

**Virginia Board of Education Agenda Item**



**Agenda Item:** U                      **Date:** October 24, 2013

<b>Title</b>	Report on School Nutrition Programs: Overview of Existing Programs, Regulatory Changes, and New Initiatives		
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**Purpose of Presentation:**  
For information only. No action required.

**Previous Review or Action:**  
No previous review or action.

**Action Requested:**  
No action requested.

**Alignment with Board of Education Goals: Please indicate (X) all that apply:**

	Goal 1: Accountability for Student Learning
	Goal 2: Rigorous Standards to Promote College and Career Readiness
	Goal 3: Expanded Opportunities to Learn
	Goal 4: Nurturing Young Learners
	Goal 5: Highly Qualified and Effective Educators
	Goal 6: Sound Policies for Student Success
	Goal 7: Safe and Secure Schools
X	Other Priority or Initiative. Specify: School Nutrition, Childhood Hunger

**Background Information and Statutory Authority:**

The college and career readiness of Virginia’s students is dependent on quality educational outcomes, and school nutrition programs are an integral part of the educational process and student achievement. Good nutrition is a fundamental component of healthy physical and cognitive development in children. Consequently, schools play a crucial role in offering nutritious foods and in helping students make educated, healthful choices that will enhance their academic and physical performance and promote lifelong health and learning. Research shows that when a child’s nutritional needs are met, the child is more attentive in class and has better attendance and fewer disciplinary problems. The National School Lunch and School Breakfast Programs play key roles in supporting the nutrition and health of schoolchildren in Virginia by providing nutritionally balanced, low-cost, or free meals each school day. In Virginia, the National School Lunch and School Breakfast Programs provide more than 165 million meals annually to Virginia’s public school children, accounting for up to one-half of those students’ daily calories. Various Virginia specific childhood nutrition and wellness initiatives support and augment the federal programs.

World War II was a significant turning point for school-based meals. U.S. military officials testified to Congress that malnutrition among young soldiers jeopardized the national defense. Soldiers were not nourished enough to fight effectively. This historic testimony prompted the National School Lunch Act to be introduced as legislation. The National School Lunch Act of 1946 was the first “homeland security” program; it was authorized with an express purpose: “... *As a measure of national security, to safeguard the health and well being of our nation’s children, and to encourage domestic consumption of nutritious agricultural commodities and other food.*” Almost 70 years later, childhood hunger is still a national issue. Much is done in this country and in Virginia to address hunger. The federal school nutrition programs and various state initiatives play a significant role in Virginia.

Every five years, the federal school nutrition programs are reauthorized in Congress allowing changes to be made for program improvements. The Child Nutrition Reauthorization Act of 2010 – known as the Healthy, Hunger-Free Kids Act of 2010 (or HHFKA, Public Law 111-296) – was landmark legislation that included numerous changes significantly affecting the operation of school nutrition programs and the children of Virginia.

Key provisions of this legislation include:

- Section 101: Improving the direct certification process for approving children for free meal benefits and state performance bonuses
- Section 102: Categorical Eligibility of Foster Children
- Section 104: Community Eligibility
- Section 105: School Breakfast Program Expansion
- Section 143: Review of Policies on Meal Charges and Alternate Meals
- Section 201: Improving school meals. Changes in nutrition standards and meal requirements for school meals with increased reimbursement rates for school divisions certified by the State Agency to be in compliance with the new standards.
- Section 202: Fluid Milk Requirements (only fat free plain or flavored or low fat (1%) white)
- Section 203: Water Availability to all students where meals are served
- Section 204: Establishing regulations for local wellness policies
- Section 205: Equity in school lunch pricing
- Section 206: Requires all non reimbursable meals sold in schools to generate revenue at least equal to their cost
- Section 207: Federal Review Cycle changed in frequency and new requirements to ensure compliance
- Section 208: USDA to establish nutrition standards for all foods sold in school throughout the school day anywhere on campus
- Section 242: Procurement and processing of food service products and commodities
- Section 243: Access to local foods, Farm to School Grants
- Section 301: Expands privacy protections for the NSLP participants
- Section 306: Professional standards, education and training requirements for school nutrition directors at local education agencies and criteria and standards for selection of State directors responsible for administering Child Nutrition programs

The HHFKA will help combat childhood hunger by expanding universal meal service through community eligibility, by connecting more eligible low-income children with school meals through expanding direct certification, and by expanding after school meals to include supper for at-risk

children under the Child and Adult Care Food Programs (CACFP) administered by the Virginia Department of Health (VDH).

