



# *Serving up* **CHANGE**

The Child Nutrition Reauthorization – Healthy, Hunger-Free Kids Act of 2010 was signed into law by President Obama on December 13, 2010, giving the U.S. Department of Agriculture (USDA) authority to establish national nutritional standards for all foods sold to students during the school day, including vending machines and new meal patterns for school breakfast and lunch. Collaborators including Michelle Obama see the law as a step forward in the fight against childhood obesity.

Yet, there are still many questions about what the implications will be for school business officials and vendors, including the question of funding – are these requirements realistic and feasible in the current climate of school finance in Illinois?

Two experts weigh in on the implications of this new legislation, and how schools can start preparing now for change.



One month after President Obama signed the Healthy, Hunger-Free Kids Act [S.3307] into law the USDA published a proposed rule on school nutrition standards with a 90-day comment period in effect until April 13 to voice concerns. The rule-making process is expected to be final by November 2011, with the new meal pattern going into effect for the FY2012 school year.

The proposed rule is based on recommended changes from the Institute of Medicine (IOM), commissioned by the USDA and published in October of 2009. These recommendations consider advancements made in nutrition and follow the current Dietary Guidelines for Americans, including standards for menu planning to increase the amount and variety of fruits, vegetables and whole grains. The standards also focus on calorie levels and on reducing saturated fat and sodium in school meals.

**Changing the nutrition and business of school lunch**

Sharon Nichols, Illinois School Nutrition Association President and Director of Food Services for Valley View CSD 365U, sees the issue from both sides: school nutrition and school business.

From a nutrition standpoint, there are many positives to the new legislation, namely that it sets standards for all food sold and vended during

## Balancing Breakfast

*The greatest change in breakfast foods is the increase in fruits, which doubles from the current requirement. In addition, grains increase by nearly 80 percent over current levels, with a shift to whole grains. For lunch, the greatest change is the increase in fruits and vegetables, an increase of nearly four half-cup servings a week. The following tables compare the types and amounts of foods required under the current and the proposed meal patterns for breakfast and lunch.*

**Breakfast**

	Current Requirement	Proposed Requirement
Fruit	½ cup per day	1 cup per day
Grains & Meat/ Meat Alternate	2 grains or 2 meat alternates or 1 of each per day	1.4-2 grains per day plus 1-2 meat/meat alternates per day
Whole Grains	Encouraged	At least half of the grains to be whole grain-rich
Milk	1 cup	1 cup, fat content of milk to be 1% or less

**Lunch**

	Current Requirement	Proposed Requirement
Fruit & Vegetables	½-1 cup of fruit and vegetables combined per day	¾-1 cup of vegetables plus 1/2-1 cup of fruit per day
Vegetables	No specifications as to type of vegetable	Weekly requirement for dark green and orange vegetables and legumes and limits on starchy vegetables
Meat/ Meat Alternate	1.5 – 3 oz equivalents (daily average over 5-day week)	1.6 - 2.4 oz equivalents (daily average over 5-day week)
Grains	1.8 – 3 oz equivalents (daily average over 5-day week)	1.8 – 2.6 oz equivalents (daily average over 5-day week)
Whole Grains	Encouraged	At least half of the grains to be whole grain-rich
Milk	1 cup	1 cup, fat content of milk to be 1% or less

the school day. This means that the school lunch programs will no longer have to compete with vending of non-nutritious foods throughout the building, which levels the playing

field a bit. The law is also groundbreaking because it sets nutrition standards for food sold outside of the school meals for all students. Previously, Illinois had standards for

# Healthy, Hunger-Free Kids Act

## Some Sections to be Aware Of

Section and Title	Summary	Practically Speaking
Sec. 101 Improving direct certification	Provides performance bonus in no more than 15 States for "outstanding performance" and "substantial improvement" in direct certification.	Direct certification brings children into system where other fees are also waived, diminishing revenue.
Sec. 202 Fluid Milk	Requires that schools offer a variety of fluid milk consistent with the Dietary Guidelines' recommendations.	Only flavored & plain skim, and plain 1% milk will be allowed.
Sec. 204. Local wellness policy implementation	Requires USDA to establish regulations for local wellness and to provide technical assistance to States/schools in consultation with ED & HHS (CDC).	Currently there are no minimum guidelines that must be included. Ten districts could have 10 levels of stringency.
Sec. 208 Nutrition Standards	Requires USDA to establish national nutrition standards for all food sold and served in schools at any time during the school day. Allows exemptions for approved school-sponsored fundraisers.	May mean less funds for extracurricular activities outside district budgets. Does not affect fundraisers outside school day.
Sec. 306 Professional standards for all foods served in schools	Establishes program of required education, training, and certification for all school food service directors and criteria for the selection of state directors.	If you're planning to hire anyone new, this is something to keep in mind.
Sec. 445 Effective date	Unless otherwise noted in the Act, the provisions are effective October 1, 2010.  USDA guidelines for school meals issued for comment on January 13, 2011 will most likely take effect 2012/2013.	Now is the time to start planning for these changes in your district.

SOURCE: SHARON NICHOLS, ILLINOIS SCHOOL NUTRITION ASSOCIATION

elementary and middle school, but never high school.

