

**SCHOOL MEAL REGULATIONS:  
DISCUSSING THE COSTS AND CONSEQUENCES  
FOR SCHOOLS AND STUDENTS**

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**HEARING**

BEFORE THE

SUBCOMMITTEE ON EARLY CHILDHOOD,  
ELEMENTARY, AND SECONDARY EDUCATION  
COMMITTEE ON EDUCATION  
AND THE WORKFORCE

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRTEENTH CONGRESS

FIRST SESSION

HEARING HELD IN WASHINGTON, DC, JUNE 27, 2013

**Serial No. 113-25**

Printed for the use of the Committee on Education and the Workforce



Available via the World Wide Web:

<http://www.gpoaccess.gov/congress/house/education/index.html>

or

Committee address: <http://edworkforce.house.gov>

U.S. GOVERNMENT PRINTING OFFICE

81-535 PDF

WASHINGTON : 2013

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**Thursday, June 27, 2013  
U.S. House of Representatives  
Subcommittee on Early Childhood,  
Elementary, and Secondary Education  
Committee on Education and the Workforce  
Washington, DC**

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The subcommittee met, pursuant to call, at 10:06 a.m., in room 2175, Rayburn House Office Building, Hon. Todd Rokita [chairman of the subcommittee] presiding.

Present: Representatives Rokita, Kline, Petri, Roe, Thompson, Brooks, Scott, Davis, Polis, and Wilson.

Staff present: Katherine Bathgate, Deputy Press Secretary; James Bergeron, Director of Education and Human Services Policy; Casey Buboltz, Coalitions and Member Services Coordinator; Heather Couri, Deputy Director of Education and Human Services Policy; Lindsay Fryer, Professional Staff Member; Nancy Locke, Chief Clerk; Krisann Pearce, General Counsel; Jenny Prescott, Staff Assistant; Mandy Schaumburg, Education and Human Services Oversight Counsel; Dan Shorts, Legislative Assistant; Nicole Sizemore, Deputy Press Secretary; Alex Sollberger, Communications Director; Alissa Strawcutter, Deputy Clerk; Tylease Alli, Minority Clerk/Intern and Fellow Coordinator; Kelly Broughan, Minority Education Policy Associate; Jamie Fasteau, Minority Director of Education Policy; Scott Groginsky, Minority Education Policy Advisor; Brian Levin, Minority Deputy Press Secretary/New Media Coordinator; and Michael Zola, Minority Deputy Staff Director.

Chairman ROKITA. Good morning. A quorum being present, the subcommittee will come to order.

Welcome to today's subcommittee hearing. I would like to start by thanking our panel of witnesses for joining us to discuss the effect of new federal school meal program regulations.

In 2010, the democratic Congress passed the Healthy, Hunger-Free Kids Act, which reauthorized the Child Nutrition Act of 1966 and required the United States Department of Agriculture to issue several regulations for schools and districts participating in the National School Lunch and School Breakfast Programs.

While well-intended, these new regulations have essentially put the federal government in the business of dictating the type, the

amount, and even the color of food that can and cannot be served in school cafeterias.

Under the USDA's new rules, participating schools are required to limit the calorie intake of elementary and high school students, even those enrolled in athletic programs.

It provides certain fruits and vegetables regardless of cost or availability; designs meals around certain mandated color categories and strict protein and grain limits, and dramatically reduces sodium content over the next 10 years.

Thankfully, USDA agreed to temporarily suspend its weekly limits on protein and grain servings after an outcry from local school officials and parents, but schools need long-term certainty just like businesses and relief from these burdensome regulations.

In Indiana, my home state, more than 500,000 Hoosier students are eligible for free and reduced lunch meals through the USDA. That is more than 47 percent of the entire student population in Indiana, and while we want to ensure that eligible students who need access have it, this number is alarming to me and is an issue we will explore in the future.

But today we are looking at the cost of burdensome regulations. Providing students healthier meals is a laudable goal we all share, but the stringent rules are creating serious headaches for schools and students.

Because the law requires students to take fruits and vegetables for lunch, even if they have no intention of eating them, schools are struggling with increased waste. After implementing the new standards a year early, one Florida school district estimated students threw out \$75,000 worth of food.

At Dedham High School in Massachusetts, providing the required vegetables in 1500 meals each week costs the district about \$111 a day, but administrators report many students just throw the fresh vegetables right into the trash.

Smaller portions, limited options, and unappetizing entrées have caused some students to protest new cafeteria food. High school students, athletes in particular, claim the calorie limits leave them hungry, and have resorted to bringing additional meals and snacks from home.

Other students have simply stopped participating in the school lunch program altogether. According to the USDA in February, the average daily participation in the school lunch program has dropped about 3 percent in the past year.

In one New York school district, the number of kids buying lunch dropped by half just 4 months after the implementation of the new federal guidelines. This decline in participation made it more difficult for the school to afford to serve lunches and breakfasts that met the federal meal requirements.

As a result, the district's food operation went \$59,000 in the red and local leaders ultimately decided to opt-out of the National School Lunch Program.

The USDA's Food and Nutrition Service estimated the cost of compliance with new nutrition standards will reach \$3.2 billion over the next 5 years. With states already facing large budget deficits, these regulations are placing an unnecessary burden on

schools and districts at the expense of low-and middle-income students.

Making matters worse, schools are now bracing themselves for additional regulations over “competitive foods,” quote, unquote; the snacks, beverages, and meals sold in schools not subject to reimbursement by the federal government.

This means the government would also be put in charge of mandating the type of foods that can be sold at school events, in vending machines, at snack bars, and so forth, piling more costs and requirements on school districts.

The National Lunch and Breakfast Programs are critical to ensuring low-income students have access to healthy and affordable meals, but costly regulations dictated from the federal government could reduce participation in these very programs.

As policymakers, we have a responsibility to discuss the concerns raised by students, parents, and school administrators as we work to put these programs on a more sustainable path for the future.

I look forward to the hearing today, from hearing from our panel today and I am confident that their testimony will provide valuable insight into how these regulations are affecting federal child nutrition programs.

And I now will yield to my distinguished colleague, Mr. Bobby Scott for his opening remarks.

Mr. Scott?

[The statement of Chairman Rokita follows:]

**Prepared Statement of Hon. Todd Rokita, Chairman, Subcommittee on Early Childhood, Elementary, and Secondary Education**

In 2010, the Democratic Congress passed the Healthy, Hunger-Free Kids Act, which reauthorized the Child Nutrition Act of 1966 and required the United States Department of Agriculture to issue several regulations for schools and districts participating in the National School Lunch and School Breakfast Programs. While well-intended, these new regulations have essentially put the federal government in the business of dictating the type, amount, and even color of food that can and cannot be served in school cafeterias.

Under the USDA’s new rules, participating schools are required to limit the calorie intake of elementary and high school students, even those enrolled in athletic programs; provide certain fruits and vegetables regardless of cost or availability; design meals around certain mandated ‘color categories’ and strict protein and grain limits; and dramatically reduce sodium content over the next ten years. Thankfully, USDA agreed to temporarily suspend its weekly limits on protein and grain servings after an outcry from local school officials and parents, but schools need long-term certainty and relief from these burdensome regulations.

In Indiana, my home state, more than 500,000 Hoosier students are eligible for free and reduced meals through the USDA—more than 47% of the entire student population. While we want to ensure that eligible students who need access have it, this number is alarming and is an issue we will explore in the future.

But today we are looking at the cost of burdensome regulations. Providing students healthier meals is a laudable goal we all share, but the stringent rules are creating serious headaches for schools and students.

Because the law requires students to take fruits and vegetables for lunch, even if they have no intention of eating them, schools are struggling with increased waste. After implementing the new standards a year early, one Florida school district estimated students threw out \$75,000 worth of food.

At Dedham High School in Massachusetts, providing the required vegetables in 1500 meals each week costs the district about \$111 a day—but administrators report many students just throw the fresh vegetables right into the trash.

Smaller portions, limited options, and unappetizing entrées have caused some students to protest new cafeteria food. High school students, athletes in particular, claim the calorie limits leave them hungry, and have resorted to bringing additional meals and snacks from home. Other students have simply stopped participating in

the school lunch program altogether. According to the USDA in February, the average daily participation in the school lunch program had dropped about 3 percent in the past year.

In one New York school district, the number of kids buying lunch dropped by half just four months after the implementation of new federal guidelines. This decline in participation made it more difficult for the school to afford to serve lunches and breakfasts that met the federal meal requirements. As a result, the district's food operation went \$59,000 in the red and local leaders ultimately decided to opt-out of the National School Lunch Program.

The USDA's Food and Nutrition Service estimated the cost of compliance with new nutrition standards will reach \$3.2 billion over the next five years. With states already facing large budget deficits, these regulations are placing an unnecessary burden on schools and districts at the expense of low-and middle-income students.

Making matters worse, schools are now bracing themselves for additional regulations over "competitive foods"—the snacks, beverages, and meals sold in schools not subject to reimbursement by the federal government. This means the government would also be put in charge of mandating the type of foods that can be sold at school events, in vending machines, at snack bars, and so forth, piling more costs and requirements on school districts.

The National Lunch and Breakfast programs are critical to ensuring low-income students have access to healthy and affordable meals, but costly regulations dictated from the federal government could reduce participation in these important programs. As policymakers, we have a responsibility to discuss the concerns raised by students, parents, and school administrators as we work to put these programs on a more sustainable path for the future.

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Mr. SCOTT. Thank you, Mr. Chairman, for holding the hearing today.

I want to first join my colleagues on both sides of the aisle in sending our well-wishes to the ranking member of this subcommittee, Carolyn McCarthy. Her expertise and thoughtful insight and warmth are certainly missed, but we look forward to having her back as soon as possible and wish her a speedy recovery.

I would also like to thank the panel of witnesses for being with us today, and I look forward to hearing from you momentarily.

In 2010, Congress passed and the President signed into law the Healthy, Hunger-Free Kids Act of 2010. This bipartisan legislation dramatically improved federal child nutrition programs by increasing access and approving standards for foods served to our children.

This legislation updated our nation's nutrition guidelines which had not been revised in over a decade. It is our moral imperative to ensure that children are getting the healthy meals they need in order to be able to succeed in school and throughout life.

Failing to provide our nation's children with nutritious meals has several negative consequences. Food that is too high in fat content and calories contributes to childhood obesity. We know that our obese children are not only at high risk of chronic diseases like heart disease and diabetes, but they are also more likely to struggle with their weight as adults.

Medical costs of the United States obesity epidemic are enormous. Approximately 10 percent of our nation's health care spending goes toward treating conditions directly related to unhealthy weight. Conversely, food that is insufficiently nutritious fails to give children the sustenance they need to focus in school.

For millions of children in the United States, school-provided meals are their primary source of nutrition, and we know children cannot learn on an empty stomach.

Research clearly shows that children who have access to healthy school meals are healthy and perform better than children who do not. A 2005 study published in the national—in the *Journal of Nutrition* found that children who lack reliable, healthy meals in kindergarten are noticeably behind their peers in reading and math by the third grade.

A 2013 study published in the *Journal of American Medical Association Pediatrics* found that students eating free or low-cost meals in states where nutrition content of lunches exceed the USDA standards are less likely to be overweight or obese than students getting these meals in states that only marginally meet the nutrition standards.

In addition to being evidence-based, we also know that school lunch programs based on the nutrition standards are strongly supported by the public. A June 2013 Kaiser Permanente study found that 90 percent of Americans believed that schools should take a role in combating obesity and more than 80 percent of people support the new federal nutrition standards for school meals.

Furthermore, school districts across the country are successfully implementing the standards established by the Healthy, Hunger-Free Kids Act of 2010.

School administrators tell us that their students are now eating more fruits, vegetables, and food cooked from scratch and learning about ways to continue eating healthy throughout their lives.

So I am glad that today we are having the opportunity to discuss the regulations that govern the school meal programs and possible ways to improve and strengthen them. It is important throughout this process that we keep in mind the goal of these nutrition programs and that is to provide children with healthy foods that can support them as they receive an education.

This is our goal and while Congress is and should be actively involved in crafting policy to achieve that goal, we must make sure that school meal guidelines are crafted based on evidence and science, not on the political whims of politicians.

And while we investigate possible ways to improve school meal programs, it is important to remember that we want the next generation to be stronger, smarter, and healthier, then we need to invest in these nutrition programs that make what we are doing the best that we can do for our children.

We must make sure that their country's future, doctors, nurses, teachers, engineers, and business owners are being put on the path to success, and providing them with nutritious foods is very much part of that obligation.

I want to thank everyone for being here this morning.

I would like to thank—ask unanimous consent, Mr. Chairman, that a written opening statement from Ranking Member McCarthy be entered into the record.

[The statement of Mrs. McCarthy follows:]

**Prepared Statement of Hon. Carolyn McCarthy, Ranking Minority Member, Subcommittee on Early Childhood, Elementary, and Secondary Education**

Thank you, Mr. Chairman for calling this hearing to discuss the issue of school nutrition. As you may know, in the 111th Congress I had the privilege of serving as the Chairwoman of the Healthy Families and Communities Subcommittee. In that capacity, I often called upon nutrition professionals to interact with Members

and educate us on this very important issue. I am hopeful that this Subcommittee will continue that very important dialogue today.

As I have asserted before, I believe that our nation is in the midst of a nutritional crisis. On one end of the spectrum, our nation is experiencing record high rates in obesity. The Centers for Disease Control and Prevention (CDC) has found that more than a third of our nation is obese. On the other end of the spectrum, the Department of Agriculture's (USDA) latest data in 2011 has found that nearly 15% of households experience food insecurity over the course of the year. For a nation as wealthy and influential as ours, these figures are simply unacceptable.

I believe a constructive way to help combat this two-pronged nutritional crisis is to provide regular healthy meals in our nation's schools. The CDC recognizes the importance of healthy habits beginning at school, stating, "schools are in a unique position to promote healthy eating and help ensure appropriate nutrient intake among students." Is there a better opportunity to promote effective change than in our nation's schools? The answer is no. Learning does not begin and end in the classroom. Most Members agree that a well-rounded education includes physical education and, in turn, I would contend that a healthy lifestyle does not begin and end on the athletic field. Healthy living entails a holistic solution, one that should include regular instruction in health sciences and, as we will focus on today, a thoughtful health-conscious menu of food and drink served to students regardless of economic circumstance.

The Congress, in my opinion, should be in the business of incentivizing healthy eating habits at an early age. In December 2010, we took a step forward on this path by passing the Healthy, Hunger-Free Kids Act (HHFKA), a bill improving nutritional standards and ensuring that students have access to healthy foods while in school. The Congress authorized USDA to establish nutritional standards based on scientific evidence for school breakfasts, lunches and for foods and beverages sold to students in vending machines.

As with most pieces of legislation, the HHFKA is not perfect. Since its passage, I have observed some issues with the USDA's rulemakings and implementation. For example, I have reservations over the USDA's rule to set minimum standards on grains and meats used in schools and I am hopeful that the Department will permanently do away with the limit going forward. I look forward to hearing from our witnesses and using their testimony to both further inform the debate on school nutrition and strengthen HHFKA.

I would like to conclude my opening remarks on this note. Habits formed at an early age are difficult to break. In 2011, Nestle, the largest food company in the world, confirmed this by conducting a study that yielded that unhealthy habits attained early in children mirror those of adults. The USDA has evidence showing the prevalence rate of very low food security households is on the uptick and the American Heart Association notes that the proportion of children ages 5 to 17 who are classified as obese was five times higher in 2009 than it was in 1973. So, before we hear the tired arguments from detractors that the federal government is trying to create a "nanny state" by promoting regular healthy meals in schools, I ask you how long are we going to leave our nation's youth, our country's future, out to dry?

Thank you, Mr. Chairman.

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Chairman ROKITA. Without objection.

Mr. SCOTT. I yield back.

[The statement of Mr. Scott follows:]

**Prepared Statement of Hon. Robert C. "Bobby" Scott, a Representative in Congress From the State of Virginia**

Good morning and thank you, Chairman, for holding this hearing today. First, I want to join my colleagues on both sides in sending our well wishes to the Ranking Member of this Subcommittee, Rep. Carolyn McCarthy. Her expertise, thoughtful insight and warmth are certainly missed, but we look forward to having her back as soon as possible and wish her a speedy recovery. I would also like to thank the panel of witnesses for being with us here today and I look forward to hearing from you momentarily.

In 2010, Congress passed and the President signed into law the Healthy, Hunger-Free Kids Act of 2010. This bipartisan legislation dramatically improved federal child nutrition programs by increasing access and improving the standards of the foods served to our children. This legislation updated our nation's nutrition guidelines, which had not been revised in over a decade.

It is our moral imperative to ensure that kids are getting the healthy meals they need to be able to succeed in school and throughout life. Failing to provide our nation's youth with nutritious meals has several negative consequences. Food that is too high in fat content and calories contributes to childhood obesity.

We know that obese children are not only at higher risk for chronic diseases like heart disease and diabetes, but they are also more likely to struggle with their weight as adults. The medical costs of the U.S. obesity epidemic are enormous—approximately 10% of our nation's health care spending goes toward treating conditions related to unhealthy weight. Conversely, food that is insufficiently nutritious fails to give children the sustenance they need to focus in school. For millions of children in the United States, school-provided meals are their primary source of nutrition, and we know that children cannot learn on an empty stomach.

Research clearly shows that children who have access to healthy school meals are healthier and perform better than children who do not. A 2005 study published in the *Journal of Nutrition* found that children who lack reliable, healthy meals in kindergarten are noticeably behind their peers in reading and math by the third grade.

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In addition to being evidence-based, we also know that school lunch programs based on nutrition standards are strongly supported by the public. A June 2013 Kaiser Permanente survey found that 90% of Americans believe schools should take a role in combating obesity and more than 80% of people support the new federal nutritional standards for school meals.

Furthermore, school districts across the country are successfully implementing the standards established in The Healthy, Hunger-Free Kids Act of 2010. School administrators tell us that their students are now eating more fruits, vegetables, and food cooked from scratch, and learning about ways to continue eating healthy throughout their lives.

