

**SUMMARY OF THE HEALTHY, HUNGER-FREE KIDS ACT OF 2010
(BY PROGRAM)**

SECTION AND TITLE	SUMMARY OF PROVISION
SCHOOL MEAL PROGRAMS	
Sec. 101. Improving direct certification	<ul style="list-style-type: none"> • Provides performance bonus in no more than 15 States for “outstanding performance” and “substantial improvement” in direct certification for SY’s beginning July 2011, 2012, 2013 • <i>Funding:</i> \$4m per year mandatory funding. \$2m for each category (Oct. 1, 2011 through Oct. 1, 2013) • Requires continuous improvement plans for States not meeting thresholds for direct certification with SNAP (80% in SY 2011; 90% in SY 2012; 95% SY 2013 and each year thereafter). Secretary must annually identify States that don’t meet the threshold and approve their corrective action plan • Eliminates letter method as acceptable method for direct certification with SNAP
Sec. 103. Direct certification for children receiving Medicaid benefits	<ul style="list-style-type: none"> • Beginning July 2012, directs the Secretary to conduct a demonstration project to test the potential for direct certification with Medicaid in selected LEAs. (Multi-year phase in provided). • <i>Funding:</i> \$5 million mandatory funding for study available until expended • Directs the Secretary to estimate the effect on meal program cost and participation for each of 2 years. • Interim Report to Congress due October 1, 2014; Final report due October 1, 2015. • Provides access to data for the purposes of conducting program monitoring, evaluations and performance measurements of States and LEAs participating in the CNPs.
Sec. 104. Eliminating individual applications through community eligibility	<ul style="list-style-type: none"> • Beginning July 1, 2011, “Provision 4” meal program claims based on percentage of enrolled students directly certified multiplied by a factor of 1.6; Participating schools must meet a threshold of students directly certified (initially 40%) and agree to serve all meals free; the Secretary and State agencies are required to annually notify eligible local educational agencies. Evaluation is required and funded, and a report to Congress is due December 2013. <i>Funding:</i> On October 1, 2010, mandatory funding, \$5m, one-time funding for evaluation, available until 9/30/2014 • Census American Community Survey: Directs the Secretary to identify alternatives to annual applications and authorizes nationwide implementation or further pilot testing of recommendations from the Committee on National Statistics on use of ACS data for School Meal Claiming. <i>Funding:</i> None • Requires the Secretary to consider use of a socioeconomic survey for counting and claiming in not more than 3 school districts. Establishes parameters for conduct of the survey.
Sec. 143. Review of local policies on meal charges and provision of alternate meals	<ul style="list-style-type: none"> • The Secretary, in conjunction with State and LEAs, shall examine current policies and practices relating to providing children who are without funds a meal, and prepare a report with recommendations. USDA is provided the authority to act on appropriate solutions. <i>Funding:</i> None
Sec. 201. Performance based	<ul style="list-style-type: none"> • Requires USDA to publish proposed meal pattern regulations within 18 months of enactment, and to publish

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reimbursement rate increases for new meal patterns	<p>interim or final regulations within 18 months of proposal. Provides an additional 6 cents per lunch for schools that are certified to be in compliance with final meal pattern regulation.</p> <ul style="list-style-type: none"> • <i>Funding:</i> Additional rate increases is 6 cents per meal, adjusted annually for changes in CPI; \$50 million in mandatory funding for each of 2 years for State implementation, of which \$3 million is available for each of 2 years for USDA administration. • 6 cents becomes available no earlier than 10/1/12. Administrative funding for States and USDA is available beginning the fiscal year the interim or final rule is published.
Sec. 202. Fluid milk (NSLP/SBP)	<ul style="list-style-type: none"> • Removes requirement that schools serve milk in a variety of fat contents and instead requires that schools offer a variety of fluid milk consistent with the Dietary Guidelines' recommendations. <i>Funding:</i> None
Sec. 203. Water (NSLP/SBP)	<ul style="list-style-type: none"> • Requires schools to make free potable water available where meals are served. • <i>Funding:</i> None
Sec. 204. Local wellness policy implementation	<ul style="list-style-type: none"> • Requires USDA to establish regulations for local wellness policies and to provide technical assistance to States/schools in consultation with ED & HHS (CDC). • <i>Funding:</i> None. Authorization to appropriate \$3 million for FY 2011 for an implementation study, to remain available until expended
Sec. 205. Equity in school lunch pricing	<ul style="list-style-type: none"> • Effective SY beginning July 1, 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; Schools that currently charge less are required to gradually increase their prices over time until they meet the requirement; Schools may choose to cover the difference in revenue with non-Federal funds instead of raising paid meal prices. Establishes a maximum annual increase in the <u>required</u> paid increases of 10 cents annually, but allows schools to establish a higher increase at their discretion. • Requires USDA to collect and publish prices LEAs charge for meals. • <i>Funding:</i> None
Sec. 206. Revenue from nonprogram food (NSLP)	<ul style="list-style-type: none"> • Requires all non-reimbursable meal foods sold by school food service to generate revenue at least equal to their cost. • Provision is effective July 1, 2011. • <i>Funding:</i> None
Sec. 207. Reporting and notification of school performance	<ul style="list-style-type: none"> • Requires USDA to consolidate the Coordinated Review Effort (CRE) and School Meal Initiative (SMI) monitoring systems. • Requires States to review all school food authorities on a 3 year cycle (Current cycle is 5 years) • Requires schools to post review final findings and make findings available to the public.