The HHFKA will improve student health and reduce obesity by improving the nutrition standards for school meals, establishing national nutrition standards for all foods sold in school during the school day, including à la carte lines and vending machines, working in tandem with the regulations being developed by the Board of Education. It will also strengthen local school wellness policies, school food safety programs, and develop model product specifications for USDA commodity foods used in school meals.

Virginia has implemented several state-level initiatives to address child nutrition, hunger, obesity, and physical activity issues:

- Action for Healthy Kids (VAFHK) coalition - A coalition of stakeholders dedicated to improving the health and educational performance of children through better nutrition and physical activity in schools. This multidisciplinary group from the public and private sectors joined to address childhood obesity, nutrition, and physical activity to create a healthier school environment. Several DOE staff members have been involved for more than 10 years.
- Healthy Virginians Initiative - Began as an outgrowth of VAFHK and Governor Warner's interest in establishing a statewide initiative to address the health of Virginians and the cost of increased chronic disease, both child and adult. The Healthy Virginians program works to promote healthy lifestyles in workplaces, schools, and among families who receive health care through Medicaid. Both public and private entities participate. For the school segment, the Governor's Nutrition and Physical Activity Scorecard was developed to recognize and reward schools for encouraging healthy habits.
- Virginia's Farm-to-School Program - A statewide program designed to increase the amount of fresh and nutritious Virginia grown products offered in schools and to promote opportunities for schools and local farmers to work together. This program supports local farms and offers fresh, nutritious foods for school meals. Building connections between schools, students, and agricultural producers throughout Virginia provides better economic opportunity for agriculture, healthier options for children and educational value for students related to sources of Virginia foods.

## **Summary of Important Issues:**

### School Nutrition Programs (SNP) Overview:

- The Virginia Department of Education (VDOE), Office of School Nutrition Programs (OSNP) administers the National School Lunch Program (NSLP), the School Breakfast Program (SBP), the Afterschool Snack Program (ASP), and the Fresh Fruit and Vegetable Program (FFVP) in 132 public school divisions and four public Residential Child Care Institutions (RCCI). The U.S. Department of Agriculture (USDA) is the administering agency for all regulations that cover the School Nutrition Programs.

VDOE also works collaboratively with the Virginia Department of Health to encourage expansion of the Summer Food Service Program helping to ensure children get nutritious meals during the summer when schools are closed.

- Sources of funding: federal and state funds support both reimbursements to school divisions for meals served and to the VDOE for the administration of the programs. State matching funds of

\$5.8 million for school lunch reimbursement and \$174,000 for VDOE administration are required by federal regulations. State incentive funding to increase breakfast participation is also provided by the General Assembly.

- Statistics - for SY 2012-2013

<b>Public School Divisions and Residential Child Care Intuitions Participating in the National School Lunch and School Breakfast</b>				
	<b>Number of Public School Divisions &amp; RCCIs Participating in the SNP</b>	<b>Number of Public Schools and RCCI Sites participating in the SNP</b>	<b>Number of Meals Served (2012-2013)</b>	
			<b>Average Daily (approximately)</b>	<b>Yearly (approximately)</b>
<b>NSLP</b>	<b>137</b> – 132 Divisions – 5 RCCIs	<b>1922</b> – 1871 schools – 51 RCCI sites	<b>650,000</b>	<b>117,000,000</b> – 50% free, – 9% reduced – 41% paid
<b>SBP</b>	<b>137</b> – 132 Divisions – 5 RCCIs	<b>1884</b> – 1832 schools – 52 RCCI sites	<b>250,000</b>	<b>44,000,000</b> – 71% free – 9% reduced – 20 % paid
<b>Note:</b> The high schools in two school divisions do not participate in the School Nutrition Programs (Chesterfield and Hanover)				