I am glad that today we have an opportunity discuss the regulations that govern the school meal programs and possible ways to improve and strengthen them. It is important throughout this process that we keep in mind the goal of these nutrition programs: to provide children with healthy foods that can support them as they receive an education.

This is our goal, and while Congress is and should be actively involved in crafting the policy to achieve that goal, we must make sure that school meal guidelines are crafted based on evidence and science, and not the political whims of politicians. While we investigate possible ways to improve school meal programs, it is important to remember that if we want the next generation to be stronger, smarter, and healthier, then we need to invest in these nutrition programs to make sure that we are doing the best that we can for our children.

We must make sure that the county's future doctors, nurses, teachers, engineers, and business owners are being put on a path to success, and providing them with nutritious foods is very much part of that obligation.

With that, I again thank everyone for being here this morning and yield back to the Chairman.

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Chairman ROKITA. Thank you, Mr. Scott.

Pursuant to committee Rule 7(c), all subcommittee members will be permitted to submit written statements to be included in the permanent hearing record, and without objection, the hearing record will remain open for 14 days to allow statements, questions for the record, and other extraneous material referenced during the hearing to be submitted into the official record.

It is now my pleasure to introduce our distinguished panel of witnesses.

Ms. Kay Brown is the director of Education, Workforce, and Income Security Issues at the Government Accountability Office. She is currently responsible for leading GAO's work-related child welfare, child care, domestic nutrition assistance, temporary assistance for needy families, otherwise noted in these circles as TANF, and services for older adults.

And—so, welcome. Thank you for being here.

To introduce our second witness, I turn now and recognize my distinguished colleague from Pennsylvania, Mr. Thompson.

Mr. THOMPSON. Thank you, Chairman.

I appreciate the honor and distinct privilege of introducing Ms. Megan Schaper, a constituent of the Pennsylvania 5th Congressional District. Ms. Schaper is the food services director of the State College Area School District in State College, Pennsylvania.

Ms. Schaper received her B.S. in hotel, restaurant, and institutional management from the Pennsylvania State University in 1988. She later became the food service director at the Farrell Area School District where more than 80 percent of the students receive federally subsidized school meals.

Since 1993, she has been the food services director of the State College Area School District where 17 percent of the students are eligible for free and reduced lunch.

She is responsible for all aspects of the schools' cafeteria operations including the planning of the daily menus, hiring, training staff, purchasing equipment and supplies, and ensuring compliance with USDA regulations for healthy school meals.

In addition, she co-chairs the district's School Health and Wellness Council, which is charged with implementing, monitoring, and revising the wellness policy. She also holds the school nutrition specialist credential and was named the Northeast Region's Director of the Year by the School Nutrition Association.

She is on the board of the School Nutrition Association of Pennsylvania, is the webpage manager for and a member of the Bid Committee for the Pittsburgh Regional Food Services Directors.

I had the opportunity to spend some time with Megan and her family last evening, and I welcome her to the committee for this important hearing today.

And I yield back, Chairman.

Chairman ROKITA. Thank you, Mr. Thompson.

And welcome.

Dr. Margo Wootan is the—did I pronounce that right—Wootan. Thank you. Dr. Margo Wootan is the director of nutrition policy at the Center for Science in the Public Interest, known as CSPI.

She coordinates and leads the activities of the National Alliance for Nutrition and Activity, co-leads the Food Marketing Work Group, and is a member of the National Fruit and Vegetable Alliance Steering Committee.

Welcome.

And then, Ms. Sandra Ford—did I pronounce that right? Okay, thank you—is the director of food and nutrition services for the Manatee County School district in Bradenton, Florida, which has 54 schools and 44,000 students. In addition, Ms. Ford has been an active member of the School Nutrition Association currently serving as the Board of Directors president.

Welcome all.

Before I recognize each of you to provide your testimony, let me briefly explain our lighting system, and although I am officially explaining it for you, it is really a reminder for us up here as well, who sometimes can't follow the green, yellow, and red as well, but it is pretty self-explanatory.

You will each have 5 minutes to present your testimony. When you begin, the light in front of you will turn green. When 1 minute is left, it will turn yellow, and when your time is expired, the light will turn red, and I will enforce that with the gavel.

So at that point, please have your remarks wrapped up as best as possible, and after everyone has testified, members will each have 5 minutes to ask questions of the panel.

So with that, I would now like to recognize Ms. Brown for 5 minutes.

**STATEMENT OF KAY E. BROWN, DIRECTOR FOR EDUCATION WORKFORCE, AND INCOME SECURITY ISSUES, GOVERNMENT ACCOUNTABILITY OFFICE (GAO)**

Ms. BROWN. Thank you.

Chairman Rokita and members of the subcommittee, thank you for inviting me here today to discuss the challenges that local officials face while implementing the new requirements for the National School Lunch Program.

My remarks are based on our discussions with USDA and school food authority officials, food industry representatives, and site visits to eight school districts across the country where we observed lunches and spoke with students in 17 schools.

The new requirements aim to improve the nutritional quality of school lunches to benefit the more than 30 million children who participate in the program each month and school food authority officials in all eight districts we visited expressed support for this goal. However, the changes pose multiple challenges for them.

First, the new limits on the amounts of meat or meat alternates and grains led officials in all eight districts to modify or eliminate some popular menu items.

For example, the limits on grains led one district to decrease the size of the sub roll used in a very popular deli sandwich line, and two districts stopped serving peanut butter and jelly sandwiches as a daily option in elementary schools.

Half the districts noticed that student reactions to these changes were generally negative. In addition to the limits on meats and grains, lunches were also expected to meet minimum and maximum calorie requirements.

School officials in five of the districts we visited told us it was difficult to meet the minimum calorie requirements for grades nine through 12 while also adhering to the meat and grain limits.

As a result, some added foods such as ice cream, butter, or ranch dressing that, while allowable, generally did not improve the nutritional content of the meal.

In response to these challenges, USDA temporarily lifted the limits on meats and grains. We believe SFAs can benefit from more certainty and are recommending that the department permanently remove the meat and grain limits. USDA officials told us this week that they are working on a way to accomplish this.

Also, half of the districts we visited reported difficulties with student acceptance of other required changes such as the use of some whole grain rich products especially pastas as well as two of the five required vegetable categories.

However, I should note that some of our districts had begun adding whole grains into their menus before the current school year and have seen student acceptance improve over time.

Further, the requirement that each student must take at least one fruit or vegetable has led to food waste in some but not all cases. In seven of 17 lunch periods we observed, we saw many students throw away some or all of their fruits and vegetables. However, we also observed students consume sizable quantities of fruits and vegetables in the other 10 schools.

Also, in five of our eight districts, school officials heard complaints that the new lunch requirements were leaving some students hungry. For example, in one district, a high school principal told us that athletic coaches expressed concerns that student athletes were hungrier this year than in past years.

These concerns were likely related to decreased entrée sizes; however, we observed that when students took all of the offered lunch components their meals were substantially larger in size than the students who had not taken or eaten all of the items offered.

Finally, school food officials also expressed concern about the impact of compliance with the new requirements on their food costs and overall budgets. All eight reported increases in fruit and vegetable costs this year.

Further, they told us that they experienced decreases in participation in part because of the new lunch requirements as well as other factors. In fact, three expressed concerns about the impact of the changes on their financial stability overall.

However, I should note that we have not yet obtained end of year financial data from the districts we visited nor have we fully analyzed the changes in participation. We will be providing additional information on these and other related issues in our report later this year.

In conclusion, while many students likely received more nutritious lunches during the last school year, implementation challenges remain that will take time to resolve.

This concludes my prepared statement. I am happy to answer any questions you have.

[The statement of Ms. Brown may be accessed at the following Internet address:]

*<http://gao.gov/products/GAO-13-708T>*

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Chairman ROKITA. Thank you very much for your testimony.  
Ms. Schaper, you are recognized for 5 minutes.

**STATEMENT OF MEGAN SCHAPER, DIRECTOR OF FOOD AND NUTRITION SERVICES, STATE COLLEGE AREA SCHOOL DISTRICT**

Ms. SCHAPER. Good Morning, Chairman Rokita, Mr. Scott, and members of the committee. Thank you for this opportunity to meet with you this morning.

In my district like most districts, there is an expectation that my department operates as a business and is able to cover all of its own expenses.

Revenue to operate school food service programs generally comes from either government reimbursements or from cash sales to customers. The amount of funds received in either case is directly determined by the number of students we can convince to be customers in the school cafeteria.

My school district was well on the way to meeting the new nutrition standards when we ended the 2011/12 school year. We served an abundance of fruits and vegetables every day, our breads were whole-grain rich, and we knew that our meals were well within the fat and calorie ranges as required.

That said, we still had extremely negative reactions from students and families with the meals planned to be in compliance with the meat and grain caps.

Sandwiches and entrée salads could not be offered 5 days a week at our elementary schools without respectively exceeding or not reaching the grain limits. At secondary schools, popular entrees had to be eliminated or substantially reduced in size and in our customers' opinions, the larger fruits and vegetables did not make up for this.

Some schools found that they had to add non-grain desserts to menus just to meet calorie minimums. I was pleased when the caps were temporarily removed this year, but this reversal was difficult for manufacturers and distributors who had invested in developing and stocking items specifically to help the schools meet the new regulations.

The businesses that supply schools need to know that the money spent developing, producing, and stocking products isn't wasted. I strongly encourage Congress to make the elimination of these caps permanent.

Participation dropped in my schools by 34,000 meals or 3 percent. Anticipating negative reactions to the new standards, my district opted to utilize nonfederal funding to justify not raising our lunch prices this year as would have been required under Section 205, and therefore I believe we avoided larger decreases in participation.

The lunch price equity rule required many other districts to raise meal prices. Higher meal prices combined with less satisfaction with the meals in general dealt the proverbial one-two punch to the participation levels in many districts.

Statewide in Pennsylvania participation has dropped by 5.6 percent through March with the majority of that loss in the paid-meal category.

If school meal prices are not competitive with the cost of a home-packed meal we will continue to lose paying customers and run the risk of becoming a program that serves primarily low income students with all the stigma attached and districts will not be able to generate the sales volume required to be financially sound.

Despite selling fewer meals, my district's food cost increased by \$40,000 as a result of the enhanced fruit and vegetable requirements. My students do like fruits and vegetables and generally did take the required portion; however teenagers especially made sure

that my servers knew that we could make them take, but could not make them eat, something they did not want.

Director—this phenomenon seemed to be magnified in many of my colleague’s districts. Directors across Pennsylvania are discouraged to be purchasing food that is simply being thrown away untouched.

Sometimes the standards actually got in the way of providing the best nutrition to students. I have several sites where it is logistically very difficult to provide choices. On the day of the week where we provide legumes as the vegetable of the day, most children do not eat a vegetable at all.

To be most effective at ending hunger and curbing childhood obesity, schools need the flexibility to provide healthful lunches that students actually want to purchase and eat.

To underscore the difficulty that directors are having meeting the new regulations, to date, only about 64 percent of Pennsylvania schools have been certified as meeting the new standards.

Our programs are reeling from the effects of the past year yet we have a significant new challenge in the pending competitive foods rule that has the potential to make it even harder to provide quality school meals.

Competitive foods generated 21 percent of my program’s total income this year. That income will be reduced by at least half. My district, like many others, relies on the income to purchase better quality foods for student meals than we would otherwise be able to afford.

It also provides the funds needed to replace equipment, provide staff training, and engage in educational initiatives for students. And my experience has been that this income will not be improved with higher meal sales.

This rule may force schools that receive less federal funding to opt out of the lunch program altogether. In fact, the session entitled “On or Off the National School Lunch Program” was extremely well-attended at the Pennsylvania Association of School Business Officials this past March.

If schools opt to leave the school lunch program, there is no assurance that students will receive a meal that meets USDA nutrition standards or in fact receives a meal at all.

To balance budgets, schools will have to cut jobs. In my district, it may mean eliminating the breakfast program so that we can reduce employee hours and save money on benefits and pensions, and the effect will be far-reaching affecting school food producers, equipment manufacturers, and others who support our industry.

A program—I am sorry. My district and I are committed to providing healthful meals and the foods that make a positive contribution to our students’ well-being.

However, a program that cannot remain fiscally solvent due to decreased participation, decreased opportunities to generate revenue, and mandated increases in program costs is not positioned to provide high-quality, healthful meals to students.

Thank you for your time this morning.

[The statement of Ms. Schaper follows:]

**Prepared Statement of Megan Schaper, SNS, Food Service Director,  
State College Area School District, State College, PA**

Good Morning, Chairman Rokita, Mr. Scott, and members of the committee. My name is Megan Schaper. I am the food service director of the State College Area School District located in central Pennsylvania. I have been a school nutrition professional for 23 years and have served at my current district for the past 20 years. I am an active member of the School Nutrition Association and the Pittsburgh Regional Food Service Directors. In my roles for these organizations, I have had extended conversations with many of Pennsylvania's directors. I thank you for this opportunity to share with you my—and many of my colleagues'—concerns about the cost and consequences of the newest school meals regulations.

The State College Area School District has an enrollment of 6,900 students and the budget for my department is 3.4 million dollars. Sixteen percent of our students are eligible to receive subsidized school meals. Like most districts, there is an expectation that my Food Service Department operates as a business and is able to cover all of its own expenses without financial support from the district's general fund.

One school year into the implementation of the new meal standards, it is a good time to consider if the nutrition standards and lunch price equity rule are working as intended. I recognize and appreciate the seriousness of childhood hunger and health issues that these changes are intended to help curb. However, in the rush to fix these problems, we've implement changes without adequate testing or pilots to know if the new standards would, in fact, be helpful or hurtful to our efforts.

The past school year was extremely challenging for school nutrition professionals. The new nutrition standards coupled with lunch price equity lunch price increases resulted in fewer students choosing to eat lunch at school. At the same time that programs were experiencing lower revenue from the sale of meals, food and labor costs dramatically increased. While dealing with these difficult financial circumstances, many of us in the industry wonder if we aren't, in fact, making it more difficult for schools to help ensure that students are well and properly nourished.

To understand why we wonder this, you need to be aware of the paradigm of how school food service departments are funded. Revenue generally comes from two different sources, government reimbursements and cash sales to customers. The amount of funds received from either source is directly determined by the number of students we can convince to be a customer of the school cafeteria. When school cafeterias are able to provide the foods and services that our customers want, while still meeting nutritional standards, we are positioned to generate the volume of participation needed to fund great programs.

My school district was well on the way to meeting the new nutrition standards when we ended the 2011-12 school year. We felt that we would only need to make minor tweaks to our menu to remain in compliance. We served an abundance of fruits and vegetables every day and most of our students liked and chose these foods. Most of the breads served were whole grain rich. Utilizing Nutrient Standard Menu Planning, we knew that our meals were within the fat and calorie ranges required.

We were ahead of the curve, still we had extremely negative reactions from students and families with the meals planned to be in compliance with the meat and grain caps. In our district, we had to discontinue serving some of our most popular lunches even though they met the calorie and fat targets and provided fruits, vegetables, and milk in the required quantities. Sandwiches and entrée salads could not be offered five days a week at the elementary level without respectively exceeding or not reaching the grain limits. Both servers and customers were confused as to why the chicken tenders and the entrée salads each needed to be served with a different type of bread item and the customer getting the chicken tenders couldn't opt for the type of roll being served with the salad on the same serving line.

At the secondary schools, popular and reasonably sized hamburgers, pizza, and chicken fillet sandwiches all had to be substantially reduced in size even though the meals were within the calorie range. The fact that the side salads had doubled in size to two-cups or that students could take two portions of fruit with the lunch wasn't adequate compensation in our customers' opinions.

Further, the limits on meat and grains made it difficult to consistently meet the calorie requirements for many directors. Some schools found that they had to add non-grain desserts—jello, ice cream, baked potato chips—to the menu just to meet the calorie minimums. These desserts added no positive nutrients to the meal other than calories and increased the cost of providing the meal. But, serving larger portions of nutrient-dense whole grains was not an available option.

The very short time period between learning of the meat and grain caps and implementation left manufacturers and suppliers scrambling to develop, produce and

stock items to meet schools' needs. In September, many products that schools needed were not yet available at our distributors' warehouses. Just about the time distribution was caught up, the caps were removed on a temporary basis. I was pleased when the caps were temporarily removed mid-year. But this reversal was difficult for manufacturers and distributors who had invested in developing and stocking items specifically to help schools meet the caps.

The businesses that supply schools with food are struggling to know what schools want and they need to have some assurance that the money spent developing and making products for us isn't wasted. For instance, AdvancePierre spent in excess of \$100,000 on research for each product that they brought to market for schools in the fall. Now, many of those items developed to help with the meat cap are no longer wanted by directors.

Manufacturers and menu planners need to know that the caps are permanently lifted so that we can move forward without wasting any more resources or time. I strongly encourage Congress to make the elimination of these caps permanent.

Participation in my schools suffered this year, dropping by 34,000 meals or 3%. Though we did rebound some after we were able to adjust the menus given the meat/grain flexibility, participation did not fully recover. Statewide in Pennsylvania, participation dropped by 9% through December with paid meal participation decreasing by 14%. More recent statewide data has not yet been made available but it is my understanding that participation remained down, especially in the paid category, for the entire school year.

My district was able to fare better than many because we opted to not raise our lunch prices for the year. Under Section 205, the equity in school lunch pricing rule, we would have been required to raise prices by \$.05 for the 2012-13 school year even though our lunch prices were higher than those of other districts in my area (\$2.25 and \$2.80 for elementary and high school lunches respectively). Anticipating that there would be some backlash from the smaller entrées, we utilized the non-federal funds that my program earns to justify not raising prices.

The lunch price equity rule required many other districts to raise meal prices even though the directors felt that the higher price would be more than families would be willing to pay. Higher meal prices, combined with less satisfaction with the meals in general, dealt the proverbial one-two punch to the participation levels in many districts.

Local school boards and food service professionals have a vested interest in their programs being successful. They can and will make meal pricing decisions that reflect what the families in their community are able and willing to pay. It is often fiscally more advantageous for a program to keep prices low and sell more meals than it is to raise prices and reduce program participation.

