

The Healthy, Hunger-Free Kids Act of 2010

School Meal Program Provisions

The Healthy, Hunger Free Kids Act of 2010, Senate Agriculture Committee-passed bill, is a key step in moving forward Child Nutrition Reauthorization. The bill was voted out of the Senate Agriculture Committee on March 24. It includes a number of school meal provisions that are intended to improve access for low-income children and enhance the quality of the meals.

Please see below for a brief summary of the school meal provisions in the bill. Click here for a [full bill summary](#) on FRAC's Web site.

New paperless options for universal meal service

- Creates a new option for universal meals in pilot states called "Community Eligibility."
 - Schools in high-poverty areas would be able to use direct certification data as the basis for reimbursements instead of paper applications.
 - Any school building with at least 40 percent of its students directly certified¹ for free school meals would have the option to provide free meals to all students for four years automatically without collecting applications.
 - The reimbursement level for both lunch and breakfast would be determined by multiplying the number of students directly certified by 1.6 percent with that percentage of meals being reimbursed at the "free" reimbursement level, and the rest being reimbursed at the "paid" level. For example, a school with 50 percent of its students directly certified would receive 80 percent of its breakfast lunch reimbursements at the free level and 20 percent at the paid level.
 - The option would begin in three states chosen by the U.S. Department of Agriculture (USDA) in the school year 2011–2012, with four additional states added in the subsequent two years.
 - USDA would be required to report to Congress at the end of the project period with information about costs and benefits.
- Establishes a three-year demonstration project to use census data to determine eligibility rates for free, reduced-price, and paid meals instead of paper applications.
 - The demonstration project would be based on upcoming recommendations from the National Academy of Sciences.
 - It allows for multiple models to be tested, each in no more than five school districts with high concentrations of low-income children. The number of models to be tested is left to the discretion of USDA.
 - At the end of the three-year period, an evaluation is required.

Direct certification improvements

- Establishes a demonstration project beginning in the 2012 – 2013 school year to test and implement the use of Medicaid for direct certification.
 - The project would be phased in over three years. In the first year of the project, Local Education Agencies that serve 2½ percent of the national total of students certified for free and reduced-price meals would be included, five percent in the second year, and ten percent in the third year.
 - It would occur in selected states based on an application process.
 - USDA would report to Congress the costs and benefits of the project no later than October 1, 2014.

¹ Children who currently receive SNAP/Food Stamps, TANF, or the Food Distribution Program on Indian Reservations are automatically eligible for free school meals. Schools have the option to certify these children without a paper application and are required to do so for children that receive Food Stamps/SNAP. Direct certification is a process whereby school districts and the state education agency work with the State SNAP/Food Stamp agency to match enrollment data to determine which children can be certified for free school meals without paper applications.

- Sets performance benchmarks for direct certification and provides incentive bonuses.
 - States would be required to directly certify 80 percent of children in 2011, 90 percent in 2012, and 95 percent in 2013.
 - Bonus awards would be given annually to no more than 15 states that demonstrate outstanding performance and substantial improvement; the award funds could be used by state agencies for general program purposes or be re-granted to local school food authorities for general program purposes.
 - States that fall short of the standard would be required to submit a continuous improvement plan to USDA that includes goals, specific measures, and a timeline to improve the direct certification process.
- Eliminates the "letter method," which requires families to return a letter to the school in order to establish eligibility instead of being automatically qualified for free school meals.
 - Makes foster children automatically eligible for free school meals, eliminating the need to complete paper applications.

School nutrition quality enhancements

- Adds a performance-based increase in the federal reimbursement rate for school lunches (six cents per meal) to help schools meet the upcoming revised school meal standards which will be based on Institute of Medicine (IOM) recommendations.
 - The increase would only be given to local school food programs that are certified by their state agency as meeting the final regulations for the school meal pattern as issued by USDA. The final regulations are not expected to be issued until 2012 at the earliest.
- Gives the Secretary of Agriculture the authority to establish national nutrition standards for all foods sold on the school campus throughout the school day.
- Directs USDA to develop model product specifications for commodity foods used in school meals.
- Provides mandatory funding for farm-to-school programs.
- Updates the requirements for Local School Wellness Policies to include ongoing opportunities for public input, open public access to the wellness policy, a designated school official responsible for compliance with the policy, and an implementation plan.
- Allows only lower-fat milk options (skim and one percent) to be served, as recommended in the 2005 Dietary Guidelines.
- Requires that water be available free of charge during the meal service.

School food financing provisions

- Requires school districts to gradually increase their "paid" meal charges until the revenue per meal matches the federal reimbursement levels for the free meal category so that funding targeted for low-income children's meals would not go to subsidize "paid" meals.
- Increases would be based on a formula of the Consumer Price Index plus two percentage points, with a maximum annual increase of no more than \$0.10
- Directs the Secretary of Agriculture to provide guidance on allowable charges to school food service accounts.
 - This provision would prevent school expenses that are not related to the school meal programs from draining school meal resources by capping the indirect costs being charged to school food service accounts.
- Requires school food providers to ensure that revenues from the sales of a la carte foods generate at least the same proportion of revenue as they contribute to costs so that federal reimbursements for school meals do not subsidize sales of a la carte food (which are often of lower nutritional value).
 - The provision would define "a la carte" as foods sold by the school food program outside of the reimbursable meal. Foods sold in vending machines or in school stores would not be included if they are controlled by other entities in the school.

- School food programs would be required to track and allocate only their food costs between reimbursable meals and a la carte items, a simpler approach than full cost accounting.
- Requires a review of local policies on meal charges and the provision of alternate meals (i.e. cold cheese sandwich) to children who are without funds to purchase a meal.
 - This provision also would allow USDA to implement national standards for meal charges and the provision of alternate meals, test recommendations, or conduct further studies of the feasibility of recommendations.
 - It would require USDA to consider the impact of overt identification of low-income children and the financial impact on school districts in developing these recommendations and standards.

Next Steps

A strong Child Nutrition bill is a key step in reaching President Barack Obama's goal of ending childhood hunger by 2015 and in reducing childhood obesity. The Senate Agriculture Committee's bill is only one step in the reauthorization process. There still are important pieces that need to be added, such as funding for universal in-classroom grants, but the good news is that there is still time to get additional access provisions included in the final version of reauthorization. Advocates can press Congress to add pieces that are missing from this bill. An important next step will be to get the Senate Finance Committee to supply more money to improve access to the child nutrition programs.

Now is the time to contact your Members of Congress to urge them to support additional funding for the reauthorization bill and to include important provisions that would increase low-income children's participation in critically-important child nutrition programs, such as the School Breakfast Program, the Summer and Afterschool Nutrition Programs, and the Child and Adult Care Food Program. If you have already contacted them, it is time to call again to thank them and nudge them once more.

Special emphasis should be given to contacting Senate leadership and members of the Senate Finance Committee. Click here for [committee lists and staff contacts](#) (pdf).

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