

Implementation Plan: Healthy, Hunger-Free Kids Act of 2010

Provisions/Sections of Law	Statutory Deadlines for Actions	Actions and Estimated Timeframes
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Child Nutrition Programs		
1.	<p>Privacy Protection (sec 301)</p> <ul style="list-style-type: none"> • Privacy Protection (sec 301) - 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.) 	<p>Effective by 7/1/2011</p> <ul style="list-style-type: none"> • Currently posted on School Nutrition Programs - http://www.doe.in.gov/food/schoolnutrition/usda_policies.html • Update prototype free and reduced price applications (Spring 2011) • Update School Meal Eligibility Guidance (Spring 2011)
2.	<p>Miscellaneous Nondiscretionary Provisions</p> <ul style="list-style-type: none"> • Categorical Eligibility Foster Children (sec 102) - Expands categorical eligibility for free meals to a foster child who is the responsibility of the State or placed by a court. • Applicability of food safety program (sec 302) - Applies the food safety requirements throughout the school campus where program foods are stored, prepared and served. 	<p>Implementation Memo for each provision -Spring 2011</p> <p>Final rule - Fall 2011</p> <ul style="list-style-type: none"> • Update prototype free and reduced price applications (Spring 2011) • Update School Meal Eligibility Guidance (Spring 2011) • Update food safety guidance to reflect meal service outside of the cafeteria (Summer 2011)
3.	<p>School Food Service Account Revenue</p> <ul style="list-style-type: none"> • Paid Meal Pricing (sec 205) - 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. 	<p>Effective by 7/1/11.</p> <ul style="list-style-type: none"> • FAQs (Spring 2011) • Nondiscretionary Interim Rule (Spring 2011) • Monitor impact on participation (ongoing) • Proposed Rule published (Fall 2012)

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<p>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.</p> <ul style="list-style-type: none"> Revenue from a la carte Foods (sec 206) - Requires all non-reimbursable meal foods sold by school food service to generate revenue at least equal to their cost. 		<ul style="list-style-type: none"> Final Rule published (Spring 2014)
<p>4. Dietary Guidelines for School Meals (sec 201, 202)</p> <ul style="list-style-type: none"> Meal Pattern Changes from sec 201 - Requires USDA to publish proposed meal pattern regulations within 18 months of enactment, and to publish interim or final regulations within 18 months of proposal. Includes fluid milk provision from sec 202 - 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. 	<p>The law requires USDA to issue a proposed rule within 18 months of enactment, and an implementing rule within 18 months of issuance of the proposal.</p>	<ul style="list-style-type: none"> Proposed Rule published (January 13, 2011, 90-day comment period ends April 13, 2011) Proposed Rule comment analysis (Spring 2011) Interim or Final Rule published (Winter 2012)
<p>5. Local Wellness Policies/School Nutrition Environment</p> <ul style="list-style-type: none"> Wellness policy requirements from sec 204 - Requires USDA to establish regulations for local wellness policies and to provide technical assistance to States/schools in consultation with ED & HHS (CDC). Information for the public on the school nutrition environment from sec 209 - 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. 		<ul style="list-style-type: none"> Implementation Memo (Spring 2011) Proposed rule (Fall 2011) Final rule (Fall 2012)

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<p>6. Indirect Costs (sec 307)</p> <ul style="list-style-type: none"> Indirect costs from sec 307 - 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. 	<p>The law requires USDA to issue guidance to school food authorities with rules on indirect costs and the nonprofit school food service account, within 180 days of enactment.</p>	<ul style="list-style-type: none"> Issue guidance on indirect costs (June 2011)
<p>7. Competitive Foods (sec 208, 203)</p> <ul style="list-style-type: none"> Nutrition standards for all foods sold in schools from sec 208 - 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. Includes water provision from sec 203 - Requires schools to make free potable water available where meals are served. 	<p>The law requires USDA to issue a proposed rule on competitive foods by 12/13/11.</p>	<ul style="list-style-type: none"> Proposed Rule published (December 2011) Final Rule published (Summer 2013)
<p>8. Compliance/Certification for New School Meal Patterns (sec 201, 207)</p> <ul style="list-style-type: none"> Certification for 6 cent performance based reimbursement rate increase from sec 201 - Provides an additional 6 cents per lunch for schools that are certified to be in compliance with final meal pattern regulation. State agency monitoring from sec 207 - 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. 	<p>The reimbursement rate increase is effective the later of: 10/1/12 or publication of the implementing regulations for school meals.</p>	<ul style="list-style-type: none"> Proposed Rule published (Spring 2012) Implementation Memo on State certification of schools (Spring 2012) Interim or Final Rule published (Spring 2013)

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<p>9. Fines and Program Disqualifications</p> <ul style="list-style-type: none"> • Program Fines from sec 303 - Establishes criteria and sets the amount of fines that may be imposed upon States, SFAs, schools or service institutions for gross mismanagement • Disqualification from sec 362 - Prohibits any school, institution, or individual terminated from the Child Nutrition Programs and on a list of institutions disqualified in CACFP or SFSP (also see sec. 322) from participating in the Child Nutrition 		<ul style="list-style-type: none"> • Proposed Rule (Spring 2012) • Final Rule (Spring 2013)
<p>10. Professional Standards for School Food Service (sec 306)</p> <ul style="list-style-type: none"> • Professional standards for school food service from sec 206 - 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. 		<ul style="list-style-type: none"> • Proposed Rule (Fall 2012) • Final Rule (Fall 2013)
<p>11. Independent Review of Applications (sec 304)</p> <ul style="list-style-type: none"> • Independent review of applications from sec 304 - 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. 		<ul style="list-style-type: none"> • Implementation Memo (Winter 2012) • Proposed rule (Winter 2012) • Final rule (Winter 2013)
<p>12. Review of local policies on meal charges and provision of alternate meals (sec 143)</p> <ul style="list-style-type: none"> • Review of local policies on meal charges and provision of alternate meals from sec 143 - The Secretary, in conjunction with State and LEAs, shall 	<p>The law requires USDA to prepare a report with recommendations, but no timeframe is specified.</p>	<ul style="list-style-type: none"> • Analyze data from Year 1 of School Nutrition Operations Study (Fall 2011) • Convene workgroup (Winter 2012)

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<p>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.</p>		<ul style="list-style-type: none"> • Draft report enters clearance (Fall 2012)
<p>13. Procurement and processing of food service products and commodities (sec 242)</p> <ul style="list-style-type: none"> • Procurement and processing of food service products and commodities from sec 242 - Requires USDA to identify, develop and disseminate model product specs and practices for food offered in school programs. 	<p>Within 1 year of enactment, the law requires USDA to analyze the quantity and quality of nutrition information available to schools and food products and commodities and submit a report to Congress, including recommendations to improve access to information.</p>	<ul style="list-style-type: none"> • Collect data on availability of nutrition information through SN Operations Study (data expected Fall 2011) • Develop and issue specs (ongoing) • Report to Congress (December 2011)