Federal Regulation Changes as a result of the HHFKA:

- **Section 101- Improving Direct Certification** - Student eligibility for free meals is determined by application or by direct certification. Direct certification is the process under which Local Education Agencies (LEAs) certify children who are members of households receiving assistance under federal assistance programs Supplemental Nutritional Assistance Program (SNAP - formerly called Food Stamps) and Temporary Assistance for Needy Families (TANF) as categorically eligible for free meals under the National School Lunch Program, without further application. The eligibility is based on information provided by the State Agency administering those programs (Virginia Department of Social Services). The Direct Certification system is designed to eliminate the need for paper applications and increase the number of students eligible for free meal benefits. Eligibility for free meals is also extended to all children in a household if one member has been directly certified as eligible. Direct certification reduces the administrative burden on school divisions and families and helps ensure that low-income children have access to a healthy school meal.

The Department of Education and Department of Social Services (DSS) have worked together to implement direct certification since it was first authorized in 1989. All Virginia public schools were using direct certification well before 2008-2009 when it became mandatory.

The Healthy Hunger Free Kids Act of 2010 (HHFKA) instituted several additional reforms to strengthen and expand direct certification. It mandated that all Local Education Agencies (LEAs) conduct direct certification at least three times per year. It established direct certification

rate benchmarks for states (80% in SY 2011-12; 90% in SY 2012-13; 95% SY 2013-14 and each year thereafter) and a monetary performance bonus for 15 states nationwide for outstanding performance and substantial improvements in meeting these benchmarks. These benchmark values measure the percentage of children enrolled in SNAP who are directly certified for free school meals (i.e., 80 percent of SNAP program records must be matched to student enrollment records). The matching is conducted at the local level.

The VDOE Office of School Nutrition Programs was recently notified by USDA that, in the soon to be released *Report to Congress - Direct Certification in the National School Lunch Program: State Implementation Progress School Year 2012-2013*, Virginia achieved the required benchmark for the 2012-2013 school year and will receive a performance bonus. Full details will be available once the report is released.

- Section 201- Changes in school meals - This section of the HHFKA implemented the first major changes in school meals in fifteen years. The new standards align school meals with the latest nutrition science. Meals must meet the Dietary Guidelines for Americans and must provide each age/grade group the required nutrients and calorie levels. The new standards identify the healthy ranges for five categories of food - fruits, vegetables, grains, meats or meat alternatives, and fluid milk - as well as the healthy ranges for total calories, saturated and trans fat, and sodium. For the grains and the meats/meat alternates components there are science-based, age-appropriate daily minimum quantities, as well as weekly minimum and maximum quantities for total calories. The implementation of most of the required changes are being phased in over a three year period beginning in SY 2012-2013 in order to allow school divisions to be successful in implementing the changes and to allow industry and food manufactures the time to change product formulations and portion sizes. The reductions in the sodium content of school meals is the most challenging and the regulations allow for a gradual phase in over a 10 year period beginning with school year 2014-2015.

In Virginia, the VDOE Office of School Nutrition Programs (OSNP) has provided technical assistance, training, and guidance over the past several years in preparation for the anticipated changes in the regulations. Many school divisions have embraced these changes and began voluntarily phasing in the new requirements over the past several years. VDOE continues to work with school divisions to help them properly implement the new regulatory requirements.

This section of the law further authorizes performance-based reimbursement rate increases of six cents for every lunch meal served. This is beyond the normal yearly increase in federal reimbursement rates. To qualify, school divisions were required to be certified by VDOE to be in compliance with the new nutrition standards and meal pattern regulations. School divisions across Virginia have done an outstanding job of complying with the new regulations while at the same time accommodating the tastes and likes of the students. Virginia is successfully implementing this provision with close to 90 percent of school divisions and RCCIs certified to be in compliance and receiving the additional performance-based reimbursement. OSNP staff have provided extensive training and technical assistance to LEAs to help ensure success in this area.

