



**STATEMENT OF THE  
SCHOOL NUTRITON ASSOCIATION**

**Presented by**

**DORA RIVAS**

**Before the**

**COMMITTEE ON EDUCATION AND LABOR**

**March 2, 2010**

Chairman Miller, Members of the Committee, thank you very much for continuing the extraordinary tradition of this hearing. We deeply appreciate the courtesy.

I am Dora Rivas, the President of the School Nutrition Association (SNA) and the Executive Director of Food and Child Nutrition in Dallas, Texas. With me are 1,000 of my best friends. Each day my 55,000 colleagues in SNA serve over 31 million children in 100,000 school districts. Representatives from countries around the world now regularly attend our conventions to learn how the American school nutrition programs are operated and implemented. It is a most special American success story and this great Committee is very much a part of that history.

Mr. Chairman, as we meet to craft the 2010 Child Nutrition Reauthorization, we do so with the full realization that it will not be easy to reconcile the needs of our children with the massive public debt we face as a country. Investing in our children and preparing them to learn and compete in a global economy must remain one of the country's highest priorities. However, we appreciate the challenge you will face in implementing the President's proposal to increase funding for this critically important program.

Given the time of the day, with your permission, I will make the SNA 2010 Issue Paper a part of the hearing record and confine my remarks to two of our highest priorities: Expanding program access and improving the nutritional content and environment of the local school.

### **Program Access**

Extending the reach of the child nutrition programs, while improving their efficiency, is one of the two major themes in our Issue Paper. To this end, we are proposing several changes in the statute:

- We recommend that direct certification and direct verification be a high priority and that you continue to expand its use for child nutrition. The cost of collecting and verifying income data for the 20 million children who receive free and reduced price meals is significant. Further, it takes our limited personnel away from the mission of improving the nutritional quality of the meals. We are nutritionists, not accountants, and the more you can do in this area the better.
- We recommend that the statute be amended to allow for community eligibility in high poverty areas so that children do not have to individually fill out the applications. The Hunger Free Schools Act, H.R. 4148, has a provision that embraces this concept.
- We support expansion of the Summer Food Service Program and the After School Child Care Program.
- We support the Healthy Start Act introduced by Representatives Stephanie Herseth Sandlin and Jo Ann Emerson to provide five cents in USDA commodities, per meal, for the school breakfast program.
- We urge the Congress to expand the “free” meal program to make the income guideline consistent with the income guideline in the WIC program. If the younger child qualifies for WIC, the older sibling should qualify for free school meals. This would mean raising the income guideline from 130% of poverty to 185% of poverty. The current reality is that many children who qualify for “reduced price meals” simply do not have 40 cents for lunch or 30 cents for breakfast to purchase the meal. Each day we are confronted with children who do not have this small amount. At the end of each year, there are children who owe the school money for meals that have been provided. We see checks for only a few dollars that are returned for insufficient funds. Our anecdotal data indicates that the

breakfast fee is actually the larger barrier to participation but we urge you to raise the income level for both programs.

- Finally, given the size of the programs and the significant annual appropriation, we ask that you close a major loophole in the statute which allows funds that you appropriate for school meals to be used for expenses completely unrelated to providing school meals. There is no provision in the statute, or in the regulations that govern what expenses can be reimbursed for this funding. As a result, we are frequently required by local schools to pay for: sanitation for the entire school; electricity for the school; personnel completely unrelated to the meal program; school construction; and a disproportionate percentage of the overhead operating costs of the school building, among other expenses. Further, when this happens there is no recourse. There is no rule and no appeal process to USDA.

Therefore, we are asking for an amendment as follows:

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### SUGGESTED AMENDMENT

Section 10 of the Richard B. Russell National School Lunch Act is amended by adding new subsections as follows:

“(c) The Secretary shall identify those expenses that are reasonable and necessary for providing meals under this Act and the Child Nutrition Act of 1966.

(d) School food service authorities may reimburse only those expenses identified by the Secretary under subsection (c).

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### **Nutrition Integrity**

As we all know, our country is facing an obesity epidemic. Obesity is now a major public health problem that is significantly increasing the cost of health care. While the school lunch and breakfast programs are a part of the solution, not part of the problem, there are some other changes that must be made within the school. This is why SNA, in partnership with First Lady Michelle Obama’s Let’s Move campaign, has committed to further improving healthy school meals and advancing nutrition education for America’s students. To learn more about SNA’s

partnership with the First Lady's Let's Move campaign, I encourage you to visit our website at <http://www.schoolnutrition.org/Blog.aspx?id=13585&blogid=564>.

