

Highlights: Healthy, Hunger Free Kids Act of 2010

Child Nutrition Reauthorization 2010

What's in the bill:

The Healthy, Hunger Free Kids Act takes several steps forward to ensure that low-income children can participate in child nutrition programs and receive the meals they need, including:

- Expanding the Afterschool Meal Program to all 50 states;
- Supporting improvements to direct certification for school meals and other strategies to reduce red tape in helping children obtain school meals;
- Allowing state WIC agencies the option to certify children for up to one year;
- Mandating WIC electronic benefit transfer (EBT) implementation nationwide by October 1, 2020;
- Improving area eligibility rules so more family child care homes can use the CACFP program;
- Enhancing the nutritional quality of food served in school-based and preschool settings; and
- Making “competitive foods” offered or sold in schools more nutritious.

HIGHLIGHTS OF THE BILL

Out-of-School Time Provisions

- **Expands the Afterschool Meal Program (through the Child and Adult Care Food Program) to all states.** The program currently is available in only 13 states (Connecticut, Delaware, Illinois, Maryland, Michigan, Missouri, Nevada, New York, Oregon, Pennsylvania, Vermont, West Virginia, and Wisconsin) and the District of Columbia.
- **Requires school food authorities to coordinate with Summer Food sponsors** on developing and distributing Summer Food outreach materials.
- **Eliminates the requirement that private nonprofit Summer Food sponsors** serve no more than 25 sites with no more 300 children at any of the sites unless the sponsor receives a waiver.
- **Extends the California year-round Summer Food pilot** until 2015 (the length of the reauthorization).
- **Authorizes \$20 million dollars for Summer Food Support grants** for sponsors to establish and maintain programs

School Nutrition Program Provisions

Download the in-depth School Nutrition Program Provisions summary (pdf).

Supports new paperless options for universal meal service.

- Creates a new option that will allow schools in high-poverty areas to offer free meals to all students without collecting paper applications, which will expand access to more children and reduce administrative burdens on schools. The reimbursement levels will be based on the level of direct certification in each school building.
- Establishes a demonstration project to use census data to determine eligibility rates in school districts with high concentrations of low-income children.
- Establishes a three-year demonstration project in up to three school districts to use community survey data to establish eligibility rates in schools instead of paper applications.

Improves direct certification.

- Eliminates the “letter method,” which requires families to return a letter to the school to establish eligibility.
- Establishes a demonstration project to test and implement the use of Medicaid for direct certification.
- Sets performance benchmarks for direct certification and provides incentive bonuses to states that show improvement.
- Makes foster children automatically eligible for free meals, eliminating the need to complete paper applications for school meal benefits.

Enhances school nutrition quality.

- Adds a six cent performance-based increase in the federal reimbursement rate for school lunches (six cents per meal) for schools that meet forthcoming updated nutrition standards for breakfast and lunch.
- 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 the U.S. Department of Agriculture (USDA) to develop model product specifications for USDA commodity foods used in school meals.
- Provides \$40 million over five years in mandatory funding for farm-to-school programs.
- Strengthens Local School Wellness Policies by updating the requirements of the policies, and requiring opportunities for public input, transparency, and an implementation plan.
- Allows only lower-fat milk options to be served, as recommended in the Dietary Guidelines.
- Ensures that water is available free of charge during the meal service.

Authorizes grants for expansion of School Breakfast Programs

- Subject to available appropriations, grants could be used to establish or expand school breakfast programs, with priority going to schools with 75 percent free and reduced-price eligible students.

Includes new school food financing provisions.

- Directs the Secretary of Agriculture to provide guidance on allowable charges to school food service accounts to prevent inappropriate school expenses that are not related to the school meal programs from draining school meal resources.
- 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.
- Requires school districts to gradually increase their “paid” lunch charges until the revenue per lunch matches the federal free reimbursement level. This is a significant change in public policy which likely will result in decreased participation, especially among children whose household income is between 186 and 250 percent of poverty. If these families and higher-income families stop participating in the program it will create the perception that the program is only for “poor” children, causing more children to drop out. Decreases in student participation could cause schools to stop participating in the school meal programs all together.

Child and Adult Care Food Program (CACFP) Provisions

Download the in-depth CACFP summary (pdf).

