



Every Student Succeeds Act (ESSA) Opportunities to Increase Access to the Child Nutrition Programs

The Every Student Succeeds Act (ESSA) was signed into law in December 2015. The bill reauthorized the Elementary and Secondary Education Act (ESEA), the nation's 50-year-old education law. ESSA was designed to bring more decision-making back to state education agencies (SEAs) and local education agencies (LEAs — more commonly referred to as school districts) and to ensure that all students are prepared for the future, academically and professionally. ESSA replaces the last reauthorization of ESEA, No Child Left Behind (NCLB). Passed in 2001, NCLB focused on teaching students “core subjects” and placed a high emphasis on standardized testing as a measure of success. Like NCLB, ESSA is focused on ensuring students succeed academically, but it acknowledges that in order to achieve those goals, the whole child must be supported through collaboration, engagement, and evidence-based programs.

ESSA comprises nine titles.

- Title I: Improving Basic Programs Operated by State and Local Educational Agencies. Title I requires SEAs to “*provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.*” States are required to create an ESSA state plan to achieve this goal, as well as accountability systems, state academic standards, assessments, and report cards.
- Title II: Funding for Professional Development
- Title III: Language Instruction for English Learners and Immigrant Students
- Title IV: Funding for grant programs, including Student Support and Academic Enrichment Grants (SSAEG), 21st Century Community Learning Centers, Community Schools and Promise Neighborhoods
- Title V: Rural Education Program
- Title VI: Provides for Indian, Native Hawaiian, and Alaska Native Education programs
- Title VII: Impact Aid Program (Provides funding to LEAs with high concentrations of students residing on land owned by the federal government and other land exempt from paying local property taxes that typically provides funding for LEAs)
- Title VIII: State Funding Process and other provisions
- Title IX: Education for Homeless Students and preschool grant program

Opportunities for Anti-Hunger Advocates

Title I, Title IV, and Title IX offer important opportunities for anti-hunger advocates to increase participation in the federal nutrition programs, particularly the school breakfast and lunch programs, summer meals programs, and afterschool nutrition programs. These programs are critical education supports, ensuring that students are well-nourished and able to focus, concentrate, and learn. Increasing student participation in these programs can help SEAs and LEAs meet the goals of ESSA.

An extensive body of research demonstrates the negative impact of food insecurity on student outcomes and the role of the federal nutrition programs in reducing food insecurity. School breakfast, in particular, is linked to improved academic achievement and test scores and reduced absenteeism, tardiness, and behavioral referrals. Since ESSA directs SEAs and LEAs to utilize evidence-based interventions to improve student outcomes, anti-hunger advocates can encourage SEAs to include in their plans best practices to increase access to the nutrition programs, such as adopting community eligibility, implementing breakfast in the classroom, and incorporating afterschool and summer meals into educational or enrichment activities.

Title I: ESSA state plans

Title I directs every state to develop a comprehensive ESSA state plan with input from a diverse group of stakeholders to meet the requirements of ESSA. There are additional titles that call for states to create plans, but the U.S. Department of Education is allowing states to submit one consolidated plan that includes all of the requested pieces.

Every state must create a plan that includes challenging academic standards; assessments used to measure achievement based on the standards; a state accountability system and metrics; and methods to assess schools and subgroups of students within schools to determine if they are in need of improvement interventions.

SEAs could choose to submit their state plan on April 3, 2017, or September 18, 2017. There are a number of states that already have submitted their plans, but a majority of states are in the process of collecting feedback and working to finalize their plans to submit in September. Before states submit their final plan to the U.S. Department of Education, they must offer the public a 30-day comment period.

To see the status of your state’s plan, check out the following resources:

- [Map with the status of each state’s plan](#) (The Afterschool Alliance);
- [Summary of State Plan Submissions and Drafts](#) (The Collaborative for Student Success); and
- [Summary of State ESSA Tours and Processes Underway](#) (The Collaborative for Student Success).

If your state submitted its draft plan for the April deadline, there are still opportunities to engage. School districts must develop a local plan to meet the broad goals in the state plan. Anti-hunger advocates can work with school districts during this process. SEAs must also revisit their ESSA state plans and engage stakeholders in the process at least every four years.

If your state has not submitted its plan, you can still weigh in with your state agency and other key stakeholders (state board of education, state superintendent/secretary of education, and others participating in the workgroup) on the draft plan and encourage other partners to do so. In addition, you can submit feedback during the 30day comment period that is required prior to a state submitting its plan.

What must be included in each state plan?

State accountability system

Each plan must include a new accountability system with at least four indicators (measures of school quality or success) to track student achievement. Of the four, three should be academic and one non-academic. The non-academic indicator measures things, such as chronic absenteeism, access to afterschool and summer programs, student engagement, educator engagement, and school climate and safety. These four indicators will help SEAs identify the schools that are in need of intervention and the supports needed to improve. Anti-hunger advocates must weigh in to ensure the state recognizes the connection between nutrition and academic achievement.

State school report cards

ESSA requires SEAs to prepare report cards that provide information on every LEA’s performance and progress in an understandable and uniform format. The report cards must be made accessible to the public. They must begin with an overview section that provides information on key metrics of SEA, LEA, and school performance. In addition, information that is part of the Civil Rights Data Collection (CRDC) is required to be in the SEA report card.