Parents at home considering whether to purchase a school meal or to provide their child with a packed lunch typically only consider the price in relationship to the food cost of the packed meal. They don't and won't consider that the school meal price also includes the cost of labor, benefits, equipment replacement, utilities, etc. If we are unable to keep school meal prices competitive with the cost of a home packed meal, we will continue to lose paying customers. In fact, fewer children will be influenced by the healthier meal standards if parents do not feel that the full priced meal is affordable. And, we run the risk of the National School Lunch Program being a program that primarily serves only low income students with all the stigma attached.

Section 205, the equity in school lunch pricing rule of the Healthy Hunger-Free Kids Act, gets in the way of school nutrition professionals and local school boards doing what they know is best for children, communities, and School Nutrition Programs.

Many programs experienced significant increases in food cost this year. My own district's food cost increased by \$40,000 even though we served 34,000 fewer meals. The larger portions of fruits and vegetables were the main reason for this in my district. We were already, for the most part, meeting the vegetable sub-group and whole grain requirements, so our food cost in 2011-12 already reflected the reality that whole grains cost more than white bread and dark greens cost more than iceberg lettuce. For many districts, implementing the new standard had a much more drastic impact on costs.

It was especially discouraging for myself and my colleagues to be spending more money for food and to not see that investment pay off in better student participation. My students generally do like fruits and vegetables and we did not have a problem, in most cases, requiring students to take the required portion. However, when we did have to make a student take a required fruit or vegetable component, it did invariably go into the garbage can. Teenagers, especially, made sure that my

servers knew that we could make them take, but we couldn't make them eat, something that they did not want.

This phenomenon seemed to be magnified in many of my colleagues' districts. Directors across Pennsylvania are discouraged to be purchasing food that is simply being thrown away untouched.

Sometimes the standards actually got in the way of providing the best nutrition to students. I have several sites where it is logistically very difficult to provide choices. So, on the day of the week when we provide legumes as the vegetable of the day, most children at those sites do not eat a vegetable at all. Prior to this year these same schools only served fresh vegetables as we found that the students were more likely to eat the fresh vegetables than cooked ones. However, this year I am required to provide a starchy vegetable once per week. So, in place of fresh vegetables, the students are served peas, corn or potatoes, not because they are healthier choices but because starchy vegetables are now required once each week.

The new regulations have simply made it harder for food service professionals to meet students' expectations and to do what they know is best for their own districts. A USDA study conducted before the new standards were implemented indicated that students who chose a school lunch consumed more fruits, vegetables, and milk and less sugar than those who brought a lunch from home. Students who opt to get lunch at the fast food restaurant or convenience store near the school surely are not going to get a healthful meal. And, students who opt not to eat lunch at all won't get the nutrients they need and are more likely to binge on non-healthful snacks when they get home from school. To be most effective at ending hunger and curbing childhood obesity, schools need to be able to provide healthful lunches that students want to purchase and eat.

To underscore the difficulty that directors are having in meeting the new regulations, to date only about 64% of Pennsylvania's schools have been certified as meeting the new standards.

Our programs are reeling from the effects of implementing the new standards. Most schools lost participation resulting in fewer students receiving well balanced meals and less income for our programs. And we incurred higher program costs. School nutrition professionals are a resilient group who will do everything possible to provide great meals for students. Especially if the meat/grain caps and the lunch price equity rules are addressed, I am hopeful that things can improve.

However, we have significant new challenges coming upon us quickly in the form of additional breakfast requirements and competitive food regulations that will not provide the time and space needed to regain the ground lost this year and threaten to do further and more significant harm to our programs.

Beginning with the 2014-15 school year, school breakfast will be required to provide one full cup of fruit with breakfast instead of one-half cup. This change will mirror the food waste and cost problems that we are currently experiencing with the lunch program. Unlike lunch, which typically has a lunch period scheduled within the school day, the School Breakfast Program has always struggled to be allotted any time at all for students to get and eat the meal. The time available is usually the amount of time between when the child arrives at school and the start of the instructional day, usually less than ten minutes. Whether breakfast occurs in the cafeteria or classroom, many students struggle now to eat the entire meal before they are required to turn their attention away from the meal and to their class work. Students simply will not have the time to eat a larger breakfast and the money spent on the additional fruit, at least \$.25 for each meal, will go into the garbage can.

Before implementing this breakfast requirement, time is needed to study the food waste problems at lunchtime and then to proceed only if we find that this problem has subsided.

The pending competitive foods rule has the potential to deal a most devastating blow to school nutrition programs. Competitive foods are so named because they compete with school meals for students' dollars. However, this ignores some critical facts about competitive foods.

First, there is a notion that without competitive foods, students would opt for the more healthful reimbursable meal. This is not necessarily true. Older students, who make the vast majority of competitive food purchases, will bring the foods that they want with them to school or will opt not to eat at all and binge later. In many, many cases, competitive foods are not replacing the meal but instead are supplementing the meal. This was especially true this year when students perceived the meals as being smaller.

Second, competitive food profits provide the funds needed to operate quality programs. The revenue generated allows us to purchase better quality foods for breakfasts and lunches than we could otherwise afford. It also provides the funds needed

to replace equipment, provide staff training, and engage in educational initiatives for students.

All schools were required in 2006 to implement local school wellness policies to include nutrition standards for competitive foods. My own district's decision at that time was to eliminate all competitive foods at the elementary schools. Nutrition standards were established for competitive foods available in the secondary schools and middle-school students were limited to purchasing no more than one of these competitive foods per day. Soda machines were banned from all school campuses. As a result of these changes, my program's competitive food sales decreased by \$120,000 and my ability to replace equipment and provide staff training has since been severely compromised.

Competitive foods generated just over \$700,000 this school year—21% of my program's total revenue. I estimate that the proposed competitive food rules would reduce my program's revenue by at least half.

Further, these revenues have a much more significant impact on my program's bottom line than do meal sales. The profit margin on a school meal is very slim, and for some menus there is no profit at all. However, competitive foods are always priced to ensure that they generate at least a 50% profit that can then be used to help cover the costs of operating a quality school lunch program.

The additional burden of this proposed rule impacts schools with high subsidized meal eligibility and those with low subsidized meal eligibility very differently. It may force schools that receive less federal funding to opt out of NSLP altogether. In fact, a session entitled On or Off the National School Lunch Program was extremely well attended at the Pennsylvania Association of School Business Officials conference in March. If schools opt to leave the School Lunch Program, there is no assurance at all that students will receive a meal that meets the USDA nutrition standards or, in fact, receive a meal at all.

To balance budgets, schools will have to cut jobs. In my district, it may mean eliminating the breakfast program so that we can reduce employees' hours and save money on benefits and pensions. And the effect will be far reaching, affecting food producers, equipment manufacturers and others who support our industry.

To mitigate the harm that could be done by the competitive foods rule, USDA must provide flexibility, simplicity, and minimum standards that allow schools and food service directors the room to make site based decisions that best fit their districts' needs. Any food that is served as part of a reimbursable school meal should be allowed as a competitive food without restriction. And, school nutrition programs should be recognized as the primary food provider within school buildings during the school day.

To illustrate the magnitude to the restrictions that will be placed on competitive foods, please see the attached photograph. Most people would deem these items to be reasonable snacks for a high school student to purchase but all would be banned from schools based on the proposed rule.

Common school competitive snacks that will be eliminated through the proposed competitive foods rules.  
All served in single serving sizes of 2 oz. or less.



**Sunchips**  
Exceeds 35% calories from fat



**Cheez-It**  
Not whole grain  
Exceeds 200 calories  
Exceeds 35% calories from fat  
Exceeds 200 mg sodium



**Reduced Fat White Cheddar Popcorn**  
Exceeds 35% calories from fat



**Rold Gold Pretzels**  
Not whole grain  
Exceeds 200 mg sodium



**Goldfish Crackers**  
Not whole grain  
Exceeds 200 mg sodium



**SnackWells Reduced Fat Cookies**  
Not whole grain  
Exceeds 200 calories



**Planters Peanuts**  
Exceeds 200 calories



**Whole Grain Peanut Butter Crackers**  
Exceeds 200 calories  
Exceeds 35% calories from fat  
Exceeds 200 mg sodium



**Chex Mix**  
Not whole grain rich  
Exceeds 200 calories  
Exceeds 200 mg sodium

There seems to be a sense that school district general funds should pick up the added cost of operating school cafeterias. Yet my district, like many, is facing tough fiscal realities of its own. Most school general fund budgets simply do not have the resources to subsidize the school cafeterias. Tough choices will have to be considered at the expense of students and jobs.

My district and I are committed to providing healthful meals and foods that make a positive contribution to our students' well-being. However, a program that cannot remain fiscally solvent due to decreased participation, decreased opportunities to generate revenue, and mandated increases to program costs is not positioned to provide high quality, healthful meals to students. As with the advice to secure one's

own mask first before assisting another, we need to be mindful that our school meals programs need to be healthy themselves in order to advance the healthfulness of our nation's children.

Thank you for this opportunity to address the committee with my concerns.

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Chairman ROKITA. Thank you, Ms. Schaper.  
Dr. Wootan?

**STATEMENT OF DR. MARGO WOOTAN, DIRECTOR OF NUTRI-  
TION POLICY, CENTER FOR SCIENCE IN THE PUBLIC INTER-  
EST**

Dr. WOOTAN. Good morning.

We probably all can agree on the importance of our children's health. Where there may be some disagreement is on what the federal government's role is in protecting children's health, and specifically for this hearing, the role in determining school meal standards.

That question was answered long before I was born. Unlike other aspects of education, foods that have—school foods have long been predominantly a federal program. Since the 1940s, dating back to the Truman Administration, Congress and USDA have set nutrition standards for school meals.

While most education funding comes from states and localities, they contribute less than 10 percent of the funds for school meals nationally. Congress invests more than \$13 billion a year in the school lunch and breakfast program.

It is a matter of good government and fiscal responsibility to ensure that those funds are well-spent, that these nutrition programs provide good nutrition for kids.

In 2004, the Bush Administration and the Republican-led Congress passed the Child Nutrition and WIC Reauthorization Act of 2004, requiring USDA to update the school meal standards to align with the Dietary Guidelines.

So USDA solicited feedback from industry, food service, nutrition experts, commissioned a study for the Institute of Medicine, and then based on that input proposed standards and gave ample time for parents, schools, companies, Congress, and others to comment on them.

And comment, people did. Over 130,000 people commented; the overwhelming majority, over 90 percent, in support of the proposed standards. Parents are particularly loud and clear in their support. Over 80 percent of parents support the new school meal standards.

As you contemplate whether the new meal standards are achievable, I urge you to consider the tens of thousands of schools that have already made great progress, including schools in all of your states.

As of the end of April, almost three-quarters of school districts participating in the school lunch program have applied for the \$0.06 reimbursement meaning that they believe that they are meeting the new school meal standards.

Those numbers have been increasing and are expected to increase even further when USDA gets its next report from states.

Changes of course take time and not surprisingly some schools are experiencing challenges. USDA, the Alliance for a Healthier

Generation, and many others are providing technical assistance, training, model menus and product specifications, and other resources to help schools work through these challenges.

And USDA has shown that it is listening to schools' concerns. When schools faced challenges with the grain and protein limits, USDA responded and gave them the flexibility that they asked for, which the agency has made clear that it plans to make permanent. In April, USDA also provided additional flexibility on paid meal pricing.

The answers to the challenges faced by some schools is not to revert back to serving unhealthy food in schools. Our kids need us to persevere and ensure that schools get the support they need.

I hope that one of the outcomes of this hearing will be enhanced efforts to help those schools that are struggling and to get them the technical assistance that they need and to connect them with the many, many schools that are implementing the new school meal standards successfully.

And there is a lot to learn from successful schools around the country. I included in my testimony some pictures of some of the healthy school meals that are being served around the country, and if you have a chance to take a look at them or others that we could make available, you will see that there are many appealing healthful meals that kids enjoy and that are good for them.

These meals also are providing enough calories for the vast majority of young people in schools. For those students who want more, many schools are offering additional servings of fruits and vegetables at no additional charge.

And for those students with exceptional calorie needs, such as competitive athletes, they can purchase a second lunch. They can purchase items out of a la carte. There are also afterschool snacks and afterschool supper programs to help them meet their caloric needs.

Importantly, the school meal standards are being achieved at the current rates of reimbursement in thousands of schools across the country, and USDA is providing additional reimbursement and there are several other school financing provisions that were put into place over the last couple of years.

USDA's updates to the school meal standards are long overdue. Schools around the country are showing that they are achievable. We know they are critical to our children's health, and importantly, they will maximize the taxpayer investment in these important child nutrition programs.

Thank you.

[The statement of Dr. Wootan follows:]

**Prepared Statement of Margo G. Wootan, D.Sc., Director, Nutrition Policy,  
Center for Science in the Public Interest**

Good morning. I'm Margo Wootan, the director of Nutrition Policy at the Center for Science in the Public Interest, a nonprofit organization, where I've worked on school foods and other nutrition issues for over 20 years.

We probably all agree on the importance of our children's health. Unfortunately, a third of children are overweight or obese, and unhealthy eating habits and obesity are major contributors to heart disease, cancer, diabetes, and other diseases. Obesity adds \$190 billion a year to national health care costs, about half of which are paid by taxpayers through Medicare and Medicaid.

Where there may be some disagreement is on what the federal government's role is in protecting children's health, and specifically for this hearing, the federal role in determining school meal standards.

That question was answered before I was born. Unlike other aspects of education, school foods have long been predominantly a federal program. Since the 1940s, dating back to the Truman Administration, Congress and USDA have set the nutrition standards for school meals.

While most education funding comes from states and localities, they contribute less than 10% of the funds for school meals. Congress invests more than \$13 billion a year in the school lunch and breakfast programs. It is a matter of good government and fiscal responsibility to ensure that those funds are well spent—that these nutrition programs provide good nutrition to children.

In 2004, the Bush Administration and the Republican-led Congress passed the Child Nutrition and WIC Reauthorization Act of 2004, requiring USDA to update the school meal standards to align them with the Dietary Guidelines for Americans. Over the next seven years, USDA formed internal working groups, solicited feedback from industry, food service, and nutrition experts, and commissioned an Institute of Medicine study to develop recommendations to update the meal standards.

USDA proposed standards based on all that input, and then gave ample opportunity for parents, schools, food companies, Congress, and others to comment on them. Over 130,000 people commented—the overwhelming majority in favor of the proposed standards. Parents were particularly loud and clear—over 80% support the new school meal standards.

As you contemplate whether the new school meal standards are achievable, I urge you to consider the tens of thousands of schools that have already made great progress, including schools I'd be happy to put you in touch with in Indiana, Tennessee, Minnesota, California, and other states. The Alliance for a Healthier Generation has recruited over 14,000 schools; USDA's HealthierUS School Challenge has certified over 6,500 schools (see <http://www.fns.usda.gov/tn/healthierus/awardwinners.html> for a list), and there are a growing number of schools qualifying for the six cents in additional school lunch reimbursement, which is available to schools meeting the new standards.

Change takes time, and not surprisingly, some schools are experiencing challenges. USDA, the Alliance, and others are providing technical assistance, trainings, model menus and product specifications, and other resources to help schools work through challenges.

USDA has shown that it is listening to schools' concerns. When schools faced challenges with the grain and protein limits, USDA responded and gave them additional flexibility, which the agency has said it plans to make permanent. In April, USDA also provided additional flexibility on paid-meal pricing.

The answer to the challenges faced by some schools is not to revert back to serving unhealthy food in schools. Our kids need us to persevere and ensure that schools get the help and support they need. I hope that one outcome from this hearing will be enhanced efforts to help struggling schools with additional technical assistance, including the opportunity to learn from the many schools that are successfully implementing the new school meal standards.

And there's a lot to learn from successful schools around the country. For example, simple things like taste tests, having students vote for favorite menu items, giving menu items catchy names, and sprucing up cafeterias are some of the ways schools have been increasing student acceptance of healthy school meals. The photos in my written testimony depict a few of the appealing and healthful meals that many schools are serving.



Provo School District (UT)



Saint Paul Public Schools (MN)



DC Public Schools



Burlington School District (VT)

As you can see, these meals provide plenty of food and should meet the needs of the vast majority of young people in schools. For those students who want more, many schools offer additional servings of fruits and vegetables at no additional charge. And for those students with exceptional calorie needs, such as competitive athletes, they can purchase a second lunch or healthy a la carte options to supplement their meal or take advantage of afterschool snack or afterschool supper programs.

Importantly, the school meal standards are being achieved at current reimbursement rates by thousands of schools, and USDA is providing an additional six cents per lunch to schools that meet the new school meal standards.

USDA's updates to the school meal standards are long overdue, are achievable, are critical to our children's health, and will maximize the taxpayer investment in these important child nutrition programs. We need to give some schools and students a little more time to adjust, and ensure that struggling schools get the technical assistance they need to join the thousands of schools that are successfully serving healthy school meals to students.

Thank you.

## The Dollars and Cents of the New School Meal Regulations

### An Investment in Our Kids

The National School Lunch and Breakfast Programs provide balanced meals to 32 million children each day. The U.S. Department of Agriculture's (USDA) final school meal standards call for meals with more fruits and vegetables, whole grains, and fat-free and low-fat milk, and less sodium and unhealthy saturated and trans fats. The federal government currently invests \$13 billion a year in these programs, and the updated standards will help maximize that taxpayer investment by helping to ensure all children receive healthy, nutritious meals.



### The Cost of Inaction

Child nutrition and obesity affect our nation's physical and fiscal health. One-third of children are overweight or obese. Obesity causes heart disease, cancer, diabetes, and other diseases. Obesity adds \$150 billion a year to national health care costs, about half of which are paid by taxpayers through Medicare and Medicaid.

Obesity also poses a threat to national security. One in four young adults are too heavy to qualify for military service and weight issues are now the leading medical reason that young adults are unable to serve in the military.

### USDA Meal Patterns and Nutrition Standards

Since the Truman Administration, Congress and USDA have set nutrition standards for school meals. However, current nutrition standards have not been updated in 15 years and are not consistent with current nutrition science.

