



## Child Nutrition Reauthorization Key Provisions

### Healthy Hunger-Free Kids Act Becomes Law

The Healthy, Hunger-Free Kids Act (HHFK) was signed by the President on December 13, 2010. It reauthorizes six major nutrition programs - including school breakfast and lunch – for five years. This coincides with the President’s goal to end childhood hunger in the U.S. by 2015.

Implementation of the reauthorization is the responsibility of the Secretary of Agriculture and there are many questions to be answered through guidance, regulations and other policy statements. NSBA has urged the Administration to involve school boards and school governance representatives in the design and policy for implementation. Below are key provisions of the bill of interest to school boards due to their financial or operational impact on school districts.

### Key Provisions of the Healthy, Hunger-Free Kids Act

**Updated standards for free and reduced price breakfast and lunch** – The Secretary of Agriculture is authorized to increase reimbursement by six cents per school lunch that complies with updated standards issued by the department. For many school districts the increase will not be sufficient to cover the actual cost of meeting the higher standards. Compliance with the new standards is *voluntary*, although districts will be under pressure to raise their standards for school meals due to the mandatory standards for non-program foods described below.

**Standards for food sold outside the subsidized school meal programs** - The HHFK requires the Secretary of Agriculture to issue *mandatory* national standards for all foods sold 1) outside the school meal program, 2) on the school campus, 3) at anytime during the school day. Many school districts rely on revenue from vending machines, school stores, a la carte lines, bake sales, etc., and may need to alter their offerings or fundraising strategy to meet the new standards. The Secretary has up to one year to issue draft standards, which may include exemptions for infrequent, school-approved fundraisers.

**Indirect costs:** The bill gives the Secretary of Agriculture authority to regulate the indirect costs school districts may attribute to school meal operations. Indirect costs are those costs necessary to the general operation of the program such as operating and maintaining buildings and equipment, administrative salaries, and costs for general travel. Within six months, the Secretary is required to issue guidance on the types of costs that are reasonable and necessary to provide school meals. The Secretary is also required to conduct a study of indirect costs in the school meal programs and allows the Secretary to issue additional new regulations.

**Paid meal pricing:** The HHFK regulates the price schools charge for un-subsidized (paid) meals. Effective July 2011, schools are required to charge students for paid meals at a price that is on average equal to the difference between free meal reimbursement and paid meal reimbursement. In short, if it appears that schools charge a paid meal price that is artificially low, they must either 1) increase the price of that meal or 2) cover the difference with non-Federal funds. The price of paid meals is both an access issue and a local control issue. School districts may try to keep the price of meals low in order to assure that low-income families that don't qualify for subsidized meals can still afford a school lunch.

**Local school wellness policies (LSWP):** School districts will be required to comply with new regulations for wellness plans that include periodic measurement and assessment of implementation and comparison to model programs identified by the Secretary. School districts will also have to report this information to the state and the general public.

**School nutrition environment** – School districts will also have to meet new reporting requirements established by the Secretary on inspections, policies, school meal program participation, and nutritional quality of program meals.

**Training & certification requirements** – School districts will have to comply with a new program of required education, training, and certification for all school food service directors. School districts will also have to meet new requirements established by the Secretary for training and certification for all school food services personnel.

Following the bill signing of the child nutrition re-authorization, the National School Boards Association's (NSBA) Executive Director Anne L. Bryant issued this statement:

"The National School Boards Association (NSBA) applauds President Barack Obama's recognition that schools are a vital partner in child nutrition; however it is disappointing that the child nutrition act does not provide adequate funding for local school districts to comply with the new requirements. This new law will challenge schools' ability to provide school nutrition by adding a new funding burden for schools at a time when there are critical budget shortfalls. It is imperative that the Obama administration work closely with school district representatives to implement the new child nutrition regulations to mitigate the negative consequences for students and schools."