As a school business official, Nichols also understands there may be challenges ahead in implementing many of the law's provisions. Funding is, as always, a key concern.

One such area of concern is Sec. 205, effective SY beginning July 1, 2011, requiring schools to charge students for paid meals at a price that is on average equal to the difference between free and paid meal federal reimbursement. Schools that currently charge less are required to gradually increase their prices over time (a minimum of 10 cents annually) until they meet the requirement.

If a school receives \$2.72 for free meals and 26 cents for paid meals, for example, they will be required to charge, on average, at least \$2.46 for a paid meal. Currently, many charge

much less. Sharon's district charges anywhere from \$1.50 to \$2.75, with a blended average meal charge of 63 cents short. She is afraid that the forced price increase could push some kids out of the lunch program.

"There is a notion among parents that school meals should be inexpensive" she adds. Parents may elect to drop out and send their children with a lunch that is not as nutritionally complete – say, a bologna sandwich, chips and a juice drink – because they can do it for less." This would be unfortunate, as school lunch is packed with nutritious foods like fruits and vegetables, whole grains and milk.

The new law does provide an additional six cents per lunch for schools who are in compliance with final meal pattern regulations under Sec. 201. However, they aren't expected to receive this money before FY2013, a year after

patterns will likely be enforced. And most likely, the six cents will in no way cover all the changes that will need to be made, costing school districts and/or parents additional money.

### Changing the way meals are made

Clare Keating works directly with school business officials as the Director of Account Management for Preferred-Meal Systems, a supplier of healthy, component meals to public and private school districts and charter schools throughout the United States. As a vendor, she comments, "We've been following this for years and anticipating its arrival, making sure that we are fully prepared for the changes in the law."

In anticipation of these initiatives, Preferred Meals has been working on the development of new products, with a team of four full-time chefs. For example, their menus now include whole grain pastas and pizza. Since there

is no difference in taste or look from their traditional counterparts, whole grains are an opportunity to implement the new standards without completely changing the look or feel of the menu.

The school food market is just starting to address the new standards; however, meeting the new demands will come with a cost. For example, reformulating products with significantly lower sodium levels will require research and development. In addition, many whole grain items such as hamburger and hot dog buns are not currently mass-produced in whole grain and are priced much higher than traditional products. As the demand increases, hopefully vendors will be able to produce products without significantly raising costs and putting financial strain on already tight school food budgets.

And the new standards bring up an even bigger nation-wide challenge: training society's palates so that the school meals reflect what's in the market and served at home. A key example of this is sodium. The proposed rule sets a limit of 740mg for high school lunch, less than the current level in some entrées. To truly succeed, a change needs to be made throughout the food service industry – all the way to McDonalds, where a double cheeseburger alone contains 1150 mg.

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## **What do you think about the new standards?**

To view the proposed rule and voice your concerns, visit [regulations.gov](http://regulations.gov) and search "Healthy, Hunger-Free Kids Act." Be sure to post comments by **April 13** for consideration.

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Keating understands that the funding side will prove difficult. For schools with existing contracts with Food-service Management Companies, the law could pose a problem as the changing regulations may affect contracts. Yet, she hopes the adoption of new national standards by the Secretary of Agriculture will help keep price increases to a minimum,

Let's take the example of Sec. 203, requiring schools to make free potable water available where meals are served. Note that there is no funding provided and no clear time frame. How can schools start preparing for the change now?

- Start surveying – What feeding areas do we have where water is not currently available? Where

# **Working Together to Meet the Challenge**

How can school business officials work effectively with vendors to meet the new standards? Here are a few ideas...

- 1. Stay involved** – Make sure whoever is running the Foodservice Program is up to date with the latest implications of the law so they know what to ask for. The Illinois State Board of Education will likely be conducting workshops to offer assistance.
- 2. Be specific about what you need** – If you are working with a contract management company, make sure to clearly communicate what you need under the new specifications.
- 3. Put nutrition standards in the bid contract** – Most schools are required to bid their program every five years. Now is the time to go ahead and start incorporating new specifications into that bid.
- 4. Keep tabs on the industry** – The industry will evolve with the changes, but the USDA and ISBE requires School Food Authorities to know their program and follow all regulations to meet nutrient standards.

as it had previously been challenging to offer low prices when states had differing requirements.

### **Preparing for Change**

Although many final outcomes of this legislation remain unclear, Nichols and Keating agree that now is the time to get a head start on putting some of the proposed regulations (i.e. meal patterns) into practice, and prepare for others that may be less clear. It would be a wise move to start looking at the budget and making provisions for what's to come.

might we be required to add water sources?

- Evaluate solutions – How can we provide this water? Drinking fountains? Containers of water? Cups? What are acceptable solutions and what will they cost?
- Look at your current projects – Are we currently doing any remodeling? Could we include the addition of water fountains into any of those projects?

Though no one will know all the details for absolute certain until the comment period is over and the law is finalized, now is the time to start working towards as many of the proposed guidelines as possible; the bulk of them will become law.

If schools are prepared then there will only be a few things left to focus when this happens because everything else will already be accomplished. As Nichols put it, "This is a lot to implement at one time, so begin now and spread the work out!"

Although there will no doubt be growing pains in making all the required changes, the hope is that in the end schools and vendors alike will adapt and everyone will be better off ... especially students.