The time has clearly come to end the so-called "time and place rule" and give the Secretary the authority needed to regulate the nutritional quality of all foods and beverages sold on the school campus during the school day. The Secretary should be required to promulgate regulations to guarantee that all foods and beverages sold in school are consistent with the most recent edition of the Dietary Guidelines for Americans, taking into consideration the recommendations of the Institute of Medicine and SNA's recommendations for National Nutrition Standards. This must be implemented as soon as is practicable.

We urge you to also amend the statute and require the Secretary to establish a consistent national application of the most recent Dietary Guidelines for all meals reimbursed by the Department of Agriculture. The current statute is defective in two important respects:

1. First, it requires meals be consistent with the "goals" of the Dietary Guidelines. That is not specific enough. The meals must be consistent with the Guidelines, not just the goals of the Guidelines.
2. Second, someone must be in charge of deciding if the meals are, in fact, consistent with the Guidelines. That responsibility must rest with the Secretary. If every state and local community can decide if they are meeting the Guidelines, there is no standard at all. Children need the same nutrients regardless of where they live. It is basic science. The country is spending a lot of money to develop the IOM report and to craft the Dietary Guidelines. They should be followed consistently.

While it is mostly a matter of science, let me also mention, that the current multiplicity of nutrition standards across the country is driving up the cost of the program. The more product specifications that exist in the school market, the higher the cost of production and the cost of the program.

We therefore suggest that the following amendment be included in the Committee's bill:

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SUGGESTED AMENDMENT:

“Section 9 (f) (1) (A) of the Richard B. Russell National School Lunch Act is amended to read as follows: “(A) are consistent with the most recent edition of the Dietary Guidelines for Americans as prescribed by the Secretary; and”.

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3. We must finally establish an effective nutrition education program in the school. The investment you are making in the school nutrition programs is significant and the country’s health care bill is even bigger. Yet for all of the words about obesity we still do not have an effective nutrition education program in the school. The Department, with SNA and other stakeholders, must do the research necessary to figure out how to communicate effectively with children about nutrition. Some schools are attempting to utilize computers that dictate to students the number of calories in a food item and the amount of physical activity it will take to burn off those calories.

When the Nutrition Education and Training Program was first enacted in the 1970s, it was funded with 50 cents per child, per year. That level lasted for only one year and then it was reduced over time. We request that a new nutrition education program be established, funded and modernized so it can communicate more effectively with children in today’s modern world. The First Lady, with bipartisan support, is asking all of us to give greater attention to the obesity challenge. It must include a nutrition education program in the schools.

### **Conclusion**

Chairman Miller, Members of the Committee, thank you, again, for continuing this special tradition. We pledge to work closely with the majority and the minority to craft a reauthorization bill that is both faithful to our children and responsive to the deficit. I would be pleased to answer any questions that you may have.

Thank you.



*Making the right food choices, together.*

## 2010 LEGISLATIVE ISSUE PAPER

President Obama proposed an additional \$1 billion for Child Nutrition Reauthorization to eliminate childhood hunger and serve our children. SNA believes every penny of this increase – and more – is needed to make additional improvements in child nutrition programs. Therefore, SNA urges Congress to increase funding for child nutrition. SNA's priorities for Reauthorization include:

### TOP PRIORITIES

- Expand the “free” meal category from 130% of poverty to 185%, consistent with the WIC income eligibility guidelines (eliminating the reduced price meal category).
- Increase the per meal reimbursement for all meals in order to keep pace with rising costs and implementation of the *Dietary Guidelines for Americans*. The current Federal reimbursement of \$2.68 for a “free” school lunch is 35 cents less than the average cost of production.
- Require the Secretary to establish a consistent national application of the *Dietary Guidelines for Americans*, for all reimbursable meals, in accordance with recommendations of the Institute of Medicine (IOM), which benefited from SNA's Recommendations for National Nutrition Standards.
- Grant the Secretary the statutory authority to regulate the sale of all foods and beverages on the school campus, consistent with the most recent edition of the *Dietary Guidelines for Americans*, in accordance with SNA's Recommendations for National Nutrition Standards and the recommendations of IOM (ending the “time and place” rule).
- Require the Secretary to determine which school expenses and indirect costs can be paid for with school food service funds.

### ADDITIONAL PRIORITIES

#### FUNDING

- Allow for community eligibility in high poverty areas.
- Provide USDA commodities for each school breakfast served.
- Expand after school and summer meal programs.
- Re-establish entitlement funding for equipment assistance in all schools.

