



# THE HEALTHY, HUNGER-FREE KIDS ACT OF 2010: A SUMMARY OF THE KEY PROVISIONS

April 2011

ON DECEMBER 13, 2010, President Barack Obama signed into law the Healthy, Hunger-Free Kids Act of 2010.<sup>1</sup> 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, in addition to this summary.<sup>2</sup>

The U.S. Department of Agriculture (USDA) Food and Nutrition Service oversees the administration of 15 nutrition programs, including the National School Lunch Program, the School Breakfast Program, Summer Food Services Program, and Child

and Adult Care Food Program. One in four people take advantage of these programs that offer a safety net against hunger by providing children and low-income people access to food, a healthful diet, and nutrition education. The Healthy, Hunger-Free Kids Act of 2010 reauthorizes several of these programs and represents a major step forward in

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the effort to promote health and wellness in children. For example, the new school meal standards will help improve the health and nutrition of nearly 32 million children participating in school

meal programs every school day.<sup>3</sup>

**Q Does the Act affect nutrition standards in schools?**

**A** Yes. The Act requires the USDA to establish science-based nutrition standards for all food available anywhere on the school campus at any time during the school day. The new standards will apply to school meal programs and all food available a la carte, in vending machines, at snack bars, and at other school locations.<sup>4</sup>

**Q Does the Act affect farm to school programs?**

**A** Yes. The Act requires the USDA to create a program to assist in the implementation of farm to school programs that improve access to local foods in schools. The program will offer competitive grants of up to \$100,000 for farm to school activities by schools,

state and local agencies, and others. The program will also facilitate the coordination of resources, the release of best practices, and the dissemination of research and data on existing farm to school programs in underserved areas. The Act allocates \$5 million annually for training, operation, planning, purchasing equipment, developing school gardens, and implementing farm to school programs.

### **Q Does the Act affect the availability of organic foods in schools?**

**A** Yes. The Act establishes a competitive grant program for school food authorities to develop pilot programs that increase the quantity of organic foods provided to schoolchildren under the school lunch program. The Act allocates \$10 million from 2011 through 2015 for these grants.

### **Q Does the Act affect school wellness policies?**

**A** Yes. The Act requires the USDA to adopt regulations that will require school districts to strengthen their school wellness policies. The new requirements will expand opportunities for community participation in updating wellness policies, add new nutrition standards and require measuring and reporting of policy provisions and implementation efforts.

### **Q Does the Act affect afterschool meals?**

**A** Yes. The Act requires the USDA to create nutrition guidelines by July 2011 for afterschool meals for at-risk school children and expands afterschool meals and snacks to all fifty states.

### **Q Does the Act affect professional standards for food service personnel?**

**A** Yes. The Act requires the USDA to establish professional standards for school food service directors, outline criteria and standards for states to use

when selecting state agency directors, and provide annual training and certification for all local food service personnel. The intent is to improve the accuracy of free and reduced price meal approval and to ensure program compliance and integrity. The USDA will establish guidelines for implementation of the professional standards at a later time.

### **Q Does the Act contain any other provisions?**

**A** Yes. The Act contains several other provisions, including requiring water to be available for free where meals are served during meal service, providing grants to state agencies to establish, maintain, or expand the School Breakfast Program, strengthening the role of child care licensing in supporting health and wellness, simplifying the process of applying for school meal programs, and expanding support for breastfeeding through the Women, Infants, and Children (WIC) program.<sup>5</sup>



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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 U.S. DEP'T OF AGRICULTURE, *USDA Unveils Critical Upgrades to Nutritional Standards for School Meals* (Jan. 13, 2011), <http://www.fns.usda.gov/cgal/PressReleases/2011/0010.htm>.

4 The Act requires the USDA to consider special exemptions for infrequent, school-sponsored fundraisers that are approved by the school.

5 See U.S. DEP'T OF AGRICULTURE, SUMMARY OF THE HEALTHY, HUNGER-FREE KIDS ACT OF 2010 (2010), available at [http://www.fns.usda.gov/cnd/governance/Legislation/PL111-296\\_Summary.pdf](http://www.fns.usda.gov/cnd/governance/Legislation/PL111-296_Summary.pdf); FOOD RESEARCH AND ACTION CTR., *Highlights: Healthy, Hunger Free Kids Act of 2010*, <http://frac.org/highlights-healthy-hunger-free-kids-act-of-2010/> (last visited April 29, 2011).