- Section 207: Federal Program Administrative Review Cycle - this section of the HHFKA requires a unified accountability system designed to ensure that participating school food authorities (SFAs) or school divisions comply with the National School Lunch Program (NSLP)

and School Breakfast Program (SBP) requirements. USDA has issued new regulatory guidance and requirements for conducting the Federal Programs Administrative Reviews. The review cycle changed from a five-year cycle to a three-year cycle effective school year 2013-2014. This more frequent review cycle will have a staffing impact at the state and local levels.

- Section 104 - Community Eligibility Option (CEO) - the law provides an alternative to household applications for free and reduced price meals in high poverty LEAs and schools referred to as the Community Eligibility Option (CEO). The law requires the CEO to be phased in over a period of three years, beginning July 1, 2011, until it is available nationwide to all eligible LEAs beginning July 1, 2014. CEO allows LEAs or schools with 40 percent or more of students who are eligible for free meals through a means of direct certification (SNAP/TANF, Homeless, Migrant, Runaway, Foster, Head Start, Pre-K, Even Start) to serve meals at no cost to ALL students. Federal reimbursement for these meals would be based on a USDA established multiplier of 1.6 to determine the number of meals reimbursed at the free rate, and the remainder of meals would be reimbursed at the paid rate. The LEA must cover, from non-federal sources, any costs of providing free meals to all students in excess of the federal reimbursement received.

Under the CEO provision, individual student free lunch eligibility data will no longer be available in divisions or schools implementing this provision. In Virginia, a significant amount of state education funding is distributed using free lunch eligibility data as part of the funding formula. It is necessary to assess the impact of CEO on LEAs and state funding formulas and to develop strategies to overcome identified implementation issues before Virginia can implement the CEO. The VDOE is evaluating the requirements of implementation and the impact on program funding formulas. A future superintendent's memo will be issued and training provided for LEAs who may be eligible for this option.

- Section 208: Nutrition Standards For All Food Sold On School Grounds During The School Day - The USDA recently issued the interim rule, *National School Lunch and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the Healthy, Hunger-Free Kids Act of 2010*. The interim final rule amends the National School Lunch Program and School Breakfast Program regulations to establish nutrition standards for all foods sold in schools during the school day on school grounds outside the national school lunch and school breakfast programs. These new regulations are effective July 1, 2014. All schools participating in the lunch and breakfast programs will be required to comply with all provisions of the new regulation. This regulation does not affect foods sold under the national school lunch and school breakfast programs, and it does not apply to food brought into school in bagged lunches or for activities such as birthday parties or other celebrations. Foods sold at afterschool events (e.g., sporting events) or off school grounds are not subject to these standards. These federal standards are being called "*The Smart Snacks in School Standards*" and are intended to balance science-based nutrition guidelines with practical and flexible solutions to promote healthier eating on campus. They are based on recommendations from the Institute of Medicine and existing voluntary standards already implemented by many schools around the country.

The rising rate of childhood obesity has become a major health concern, because of both its impact on childhood health and as a contributing factor to chronic disease in adulthood. In response to this growing concern, attention has focused on the need to establish nutrition standards for foods in schools by offering healthier food options on school grounds that will contribute to an overall healthful eating environment. From a nutritional perspective, the goal is

to increase the consumption of whole grains, fruits, vegetables, and nonfat or low-fat dairy, and reduce fat, sugars, and sodium in support of the Dietary Guidelines for Americans.

Contemporaneous with the new federal regulations on competitive foods, Virginia is leading state efforts to support healthy lifestyles for school age children and has been proactive in addressing health and nutrition. Senate Bill 414 (2010) added Section 22.1-207.4 to the *Code of Virginia* on nutritional guidelines for competitive foods. This legislation required the Board of Education, in cooperation with the Department of Health, to promulgate and periodically update regulations setting nutritional guidelines for all competitive foods sold to students during regular school hours that are not part of the federal school lunch or school breakfast programs. The Institute of Medicine's (under the National Academy of Sciences) Nutrition Standards for Foods in Schools: Leading the Way to a Healthier Youth was used as the basis for the nutritional standards in the proposed regulations. The IOM standards were used since it was anticipated that the USDA would use these same standards in developing its own nutritional standards for competitive foods, which was the case.