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	<ul style="list-style-type: none"> • <i>Funding:</i> None
Sec. 208. Nutrition standards for all foods sold in schools	<ul style="list-style-type: none"> • Requires USDA to establish national nutrition standards for all food sold and served in <i>schools at any time during the school day</i>. Allows exemptions for school sponsored fundraisers if the fundraisers are approved by the school and are infrequent. • Requires USDA to publish proposed rule within 1 year of enactment. • <i>Funding:</i> None
Sec. 209. Information for the Public on the School Nutrition Environment	<ul style="list-style-type: none"> • Requires LEAs to report on the school nutrition environment to USDA and to the public, including information on food safety inspections, local wellness policies, school meal program participation, nutritional quality of program meals, etc. • <i>Funding:</i> None. Authorizes such sums as necessary for FY 2011 through 2015
Sec. 242. Procurement and processing of food service products and commodities	<ul style="list-style-type: none"> • Requires USDA to identify, develop and disseminate model product specs and practices for food offered in school programs • Within 1 year of enactment, USDA must analyze the quantity and quality of nutrition information available to schools about food products and commodities and submit a report to Congress on the results of the study and recommended legislative changes necessary to improve access to information • Directs the Secretary to purchase healthy commodities • <i>Funding:</i> None
Sec. 243. Access to Local Foods: Farm to School Program	<ul style="list-style-type: none"> • Requires USDA to provide technical assistance and competitive grants that do not exceed \$100,000 to schools, State and local agencies, ITOs, etc for farm to school activities. Federal share cannot exceed 75% of total cost. • <i>Funding:</i> Provides \$5 million in mandatory funding on October 1, 2012 and each October 1 thereafter, to remain available until expended. Also includes authorization for appropriation of additional funds.
Sec. 301. Privacy protection (NSLP)	<ul style="list-style-type: none"> • The individual signing the free and reduced price application is only required to provide the last 4 digits of the social security number; under current requirements they must provide the complete social security number. (The person signing the application may continue to indicate they don't have a social security number.) • <i>Funding:</i> None • Removes requirement to collect social security number for verification.
Sec. 302. Applicability of food safety program	<ul style="list-style-type: none"> • Applies the food safety requirements throughout the school campus where program foods are stored, prepared and served. • <i>Funding:</i> None

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Sec. 304. Independent review of applications	<ul style="list-style-type: none"> • Requires error-prone local educational agencies to conduct a second-level, independent review of all free and reduced price applications prior to notifying households of their eligibility status • Establishes annual reporting requirements for each local educational agency required to conduct second-level review of applications. State agencies must also annually report results to USDA • <i>Funding:</i> None
Sec. 306. Professional standards for school food service	<ul style="list-style-type: none"> • Requires USDA to establish a program of required education, training and certification for school food service directors; criteria and standards for selection for State Directors; and required training and certification for local school food service personnel. • Requires USDA to set dates for compliance • USDA may provide funding to 1 or more professional food service management organizations to assist in establishing and maintaining certification and training. • <i>Funding:</i> October 1, 2010 - \$5 million; on each October 1 thereafter - \$1 million
Sec. 307. Indirect costs	<ul style="list-style-type: none"> • Requires USDA to issue guidance on indirect costs within 180 days of enactment • Authorizes and funds a study of indirect costs in the School Meal Programs. • <i>Funding:</i> \$2 million in mandatory funding available until expended • Authorizes USDA to promulgate regulations to address deficiencies identified through the study. • Requires a Report to Congress by 10/1/13.
Sec. 308. Ensuring safety of school meals	<p>Within 1 year of enactment, FNS must:</p> <ul style="list-style-type: none"> • work with AMS and FSA must develop guidelines for administrative holds • work with States to increase timeliness of notification of recalls to SFAs • improve timeliness and completeness of direct communication between FNS and States on holds and recalls • establish a timeframe to improve hold and recall procedures and work to address role of processor and distributor • <i>Funding:</i> None
Sec. 443. Equipment assistance technical correction	<ul style="list-style-type: none"> • Technical fix to FY 2010 Appropriations language regarding NSLP equipment assistance grants.
Sec. 105. Grants for expansion of school breakfast program	<ul style="list-style-type: none"> • Authorizes appropriations for grants to State agencies for subgrants to local educational agencies to establish, maintain or expand the School Breakfast Program.
Sec. 210. Organic food pilot	<ul style="list-style-type: none"> • Requires the Secretary to establish an organic food pilot which provides competitive grants to SFAs for

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program	programs that increase the quantity of organic food provided to school children. <ul style="list-style-type: none">• <i>Funding:</i> None. Authorizes \$10 million to be appropriated for FY 2011 through 2015.