In 2004, the Bush Administration and Republican-led Congress passed the Child Nutrition and WIC Reauthorization Act of 2004, requiring USDA to update the standards to align school meal patterns with the *Dietary Guidelines for Americans*. Over the next seven years, USDA formed internal working groups, solicited feedback from industry and advocates, and commissioned an Institute of Medicine (IOM) study to develop recommendations to update the nutrition standards for the National School Lunch and Breakfast Programs.

### Schools Are Leading the Way

The final school meal standards are achievable and are already being met at *current reimbursement rates* by the thousands of schools participating in USDA's HealthierUS Schools Challenge and the Alliance for a Healthier Generation's Healthy Schools Program. Schools have made changes that are consistent with the provisions in USDA's final rule with little or no additional funding. Unfortunately, those schools represent a small percentage of the 101,000 schools participating in the national school meals programs. The updated federal standards will help ensure all children receive a healthy meal, regardless of where they live.

### Increased Funding for Healthy School Meals

In January 2012, USDA released final regulations to update the standards for school meals. USDA estimates that implementation of these updated standards might increase total costs by roughly 8 percent or \$3.2 billion over five years.

The Healthy, Hunger-Free Kids Act (HHFKA) includes a strong package of provisions designed to increase funding for healthy school meals. Timely implementation of these provisions will help increase revenue to school food service programs to facilitate implementation of USDA's proposed school meal standards.

- Section 201 provides a 6-cent-per-lunch increase in reimbursement for school lunches that meet the new school meal standards, adding an estimated \$1.5 billion over five years if all schools met the standards immediately.
- Section 205 requires school districts to gradually begin closing the gap between paid meal revenues and free meal revenues to ensure that funds meant for providing healthy foods for low-income children are not diverted to other purposes. USDA estimates that closing this gap would raise \$323 million for school meals programs over the next five years with minimal impact on participation in the NSLP, even among low-income children.
- Section 206 is designed to ensure that the prices charged for foods sold in vending machines, a la carte lines, and school stores cover the costs to produce and sell them. A national meal-cost study conducted by USDA showed that revenues from non-program foods (such as foods sold a la carte) do not cover their costs and schools often use federal meal subsidies to offset their production. USDA estimates that implementation of the provision will bring an additional \$7.2 billion in revenue to school food service accounts over the next five years and will result in over 900,000 more children participating in the school meal programs.

**Timely implementation of the Healthy, Hunger-Free Kids Act will fully pay for USDA's school lunch regulations.**



#### By the Numbers

##### Cost of Improvements to School Meals

Breakfast:	\$ 1.3 billion
Lunch:	\$ 1.9 billion
<b>Total Cost:</b>	<b>\$ 3.2 billion</b>

##### Increased Revenue from the Healthy, Hunger-Free Kids Act

Section 201:	\$ 1.5 billion
Section 205:	\$ 323 million
Section 206:	\$ 7.2 billion
<b>Total New Revenue:</b>	<b>\$ 9 billion</b>

\*All figures over 5 years

#### Our Children Cannot Wait Any Longer

USDA's updates to school meal standards are long overdue, achievable, critical to our children's health, and will maximize the taxpayer investment in the programs.

For more information, contact Margo Wootan with the Center for Science in the Public Interest at [nutritionpolicy@cspinet.org](mailto:nutritionpolicy@cspinet.org) or 202-777-8387.

## Tips for Making Healthy Lunches for Less

Serving healthy school meals on a tight budget can be a challenge. The following tips were gathered from school food service professionals across the country to help make serving healthy foods more affordable. We recognize that school nutrition program costs and challenges vary from one community to the next, so while these tips may not work for everyone, we hope some will be useful at your school. For more resources on the new school meal standards, visit [www.schoolfoods.org](http://www.schoolfoods.org) or contact [nutritionpolicy@cspinet.org](mailto:nutritionpolicy@cspinet.org).

### Menu Planning and Preparation

- Use less expensive healthy items.
  - Mix in less expensive items along side more expensive ones. The goal does not have to be for all students to take a less expensive item. If 20 percent of students choose a less expensive option, then you save money on 20 percent of the lunches served that day.
  - Switch from more expensive proteins, like chicken, beef, and pork, to beans one meal a week. Buy dried beans over canned for even more savings.
  - Market and test less expensive and less processed healthy items.
    - Some schools have found with good recipes or marketing they can swap out higher cost, more processed foods, like chicken nuggets and patties, for less expensive, less processed foods, like roast chicken.
- Incorporate more-costly items wisely.
  - When considering a new, slightly more expensive item, think about how many students will actually take it. If only a third of students are likely to try the new item, prepare that many portions. This way you are serving a new, healthy item, but not spending extra on waste.
  - Serve popular but expensive items less often.
  - Just because an item is popular does not mean it makes money. If the item is popular and expensive, like hamburgers, less “profit” per lunch will be generated. Take the total revenue (reimbursement rate X meals by category) and deduct the total cost per meal to determine how much “profit” that meal will generate.
- Increase school meal appeal.
  - Cook vegetables to preserve vibrant colors and textures, and vary the way you cut the fruits, vegetables, and sandwiches to provide more interesting or appealing presentations.



- Use catchy names, like “fire engine red tomatoes” in elementary schools or “southwest chipotle chicken” in upper grades.
- Have a basic salad bar, with both fruits and vegetables.
  - Cut down on staff preparation time by not dishing out individual portions.
  - Try placing the salad bar at the beginning of the line and allowing students to choose the fruits and vegetables they like.
  - Allowing students to choose which items they like, as well as how much they want to take, will help reduce waste; students are less likely to take fruits or vegetables they won't eat.
  - Salad bars also are a great place to offer legume salads. Don't expect that all students will love them right away. Give them a chance.
- Standardize recipes to ensure the right amount of each ingredient is in the meal. This will make ordering easier and ensure the item fits into the meal standard.
- Limit dessert. Make dessert a special occasion food, to save money and calories.
- Research milk options.
  - If certain options like flavored milk or plastic bottles are more expensive, consider offering unflavored milk (unless meal participation will be affected) or cardboard cartons.
- Use the same product multiple ways. Using a product in different recipes can cut down on inventory and reduce waste.
  - Avoid buying many different types of chicken products. Instead, change them up with new names and sides. For example, roast chicken can be rotisserie style, barbeque, teriyaki, or used on a salad.
  - Change up your sides. Roasted vegetables, for example, are inexpensive and versatile.
- Limit main ingredients to reduce waste and spoilage and save precious storage space.
- Choose fruits and vegetables that are in season when possible.
  - Purchase frozen, canned, and produce that stores well (apples, sweet potatoes, etc.) in the off season.
- Offer a la carte items that could be combined into a reimbursable meal.
  - Depending on what kids choose, cashiers could urge students to grab milk and fruit to have a reimbursable meal. It costs the student less money and the school could get the meal reimbursements.
- Manage waste.
  - Wedging fruit can provide a cost-savings benefit. Students can choose how much they want to take, which helps avoid having students throw out whole fruit.



- Batch cooking is essential for food quality and cost control. Try not to cook all the food for the day at once. If a certain option doesn't sell well in the first couple lunch periods, you may not need to prepare as much for later in the day.
- Keep good production records. This will help you determine how many servings to prepare in the future.
- Pay attention to serving size. Make sure you serve the correct serving size of each option. For example, use half-cup scoops for foods with a half-cup serving size.
- Stop using disposable utensils if possible. If you are concerned the kids will throw away utensils, place a bucket of soapy water right next to the trash.
  - Analyze the cost of real flatware. How many times does a real fork need to be used before it is cheaper than using a disposable one? One district found it was only 17 times!
- Reduce use of unnecessary paper and plastic products. Stop using paper boats, bags, plastic cups, and wraps around sandwiches. They add unnecessary cost to the meal that could be spent on food.
  - This also may appeal to students who are interested in environmental issues. Try marketing the changes using posters or materials that remind students that reducing waste is good for the environment.
- Offer a limited number of entrees in elementary schools.
  - Consider instituting a four-week menu cycle with a standard alternative offered every day, such as deli sandwiches, for students who do not like the main entrée item. Offering fewer options can reduce waste and allow for better estimates of how many servings to produce.
  - High schoolers expect options. However, for younger children, too many choices may slow down the lunch line, giving them less time to eat lunch.

### Purchasing and Inventory

- Perfect purchasing practices.
  - Consider joining or starting a buying club with districts in your area. This will allow you to make bulk purchases and cut down on product and delivery costs.
    - If you don't have adequate storage space at your school, share freezer/cooler space with nearby districts or other larger institutions (hospitals, workplaces, etc.).
  - Plan your menus in advance, and tailor your orders carefully to those menus.



### Other

- Seek out a mentor.
  - If you are a new food service director or just think you could learn from another director, ask your state child nutrition program or state School Nutrition Association for a suggestion of a successful director.
- Market your program to students and staff to increase participation.
  - Use catchy or appealing names, conduct taste tests, have students vote on meal options, engage students to become ambassadors of the meal programs, hold recipe contests, etc.
- Analyze current paid meal and a la carte item prices to ensure they reflect the true cost of purchasing, preparing, and selling the item, including indirect costs.



### Resources

USDA: Food Buying Guide, Menu Planning and Preparation Resources, and Other Resources  
<http://healthymeals.nal.usda.gov/>

NFSMI: Financial Management Resources  
<http://www.nfsmi.org/ResourceOverview.aspx?ID=63>

NFSMI: Meal Pattern Guide  
<http://www.nfsmi.org/ResourceOverview.aspx?ID=425>

NFSMI: Purchasing Manual  
<http://www.nfsmi.org/ResourceOverview.aspx?ID=64>

SNA: Marketing and PR Tools  
[http://www.schoolnutrition.org/Level2\\_NSLW2012.aspx?id=16980](http://www.schoolnutrition.org/Level2_NSLW2012.aspx?id=16980)

SNA: Meal Pattern Resources (for SNA members only)  
[www.schoolnutrition.org/mealpattern](http://www.schoolnutrition.org/mealpattern)

USDA: Using USDA Foods  
<http://www.fns.usda.gov/fdd/foods/healthy/Professional.htm>



The Healthy, Hunger-Free Kids Act, signed into law in December 2010, changed the U.S. Department of Agriculture (USDA) nutrition standards for school meals to reflect the latest nutrition science. Updates to the nutrition standards for school meals went into effect at the beginning of the 2012-2013 school year, and schools across the country have been making changes to provide students with healthier choices. The law also provides schools with increased funding, training, and technical assistance to meet the new meal standards, calls for stronger local wellness policies, more transparency, and improved compliance measures, and strengthens USDA's commitment to other nutrition and wellness programs. USDA is now working to update the standards for snacks and beverages sold outside of meals—in school stores, à la carte lines, and vending machines—which the agency hasn't revised in more than 30 years.

### Topeka, Kansas

Niki Jahнке, food service director for Topeka Public Schools, came to her position at least in part because she had a background in nutrition. But perhaps more importantly, Jahнке was a parent who was disappointed with the quality of the school lunches.

When she became food service director, Jahнке helped Topeka schools move away from canned fruits and vegetables and towards more fresh and frozen produce. Seventeen Topeka schools now are working with the Healthy Schools Program of the Alliance for a Healthier Generation, which provides tools and support to schools working to create healthier campuses. Those schools also are pursuing certification under the HealthierUS School Challenge, a voluntary USDA program that recognizes schools for creating environments that promote nutrition and physical activity.

The many years Jahнке and the district have put into creating healthier school meals have paid off, because they have been able to meet the updated federal nutrition guidelines. She has changed old recipes and is continuing to develop new ones. In doing so, she's especially enjoyed the support of the Kansas State Department of Education, which has provided an all-day training for food service

### HEALTHY SCHOOLS PROGRAM: HEALTHIER SCHOOL MEALS SUCCESS STORY



staff, and has been available to answer questions and provide technical assistance. Most of the students, especially the younger ones, have accepted the updated menus. Jahнке has seen some objections from high school students and a bit of a decrease in meal participation at some high schools. But after talking through the changes with students, much of the initial skepticism has died away.

Jahнке thinks the new flexibility in the guidelines, which allow for more grains and proteins, will help in middle and high schools as well. She's exploring how to use the flexibility, and continues to revamp menus, to get all students on board with the healthier meals.

Jahнке is staying busy in other ways too. The school district provides breakfast in all schools for those students who need it, and she's rolling out a dinner program. All of the snacks sold in vending machines meet state nutrition standards too. All in all, Jahнке has been able to make a lot of healthy changes, so that other parents of Topeka Public Schools students can be happy with the choices their kids have in school.

The Alliance for a Healthier Generation, founded by the American Heart Association and the William J. Clemente Foundation, works to improve the quality of childhood obesity prevention efforts. We're looking for more like Niki Jahнке. The Alliance for a Healthier Generation works with schools, community organizations, healthcare professionals and families to transform the conditions and systems that lead to healthier children. To learn more and join the movement, visit [www.HealthierGeneration.org](http://www.HealthierGeneration.org).





The Healthy Hunger-Free Kids Act, signed into law in December 2010, changed the U.S. Department of Agriculture (USDA) nutrition standards for school meals to reflect the latest nutrition science. Updates to the nutrition standards for school meals went into effect at the beginning of the 2012-2013 school year, and schools across the country have been making changes to provide students with healthier choices. The law also provides schools with increased funding, training, and technical assistance to meet the new meal standards, calls for stronger local wellness policies, more transparency, and improved compliance measures, and strengthens USDA's commitment to other nutrition and wellness programs. USDA is now working to update the standards for snacks and beverages sold outside of meals—in school stores, à la carte lines, and vending machines—which the agency hasn't revised in more than 30 years.

### Jackson, Tennessee

The updates to the federal meal guidelines were just the latest opportunity to focus on student health in Tennessee's Jackson-Madison County School System. The district has been working on a healthy café concept to improve school meals for several years now. The organizing concept is a simple one: any decision regarding the café has to enhance or strengthen the school district's nutrition program. Improving access to and increasing consumption of healthy foods is one of the district's main goals as a participant in the Healthy Schools Program of the Alliance for a Healthier Generation, which provides tools and support for schools working to create healthier campuses.

One summer the deep fat fryers were removed from the kitchens. At the beginning of another school year, more whole grains were added to the menu. In one school, a committee including the principal, teachers, parents, and students decided to have murals of healthy scenes painted on the lunchroom walls.

Liberty Tech High School in Jackson has a hydroponic greenhouse, where staff members can grow lettuce, cucumbers, and tomatoes. When Liberty Tech started using this extremely local produce in its café several years ago, salad bar sales rose by 30 percent. Last November, the Tennessee School Board Association presented

### HEALTHY SCHOOLS PROGRAM: HEALTHIER SCHOOL MEALS SUCCESS STORY



the school with an award in recognition of this program. A month later, Liberty Tech students spoke to county commissioners about it. The success of the greenhouse operation has led to its expansion to other schools.

Susan Johnson, school nutrition supervisor for Jackson-Madison County, says the recognition the district has received as a result of these efforts has helped pave the way for implementing the federal meal standards. There has been very little pushback over the years with the healthier meal changes and no major shifts in meal participation rates.

Johnson recommends finding champions within the school community who are passionate about improving nutrition and then supporting their efforts.

One local middle school principal is interested in selling healthier options in the school's vending machines, so Johnson is working with her to make changes.

Johnson says it's also important for schools to apply for awards and other recognition, as good publicity can build momentum for further changes.

Jackson-Madison County has received a USDA Best Practice Award, and the Alliance for a Healthier Generation has recognized several of its local schools.

The momentum and recognition pay off. The district has met the new meal guidelines and will be receiving the additional reimbursements soon.

The Alliance for a Healthier Generation, founded by the American Heart Association and the William J. Clinton Foundation, works to reduce the prevalence of childhood obesity and to empower kids to develop lifelong, healthy habits. The Alliance works with schools, communities, and government agencies to identify and address the root causes of obesity from the conditions and systems that lead to healthier children. To learn more and join the movement, visit [www.HealthierGeneration.org](http://www.HealthierGeneration.org).





The Healthy, Hunger-Free Kids Act, signed into law in December 2010, changed the U.S. Department of Agriculture (USDA) with updating school food nutrition standards to reflect the latest nutrition science. Updates to the nutrition standards for school meals went into effect at the beginning of the 2012-2013 school year, and schools across the country have been making changes to provide students with healthier choices. The law also provides schools with increased funding, training, and technical assistance to meet the new meal standards, calls for stronger local wellness policies, more transparency, and improved compliance measures, and strengthens USDA's commitment to other nutrition and wellness programs. USDA is now working to update the standards for snacks and beverages sold outside of meals—in school stores, à la carte lines, and vending machines—which the agency hasn't revised in more than 30 years.

### Hopkins, Minnesota

The school meals in Hopkins, Minn., are not necessarily what you would expect. Food Service Director Barb Mechura has found ways to remove older, unhealthy staples and spice things up. In fact, she's been so successful at it that about 90 percent of the cooking in the district is currently from scratch. Since joining the Healthy Schools Program of the Alliance for a Healthier Generation a few years ago, the district has used resources and support from the Alliance to focus on creating healthier schools throughout the district.

But Mechura isn't relying just on recipe development and taste tests to update her menus. Market research, education and promotion also are helping the district serve healthier school meals. For instance, a campaign using school newsletters and other informational materials helped Mechura explain why the changes are important for student health, and gain broad support for them.

Hopkins also participates in a farm-to-school program, which helps increase the availability of tasty produce and extend the educational mission by teaching students about the origins of their foods. Mechura has been pleased to see kids choosing and enjoying more fruits and vegetables this year. Speaking recently to a high school journalism class, Mechura was happy to answer questions about the

### HEALTHY SCHOOLS PROGRAM: HEALTHIER SCHOOL MEALS SUCCESS STORY



availability of fresh, local produce, and did not have to answer a single question about the changing menus.

Food service staff members have made efforts to modify existing food items to meet the new guidelines, but sometimes Mechura has found such changes can bump up against students' expectations. She's found that, in these cases, it's better to start fresh with something new that can satisfy both students' taste preferences and the nutrition guidelines. For instance, rather than tweaking the old breaded chicken entrée, she's replaced it with shish kabobs over rice. It's earning rave reviews.

