



THE HEALTHY, HUNGER-FREE KIDS ACT OF 2010: FOOD SERVICE REQUIREMENTS

April 2011

ON DECEMBER 13, 2010, President Barack Obama signed into law the Healthy, Hunger-Free Kids Act of 2010.¹ The Act strengthens school food nutrition standards, increases access to and funding for school meals, and increases technical assistance to schools. It also strengthens school wellness policies, improves farm to school programs, expands afterschool meals programs for at-risk children, and establishes certification standards for food service personnel. The Public Health Law Center has created a set of fact sheets outlining several key areas of the Act.²

QHow does the Act impact the administration of food service?

AThe Act requires the U.S. Department of Agriculture (USDA) to create professional standards for school food service directors and state agency directors. It requires the USDA to

provide guidelines for annual state training and certification for all local food service personnel. The goal is to improve administrative practices and the accuracy of approvals of free and reduced price meals, and to ensure program compliance and integrity.

“All food service personnel will be required to have training on nutrition, health and food safety...”

QWhen will these changes take effect?

AThe implementation date will be included in the regulations.

QWhat is a food service director?

AA food service director is the individual responsible for managing a local school food authority. A school food authority is the organization that operates the school meal programs and may be a school district, a group of school districts or an individual school.

QWhat are the education and training requirements for school food service directors?

AThe USDA is required to create a program for food service directors that includes, at a minimum, education requirements for managing school meal programs, criteria for certification and periodic training to maintain certification. In addition, each state is required to provide annual training in administrative practices for their food service directors. School food service directors

must comply with these requirements by a date to be established by the USDA.

Q What is a state agency director?

A A state agency director is the person responsible for managing the school lunch and breakfast program statewide.

Q What requirements does the Act create for state agency directors?

A The Act requires the USDA to issue guidelines outlining criteria and standards for states to use when selecting state agency directors.

Q Who are food service personnel?

A The Act identifies two groups of food service personnel. The first group includes local educational agency or school food authority personnel who oversee administrative procedures. The second group includes all other food service personnel.

Q What requirements does the Act establish for persons who oversee the administrative procedures?

A The Act requires each state to provide annual training in administrative practices to school districts and their food administrators. Training includes application, certification, verification, meal counting, and meal claiming procedures. The USDA will establish guidelines for the training.

Q What requirements does the Act establish for other food service personnel?

A The Act requires the USDA to provide guidelines for training to improve the accuracy of approvals for free and reduced price meals. All food service personnel will be required to have training on nutrition, health and food safety and be certified annually.

Q How can I monitor what is happening with the USDA's implementation of the law?

A The USDA will release proposed rules, notes and "guidance documents" that describe the agency's thinking on regulatory issues. Following these documents is easy due to an electronic submission system on a federal website called www.Regulations.gov, which allows people to search, view and comment on rules quickly and efficiently. If the public is allowed to comment on a proposed rule or other guidance document, the agency will give a deadline for submitting a comment. For more information on how to comment, please refer to the Public Health Law Center's fact sheet, *Submitting Comments to the USDA*.³



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¹ Healthy, Hunger-Free Kids Act of 2010, S. 3307, 111th Cong. (2010), available at <http://www.gpo.gov/fdsys/pkg/BILLS-111s3307enr/pdf/BILLS-111s3307enr.pdf>.

² The fact sheets can be found at: <http://www.publichealthlawcenter.org/documents/publications/fact-sheets>.

³ See also Tobacco Control Legal Consortium, *Submitting Comments on Tobacco Products to the FDA* (2010), available at <http://www.publichealthlawcenter.org/sites/default/files/resources/tclc-fs-submittingcomments-fda-2010.pdf>; Public Health Law Network, *Rulemaking Process and Steps to Comment* (Feb. 2, 2011), <http://www.publichealthlawnetwork.org/rulemaking-process-and-steps-to-comment/>.