The Board of Education's proposed regulation is currently open for public comment with a public hearing scheduled at the close of the Board of Education business meeting on October 24, 2013. In light of the newly released federal regulation on this same topic for implementation July 1, 2014, the proposed Virginia regulation on competitive foods should be reviewed to ensure consistency and avoid conflicting regulatory requirements.

#### VDOE Participation in Virginia Initiatives and Partnerships in Childhood Hunger, Nutrition, and Wellness:

- Participate as a member of the Interagency Task Force on Obesity that brings together state agencies to work collaboratively to address health wellness, obesity, and hunger issues in Virginia.
- Participate as a member of the Governor's No Kid Hungry initiative with Share Our Strength and numerous state and non-governmental partners to address childhood hunger.
- Work in partnership with the Virginia Department of Health and the USDA Strike Force to expand summer feeding programs to ensure children have access to nutritious meals throughout the summer.
- Established a Governor's Nutrition and Physical Activity Award for schools that implement best practices in nutrition, nutrition education, parent/student involvement, physical education, recess, and community involvement. This award recognizes and rewards schools for encouraging healthy habits. Schools earn points by completing the scorecard and receive a Gold, Silver, or Bronze award for exemplary health practices if their scores qualify. Greater than 85 percent of school divisions have participated by using the online scorecard to enter data for their schools. Of the nearly 1,000 schools participating, more than 30 percent earned awards through 2012-2013. The award criteria will be revised to conform to the new federal and state regulations.
- Developed an online best practice database tool, which was implemented in the 2010-2011 school year to allow schools to share their best practices that address child nutrition and obesity issues through good nutrition and increased physical activity. The online database will also provide access to aggregate data from all schools reporting the results of their Virginia Wellness Related Fitness Test.
- Expanded school breakfast program participation through state incentive funding of 22 cents per meal for new breakfast participation. Since its inception, the breakfast incentive has sustained a more than 27 percent increase in the number of school breakfasts served to students at a total

cost of just \$4.8 million in state funds over four years. An increase in federal funds earned by school nutrition programs has also resulted each year since the state funding incentive began.

- Participation in the national Healthier US School Challenge (HUSSC). Since 2010, more than 125 Virginia schools have been HUSSC award winners. Nearly 10 percent of the current 723 nationwide HUSSC award-winning schools are located in Virginia.
- Collaborate with the Virginia Department of Agriculture and Consumer Services, Cooperative Extension, other state agencies, local school divisions and non-governmental organizations to promote and expand the Farm-to-School program with the purpose of increasing the availability of locally, grown Virginia agricultural products in school meals.
- Provide staff support in the development of the Board's regulations to establish nutritional guidelines for competitive foods in school.
- Participate as a member of the Virginia School Nutrition Association and the National School Nutrition Association.