Finally, Mechura works with other school staff to help them understand the importance of healthier meals, and provides them with talking points to help them discuss the changes with staff, parents, and students. She continues to collaborate with student groups in designing recipes and choosing the vegetables to be served. To other food service directors across the country, she recommends being patient and persistent, and emphasizing how access to nutritious foods and increased physical activity is better in the long run and will help kids lead healthier lives.

The Alliance for a Healthier Generation, founded by the American Heart Association and the Alliance for Food Policy and Research, is dedicated to reducing the burden of childhood obesity and to empower kids to develop lifelong, healthy habits. The Alliance works with schools, companies, community organizations, healthcare professionals and families to transform the conditions and systems that lead to healthier children. To learn more and join the movement, visit [www.HealthierGeneration.org](http://www.HealthierGeneration.org).



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### West Salem School District: A School Food Success Story

Dec 19, 2012 Project: Kids' Safe and Healthful Foods Project



#### The Challenge

The West Salem School District, located in rural, west-central Wisconsin, houses the elementary, middle, and high schools on one campus. The district has made considerable progress in its long-term efforts toward robust nutrition standards. Offering foods that appeal to elementary school children while still pleasing the palates of high school students is not always easy. Yet for budgetary reasons, retaining school meal participation rates across all grades is essential.

#### Some of the Solutions

The district has made numerous changes in recent years, including the introduction of "garden bars" featuring kale, Swiss chard, peppers, squash, raspberries, and other fruits and vegetables grown on the campus. Cafeteria staff have undergone training to teach them how to cook with a wider variety of herbs and spices, which allowed them to cut back on the use of salt. The schools only serve whole wheat breads and pastas and brown rice instead of white.

#### Measures of Success

To keep school meal participation rates high, the district offers healthy pre-plated meals and a la carte items to assure students have flavorful choices and a short wait time. The district has reduced wait times from five minutes to just 90 seconds—which anecdotally helps prevent high school students who are in a hurry from going off-campus for lunch. Parents also report that their children are asking for salads at home and ordering them in restaurants because they have learned to enjoy eating them at school.

#### Snacks and Beverages

To meet both the federal government's Healthier US School Challenge standards and district wellness guidelines, a la carte items now include yogurt parfaits and baked chips, as well as muffins and cookies that are sold in significantly reduced portion sizes. Administrators have eliminated sugar-sweetened beverages from vending machines and replaced them with water, flavored water, and zero- and low-calorie energy drinks. Additionally, the district serves only nonfat and low-fat dairy products.

#### The #1 Lesson Learned

District leaders have found that giving students opportunities to sample products, such as brussels sprouts, before they appear on the menu is instrumental in gaining student buy-in. Administrators and cafeteria staff report that students are much more receptive to eating such foods after they have been introduced to them through samples.

Read more "School Food Success Stories" from school districts across the nation.

Date added: Dec 19, 2012

Project: Kids' Safe and Healthful Foods Project

#### Related Resources

##### Infographic Urges USDA to Set National Standards for School Snacks

Media Coverage Yesterday Kids' Safe and Healthful Foods Project

Although some states and districts have created standards for what can be sold as snacks and beverages in schools, the USDA hasn't updated national guidelines in over 30 years. An infographic recently released by the Kids' Safe and Healthful Foods Project summarizes research that supports the need for national nutrition standards for snack foods and beverages sold in schools.

More

**AT A GLANCE**



Location: West Salem, Wisconsin  
 Number of Schools: 3  
 Students Enrolled: 1,700  
 Meals Served Per Day: 1,300  
 Students on Free or Reduced-Price Meals: 24%

6/25/13 Carrollton City Schools: A School Food Success Story

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## Carrollton City Schools: A School Food Success Story

Dec 19, 2012   Project: Kids' Safe and Healthy Foods Project



**The Challenge**

While the district had been working to instill healthy eating habits among students and staff for a decade, school administrators formalized the effort in 2010 by setting higher nutrition standards. The challenges they faced included limited vendor options for whole-grain products, inadequate storage for additional fresh fruits and vegetables, and overall increases in meal preparation time, as they used fewer processed foods.

**Some of the Solutions**

Cafeteria staff estimated that increasing the variety of fruit and vegetables added 30 to 60 minutes of labor per day. Food service staff now keeps labor costs manageable by adjusting menus to balance healthy options with efficient preparation. When menus include a fresh-cut item (e.g., oranges, apples), staff pairs it with a whole fruit or another side requiring minimum labor (e.g., frozen broccoli). To maintain sufficient storage for the increased volume, produce deliveries are scheduled for twice a week. Staff also closely monitors food preparation and student consumption to avoid over-production and minimize waste, which helps offset the higher costs of whole-grain products.

**Measures of Success**

The schools now serve a different fruit and vegetable each day of the week; three to five are fresh, with many being seasonal and locally grown. School nutrition administrators estimate consumption of fruit has increased by 40 percent and vegetable consumption by 30 percent. The numbers also indicate that the changes have not impacted the school's revenue. School lunch participation held steady during the 2010-11 school year, while breakfast participation rose by 5 percent.

**Snacks and Beverages**

To supplement the changes taking place in the cafeteria, school administrators eliminated sugar-sweetened beverages from school vending machines. They now serve only water and 100 percent fruit juices. Alternative fundraisers, such as t-shirt sales during homecoming and sports team play-offs, have offset the lost vending revenue.

**The #1 Lesson Learned**

Carrollton City administrators and food service staff agree that buy-in from all staff members, including teachers, has been fundamental to the district's success. Establishing a team approach among school administrators, teachers, and cafeteria staff was a critical first step.

Read more "School Food Success Stories" from school districts across the nation.

Date added: Dec 19, 2012

Project: [Kids' Safe and Healthy Foods Project](#)

**AT A GLANCE**

Location: Carrollton, Georgia

Number of Schools: 4

Students Enrolled: 4,700

Meals Served Per Day: 3,860

Students on Free or Reduced-Price Meals: 55%



Chairman ROKITA. Thank you, Doctor.  
Ms. Ford, you are recognized for 5 minutes.

**STATEMENT OF SANDRA FORD, DIRECTOR OF FOOD AND NUTRITION SERVICES, MANATEE COUNTY SCHOOL DISTRICT**

Ms. FORD. Mr. Chairman, members of the committee, I am the director of food and nutrition services for Manatee County School District in Bradenton, Florida. I am also president of the School

Nutrition Association, but today I am speaking on behalf of Manatee County Schools.

I want to thank you for the opportunity to appear before the subcommittee and share my insights on the challenges related to implementing the new nutrition standards, or meal pattern, for school meals.

I know I speak for my colleagues across the country when I say that as a school nutrition professional, my first priority is to ensure every student has access to well-balanced, healthy school meals.

I join my fellow members of the School Nutrition Association in calling for the updated nutrition standards to bring the meal pattern in line with the Dietary Guidelines for Americans, but as we all know, complex regulations sometimes lead to unintended consequences.

School meal programs operate on extremely tight budgets. We receive just \$2.86 in federal reimbursement per lunch for food, supplies, labor, equipment, electricity, indirect costs, and other related costs. Even a slight increase in costs or drop in participation can impact our program.

The new meal pattern requirements have significantly increased the expense of preparing school meals far beyond the additional \$0.06 reimbursement provided under the Healthy, Hunger-Free Kids Act.

USDA estimated that initially the new meal pattern would increase the average cost of serving a school lunch by \$0.05. When all of the requirements are implemented, USDA estimated the cost per lunch would be \$0.10 higher and the cost per breakfast would be \$0.27 higher.

However, in Manatee County, food costs alone have already increased by 5 percent. Our food costs went from 37 percent of our revenue to 43 percent of our revenue. Not to mention the \$43,000 we spent on retaining staff to meet the new standards last fall. These expenses will only rise as the school breakfast standards go into effect.

The weekly limits on grain and protein served with school meals restricted some very healthy school menu options that were student favorites. Under the new standards, schools could no longer offer daily sandwich choices because serving two slices of whole grain bread each day exceeded the weekly grain limits.

Sandwiches were commonly offered in schools as a daily alternative to the hot entrée, but under the grain and proteins maximums, our cafeteria faced the choice of either eliminating sandwiches or offering them only 4 days a week.

On the first day of school last year, one of my elementary students broke into tears because he would not be able to get his peanut butter and jelly sandwich.

Menu changes have driven children out of the program. Our participation has declined from 71 percent to 68 percent. We anticipate at year-end our total revenue will be down about \$0.5 million.

USDA has acknowledged problems with the grain and the protein maximums and temporarily lifted the maximums once and then extended the delay.

But a temporary reprieve only leaves school cafeterias and industry partners in limbo and does nothing to help industry develop new products or for school cafeterias to meet the new standards.

Every roll and wrap goes through extensive testing before it is served in a school cafeteria. Temporary regulations have left industry guessing.

Congress should pass legislation to permanently lift these grain and protein maximums. Calorie limits and whole grain requirements under the new standards will protect the nutritional integrity of the standards.

Congress should also address Section 205 of the act, which has forced many schools to increase their lunch prices. When setting the school meal prices, school boards must take into account not only local food and labor costs but also the local economic conditions and what families are able and willing to pay.

At the end of the school year, I had to raise lunch prices by \$0.05 for next year. These mandated price increases have contributed to the declining participation.

Today, USDA will be releasing new nutrition standards for competitive foods; those foods sold in a la carte lines, snack bars, and vending machines. If we are to eliminate all of the a la carte choices currently offered that do not meet the proposed competitive food regulations, our school meal program would project an annual loss of \$975,000.

Also of concern is the way the proposed rule failed to mirror the nutrition standards for school meals. If the proposed regulations are unchanged, schools will have to evaluate food choices based on two completely different sets of standards.

In my 27 years of working in school cafeterias, I have witnessed how school lunch brings students from every walk of life together. The National School Lunch Program was designed to serve all children, not just poor children, and that is one of the program's greatest strengths.

These new regulations, though well-intended, are threatening this critical mission by gradually driving paying students out of the program.

I hope the members of this committee will support legislation to remedy several of the challenges posed by the new meal pattern and will continue to seek the input of school nutrition professionals as Congress considers changes to the school meal programs.

Mr. Chairman, members of the committee, thank you again for this opportunity, and I will be happy to answer any questions you have.

[The statement of Ms. Ford follows:]

**Prepared Statement of Sandra E. Ford, SNS, Director of Food and Nutrition Services, Manatee County School District, Bradenton, FL**

Mr. Chairman, Members of the Committee, I am Sandra Ford, SNS, Director of Food and Nutrition Services for Manatee County School District in Bradenton, Florida. I am also President of the School Nutrition Association, but today I will be speaking on behalf of Manatee County School District.

I want to thank you for this opportunity to appear before the Subcommittee today and share my insights on the challenges related to implementing the new nutrition standards, or meal pattern, for school meals.

I know I speak for my colleagues across the country when I say that as a school nutrition professional, my first priority is to ensure every student has access to well-

balanced, healthy school meals. School nutrition professionals are constantly working to improve the quality of the meals we serve and to teach children to make a lifetime of healthy choices. In fact, I am proud to report we have children in Manatee County who tried their very first peach or were first introduced to kale in our school cafeterias.

I joined my fellow members of the School Nutrition Association in calling for updated nutrition standards to bring the meal pattern in line with the Dietary Guidelines for Americans. We support offering a wide variety of fruits, vegetables and whole grains for students and ensuring school meals meet reasonable limits on sodium, unhealthy fat and calories.

But as we all know, complex regulations sometimes lead to unintended consequences.

School meal programs operate on extremely tight budgets. We receive just \$2.86 in federal reimbursement to prepare a lunch that includes fruits, vegetables, whole grains, milk and a protein, not to mention covering supply, labor, equipment, electricity and indirect and other costs. Even a slight increase in costs or drop in the number of students participating in our program can mean the difference between a year-end profit or deficit.

The new meal pattern requirements have significantly increased the expense of preparing school meals, at a time when food costs were already on the rise. New meal pattern costs have far exceeded the additional 6 cent reimbursement provided under the Healthy, Hunger-Free Kids Act.

USDA estimated that initially, new meal pattern requirements would increase the average cost of producing and serving a school lunch by 5 cents. By Fiscal Year 2015, when all of the requirements are implemented, USDA estimated the cost per lunch would be 10 cents higher and the cost per breakfast would be 27 cents higher.

However, in Manatee County School District, food costs alone have already increased by 5%, which is more than FNS projected. Our food costs went from 37% of our revenue to 43% of our revenue. These expenses will only rise as the school breakfast standards go into effect, requiring cafeterias to double the amount of fruit or vegetables offered. And given our experience with lunch, we expect the breakfast increase will surpass USDA's projections.

Retraining our staff members significantly added to the expense of meeting the new standards. Our training programs cost over \$43,000 last year. We had to teach our cooks and servers to follow new recipes and portion sizes and retrain them on what students must have on their tray for a reimbursable meal. A similar training program is required as the new breakfast standards go into effect.

At the same time, certain requirements under the new regulations have contributed to declining participation in the meal program, resulting in decreased revenue.

For instance, the weekly limits on grains and proteins served with school meals restricted some very healthy school menu items that happened to be student favorites. Under the new standards, schools could no longer offer daily sandwich choices because serving two slices of whole grain bread each day exceeds weekly grain limits. Meanwhile, salads topped with grilled chicken and low fat cheese exceeded weekly protein limits.

These menu choices were commonly offered in schools as a daily alternative to the nutritious hot entrée choice of the day. Students always felt comfortable knowing that if they didn't like the hot entrée, they could choose from a deli sandwich, a peanut butter and jelly or chef salad.

Under the grain and protein maximums, our cafeterias faced the choice of either eliminating these daily alternatives or offering them only four days a week, leaving students confused and upset on Fridays. On the first day of school, one of my elementary school students burst into tears in the cafeteria because he couldn't get his peanut butter and jelly sandwich.

Meanwhile, we haven't been able to find whole grain sandwich wraps that meet the weekly grain limits, so we've had to cut our wraps in half. How would you feel if suddenly your favorite sandwich was served on just half a wrap?

These menu changes have driven children out of our program. Even in Manatee County, where 60% of students receive free or reduced price meals, our lunch participation has declined from 71% to 68%. We anticipate at year-end our total revenue will be down about \$500,000. If not for the additional 6 cent reimbursement, which we have been receiving since November, our revenue would be down even more. Nationally, USDA reports a 3.2% decrease in average daily participation this year.

USDA has acknowledged problems with the grain and protein maximums—they temporarily lifted the maximums once, then extended the delay through the 2013-2014 School Year. But a temporary reprieve only leaves school cafeterias in limbo. We brought back our daily sandwich choices to the menu to maintain participation,

but how will students respond if we are forced to take away their sandwiches again next year?

A temporary reprieve does nothing to help industry partners develop new products for school cafeterias to meet the new standards. Every roll and wrap goes through extensive testing before it is served in a school cafeteria. Our industry partners do months of R&D to identify recipes that meet the whole grain standards and food safety requirements, but still have the look and taste our students expect.

Temporary regulations leave our industry partners guessing. Do they phase out their old product line and invest in developing products to meet new standards? Or will USDA issue another reprieve so that schools will be clamoring for their old product line?

Congress should pass legislation to permanently lift these grain and protein maximums. Calorie limits and whole grain requirements under the new standards will protect the nutritional integrity of the standards, but eliminating weekly maximums on grains and proteins will give school cafeterias the flexibility they need to plan healthy menus that still appeal to students.

Congress should also address Section 205 of the Healthy, Hunger Free Kids Act. Also called the paid meal equity provision, Section 205 has forced many schools to increase their lunch prices, regardless of the cost of preparing the meals. These mandated price increases have contributed to declining participation in Manatee County and in districts across the country.

School meal prices, just like restaurant prices, differ greatly from one community to the next, and they should. When setting school meal prices, school boards must take into account not only local food and labor costs, but also the local economic conditions and what families are able and willing to pay.

At the end of last school year, my program was fortunate enough to have a surplus, but paid meal equity requirements mandated that I raise my lunch prices this year by \$.05 cents. Manatee County School District has not provided a salary increase for employees in five years. Families in our community are struggling and cannot afford this lunch price increase.

Congress can strike a reasonable balance by amending Section 205 to ensure that well-managed school meal programs that are financially solvent will be allowed to set their own meal prices.

As I assess the current state of Manatee County's school meal program, I have to consider what is on the horizon. I have mentioned the upcoming school breakfast requirements which present additional challenges. We also anticipate the release of USDA's new nutrition standards for competitive foods—those items sold in a la carte lines, snack bars and vending machines.

Today, if I were to eliminate all of the a la carte choices currently offered in Manatee County Schools that do not meet the proposed competitive food regulations, our school meal program would project an annual loss of \$975,000. Also of concern is the way the proposed rules fail to mirror the nutrition standards for school meals. If the proposed regulations are unchanged, schools will have to evaluate food choices based on two completely different set of standards.

As Congress and USDA evaluate changes to the National School Lunch Program, I hope they will remember that school lunch is so much more than just a meal. In my 27 years working in school cafeterias, I have witnessed how school lunch brings students from every walk of life together. I've seen how school meals are teaching students about healthy choices.

The National School Lunch Program was designed to serve all children, not just poor children, and that is one of the program's greatest strengths. These new regulations, although well intended, are threatening this critical mission by gradually driving paying students out of the program.

I hope the members of this committee will support legislation to remedy several of the challenges posed by the new meal pattern, and will continue to seek the input of school nutrition professionals as Congress considers changes to school meal programs.

Mr. Chairman, Members of the Committee, thank you again for this opportunity to testify. I would be pleased to answer any questions you may have.

Chairman ROKITA. Thank you, Ms. Ford.

It is now time to hear from members of the subcommittee, and out of respect for those members' schedules, I am going to defer my questioning to the end; a favor I hope will be returned by the full committee chair.

With that, I recognize Chairman Kline for 5 minutes.

Mr. KLINE. We can't have these bargaining arrangements on the record there, Mr. Chairman. [Laughter.]

