



# Child Nutrition Reauthorization 2021

| ISSUE   | RATIONALE   | LAW/ACT CITATION                                   | REGULATORY CITATION(S) | SNA RECOMMENDATION  | NOTES |
|---|---|--|------------------------|---|-------|
| 3. Student Access to Healthy School Meals-Community Eligibility Provision (CEP) Expansion | <p>CEP has guaranteed access to healthy school meals for students in eligible high-poverty schools, streamline meal service and reduced paperwork for families and school nutrition staff. Unfortunately, many CEP-eligible schools do not participate in the program because the Identified Student Percentage (ISP) 1.6 multiplier does not allow their program to claim all school meals at the free rate, making CEP financially untenable. Other eligible schools are hesitant to participate for fear of having to resume traditional counting and claiming procedures at the end of the CEP 4-year cycle. Increasing the multiplier and lengthening the CEP election cycle would expand the number of high-poverty schools participating in CEP.</p> | National School Lunch Act Section 2 and Section 11 | 7 CFR 245.9            | <p>3a. Adjust the ISP multiplier to allow more schools to participate in CEP thereby improving access to meals.</p> <p>3b. Increase the current 4-year CEP election cycle to 10 years, providing stability for programs and families.</p> |       |
| 4. Student Access to Healthy School Meals- Expand Direct Certification                    | <p>Direct certification eliminates the school meal application requirement for needy families, reduces paperwork and processing for schools, improves certification efficiency and accuracy and decreases unpaid meal debt.</p>   | National School Lunch Act Section 2 & Section 9    | 7 CFR 245              | 4a. Allow all states to use Medicaid  |       |

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| 8. Uniform Program Application and Design | SFAs that serve meals and snacks through the National School Lunch Program (NSLP), the School Breakfast Program (SBP), the Child and Adult Care Food Program (CACFP) and the Summer Food Service Program (SFP) must complete detailed, redundant, and time-consuming annual applications to participate in each of these separate programs. Each program has different criteria with nuances on eligibility, monitoring, meal patterns and reporting. | National School Lunch Act:<br>Sec 17 (r)<br>Program for At-Risk Children<br><br>Sec 17a<br>Meal Supplements for Children in After School Care | SFAs are required to implement and track the variances between two sets of parallel regulations:<br><br>7 CFR 210.9 (c)<br>7 CFR 226.15<br><br>7 CFR 226.16<br>7 CFR 226.17a] | 8a. Direct USDA to implement a seamless program design that meets the needs of SFAs operating multiple programs.<br><br>8b. Establish a multi-program application designed to address the SFAs with multiple Child Nutrition Programs (CNPs). This would generate a streamlined approach, eliminate redundancy, and reduce burden while maintaining program integrity and accountability.<br><br>8c. Convene a Task Force of program directors and state directors to review the data collected and determine critical data fields needed as part of the uniform program application. |       |



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| <p>11. NSLP/SBP Meal Pattern Requirements</p> | <p>SNA strongly supports maintaining robust federal nutrition standards to benefit students, including limits on calories and fats, Target 1 sodium reductions, and mandates to offer a wide variety of fruits, vegetables and whole grains with school meals.</p> <p>The 2018 final rule on Flexibilities for Milk, Whole Grains and Sodium Requirements maintained these strict nutrition standards, preserving the progress</p> <ul style="list-style-type: none"> <li>• Z}}o• Z À Z] À ]v ]u%œ}À ]</li> </ul> <p>Schools rely on these rules to help them plan nutritious school meals that appeal to students in their communities.</p> <p>The 2020 proposed rule <a href="#">Simplifying Meal Service and Monitoring Requirements in the National School Lunch and School Breakfast Programs</a> would ensure schools continue to serve nutritious meals while minimizing the complexity of meal pattern requirements.</p> | <p>National School Lunch Act:<br/>Sec. 4 (b) (3) (A)<br/>REGULATIONS</p> | <p>7 CFR 210.10(e) (2) (iii)<br/><br/>7 CFR 210.10(b) and (c), 220.8(b)</p> | <p>11a. Preserve Target 1 Sodium reductions, delay implementation of Target 2 limits until July 1, 2024 and eliminate Target 3.</p> <p>11b. Restore the 2012 requirement that at least half of all grains offered with school meals be whole grain rich.</p> <p>11c. Allow schools to serve 1% flavored milk options.</p> <p>11d. Further minimize the complexities of NSLP/SBP meal patterns by providing menu planning and operational flexibility in line with <a href="#">^E [• šš Z ]onu v š</a> proposals to simplify meal service</p> |  |
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## 12. Complexity in Reporting and Redundancy

Since the enactment of the National School Lunch Act, decades of amendments to the law and subsequent regulations have significantly added to program reporting requirements. Rather than utilizing existing data collections and reporting requirements to avoid duplication, new directives have, in most cases, required the creation of additional reports. In addition, burdensome reporting requirements are ongoing throughout the school and calendar year, which disrupts the ability to effectively manage the program. For example, the attached document outlines the multiple and varied reports expected to be submitted by State Agencies. School nutrition professionals on the local district level are required to complete numerous reports on a monthly and annual basis. Many reporting forms are duplicative and would



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12. Complexity/R12

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| 13. Streamlining Recordkeeping and Reporting- Food Safety Inspection (Parking Lot) | Due to workload, many local level health departmen have been unable to accomodate requests from S |                  |                        |                    |       |

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| 17. Unpaid Meal Debt | ^ E u u Œ • %o %o Œ ] š š Z h ^ |                  |                        |                    |       |

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| 21. Financial Management- Indirect Costs and Non-profit Level Limitation | <p>Across the FNS regions and states, the process to assess and determine indirect costs is inconsistent. While FNS issued a manual, the application of the content and that of 2 CFR 200 is not consistent. Some districts are confused on the categorization of costs well as the determination of direct and indirect costs</p> <p>While guidance on maintaining fiscal solvency in the non-profit school nutrition program is recognized, prescribing the criteria for limiting cash balances to more than three months operating costs limits a school district in operations, planning and investing back into the school nutrition program. Had SFAs been permitted to maintain larger cash balances, many would have been better equipped to manage pandemic related losses.</p> | National School Lunch Act: Section 22 | 2 CFR 200 Subpart E<br><br>7 CFR 210.14<br><br>7 CFR 220.13 (i) | 21a. Direct USDA to convene a working group of key stakeholders and develop further training resources including computer training modules to further instruct school finance operators and school nutrition directors on the appropriate designation of costs and application of the program and administrative rules. USDA |       |

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| 24. Administrative Reviews | The HHFKA directed USDA to establish an administrative review oversight process identifying the frequency of reviews as well as the content. However, additional components have been added to the review process that are redundant and as cumbersome for SFAs as well as State agencies. Most states have applied for waivers on the frequency of reviews. The multiple review formats as well as the overlapping time schedules of administrative and procurement reviews have disrupted valuable technical assistance quality and quantity. | Healthy, Hunger-Free Kids Act (P.L. 111-296):<br>Section 207<br><br>National School Lunch Act:<br>Section 22 | 7 CFR 210.18           | 24a. Direct USDA to conduct an independent study to evaluate the <a href="#">Administrative Review process</a> and develop a streamlined, consolidated process that reduce burdens on SFAs. Risk indicators could be variables in the selection and scheduling processes. Findings of <a href="#">The Child Nutrition Reporting Burden Analysis Study</a> should inform the effort to establish an improved administrative review process. |       |