#### VDOE ongoing work to address child nutrition:

- Promote the availability of the USDA National School Lunch Program, School Breakfast Program, Afterschool Snack Program and Fresh Fruit and Vegetable Program to students in Virginia's public schools.
- Monitor school division compliance with USDA school meal program regulations.
- Provide professional development for school nutrition managers and staff, school nutrition directors, teachers, principals, and other stakeholders on the Dietary Guidelines for Americans, My Pyramid, and other nutrition topics, as well as strategies for increasing student knowledge of healthy eating habits and marketing healthy choices to students in the school nutrition programs.
- Conduct semi-annual regional meetings for school nutrition directors to provide information, to assist with implementation of regulations, to assess operational issues, and to provide current research and professional development on topics such as childhood obesity.
- Provide annual summer workshops for all school cafeteria managers which include education on issues related to childhood obesity and strategies to assist students in making healthy choices in the school meal programs.
- Provide professional development opportunities for school principals, school superintendents, school nutrition directors, and school health advisory board members in the development and implementation of the local wellness policy.
- Provide information about use of the Governor's Nutrition and Physical Activity Award scorecard as an assessment tool for establishing baseline data on physical education, nutrition education, nutrition standards, and other activities to support student wellness.
- Promote the best practice standards of the scorecard as a policy development tool with superintendents, school board members, school health advisory board contacts, school health and physical education coordinators, school nurses, and school nutrition directors.
- Collaborate across disciplines with other DOE staff to assist school divisions in recognizing the issues regarding childhood obesity and implementing practices to ameliorate the problem, emphasizing similar collaboration needed in local school divisions.
- Participate in the Virginia Action for Healthy Kids (VAFHK) initiative to help reduce the risk of childhood obesity, by ensuring children and adolescents obtain optimal nutrition and physical activity in schools.
- Participate in the Alliance for Healthy Virginians, in collaboration with partners from the Virginia Nutrition Assistance Network, State Nutrition Action Team, and Virginia Cooperative Extension, to address childhood obesity issues in schools and in the low-income population in Virginia.

- Provide sponsorship and presentations at Virginia's annual *Weight of the State* summit on childhood obesity.

**Impact on Fiscal and Human Resources:**

None.

**Timetable for Further Review/Action:**

None.

**Superintendent's Recommendation:**

The Superintendent of Public Instruction recommends that the Board of Education accept this report.