Thank you—although off the record, I am open. Thanks for holding the hearing.

Thanks very much the witnesses for being here. This is an issue that has gained a lot of public attention. We are all hearing about some of these problems that Ms. Ford outlined so well from schools in our districts, and so I really appreciate having experts here in the room to give us their input.

And I want to thank Ms. Brown and the work that the GAO has done. As you know, we rely so heavily on the work that the GAO does in a wide range of fields and I appreciate very much the—what you and your team have done in looking into this issue, and we look forward to your final report until we come up with a request for another report, which as you know, in your business happens quite a lot because we really do appreciate your input, and so as we struggle with these issues, we so often turn to the GAO as we did in this case.

So you went to a lot of schools and in your testimony you talked about differences, things seem to be working fairly well in some schools and not in another schools, but what would you say was the top most or the topmost concerns as you went—was it cost?

We heard some of that from Ms. Ford for example, the student opinions of the food, the waste, federal and state compliance, common—what sort of rose to the top?

Ms. BROWN. Well, first let me say thank you for the kind words on GAO, and I actually from hearing these comments have a few ideas of some new work we could do based on that.

Mr. KLINE. We will talk.

Ms. BROWN. But the—I think the thing that we heard most frequently and was most loudly voiced was the concern about the limits on the meats and grains, and beyond that, we heard from all of the districts we were in a consistent concern about participation, about the costs of the fruits and vegetables, and about student acceptance.

The concerns that we raised about waste and hunger some districts seem to be managing or handling better than others but again, that is why we made the recommendation on the lifting the limits permanently on the meats and grains because that was the thing that we heard the most loudly.

Mr. KLINE. Thank you, and did the opinions differ? It sounded like in your testimony they did because of geographic location or size of the district. Was there some pattern there that you could easily identify; student population and that kind of thing?

Ms. BROWN. I think the interesting thing about our site visits was how universal some of these concerns were. The site visits that we made were to school districts in urban areas, in rural areas, in some that prepared their foods in their own kitchens, some that had central kitchens; just lots of varieties. Some that had more free and reduced price, or fewer, and across the board, the concerns that I mentioned earlier were common among all of them.

Mr. KLINE. Very, very interesting.

Thank you very much, Mr. Chairman. I am going to set the standard here and yield back.

Chairman ROKITA. I thank the chair.

Mrs. Davis is recognized for 5 minutes.

Mrs. DAVIS. Thank you, Mr. Chairman.

And thank you to all of you for being here.

Dr. Wootan, if I could go back for a second to why we are here, why we are talking about this and what we hope for our young people today to be healthier and to not have problems with obesity or other physical problems down the line, what—we are not actually able to—I think, you might challenge this and others—to really calculate that into the cost that schools are seeing down the line, but how would you suggest that we do that?

Should we be doing that? And how can we make that point a little better because obviously we need to be able to monitor young people on whether or not the changes that have occurred are making a difference.

Dr. WOOTAN. That is an excellent question and a very important point that kids are eating about one-third to one-half of their calories at school during the school day, so it is a very big part of their diet.

And we know that, you know, unhealthy eating habits are one of the biggest contributors to heart disease, cancer, diabetes. Obesity alone costs upwards of \$190 billion a year. So the costs are quite significant.

So an investment of an additional \$0.14 to ensure that the school meals are healthy seems quite modest compared to the hundreds of billions of dollars that we are spending on heart disease, cancer, diabetes. Even with obesity, that \$190 billion cost, about half of that is paid through Medicare and Medicaid.

So we are going to pay for this one way or another. We can invest on the front-end and help support and protect our children's health or we can pay on the back end for the diabetes, heart disease, and other diseases that unhealthy eating habits will cause.

Mrs. DAVIS. Yes, one of these figures actually suggests that \$14 billion are paid out in direct health expenses and about \$3 billion of that is for children under Medicaid—Medicare—I am sorry, Medicaid.

How do we though, with that information, and maybe others want to respond to that—how do we build that into our calculus when we are trying to understand better the cost because I can understand that having been on a school board and watching food-service struggle often with these issues.

And I also heard, Ms. Ford, that when it came time to try to bring in more calories the easy answer in that was to provide additional cookies as opposed to fruit and vegetables or fruit particularly, which was more expensive for the school to deal with. How can we put that better into the calculus then? Is it looking at best practices of school districts?

Ms. FORD. I think your points are well taken, but—and having been a member of the school board, you certainly know that school food service programs are viewed as a business and we do have to balance our participation because it is extremely important for the students to participate in the program along with the regulations and the requirements of that program.

Dr. WOOTAN. And one thing just to add, we looked—there are schools in all of your districts that are already meeting these standards and are participating in the healthier U.S. schools challenge and that are able to serve healthy meals that kids like at the current reimbursement rate. So we know that it can be done.

For those schools that are struggling, we really need to get them the support, the technical assistance, the tips, connect them with schools that are doing this successfully so that they can also be more successful in implementing the standards.

Mrs. DAVIS. Ms. Brown, when you were looking at a number of schools, did you feel that they could look at best practices in other places? Because one of the things I think you mentioned is that, you know, this will take time, and we know that.

Ms. BROWN. I think there is definitely some promise in trying to develop and gather best practices. We have made those types of recommendations to USDA in the past on a number of areas including nutrition education.

And while the school food directors that we talked to had lots of experience and some of them were nutritionists themselves, if there are any tips that some of the schools that are struggling with similar things could share, I am sure that they would appreciate that. They may not all be applicable to every district, but it could be useful.

Mrs. DAVIS. Great. Thank you very much.

Thank you, Mr. Chair.

Chairman ROKITA. Thank the gentlelady.

Dr. Roe? Chairman Roe is recognized for 5 minutes.

Mr. ROE. I thank the chairman for holding this, and in full disclosure, I had a banana, a peach, a few grapes, and a small can of V-8 juice this morning for breakfast. Just to let you know that I am trying to be as healthy as I can.

Dr. WOOTAN. Sounds great.

Mr. ROE. I am hungry right now, I might also add. [Laughter.]

I—first of all, I want to share with you some experiences and obviously everyone wants our children to eat healthier, and to be more physically active. There is no question that that is beneficial. It has been shown over and over again.

In Johnson City Tennessee, where I am from, about 8 or 10 years ago we started a program called “Up and At ’Em” and it was to start at the kindergarten level and we probably broke every HIPAA law in the world but we weighed every child in the school, in the elementary school system we had. We found that 39 percent were at risk or overweight.

And that only 1 percent were underweight. I was one of those kids that was always probably underweight growing up, but we found that out and we started this program and it was to teach children how to eat better long before this ever came up. And one of the things I would—and we are keeping up with those kids as they go through the school system.

So we will—that data you are talking about, we probably will have because most—we don’t—we are not very mobile and most of the kids that start in first grade are going to end up at the same high school. We only have one high school in the city. So we really have a captive audience that we can do that with.

One of the things I heard from them our local school folks were our athletes and so forth—and I would have been one of those and you look at—and I think, Dr. Wootan, you mentioned that one-third to one-half of the children get their calories at school.

Probably the underserved kids maybe get a majority of their calories at school and that is a real issue, and if you are an athlete, you know, if you are active and you play football, basketball, run track, whatever, you can't survive on this.

And we had teachers buying because the kids had to purchase the extra food, we had teachers actually doing that. I think that has got to be addressed and it can't be a one-size prescriptive, everything fits everybody, and I appreciate the USDA in allowing some latitude here and kudos to Ms. Brown also. That was a very good presentation.

If you all—this is a great panel because you actually are out there doing it, and Ms. Ford, what would you do and one of the things that bothered me a little bit was the fact that we sold a lot of the vending food things and that the school got hooked on this end.

In other words, they needed the money to run the program. How do you do that? How do you make that work? These extra requirements that we are making you do with—you have got to balance the budget—and you mentioned your deficit went from \$500,000 to almost \$1 million once you took that out. How do you do that?

Ms. FORD. Well, as I have stated before, and I think one of the biggest challenges we currently face is we do have to operate our programs as a business. We are accountable to not a profit-making business, but a break-even business where we are covering all of the related expenses.

I think as my school board asked me that same question when I presented this to them and really it will require us to take a look at our business model and we will have to step back and take a look at all aspects of our program. It more than likely will mean a reduction of force. Because our numbers, our labor numbers are really based on that revenue number at that site.

And if I lose that revenue, I am going to have to take a look at reduction of force.

Mr. ROE. That or your local community has to raise taxes.

Ms. FORD. Absolutely.

Mr. ROE. The revenue—the money has to come from somewhere.

Dr. WOOTAN. But the majority of schools are finding that revenue stays the same or actually increases when they switch to healthier options and a la carte and vending. And so those changes that USDA announced today should not have a negative financial impact on the majority of the schools.

Ms. Schaper, my time's about out, but would you talk a little bit about price equity?

Ms. SCHAPER. Actually, I would like to—I would really like to respond to this if I could.

Mr. ROE. Okay.

Ms. SCHAPER. In 2006 we were all required to do local wellness policies. So in 2006, I sat down with members of my community, members of my school districts, the students, and we wrote local

wellness policies and we made big reductions in the a la carte competitive foods in our district.

In my district, that meant \$120,000 loss in revenue. At my middle schools, we did have a small increase in lunch participation. In my high schools, I had no increase in lunch participation.

Students who wanted to pick just a bagel and a bottle of water for lunch and now that was limited because of a la carte standards, did not switch over to buy a full lunch instead. So we did not see that income come back.

And the reality—and this is sad, and I don't like saying this, but I can make more money and I do need that money to buy equipment, to train staff, to provide better foods for the school lunch program.

I can make more money in competitive food sales. There is a profit margin on those items. There is not a profit margin on a school lunch. I have a certain amount of money and that gets spent providing the lunch.

Mr. ROE. Mr. Chairman, thank you and I also was in tears with the kid who couldn't eat his peanut butter sandwich, too. I yield back. [Laughter.]

Chairman ROKITA. The gentleman's time has expired.

Mr. Polis is recognized for 5 minutes.

Mr. POLIS. Thank you, Mr. Chair.

I want to begin by acknowledging some very special observers from my district that we have with us today. Three heroes from the front-line of education, educators for my district. Sheila Pattorff from Ferguson Alternative High School in Loveland; Kim Pearson and Martin Pearson. Kim from the International School of—Middle School of Thornton, and Martin from Stuart Middle School in Brighton, 27J.

So thank you for joining us today. They are here of course as educators and as middle school educators, I think particularly at the middle school levels they see the impact of learning, whether kids are hungry or coming off of a caffeine and sugar high or whether they are well fed. I think many of those differences are particularly accentuated at the middle school level at which they work every day.

Ensuring school meals are healthy is absolutely critical for kids' health as well as for academics. Research shows that students who don't have reliable healthy meals lag behind their peers and simply it is harder to learn.

That is why Congress passed the Healthy, Hunger-Free Kids Act of 2010, provided better funding and healthier standards for school lunches. It was a step in the right direction to ensure that students across the nation have access to healthy food and drinks.

I am also very pleased to see the USDA this morning issued a rule on competitive foods, an issue that I long worked on in prior capacities in the State Board of Education in Colorado and through our state legislature, which requires more robust and comprehensive standards for snacks and beverages that students can purchase outside of the school meal program; vending machines at schools, et cetera. Unfortunately, the previous Congress short-circuited these efforts when it blocked the USDA proposed rules to put the new standards into effect.

One example is when Congress itself tried to reclassify pizza as a vegetable. Unfortunately, we—there was some testimony about interference. I think one of the worst, most to blame is Congress itself.

In fact, in trying to say that somehow pizza—not vegetable pizza—we are talking about pizza with no vegetables simply because of the quarter tablespoon of tomato sauce, so cheese pizza, pepperoni pizza, Congress itself against the USDA and against science said is a vegetable.

That is why this morning I introduced, reintroduced the SLICE Act along with Congresswoman DeLauro, Congressman McGovern, and Congressman Rangel, simply takes away Congress' ability to decide what food group pizza is in and returns that to the USDA.

Pizza is fine. We all probably eat it and it has its place in school meals, but it is not broccoli, it is not a carrot, it is not celery. You know, again, I think these recent reforms were a step in the right direction.

I was a little bit troubled by some of the items that Ms. Schaper mentioned. A couple things—I wanted to make sure I got this right. Did you say that 60 percent of the districts in Pennsylvania were not meeting the new standards? Was that the amount that were not certified?

Ms. SCHAPER. Sixty-four percent are certified.

Mr. POLIS. Are certified. So 36 are not.

So in Colorado, 100 percent of the districts participate in the National School Lunch Program are certified for the \$0.06 reimbursement, so again, this is—shows that there needs to be a better implementation in Pennsylvania is what it demonstrates to me.

We had no problem. I mean, our state is fairly similar size. We have rural districts. We have urban districts, we have suburban districts. We have 100 percent certification.

I also saw—and the reason I am asking you this because it wasn't—I didn't see it in your written testimony, but I wrote down—you said it is logistically very difficult to provide choices.

I am sure it is more logistically difficult to provide choices, but that is the whole point of these kinds of regulations, to ensure that those who are in the field and working don't take the easiest path for themselves, they instead take the best path for kids.

And when decisions are made like the one that apparently, according to your testimony, you made in Pennsylvania, that you provided desserts to meet the calorie minimums, when you could have offered fruits or vegetables, you are almost begging for more Congressional regulation because of course that is not the right decision for the health of the students to make.

When you have the USDA grain limits, instead of adding desserts to meet the calorie minimums, you should add fruits or vegetables to meet the calorie limits, which is permitted under the law.

In the brief time that I have remaining, for Ms. Wootan, I would like to ask her what are schools and food services directors doing to ensure that not only they are serving healthy foods that the kids like and eat the healthy foods that are being served?

Dr. WOOTAN. A lot of schools are having very good luck doing taste tests with the kids to find out what they like, have them vote for their favorite menu items or recipes, have cooking contests

among students to really engage the kids in finding out what they like, what they will eat.

You know, healthy food tastes just as good as unhealthy food if it is and made well and it is presented nicely. You just have to figure out—it takes a little time to figure out which healthy options the kids will like best.

Mr. POLIS. I would like to highlight the successes of Boulder Valley School District under our director of food services, Anne Cooper, who added cooking and salad bars in schools across Boulder Valley School Districts. It is very successful evidence that students are actually eating the healthier foods.

I yield back.

Chairman ROKITA. I thank the gentleman. The gentleman's time has expired.

Mrs. Brooks is recognized for 5 minutes.

Mrs. BROOKS. Thank you, Mr. Chairman.

And good morning, everyone. Thank you for being here.

As someone who has been a working mom my entire life, when my kids were growing up, I counted on those school lunches. I was not one of those moms that packed lunches. I counted on the schools to provide those healthy and good lunches and lunches that would fill my kids up so then they could go to after school activities and so forth.

And what I am concerned about is that while I appreciate the Healthy, Hunger-Free Kids Act of 2010, I am afraid that we do have too many hungry children still and that is in large part—I was very surprised quite frankly when I received an email from a constituent, a 12-year-old boy in Fishers, Indiana who actually is buying his lunch at about \$5 a day, but he is 6-feet tall, he is 120 pounds, and he is not getting enough choice, and he is not getting enough food for that \$5 a day.

And I think time and time again, we are hearing that kids are going hungry and so to the food directors, in particular, who have this issue and we have issues of kids in different sizes and their age groups, and so Ms. Schaper and Ms. Ford, would you please talk about how are your—what are the solutions to this growing problem under this rule?

We cannot have hungry kids. If we have hungry kids, they cannot learn, they will not do well in afterschool activities, and one thing I haven't heard anything about as well is there were a number of limitations put on beverages as well and a lot of kids count on those beverages to, you know, help them with energy afterschool.

Could you talk about hunger a bit more? And for these kids who don't fit in the model of what they are being given on these—in sometimes very lean lunches for kids of different sizes?

Ms. SCHAPER. Right. The reality is that the calorie limits are based on what the children actually take. It is not based on what we offer. It is based on what they take. So we can offer lots and lots of fruits and vegetables, but if the kids don't actually choose to take it, when we do the analysis of our menus, we don't get to count those calories.

That is why schools were reduced to having to put more popular with kids items on the menu that would increase those calories.

It is not what any of us want to do, but we do want kids to come to the lunch line, have a lunch, feel filled up, feel like they had enough to eat, and then be able to participate in their classroom activities for the rest of the day, their afterschool activities at the end of the day, to have the calorie needs that they need.

As I contemplate the testimony I hear this morning, it sounds like school lunches were horrible prior to this year and they were not. My lunches were very, very healthy before. They are very, very healthy now. It is just costing me a lot more money to do it this year. Thank you.

Mrs. BROOKS. Ms. Ford?

Ms. FORD. And I agree with what Megan said. And I think one of the biggest challenges was the upper limits, when the upper limits were placed on I couldn't give the high school students a 3-ounce bun anymore. I had to give them the 2-ounce bun.

So I think a lot of what we were hearing in the media as hungry children really was dealing with the fact that the upper limits were creating some downsizing of portions.

We could offer a sandwich on a 3-ounce bun or the same sandwich on a 2-ounce bun and the students were able to pick based on their size. When some of that restriction was taken away, when the upper limits were in place, I think that was where we were hearing about hungry kids.

The other thing is we really do add whole-grain items or wanted to add the bread or the protein item as—in addition to being able to add the fruits and vegetables. We didn't add cookies, but we were still restricted in what we could add to increase that calorie count.

Mrs. BROOKS. And aren't there a number of—and I think that might have been pictures of a number of snack items that are no longer allowed. I don't recall which of you provided that, and can you just review in case people didn't have the opportunity to take a look, the type of items that, you know, most of us have thought are pretty healthy food items that are now no longer allowed because you just reminded me of the calories—

Ms. SCHAPER. They are snacks. They truly are snacks, but in my school district, we provide a very, very good lunch, and most of my kids choose to buy a lunch, but a lot of them are involved in afterschool activities, a lot of them are athletes. They like to buy something else that will go with the meal.

