

The second phase including students whose families were not actively receiving SNAP but were receiving free and reduced-meals. The third phase including CEP students who, if not for attending a CEP-school, would otherwise be ineligible for free lunches.⁴⁹

P-EBT ended on May 31 and was replaced by Seamless Summer Option (SSO). SSO applied to all children in the country and ensured children had access to nutrition through the summer months. SSO was initially extended until March 31, the same date by which schools had to choose whether to opt into CEP if eligible.

Increasingly noteworthy during the March-May period was the fact that schools which had opted into CEP in the 2018-2019 school year did not face nearly as many obstacles as non-CEP schools did during the end of the 2019-2020 school year. They did not have to worry about collecting money for meals, nor did they have to worry about the determination from applications.⁵⁰ With the CEP application deadline being extended until August 31, many schools could experience the same ease for the upcoming school year. With the help of advocates like Garcia at Alabama Arise, almost 14,000 new students became covered under CEP starting with the 2020-2021 school year. Some of the districts in Alabama which chose to opt into CEP for the 2020-2021 school year were Troy, Ozark, Lanette, and Daleville among many others.

These schools, among the previously enrolled CEP schools were able to continue to operate meal distribution with comparative ease. Soon enough, however, the SSO waiver was extended through December 3, 2020, enabling schools that had initiated the traditional free and reduced-meal distribution to return to the easier, universal distribution method. The motivation behind this extension was found in parents and policy advocates pushing for an extension, fearing that families could not pay the ~\$4 for each meal. Even if they were ineligible in the previous year, there was the (high) risk COVID had impacted family incomes. It was on October 9, 2020, that the USDA extended the SFSP and SSO through June 30, 2021.⁵¹ This extension was in accordance with the Families First Coronavirus Response Act, a comprehensive legislation that demonstrated the resilience of universal school meal policies even amidst the utmost and complex national emergency. In many ways, waivers gave schools a look into what CEP could look like.⁵

MEAL DISTRIBUTION IN CEP VERSUS NON-CEP SCHOOLS— WHAT COVID-19 HAS UNVEILED FOR SCHOOL MEALS AND CEP SPECIFICALLY

Curry is a CNP Director in a district which previously avoided participating in CEP due to fear that the reimbursement would not benefit her district. However, because of the increase in local unemployment seen with COVID, her district chose to start a pilot year in the 2020-2021 school year. Curry talked at length about how not having to process applications for this year has given her more time to focus on distributing meals during COVID and also the more bureaucratic necessities this year.

Jordan, too, spoke to the increase in participation she saw as a CEP school when COVID emerged: “Now, in terms of COVID, I just see the silver lining. Because of COVID, we were able to employ SSO, which a Seamless Summer Option a little earlier. And we were able to establish some really great partnerships in

⁵ Later in the report, I address how this is a chance to witness the benefits of a universal school meal programs.

our community. And because of those partnerships, we were able to reach, I want to say when I crunched those numbers, it was like a 300% increase in our summer programs.”

Fowler, however, works in a non-CEP school and detailed the experience of trying to run school meal programs before the waiver was extended. “We were charging account accordingly, for curbside and on-campus eating, just like always. So you know, that process was a little more difficult than the summer feeding model. Because instead of just checking off the kids, as they come through the line and checking off the meals as you go, you have to find that specific student and mark that they have received their meal and then go back and charge those accounts accordingly versus being able to do a whole transaction. I did 400 meals a day. You have to go in and bring each meal as if they were going through the line in the cafeteria.”

In addition to the burdensome meal distribution process, Fowler noted that P-EBT and internet vouchers were tied to the 2019-2020 free and reduced-lunch applications. Therefore, at the beginning of the year, non-CEP school administrators were having to go through government verification for their families. “We pushed and pushed and pushed [for families to turn in applications] And now we’re going to go: ‘Oh, and now by the way, prove it.’” This frustration with the verification cycle is nothing new, as all schools which are on the free and reduced-meal system have to not only have families complete applications, but also force families to go through random federal verification, a process even more burdensome during a pandemic with decreased access to students for collecting paperwork and to internet for parents to complete applications online.

Despite the frustrations that Fowler and her team experienced at the beginning of the year, when the waiver was extended, they were able to institute an easier meal distribution plan, and she found that “our curbside pickup went up about probably 20 percent.” Her district has also seen participation in school meals double at the elementary level in a six-week period. Considering Fowler’s district is in an affluent neighborhood, it begs the question of how many students who do not qualified for free and reduced-meals would still greatly benefit from free meals, especially in light of the financial impact of COVID-19.

Lynn noted this prospect when talking about how she thought COVID could impact school meals: “[CEP] is an expensive program. You are going to be serving kids who don't necessarily have to eat at school; they could afford to bring it from home. But I think COVID is really highlighting that you never know who those students are. And especially in low-income schools or schools with high poverty, there's always going to be more of the students in need than you can actually count.”

MOVING FORWARD—WHAT WE CAN LEARN FROM POLICY SHIFTS DURING COVID-19



The NSLP began in response to a national emergency. Prior to the Great Depression and World War II, the federal government steered clear of intervention in state-run programs such as school meals. However, the state of the country in the late 30s and early 40s called for a different reaction. Today, in 2021, the U.S. faces a similar position. Never before has the school lunch program had to exist and learn how to be resilient during national pandemic amidst a global recession. The impacts of the events of 2020 are not going to disappear anytime soon.