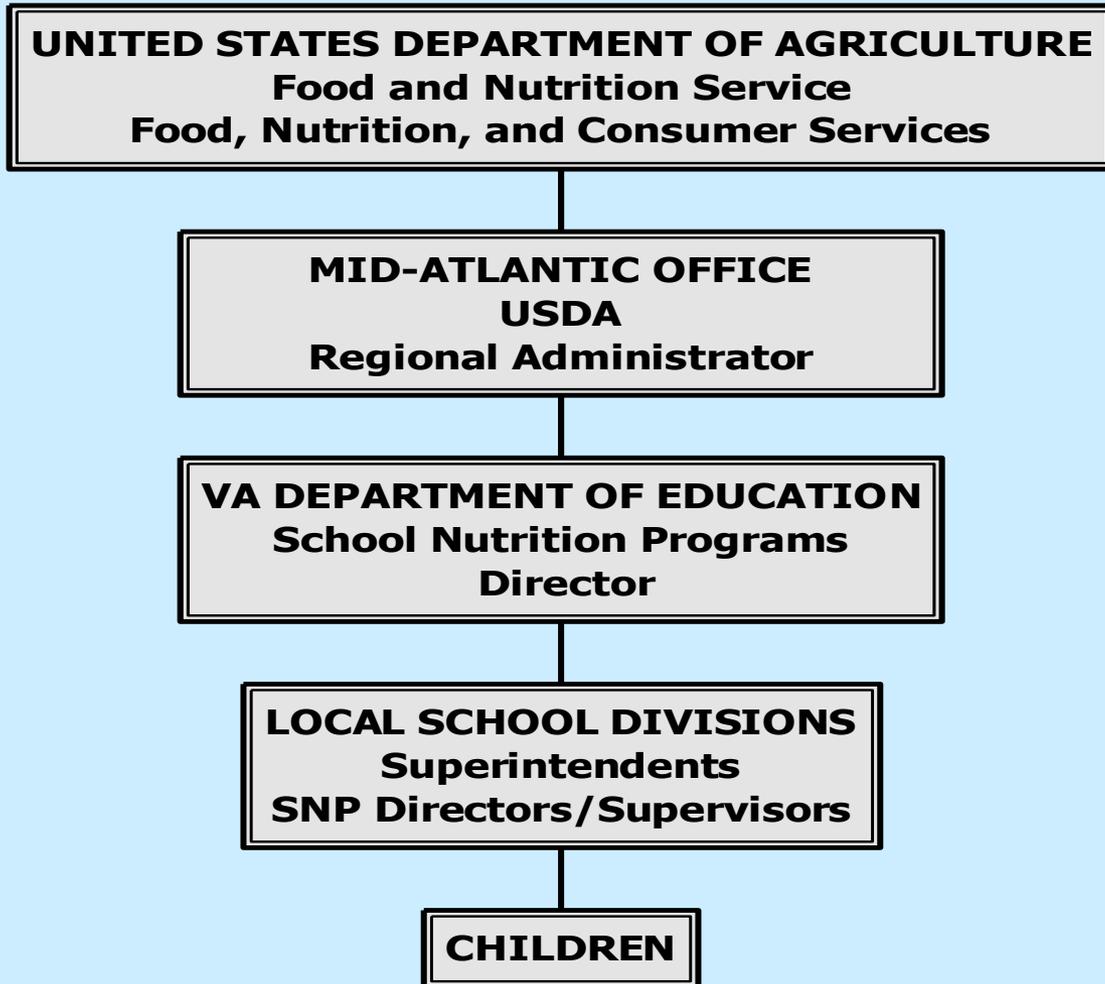
# *Report on School Nutrition Programs*

- ✓ **Overview of Existing Programs**
- ✓ **Regulatory Changes**
- ✓ **New Initiatives and Partnerships**

**October 24, 2013**

**Catherine Digilio Grimes**  
**Director, Office of School Nutrition Programs**

# SNP Regulatory Flow Chart



# *School Nutrition Programs*

## *Include:*

- National School Lunch Program (NSLP)
  - Afterschool Snack Programs
- School Breakfast Program (SBP)
- Special Milk Program (SMP)
- Fresh Fruit and Vegetable Program (FFVP)

# VA School Nutrition Programs

## SY 2012-2013 Participation

	Public School Divisions & RCCIs	School Sites	Number of Meals Served (2012-2013)	
			Average Daily (approximately)	Yearly (approximately)
NSLP	137 (132 / 5)	1,922 (1,871 / 51)	650,000	117 million -50% free - 9% reduced -41% paid
SBP	137 (132 / 5)	1884 (1,832 / 52)	250,000	44 million -71% free - 9% reduced -20% paid

# *VA Free & Reduced Price Eligibility as of Oct. 31, 2012*

<b>Year</b>	<b>Free %</b>	<b>Reduced %</b>	<b>TOTAL F&amp;R %</b>
<b>2012</b>	<b>33.52%</b>	<b>6.67%</b>	<b>40.19%</b>

# *Federal Reimbursement Process*

Congress appropriates funds for All Child Nutrition Programs (CNP)

USDA provides the funds to States

States pay reimbursements claims to Local School Divisions

School Division school nutrition programs use funds to operate the programs and feed children

# *Federal Reimbursement Levels*

- Federal reimbursement to school divisions in 2012-13:
  - NSLP - \$209 million
  - SBP - \$65 million
  - ASP - \$672,000

# *Reimbursement Increase*

- New performance-based reimbursement under HHFKA (extra 6 cents per lunch)
- State certification required before the extra 6 cents can be paid

## 2013-2014 Federal Reimbursement Rates

	BREAKFAST	LUNCH	LUNCH W/ Extra \$0.06
FREE	1.58	2.93	2.99
REDUCED PRICE	1.28	2.53	2.59
PAID	0.28	.28.	0.34

# State Funding

## Lunch

- Required state matching funds for NSLP
- For VA, \$5.8 million. Generally stays the same unless there is a severe economic change in the state.
- State match for 2012-13 approx. 0.0471¢ per meal.

## Breakfast

- \$3.7 million (SY 2012-13) (\$0.22 cents per meal).
- Incentive funding: # of breakfast meals served per student in excess of the number of breakfast meals served per student in the base year (SY 2003-2004).

# ***Regulatory Changes: Healthy, Hunger-Free Kids Act of 2010 (HHFKA)***

- Signed into law Dec. 2010 (P.L. 111-296).
- Most significant federal changes in several decades.
- Changes student eligibility processes, raises nutritional standards for school meals, more frequent administrative review of local programs, requires nutritional standards for competitive foods (similar to BOE regs.).