Things like Rold Gold Pretzels, Pepperidge Farms Goldfish Crackers, Whole Wheat Peanut Butter Crackers are all items that will be discontinued under these competitive food regulations.

Mrs. BROOKS. With my remaining little bit of time, any comments on drinks and the restrictions on drinks?

Ms. SCHAPER. You know, I really haven't had time to review the regulation because as it came out yesterday, so I don't know that I am very comfortable on doing that yet.

Mrs. BROOKS. Oh, okay.

Dr. WOOTAN. They are very similar to what the industry has already agreed to voluntarily. It will be milk, juice, low-fat milk in elementary schools plus some lower calorie beverages in high school. So it is quite similar to what a lot of schools have already agreed to do.

Mrs. BROOKS. Thank you. My time is up.  
Thank you.

Chairman ROKITA. Thank the gentlelady.

Ms. Wilson is recognized for 5 minutes.

Ms. WILSON. Thank you, Mr. Chair.

Underlying this discussion is the notion that healthy foods cost more. I am a lifelong educator and a school principal and when I was serving as principal, we had a salad bar that the children had access to and it only had vegetables and fruit and different condiments that went with salads and it cost the same as the food—the regular meal. It also had bits of chicken, turkey meat to put with the salads. Is that a choice now for the children?

Dr. WOOTAN. Yes, many schools have salad bars and they are a very popular way to get kids to eat fruits and vegetables.

Ms. WILSON. And I think that the reason I brought it up because it was during the same time that salad bars were offered in restaurants. And so it was almost similar to them like eating out and so all of these schools that are having to adjust their budgets according to the diets, is that something—is it a way that they can understand and know what other schools are doing that are successful with the new guidelines? Is there any way for you to make sure that all schools know that that is a choice?

Ms. FORD. I think that one of the things the School Nutrition Association is doing is really trying to be that person that you are talking about to share the best practice stories and to share the success stories around the country.

So yes, there is avenues for that to happen, but currently, states as you heard from Colorado, states are approaching this a little differently. So Florida is a very aggressive state in terms of providing training and materials while other states may not be.

Dr. WOOTAN. And USDA does have a lot of training materials and training modules that can be done online or can be done in person. I think the challenge is to make sure that those schools that are struggling the most, that need the technical assistance, get it.

Ms. WILSON. Okay. Just a follow up. A primary focus of congressional school nutrition policy is to ensure that low income students have access to healthy foods because in many instances, that breakfast at school and that lunch at school is probably in some instances, many instances the only meals that those children will receive.

Have your interim findings about the standard's effects on student meal participation in the schools distinguished between students' family income level? This is for Ms. Brown.

Ms. BROWN. What we have seen over the last many years but more recently as well is an increase in the proportion of low and free and reduced priced students receiving—purchasing the lunches.

So I think there are indications that those kids are continuing to receive the nutrients in the lunches that are intended.

Does that answer your question?

Ms. WILSON. Mm-hmm. That answered it.

One of the concerns I had was children who qualify for free lunch sometimes out of just fear, shame, and embarrassment do not eat

because there is a way to determine in the cafeteria who is free, who is reduced, and who is paying, and my question has to do with how do you recommend to school cafeterias to make sure that every child has the ability to eat this nutritious food that we are now proposing for them?

Ms. BROWN. You know, I have seen some real evolution in the thinking on that over the years. That was a very, very significant concern when I started doing this work about 10 years ago, but in the last round that when we went through the different—when we visited the number of different school districts, we saw a lot of cases where it would be completely invisible for the students who had a free lunch and who was paying.

Students had pin numbers that they put into pin pads at the end of the line and things like that that would not highlight who was a low income student.

I think there is still a concern in the breakfast area just because not enough kids eat breakfast to kind of mask over the fact that many of the kids who come in to eat the breakfasts are low income.

Chairman ROKITA. The gentlewoman's time has expired.

Ms. WILSON. Thank you.

Chairman ROKITA. I thank the gentlelady.

I am going to recognize myself now for 5 minutes and continuing on with you, Ms. Brown.

I appreciate again, everyone being here.

But, Ms. Brown, in your conversations with industry representatives, you talk about the difficulty in forecasting demand which impacts production, inventory, storage, and so on, and how this may get worse with the changes to the school breakfast program.

So what will happen? I want you to be specific again for the record. What will happen to food production if the current and new regulations are not modified?

Ms. BROWN. I think one of the biggest things that the industry needs is certainty and just to give you an example, we saw in one school district—they had a popular lunch that used a tortilla that was a 12-inch tortilla and when the meat and grain limitations came in it went to 9-inches and then when USDA lifted the waiver, they went to 10-inches.

So if you are an industry representatives and you are trying to develop products that have enough whole grains and that will appeal to the kids at the same time that you are having to change some of your equipment and your workers and revise your packaging and your inventory and your distribution system, that is another one of the key reasons why we think that lifting the—making permanent the decision on that would be helpful because everything we have heard here is that students' acceptance is a really, really important issue and the industry officials told us if that they didn't have—that they were really weren't able to focus on improving the products that they had, particularly I think the whole grains are a really good example to make them more palatable to the kids are so that they will be inclined to eat them.

Chairman ROKITA. I thank you.

Now to Ms. Ford and Ms. Schaper, I want to follow up on a question asked by Chairman Kline and others as well on the compounding effect of these rules.

Quickly, in your opinion, what are the potential long-term impacts to your school meal programs, starting with Ms. Schaper?

Ms. SCHAPER. As I indicated in my testimony, I really do fear for the future of my program. It is beginning to cost quite a bit more to run the program. We see participation coming down.

I am going to have to go back tomorrow and look at the impact of the competitive food regulations now that they have been released and I am going to have to make large, large cuts to labor in order to keep my program at least break even. I am concerned for having to cut breakfast programs and laying off employees. It is going to be a difficult future.

Chairman ROKITA. Okay, thank you.

Ms. Ford?

Ms. FORD. I think part of the challenge is not having an opportunity to react to one before the other one rolls out so we have just kind of been on this little chase here.

Florida has mandated breakfast programs in schools over 80 percent free and reduced. So that is not a place I can look. So I think we just have to continue to look at efficiency of operation, and my biggest concern is the fact that they are just rolling one after the other. So now with breakfast coming in I am not necessarily going to be able to separate what was the cost of the new lunch regulations from what is the cost of the new breakfast regulations.

Chairman ROKITA. Well, thank you.

And I am going to yield my remaining 2 minutes to my friend from Indiana, Mrs. Brooks, who has some more questions.

Mrs. BROOKS. Thank you, Mr. Chairman.

This follows up a little bit on the running of your programs which I understand are so tight or you are now I think as Ms. Ford indicated, it is operating a business. This part of school operation is like operating a business.

So one of my school districts, Elwood, has 75 percent free and reduced lunch. The kids that pay for their lunch, they have seen a diminishing number of kids pay for the lunch because the choices have been removed.

With increased cost across your programs, how do you prepare for things like the freezer goes out? The ovens break down? Where is that built into your business model to those of you who are running programs?

Ms. FORD. Well, I will jump in there and say that is part of in a way competitive food and a la carte dollars. We look at the budget as a whole. So when I build my budget as a whole, I build a budget that includes equipment repair and maintenance and equipment replacement.

I honestly this year we have had to call off a couple serving line renovations because we just didn't have the extra funds that were going to be able to do that.

So I think it is part of that whole business package. All of it rolled in together. We do budget for those things, but if we have a particularly bad year with equipment replacement or repair, then somewhere along the line, something else has to give.

Mrs. BROOKS. Thank you.

Ms. Schaper?

Ms. SCHAPER. I think Sandy answered it exactly as I would.

Mrs. BROOKS. Thank you very much.

I yield back. Thank you.

Chairman ROKITA. Thank the gentlelady.

And we will now recognize Mrs. Davis for any closing remarks.

Mrs. DAVIS. Thank you, Mr. Chairman.

And again, I appreciate you all being here.

I want to go back for just a second because I think when we talk about the competitive foods and the standards that the USDA has put out, we sometimes forget that there is a reason why we don't want kids having sugar drinks because that really—while it provides them the calories—it doesn't provide them a lot more and we may be encouraging them in many ways to have that as a greater habit in their diet, and that is a concern.

Dr. Wootan, could you just very quickly—why should we be concerned about this because it is easier—we all know and especially with young children we tend to put, you know, kids love cheese and yet, you know, cheese, as a fat is something that—it should be limited in a young child's diet, not necessarily at the extent that they have today. Why is all of this important?

Dr. WOOTAN. Well, good nutrition is so important in childhood for the growth and development of the child now. You know, so they are ready to learn at school and that to just meet their basic nutrition needs. But also, most of the diseases that are so costly and that affect us as adults like heart disease and cancer and diabetes, these are very long-term, chronic diseases that start when you are young. And so eating well now helps determine, you know, whether or not you end up with a heart attack, you know, is it going to be at 40 or 50 or 60.

It also teaches good habits. You know, we don't want to teach kids one thing in the classroom and then teach them something very different in the cafeteria or in the hallway through the vending machines, and so cultivating and teaching good habits over a lifetime helps children to eat better throughout their life.

Mrs. DAVIS. Thank you.

And I apologize, Mr. Chairman. With a closing statement, I did ask a question, and I think just trying to summarize—it is a difficult I think often because we are dealing with budgets and a lot of constraints and I am very sympathetic to that, but I would hope that we would look to the best practices to the extent that we can and provide the kind of support that is necessary and I think a lot of that is out there.

Thank you very much.

Chairman ROKITA. Thank you, Mrs. Davis.

For my closing remarks, I just want to say two things. First of all, Mr. Thompson, was called away and will be submitting questions for the record and perhaps some other materials. So we look forward to that as being a part of the record and hopefully you will engage in answering those questions for him as well.

And then the second point would be to simply say thank you. Clearly you are on the front lines. Clearly you are subject matter experts. Clearly you have the interest of America's children first and foremost at heart.

And as someone who represents 700,000 people, as long as on behalf of this entire committee we thank you for that interest. We

share your interest. We share your concern, and we are going to have future hearings related subject matter to the food programs in our nation's schools in the months to come.

So with that, seeing no more business before the committee, this hearing is adjourned. Thank you.

[Additional submission by Hon. Susan A. Davis, a Representative in Congress from the State of California, follows:]

**Prepared Statement of Otha Thornton, President,  
National Parent Teacher Association**

The National PTA submits this testimony to the United States House of Representatives Committee on Education and the Workforce for the committee hearing on School Meal Regulations: Discussing the Costs and Consequences for Schools and Students.

National PTA comprises millions of families, students, teachers, administrators, and business and community leaders devoted to the educational and overall success of children. As the nation's oldest and largest child advocacy organization, PTA is a powerful voice for all children, a relevant resource for families, schools, and communities, and a strong advocate for public education. With over 22,000 local units around the country, PTA members have firsthand experience of the daily challenges and successes within school buildings.

PTA has long sought to improve child nutrition and wellness and prides itself on having been instrumental in the formation of federal policy in this area since its inception in 1897. A fundamental component of PTA's mission has always been to preserve children's health and protect them from harm. As early as 1899, the National Congress of Mothers advocated for a national health bureau to provide families and communities with health information. Its sustained efforts bore fruit when the Children's Bureau was established in 1912 as a part of the U.S. Public Health Service.

In 1923, PTA worked to ensure the provision of hot lunches in schools—and launched our own nationwide hot lunch program in mid-1940s. In the same decade and throughout the 1950s, we were involved in the establishment and expansion of the school milk programs. We also worked to ensure the passage of both the National School Lunch Act and the Child Nutrition Act.

In the 2004, PTA and our coalition partners fought successfully for the inclusion of language mandating the creation of local school wellness policies in the Child Nutrition and WIC Reauthorization Act. These wellness policies provide parents, students, school nutrition representatives, school board members, school administrators, and the general public the opportunity to formulate local policies that are tailored to the specific needs of their communities. We advocated for further involvement of parents and other stakeholders in local wellness policies when the legislation was reauthorized again in 2010.

We mention these past accomplishments not only to underscore PTA's commitment to the well-being of our nation's children, but also to provide a historical context for where we are today and why we support updated nutrition standards for school meals that went into effect in 2012.

Furthermore, the status of our children's health has changed since the establishment of the original school lunch program. The National School Lunch Program was originally established to support military conscription during the aftermath of the Great Depression, when many young Americans were being turned down for service due to their being underweight. Several decades later, we find ourselves facing very different circumstances for our military recruits. A report released in 2012 by Mission: Readiness—Still Too Fat to Fight—showed that one in four young people cannot join the military due to being overweight or obese.

Beyond military recruits, in the last 30 years, childhood obesity rates have dramatically increased. According to Trust for America's Health 2012 report F as in Fat, the obesity rate for young children in 1980 was 6.5 percent. In 2008, our nation's childhood obesity rate for the same age group was at nearly 19.6 percent. Times have changed—and we must too.

PTA was a strong supporter of a provision in the 2010 reauthorization which required the United States Department of Agriculture (USDA) to update the nutrition standards for the school lunch and breakfast programs. As we are all aware, these updated nutrition standards for the school lunch were implemented in July 2012. PTA worked to support schools in this transition, including National PTA's creation of the Parent's Guide to the National School Lunch Program—a document designed

to inform parents of the changes and assist them in supporting schools and their children with the transition to healthier school meals. PTA members in local schools throughout the country worked to support schools during this period.

As parents, PTA members are acutely aware that change can be difficult. Transition periods are challenging. The case of updating nutrition standards for school meals is no different. Many schools around the country were already serving healthier meals, others transitioned relatively seamlessly, but some schools have struggled. As we move forward, we must all work together to ensure successful implementation of healthier school meals.

For example, in recognition of across-the-board challenges and unintended consequences, the USDA moved to provide additional flexibility to schools in meeting the whole grain and meat/meat alternative maximum and minimums. National PTA viewed this as a positive, proactive approach to identify challenges and find solutions in an effective way. In Congress, Representatives Tom Latham and Mike McIntyre introduced legislation—The School Food Modernization Act—to provide training support for school food personnel and resources for schools to obtain much-needed cafeteria equipment to help prepare and serve healthier meals.

Since our inception, PTA members have worked side by side with schools and community officials to improve the lives of children and families. As schools and food service personnel implement serving healthier school meals, we offer our full support. PTA members are ready and willing to assist schools in making sure this transition is successful.

Despite the challenges schools have experienced and those that may be ahead, ultimately, our children are worth it. The facts about childhood obesity rates in this country are undeniable, and PTA's belief that our nation's children deserve healthy, nutritious meals in school is a core tenant of the PTA mission.

National PTA respectfully asks that as we work together to improve school foods, we do not make decisions which will reverse the work being done to provide children with healthier, nutritious meals that allow them to go to class ready to learn. National PTA commends the committee's work to highlight challenges schools are facing across the country and looks forward to continuing work with you to improve our nation's education system.

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[Additional submission by Hon. Marcia L. Fudge, a Representative in Congress from the State of Ohio, follows:]

*National Harbor, MD, May 28, 2013.*

Hon. JOHN KLINE, *Chairman*; Hon. GEORGE MILLER, *Ranking Member*,  
*Committee on Education and the Workforce, Washington, DC 20515.*

DEAR CHAIRMAN KLINE AND REP. MILLER: We are writing to endorse H.R. 1303 and ask the Committee to take up and report the bill as soon as possible. "The School Nutrition Flexibility Act" is a bipartisan piece of legislation which currently has over 30 cosponsors.

As you know, H.R. 1303 would permanently eliminate the weekly grain and protein maximums while maintaining the calorie maximums in the National School Lunch and School Breakfast Programs. With this bill, Congress will protect the nutritional integrity of the school lunch standards while giving local schools and industry providers more flexibility to design healthy menus that meet standards and student tastes. It is a simple, yet powerful step Congress can take to ease the increasing burden not only on those who prepare the meals, but those who provide the food and equipment resources utilized by the school nutrition professionals while still maintaining the integrity of serving healthy and nutritious meals to kids. While USDA has extended the temporary relief into School Year 2013-2014, we need the permanent elimination to move forward with meal planning and production.

We also support Section 3 of the bill which addresses the paid meal equity section of the current law. Current law now requires for the first time since 1946, that certain School Food Authorities annually increase their paid meal prices regardless of their financial solvency. H.R. 1303 would amend the law by narrowing its scope to those School Food Authorities that have a negative fund balance at the end of the previous school year. When setting meal prices, school boards take into account local food and labor costs and what families are able and willing to pay. We note that participation in the paid meal program is down this year and believe this new requirement is a contributing factor.

We hope the Committee will move promptly on this important legislation. There is no cost associated with the bill.

Sincerely,

SANDRA E. FORD, SNS,  
*President.*

[Questions submitted for the record and their responses follow:]

U.S. CONGRESS,  
*Washington, DC, July 29, 2013.*

Ms. SANDRA FORD, *Director of Food and Nutrition Services,  
Manatee County School District, 215 Manatee Avenue West, Bradenton, FL 34205.*

DEAR MS FORD: Thank you for testifying at the June 27, 2013 hearing on "School Meal Regulations: Discussing the Costs and Consequences for Schools and Students" I appreciate your participation.

Enclosed are additional questions submitted by members of the subcommittee after the hearing. Please provide written responses no later than August 19, 2013 for inclusion in the final hearing record. Responses should be sent to Mandy Schaumburg or Dan Shorts of the committee staff who can be contacted at (202) 225-6558.

Thank you again for your important contribution to the work of the committee.

Sincerely,

TODD ROKITA, *Chairman,  
Subcommittee on Early Childhood, Elementary, and Secondary Education.*

CHAIRMAN TODD ROKITA (R-IN)

1. What are your greatest concerns with the meal pattern rule, the competitive foods rule, and/or the other rules that have been issued as a result of the Healthy, Hunger-Free Kids Act? Is it similar to what school districts reported to GAO? Are there differences in how the rules impact programs with low percentages of free and reduced-price students and those with higher percentages?

2. Do you think the changes occurring in the school lunch and breakfast programs will result in healthier options for your students? Or do you think you could have ensured students had healthy choices without imposing such enormous costs on your program?