Feeding America conducted a report that revealed in Alabama and nationwide, that food insecurity will only increase as a result of COVID-19. Because of this, many previously CEP-eligible schools and districts will become eligible. Yet the barriers to CEP enrollment—though possibly mitigated—will still exist. Of particular significance is that these barriers to enrolling in CEP impact disproportionately Black, Latinx, and other minority students. Further, in non-CEP eligible schools, Black and Brown students are still more likely to be impacted by the lack of access to meals or become subjected to the stigma and subsequent fallout. It is this truth that points to finding a solution in Universal School Meals.

Currently, there is unprecedented potential for the U.S. to make shifts in legislation governing school lunch programs. Whether this is expanding access to CEP or making a shift to universal meals, the groundwork has been laid. While the waivers have provided schools country-wide a glimpse into what enrolling in CEP could look like for eligible schools, on a grander level, it revealed what universal school meals could look like for all schools.

The extension of the pandemic response program to serve all school children for the 2020-2021 school year was a result of national advocacy. The potential for this advocacy to go further exists. A report published by the Rockefeller Foundation brings attention to a universal program also serving as a tool for racial and economic equity, detailing that “an additional 8 million people have fallen into poverty, and food insecurity has doubled. These economic and hunger crises are equity issues that have only gotten worse since the pandemic began, affected Black and Latinx families at roughly twice the rate of white families.”⁵² Schools and connected resources have the potential to serve as public health havens and catalysts in communities.

Vermont leads the charge on implementing a universal school meal program, as a “tripartison group of senators has pitched a first-in-the-nation plan to offer universal school meals.”⁵³ The motivation behind Vermont’s proposal was partly in response to the potential of one of Trump’s proposal reducing the number of schools eligible for CEP and therefore going to universal would according to the director of Hunger Free Vermont, would ensure that they are “protecting Vermont students and families from hunger,”⁵⁴

Considering most share in the goal of wanting to protect students from experiencing hunger, Alabama can look at the benefits of CEP and also the waivers to see what the future of a universal meal could look like... or even simply CEP expansion. The question faced now is what are the next steps to ensure that Alabama does not revert back to the previously insufficient school meal program.

CLOSING REMARKS

I wrote this report as a visiting Emerson Hunger Fellow with the Congressional Hunger Center. I was placed with a nonprofit based in Montgomery, Alabama, named Alabama Arise. Arise is a “statewide nonprofit, nonpartisan coalition of congregations, organizations and individuals united in their belief that people in poverty are suffering because of state policy decisions.”⁵⁵

In my early days with Arise, I sat in on numerous meetings and learned about issues Arise was addressing. Many of these conversations went over my head in the first week, listening to the foremost experts discuss inequities that plagued Alabamians, listening to them explore the realities of their own backyards... backyards I was merely visiting. As time went on, I discovered something powerful about Arise and its work—each staff member has an unparalleled passion for building a better tomorrow for Alabama. For each member, the work accomplished daily is more than a job. Arise is composed of individuals who address their own biases, delve fully into anti-racist trainings, and are committed to magnifying, not their own voices, but the voices of the communities they serve.

I also joined Arise during an unprecedented time. I have not met any of my colleagues in person, nor have I ever been to Arise’s office. COVID-19 forced a working environment that pushed Arise to not only adapt to building and growing its capacity from a distance but also to do so during a time their work was never needed more.

COVID-19 created a laboratory making clear to many who were previously unaware of the very dangerous reality of what it means when basic necessities are no longer readily available. It takes tragedy to make people listen. For staff at Arise, they were already listening and acting before tragedy struck and were therefore able to quickly and effectively address community concerns. Arise was also at the forefront of advocating for increased access to nutrition for Alabamian youth.

Arise also partners with Hunger Free Alabama, a coalition of organizations working to end hunger in Alabama. Arise’s work surrounding hunger is where I focused much of my time. I followed the path set by Arise and worked to develop a report that would magnify their efforts to expand access to nutrition for all Alabamians. It was in a conversation with Carol Gundlach, a policy analyst at Arise, that I learned about the military origins of the NSLP. It was in conversations with Celida Soto Garcia that I discovered the extent of CEP’s benefits. And it was through listening to the entire policy team that I discovered how interwoven child nutrition is with various policy initiatives for which Arise advocates.

Federal policy response addressing child nutrition within schools has created a case study of what a universal school lunch program would look like and also the impact it could have. It was approximately 80 years ago that another national emergency caused the establishment of a federal policy addressing child nutrition within schools. Over time, we witnessed the flaws within that system that have been discussed within this report. COVID-19 is perhaps a catalyst revealing even deeper faults—the reality that the NSLP is not a program able to comprehensively respond to national emergencies. Fortunately, we have witnessed the development of federal intervention that prevented the school lunch programs from having a harder fall. Looking forward, we know the benefits that come with establishing a dependable system, one which can be uprooted and employed at any time and any place it is needed. The next step is ensuring such a program becomes permanent. Children deserve equitable and dependable access to nutrition at all times, not only during a global pandemic.

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