#### ADMINISTRATIVE PROVISIONS

- Require the Secretary to establish an expedited food safety coordination and recall communication system.
- Address childhood obesity by establishing an effective nutrition education curriculum and increasing the consumption of fruits, vegetables and whole grains.
- Utilize technology to simplify program administration and enhance financial accountability.
- Establish a seamless application and reimbursement process for all school, preschool and child care food programs.
- Maximize the use of direct certification and direct verification.



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FOR IMMEDIATE RELEASE

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## **SNA PARTNERS WITH FIRST LADY MICHELLE OBAMA'S CHILDHOOD OBESITY INITIATIVE**

### *School Nutrition Professionals Commit To New Nutrition Programs And Goals*

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NATIONAL HARBOR, Md. (February 9, 2010) – The School Nutrition Association (SNA), representing 55,000 school nutrition professionals, is proud to support First Lady Michelle Obama's childhood obesity initiative. SNA and its members have agreed to a number of key steps to further improve the nutritional quality of school meals and advance nutrition education for America's students. Commitments include:

- Challenge school nutrition programs to achieve US Department of Agriculture's **HealthierUS School Challenge** Certification, significantly increasing the number of schools nationwide meeting the program's goals:
  - SNA will work with USDA to eliminate current barriers for recognition, ensuring more schools can participate in the program; provide training and mentoring to assist school nutrition programs in meeting the HealthierUS School Challenge requirements; and promote the program through conferences and meetings, publications and events
  - SNA's goal is to increase the number of HealthierUS Schools from the current 600 to 2,000 in year one, and with the support of other education community partners, reach 10,000 HealthierUS Schools by year five
- Encourage school nutrition directors to partner with the Center for Disease Control's **Coordinated School Health Programs** to improve the school health environment. SNA will offer educational programs and training on successfully implementing the Coordinated School Health Program.
- Challenge school nutrition program directors to accelerate the time frame for meeting the **Institute on Medicine's (IOM) National Nutrition Standards for school meals**. To meet this goal, SNA will initiate the following during the 2010-2011 school year:
  - Develop and promote the LAMP Awards (Leading Advancements in Menu Planning), a recognition program encouraging school districts and industry members to use innovative menu plans, recipe and product development, and other tools to achieve IOM goals prior to the timeline for implementation
  - Partner with local fruit and vegetable growers through Farm to School Programs to promote consumption of more fresh fruit and vegetables

- Partner with industry to provide more affordable whole grain products and to develop nutrition education campaigns influencing students to consume more nutrient-dense foods at a critical time in their development
- Advance **nutrition education** opportunities for all students. With the First Lady and federal officials, SNA plans to partner with media, technology, and education program leaders to bring turnkey nutrition education into the classroom, cafeteria, and home.

“First Lady Michelle Obama recognizes how crucial school meals are to the health and academic success of America’s children, and school nutrition professionals are proud to support the First Lady’s effort to combat childhood obesity and strengthen under-funded school meals programs,” said School Nutrition Association President Dora Rivas, MS, RD, SNS, and executive director of Food and Child Nutrition Services for the Dallas Independent School District in Texas.

“Since announcing her initiative, the First Lady has eloquently shared her own struggles as a working mom to foster healthy lifestyles for her children,” said Rivas. “The School Nutrition Association looks forward to working with the First Lady to encourage America’s families to get involved in school nutrition programs and promote physical activity and healthy eating at home.”

“The school cafeteria is a classroom for students – an opportunity for them to learn about nutrition and well-balanced meals. School nutrition programs need the support of parents and families to succeed - whether joining students for lunch or making time to talk with them about the food they eat at school, taking an interest in a child’s eating habits can lead to a lifetime of good choices. After all, when a child has tried new fruits and vegetables at home, he or she is more likely to pick up those items when they walk through the lunch line.”

The First Lady’s initiative was launched just as Congress prepares to reauthorize the Child Nutrition Act, a critical opportunity for legislators to enhance the National School Lunch and Breakfast Programs for 31 million American children who benefit from school meals each day.

“SNA has been calling on Congress to increase the school meal reimbursement to keep pace with rising costs. We hope the First Lady’s activism will encourage legislators to provide school lunch professionals with the support they need to offer an even greater variety of fruits, vegetables and whole grains to students,” said Rivas.

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The School Nutrition Association is a national, non-profit professional organization representing more than 55,000 members who provide high-quality, low-cost meals to students across the country. The Association and its members are dedicated to feeding children safe and nutritious meals. Founded in 1946, SNA is the only association devoted exclusively to protecting and enhancing children’s health and well being through school meals and sound nutrition education.