Beyond these requirements, SEAs have flexibility to include other information and advocates should weigh in on what nutrition measures should be included, such as school breakfast participation rates, the number of eligible districts offering free meals through community eligibility, and the number of districts that serve afterschool or summer meals.

Additionally, LEAs are required to release a report card each year. These report cards should be consistent with the state format, but can include additional information. Advocates can weigh in at the local level to ensure that participation in the child nutrition programs is included.

Serving Homeless Students

In addition, state ESSA plans must describe how funding will be used to provide support to LEAs and how LEAs will serve homeless students to ensure they are properly identified and have access to high-quality education. This includes how homeless students will have access to the school nutrition programs. The vast majority of language that addresses access to the federal child nutrition programs focuses on meeting the nutritional needs of homeless students. Some plans include basic language stating that all homeless students are able to participate in federal, state, and local nutrition programs, while others include more comprehensive language that will better ensure homeless students' access to the federal nutrition programs in and out of school. For the requirements and best practices to meet the nutrition needs of homeless students through ESSA, refer to FRAC's resource called ESSA Plans: Best Practices for Ensuring Homeless Student Access to School, Afterschool, and Summer Nutrition Programs.

Funding for grant programs, including 21st Century Community Learning Centers (Title IV)

Under ESSA, the 21st Century Community Learning Centers (21st CCLC) program must be included in each state's plan. The program is authorized at \$1 billion and is the largest federal funding source for afterschool and summer programs, providing an important platform for afterschool and summer meals. If a state does not include the grant programs under Title IV in its larger plan, it must create a separate plan, which would include 21st CCLC.

SEAs are required to write a new request for proposals (RFP) for 21st CCLC that is based on their ESSA plan. States also must engage in meaningful consultation with stakeholders in the development of the new 21st CCLC RFP. As part of the RFP's revision, SEAs will be revisiting and updating eligibility criteria, competitive priorities, and indicators. Advocates should think about how 21st CCLC can help support access to the afterschool and summer meals programs and encourage states to address it as part of their RFPs.

Action Steps for Anti-Hunger Advocates to Weigh in on ESSA:

State Level:

- 1) Include access to the child nutrition programs among the interventions listed in the state plan.
- 2) Make sure access to the child nutrition programs is included in any needs assessments.
- 3) Ask SEA to include the language below that urges LEAs to adopt best practices to maximize participation in the child nutrition programs:

School Meals (School Breakfast Program and National School Lunch Program):

- Conduct community eligibility outreach to eligible schools.
- Encourage school districts to implement breakfast after the bell models (breakfast in the classroom, "grab and go," and second chance) in all schools that have adopted community eligibility and in schools with 70 percent or more students certified for free and reduced-price meals.
- Improve and support direct certification systems. Direct certification allows states to certify students who are automatically eligible for free school meals through data matching instead of through a school meal application. States are required to conduct direct certification for the Supplemental Nutrition Assistance Program (SNAP) and directly certify 95 percent of students in SNAP households, but there is tremendous variation in how well states are meeting that goal. Many

states could do more to directly certify students living in households that participate in the Temporary Assistance for Needy Families program (TANF), the Food Distribution Program on Indian Reservations (FDPIR), as well as students who are homeless, migrant, in foster care, or in head start, which would make it easier for these students to access free and reduced-price school meals. School districts would process and verify fewer school meal applications, allowing them to benefit from administrative savings and improve certification accuracy. Additionally, strong direct certification results in easier implementation of community eligibility. To find out how your state is doing on direct certification, see the [U.S. Department of Agriculture's Report to Congress: Direct Certification in the National School Lunch Program, School Year 2014–2015](#).

- Hold a statewide school breakfast challenge that promotes the School Breakfast Program, breakfast after the bell models, and offering breakfast at no charge to all students in high-needs schools as strategies to increase participation.

Summer Food Service Program

- Urge LEAs to sponsor summer sites at schools and community-based sites.
- Conduct outreach to let families know where their children can access summer meals.

Child and Adult Care Food Program

- Encourage LEAs to provide meals and snacks at educational and enrichment programming after school, on weekends, and during school holidays.
- Connect with shelters that provide housing for students and encourage them to provide meals through the CACFP option for homeless and domestic violence shelters.

Local Level:

LEAs also must develop a plan that is consistent with the state's plan to meet the goals of ESSA. LEAs must consult with stakeholders in the school district in a timely and meaningful way. Since the LEA process is dependent upon the state plan, there is more time to work with local leaders, such as school board members and your superintendent, and be part of the process and implementation planning team.

- **Make sure LEAs in your state or community understand the impact that strong child nutrition programs can have on academic achievement and a child's well-being.**
- **Ask LEAs to commit to supporting and improving their child nutrition programs by including the implementation of the best practices (listed above on pages 5 and 6 of this document) in their plan to meet ESSA's goals. Even if the state plan does not reference those best practices, the goals in the state plan are broad enough and the research on the positive impact of the nutrition programs is strong enough that school districts can include the best practices as interventions.**