Promotes good nutrition, health and wellness in child care.

- Revises the nutrition standards for meals, snacks and beverages served through CACFP to make them consistent with the most recent U.S. Dietary Guidelines.
- Provides education and encouragement to participating child care centers and homes to provide children with healthy meals and snacks and daily opportunities for physical activity, and to limit screen time.
- Increases USDA training, technical assistance and educational materials available to child care providers, helping them to serve healthier food.
- Authorizes ongoing research on nutrition, health and wellness practices, as well as the barriers and facilitators to CACFP participation, in child care settings.
- Requires interagency coordination focused on strengthening the role of child care licensing in supporting good nutrition, health and wellness and maximizing the value of CACFP.
- Provides \$10 million in funding to USDA for training, technical assistance and materials development.

Expands eligibility, reduces paperwork and simplifies program requirements.

- Expands eligibility by allowing the use of high school and middle school free and reduced-priced school lunch participation levels to determine Tier 1 area eligibility for family child care homes.
- Eliminates the block claim requirement completely.
- Allows providers to facilitate the return of participating children's family income forms.
- Allows permanent operating agreements and renewable applications.
- Continues the USDA working group to reduce paperwork and improve program administration and requires USDA to report the results to Congress.
- Establishes a simplified method of determining sponsor monthly administrative funding by requiring only the number of homes multiplied by the administrative reimbursement rates calculation to determine the sponsors' administrative reimbursements.
- Permits sponsoring organizations to carry over a maximum of 10 percent of administrative funds into the following fiscal year, which will allow sponsors more flexibility to use their funds effectively from one fiscal year to the next.
- Allows state WIC agencies to permit local WIC agencies to share WIC nutrition education materials with CACFP institutions at no cost if a written materials sharing agreement exists between the relevant agencies.

Enhances audit funds and provides protections for states and institutions.

- Allows USDA to increase the state audit funds made available to any state agency from 1.5 percent to up to a total of two percent if the state agency demonstrates that it can effectively use the funds to improve program management.
- Requires the federal-state agreement to make clear the expectation that the federal funds provided to operate the Child Nutrition Programs be fully utilized for that purpose and that such funds should be excluded from state budget restrictions or limitations, including hiring freezes, work furloughs and travel restrictions.

Women, Infants and Children (WIC) Provisions

Allows state WIC agencies the option to certify children for up to one year. (The current requirement is six months.)

Promotes breastfeeding by expanding the collection of WIC breastfeeding data, creating performance bonuses for state agencies with high rates of breastfeeding, and allowing contingency reserve funds to be used to purchase breast pumps.

Specifies that the WIC food package should be updated based on a scientific review at least every 10 years.

Mandates WIC electronic benefit transfer (EBT) implementation nationwide by October 1, 2020, though it grants exemptions in the case of unusual technological barriers or operational costs.

- Provides new cost sharing provisions for state agencies and retailers and requires standards.
- Provides \$1 million in annual funding to USDA to develop a national universal product code database.

Provides for \$14 million for **WIC infrastructure and special projects**, \$30 million to support **WIC management information systems**, and \$90 million for **breastfeeding counselors, performance bonuses and other special nutrition education**.

Changes WIC rebate reporting requirements.

Increases WIC research funding from \$5 million to \$15 million.

Allows state WIC agencies to permit local WIC agencies to share WIC nutrition education materials with CACFP institutions at no cost if a written materials sharing agreement exists between the relevant agencies.

Requires USDA to incorporate a provision in the agreement with state agencies that specifies that federal funds should be fully utilized by state agencies and that such funds should be excluded from state budget restrictions or limitations, including hiring freezes, work furloughs and travel restrictions.

Other Child Nutrition Provisions

Provides \$40 million to conduct research into causes and consequences of hunger and to develop demonstration projects to end childhood hunger, including to enhance SNAP/Food Stamp benefits, to enhance or provide innovative delivery models in school meals, afterschool snacks, and CACFP, and to target federal, state, and local assistance (such as housing assistance or family preservation services) to households experiencing hunger or food insecurity.

Directs USDA, in consultation with the Health and Human Services, to establish a research, demonstration, and technical assistance program to promote healthy eating and reduce obesity especially among children, by applying the principles of behavioral economics research in schools, child care programs, and other settings.