# *Key Provisions of HHFKA*

- Sec. 101: Direct Certification
- Sec. 104: Community Eligibility
- Sec. 201: Meal pattern changes
- Sec. 207: New Administrative Review 3-yr. cycle
- Sec. 208: Nutrition standards for all foods (“Smart Snacks in Schools”)

# ***Sec. 101: Direct Certification***

- Intent: To challenge states to move closer to full performance in directly certifying eligible SNAP or TANF children for free school meals.

# *Direct Certification Implementation*

- Benchmarks:

<b>SY 2011-12</b>	<b>SY 2012-13</b>	<b>SY 2013-14</b>	<b>Future SYs</b>
<b>≥ 80%</b>	<b>≥ 90%</b>	<b>≥ 95%</b>	<b>≥ 95%</b>

- Each fall, beginning 2012, USDA will notify states that did not meet required benchmark for previous school year.
- These states must implement continuous improvement plans (CIPs) to improve rates for the following school year.

# ***Sec. 104:***

## ***Community Eligibility***

- Universal meal service in high poverty areas.
- Provides an alternative to paper applications for student eligibility in schools with a high percentage of students meeting criteria.

# Sec. 104:

## *Community Eligibility*

- LEA or schools electing Community Eligibility reimbursement agree to serve all students free lunches and breakfasts for 4 successive school years.
- The percentage of identified students must be 40% or more to qualify.
- Meal reimbursements are based on the percentage of identified students multiplied by a factor of 1.6.
- The remainder of meals not covered under the identified student percentage multiplied by the factor will be reimbursed at the paid rate.

# ***Sec. 201: New Nutrition Standards for School Meals***

- First major changes in school meals in 15 years.
- The new standards align school meals with the latest nutrition science.
- Meals must meet The Dietary Guidelines for Americans.
- Meals must provide each age/grade group the required nutrients and calorie levels.

## ***Sec. 201:***

# ***Changes to the Meal Pattern***

- Increases the amount and variety of fruits, vegetables, and whole grains.
- Sets a minimum and maximum level of calories.
- Focuses more on reducing saturated fat and sodium.

# Sec. 201: Compliance w/ New Meal Patterns

- Intent: Provides standards for state agencies to certify that schools are in compliance with new meal pattern regulation and eligible for an additional 6 cents per lunch.
- Close to 90% of Va. school divisions have been certified to be eligible to receive the additional 6 cents per lunch.

# **Sec. 208:**

## ***All Foods Sold in Schools***

### ***(Competitive Foods)***

- Establishes science-based nutrition standards for all foods sold outside of the school meal programs on the school campus during the school day.
- Intent: All foods and beverages sold during the school day must support a healthy diet as defined by the Dietary Guidelines.

# ***Sec. 208:***

## ***All Foods Sold in Schools (Competitive Foods)***

- Specifies that the nutrition standards apply to all foods sold:
  - outside the school meal programs;
  - on the school campus; and
  - at any time during the school day.
- Does not apply to bagged lunches, celebrations, after-school events.

# ***Sec. 208: State and Local Flexibility***

- The nutrition standards included in the interim final rule for all foods sold in school are minimum standards.
- State agencies and LEAs may establish additional standards but must be consistent with federal standards.

# *Sec. 208: Applicability*

- Applies to:
  - à la carte in the cafeteria
  - in-school stores
  - snack bars
  - vending machines

# ***BOE Competitive Foods Reg.***

- Required by SB 414 (2010); in *Code of Va. Sec. 22.1-207.4* (nutritional guidelines for competitive foods).
- In proposed stage; public hearing today.
- Similar to new federal requirements.

# *VA Initiatives & Partnerships*

- Healthy Virginians
- Governor's Scorecard for Nutrition and Physical Activity
- Interagency Task Force on Obesity
- No Kid Hungry w/ Share our Strength
- Virginia Foundation for Healthy Youth
- Farm to School
- Best Practices Database
- School Breakfast Expansion
- Healthier US School Challenge
- Virginia Action for Healthy Kids