REP. MARCIA FUDGE (D-OH)

I consider myself to be a staunch defender of the needs of those who suffer from food insecurity, particularly children. Many of the regulations required by the National School Lunch & Breakfast Program are being implemented by school districts in the name of reducing the incidence of childhood obesity in this country, a true challenge that deserves our full attention. We also have a hunger epidemic that must be addressed.

The National School Lunch & Breakfast Program is one of our nation's largest feeding programs. If our school meals programs are struggling financially to implement new regulations, then we are putting school children who depend on these meals at risk. There are children who leave school after Friday lunch and don't receive their next meal until Monday's school breakfast. It is our responsibility and our duty to ensure that these regulations are having the intended effect.

1. Do you believe USDA's National School Lunch & Breakfast Program regulations, both current and pending, are helping you achieve the goal of providing healthy meals to children in need? If no, what are some of your concerns?

2. I've heard apprehensions about the increased costs associated with implementation of these regulations. Many schools are indicating that their costs go beyond the estimated costs proposed by USDA, and the 6 cent additional funding per meal is not covering the cost. What is the breaking point in terms of how much financial strain schools can handle before your ability to serve children in need becomes threatened?

Earlier this year my colleague Rep. Stivers and I introduced H.R. 1303, the School Nutrition Flexibility Act, to address some of the concerns we had heard from our local school nutrition experts. One of the top concerns we heard echoed again and again was that schools were finding it extremely difficult to serve meals that fit within weekly minimum and maximum serving ranges for the grains and meat portions of the USDA standards. While USDA has responded to this concern through the means of a temporary waiver, the School Nutrition Flexibility Act provides a

long-term solution for this issue by calling for the permanent elimination of the maximums on grains.

3. In your testimony, you stated that the weekly limits on grains and proteins served with school meals have restricted some very healthy school menu items that happen to be student favorites. What are some examples of these items and what potential impact could it have on a student's desire to participate in the school lunch program?

4. Some critics of the School Nutrition Flexibility Act believe that a permanent elimination of the protein/grain standards is unnecessary because USDA, when the time comes, could provide a waiver for the 2014-2015 school year. Please explain why it is more prudent to have a permanent solution for this issue rather than a temporary fix.

The School Nutrition Flexibility Act addresses another issue that has proven to be difficult for local schools: the paid meal equity provision. The Healthy, Hunger Free Kids Act allows the federal government to set the price of a school lunch for the first time since 1946. As a result, schools participating in the School Lunch Program are now required to increase the price of their lunch. Some communities are struggling to pay the increase and participation in the school lunch program has declined in some schools.

5. Why should we be concerned about the drop off in participation in the school lunch program for paying students, and what impact does this situation have on students who receive a free lunch?

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### Ms. Ford's Response to Questions Submitted for the Record

CHAIRMAN TODD ROKITA (R-IN)

*Q: What are your greatest concerns with the meal pattern rule, the competitive foods rule, and/or the other rules that have been issued as a result of the Healthy, Hunger Free Kids Act? Is it similar to what school districts reported to GAO?*

I supported updating the meal pattern to ensure school meals meet the Dietary Guidelines for Americans. But as we all know, complex regulations can lead to unintended consequences.

School meal programs walk a tightrope between meeting standards, managing costs and maintaining participation. In Manatee County Schools, the cost of meeting new regulatory requirements has surpassed the additional 6 cent reimbursement, and student participation has declined due to changes to the menu. I am hopeful participation will rebound this fall, but new breakfast and competitive food regulations could present similar challenges, threatening the balance. I am attaching our end of the year dashboard which shows a comparison of our programs. Our revenue is the greatest concern. We eliminated 15 staff positions—either vacant or relocated staff.

I was pleased to hear Dr. Janey Thornton, Deputy Under Secretary for Food, Nutrition and Consumer Services, announce during School Nutrition Association's Annual National Conference in July that USDA will permanently eliminate weekly maximums on grains and proteins by the end of the calendar year. I hope Congress and USDA will continue to respond to regulatory challenges as they arise during implementation.

*Q: Are there differences in how the rules impact programs with low percentages of free and reduced-price students and those with higher percentages?*

Every school meal program is unique and faces different challenges. However, as a general rule, students who are not dependent on free or reduced-price school meals are more likely to have the means to bring food from home or seek an alternative venue to purchase their meals if they become dissatisfied with the options in their school cafeteria. As a result, schools with very low free or reduced-price participation can experience more significant fluctuations in participation (and revenue) in response to menu changes. Our schools with low free and reduced are faced with even greater challenges to keep the participation up—looking for creative ways to market and to provide a customized menu selection.

*Q: Do you think the changes occurring in the school lunch and breakfast programs will result in healthier options for your students? Or do you think you could have ensured students had healthy choices without imposing such enormous costs on your program?*

Manatee County Schools has always provided healthy choices for our students. The new meal pattern's requirement to serve more fruits and vegetables is resulting

in more students taking fruits and vegetables, but it does pose an additional cost to school meal programs.

REP. MARCIA FUDGE

*Q. Do you believe USDA's National School Lunch & Breakfast Program regulations, both current and pending, are helping you achieve the goal of providing healthy meals to children in need? If no, what are some of your concerns?*

Updating the meal pattern for the National School Lunch and Breakfast Programs was a critical step to ensure school meals meet the current Dietary Guidelines for Americans. These regulations guarantee all students have access to healthy, well-balanced meals at school.

However, complex regulations can lead to unintended consequences. School meal programs must walk a tightrope between meeting complicated nutrition standards while managing rising costs, and maintaining participation. Manatee County Schools has struggled with the cost of meeting new regulatory requirements, and we have experienced a decline in student participation due to changes to the menu.

We are hopeful that participation will rebound this fall as students adjust to menu changes and as we work to identify new menu items that meet the new requirements and appeal to student tastes. Yet at the same time, I am concerned new breakfast and competitive food regulations could present similar challenges, threatening the balance.

The biggest challenge is not being able to react to the first change before the second change comes along. Food services programs in Manatee County and most districts around the country are businesses. As a business, when a change occurs, you evaluate and adjust. Our challenge is that before we could complete the process of lunch, we are in the midst of a breakfast change.

*Q. I've heard apprehensions about the increased costs associated with implementation of these regulations. Many schools are indicating that their costs go beyond the estimated costs proposed by USDA, and the 6 cent additional funding per meal is not covering the cost. What is the breaking point in terms of how much financial strain schools can handle before your ability to serve children in need becomes threatened?*

Every school meal program faces unique challenges as school cafeteria infrastructure and equipment, food, labor and other costs all vary dramatically from one community to the next.

Schools nationwide have experienced rising costs as a result of the new regulations, often in excess of the additional 6 cent reimbursement provided for meeting the standards. School nutrition professionals are still adjusting menus and operational practices to limit costs and to restore or increase program participation and revenues.

Every school meal program has a different "tipping point," but with additional breakfast and competitive food standards coming into effect in the next two school years, all programs will face a difficult challenge to maintain financial stability.

*Q. In your testimony, you stated that the weekly limits on grains and proteins served with school meals have restricted some very healthy school menu items that happen to be student favorites. What are some examples of these items and what potential impact could it have on a student's desire to participate in the school lunch program?*

The weekly restrictions on grains and proteins under the meal pattern presented significant barriers to menu planning, including limiting healthy options like daily sandwiches served on whole grain bread and entrée salads topped with lean meat and low fat cheese. As some of these popular options were removed from the menu or served on only select days, Manatee County Schools experienced a decline in student participation.

I would like to thank you for your leadership in introducing H.R. 1303 with Rep. Stivers to address these concerns and eliminate the weekly grain and protein restrictions. I was pleased to hear Dr. Janey Thornton, Deputy Under Secretary for Food, Nutrition and Consumer Services, announce during School Nutrition Association's Annual National Conference in July that USDA will permanently eliminate these weekly maximums by the end of the calendar year. I hope Congress and USDA will continue to respond to regulatory challenges as they arise during implementation.

*Q. Some critics of the School Nutrition Flexibility Act believe that a permanent elimination of the protein/grain standards is unnecessary because USDA, when the time comes, could provide a waiver for the 2014-2015 school year. Please explain why*

*it is more prudent to have a permanent solution for this issue rather than a temporary fix.*

From sandwich buns to breakfast cereals, school meal programs depend on our industry partners to provide foods and beverages that meet nutrition standards and student tastes. All of these products go through extensive testing before they are served in a school cafeteria. Our industry partners invest in R&D to identify recipes that meet the whole grain standards and food safety requirements, but still have the look and taste our students expect.

Temporary regulations leave our industry partners guessing. Do they phase out their old product line and invest in developing products to meet new standards? Or will USDA issue another reprieve so that schools will be clamoring for their old product line? By promising to permanently eliminate the weekly grain/protein maximums, USDA is providing industry and school nutrition professionals with clear direction.

*Q. Why should we be concerned about the drop off in participation in the school lunch program for paying students, and what impact does this situation have on students who receive a free lunch?*

Many students who drop out of the National School Lunch and Breakfast Programs end up purchasing their meals from nearby fast food restaurants or other venues that do not offer the healthy, well-balanced meals that school meal programs provide. Declines in student participation also reduce revenue for school meal programs, hampering the program's ability to make further improvements to menus.

School meal programs strive to serve all students, not just those who rely on free or reduced-price meals. When paying students drop out of the National School Lunch and Breakfast Programs, the students who depend on these meals as a key source of nutrition can feel singled out or stigmatized just by entering the cafeteria.

U.S. CONGRESS,  
Washington, DC, July 29, 2013.

Ms. MEGAN SCHAPER, *Director of Food and Nutrition Services,*  
*State College Area School District, 131 W. Nittany Ave., State College, PA 16801.*

DEAR MS SCHAPER: Thank you for testifying at the June 27, 2013 hearing on "School Meal Regulations: Discussing the Costs and Consequences for Schools and Students" I appreciate your participation.

Enclosed are additional questions submitted by members of the subcommittee after the hearing. Please provide written responses no later than August 19, 2013 for inclusion in the final hearing record. Responses should be sent to Mandy Schaumburg or Dan Shorts of the committee staff who can be contacted at (202) 225-6558.

Thank you again for your important contribution to the work of the committee.  
Sincerely,

TODD ROKITA, *Chairman,*  
*Subcommittee on Early Childhood, Elementary, and Secondary Education.*

CHAIRMAN TODD ROKITA (R-IN)

1. Ms. Schaper, what has been the impact of these new requirements on your district's administrative costs? How much have you had to pay for training or hiring new employees? Have you lost any food service employees as a result of the new regulations?

2. How many food vendors does your school district work with on the school meal programs? Have you seen any of the vendors stop—or do you anticipate any stopping—offering products for school lunch and breakfast programs?

REP. MARCIA FUDGE (D-OH)

I consider myself to be a staunch defender of the needs of those who suffer from food insecurity, particularly children. Many of the regulations required by the National School Lunch & Breakfast Program are being implemented by school districts in the name of reducing the incidence of childhood obesity in this country, a true challenge that deserves our full attention. We also have a hunger epidemic that must be addressed.

The National School Lunch & Breakfast Program is one of our nation's largest feeding programs. If our school meals programs are struggling financially to implement new regulations, then we are putting school children who depend on these meals at risk. There are children who leave school after Friday lunch and don't re-

ceive their next meal until Monday's school breakfast. It is our responsibility and our duty to ensure that these regulations are having the intended effect.

1. Do you believe USDA's National School Lunch & Breakfast Program regulations, both current and pending, are helping you achieve the goal of providing healthy meals to children in need? If no, what are some of your concerns?

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The School Nutrition Flexibility Act addresses another issue that has proven to be difficult for local schools: the paid meal equity provision. The Healthy, Hunger Free Kids Act allows the federal government to set the price of a school lunch for the first time since 1946. As a result, schools participating in the School Lunch Program are now required to increase the price of their lunch. Some communities are struggling to pay the increase and participation in the school lunch program has declined in some schools.

4. Why should we be concerned about the drop off in participation in the school lunch program for paying students, and what impact does this situation have on students who receive a free lunch?

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### **Ms. Schaper's Response to Questions Submitted for the Record**

CHAIRMAN TODD ROKITA (R-IN)

*1. What has been the impact of these new requirements on your district's administrative costs? How much have you had to pay for training or hiring new employees? Have you lost any food service employees as a result of the new regulations?*

My district did not spend more on training or administrative costs than we have in previous years. We cannot spend more money than we bring in from student sales. Our budget is tight and we simply aren't able to spend funds that are not available. Rather, it is a matter of what other training opportunities and administrative activities had to be forgone in order to have the time and resources to implement the new regulations.

The one day that we have available for staff training each year had to be solely dedicated to the new regulations to the exclusion of ServSafe food safety training, marketing and customer service training, and technology and computer skills training that would have otherwise been priorities.

Similarly, I was not able to hire another administrator to help implement the standards and submit for certification. Instead, I directed my time and energy to those tasks to the exclusion of creative and successful initiatives that my department had promoted in the past. I did not have the time available to coordinate Chefs Move to Schools events. I was not able to coordinate parent volunteers to provide taste testing in my cafeterias. Our involvement with the school gardens and other farm-to-school initiatives had to be reduced. Instead of using my time to proactively educate children about healthy foods, I had to devote my time to researching and rewriting purchase specifications, rewriting recipes, producing new cookbooks, reviewing all of my allergens in light of the new recipes, determining meat and grain contributions, recalculating nutrient analysis, and completing USDA paperwork to submit for certification.

One of my most dependable and dedicated supervisors decided not to continue in school food service at the end of the year. After 24 years of service, she stated that

it “just wasn’t fun anymore.” Of course children’s health and well-being should take precedence to my staff having fun, but it should also be possible to develop reasonable regulations that promote health and well-being without being so difficult for those in the schools to implement.

*2. How many food vendors does your school district work with on the school meals programs? Have you seen any of the vendors stop—or do you anticipate any stopping—offering products for school lunch and breakfast programs?*

We purchase foods produced by dozens of different manufacturers. Those items come to us from two large food service distributors, one dairy, one bakery, and six or seven small, local businesses. I believe that the large manufacturers and distributors have the resources and motivation to continue to supply schools. However, the cost of continuously reformulating products to meet changing standards are being passed on to us. Some of the small businesses who we patronize are not able to invest the resources to develop products to meet USDA standards. Our sales volume is not large enough and there simply is not sufficient interest from their retail customers for items that meet USDA regulations. Our efforts to support local businesses will be diminished.

REP. MARCIA FUDGE (D-OH)

*1. Do you believe USDA’s National School Lunch & Breakfast Program regulations, both current and pending, are helping you achieve the goal of providing healthy meals to children in need?*

No, my program was providing very healthy meals that students enjoyed prior to the implementation of these regulations. The regulations have simply raised costs and driven paying customers from the program. Serving fewer paying customers reduces the funds available to operate quality school cafeterias for all students. Because the funding for school cafeterias is directly tied to participation, it is critical that enough students choose to patronize the school cafeteria in order to cover our costs. Further, when paying customers leave the program, students receiving free and reduced priced meals are less comfortable accessing this benefit due to the stigma associated with being eligible for subsidized meals.

Minimum standards are necessary to ensure that school meals are healthful. Simply enforcing the previous, reasonable meal regulations would have remedied the problems of poorly run programs. Providing \$.06 as incentive for meeting tough new standards would be unnecessary if USDA simply enforced the former guidelines by withholding all funding from schools that failed to provide healthful meals.

*2. I’ve heard apprehensions about the increased costs associated with implementation of these regulations. Many schools are indicating that their costs go beyond the estimated costs proposed by USDA, and the 6 cent additional funding per meal is not covering the cost. What is the breaking point in terms of financial strain schools can handle before your ability to serve children becomes threatened?*

I can’t speak to the breaking point for all programs but most schools are facing difficult budgetary circumstances. The weak economy and funding cuts as a result of sequestration resulted in less revenue for school programs. Further, medical and pension cost increases are out pacing income growth. Most schools are already cutting programs and simply do not have excess funds to support the school cafeterias.

If my program is unable to remain self-supporting, we will have to find ways to decrease costs. As only 15% of our students are eligible for subsidized meals, our breakfast program is not utilized by the majority of our students and loses money. We currently subsidize the program with funds from lunch and a la carte sales. We may need to eliminate the breakfast program to keep the overall program fiscally solvent. While this won’t affect the majority of my students, it will greatly impact those whose families need this program the most. I expect to have to make this decision after the 2014-15 school year when I know exactly how the Smart Snacks in Schools rule affects my program’s finances.

The \$.06 additional funding is appreciated but it does not cover the cost of the new regulations. For example, the additional ½ cup of fruit that is needed adds a minimum cost of \$.11 (for a juice) up to

\$.29 (for an apple) per meal. Add to this the fact that whole grains cost more and that manufacturers are passing on their increased costs for reformulating products, schools are spending significantly more to provide meals and the federal funding only covers a fraction of that increase.

*3. Some critics of the School Nutrition Flexibility Act believe that a permanent elimination of the protein/grain standards is unnecessary because USDA, when the time comes, could provide a waiver for the 2014-15 school year. Please explain why*

*it is more prudent to have a permanent solution for this issue rather than a temporary fix.*

The research and development behind each new food item that Advance/Pierre brings to market costs \$100,000. One of the products that Advance/Pierre developed for the start of the 2012-13 school year was a 1.5 ounce hamburger that helped schools serve cheeseburgers while staying under the protein cap. With the temporary removal of the cap, schools are no longer interested in purchasing a hamburger that is that small. (A McDonald's single hamburger weighs 2 ounces.) Advance/Pierre did not get a fair return on its investment. Manufacturers are not willing to produce new products for schools without the assurance that the products they develop today will still be wanted a few years from now.

*4. Why should we be concerned about the drop off in participation in the school lunch program for paying students, and what impact does this situation have on students who receive free lunch?*

The profit margin on school meals is extremely thin. In order for a school nutrition department to break-even financially (or maybe generate enough extra money to replace an oven or refrigerator), we need to sell as many meals as possible. The funds received for each meal (lunch price or reimbursement rate) are adequate to cover costs only if sufficient sales volume can be generated. When 10% of paying students decide not to purchase school meals, food costs go down proportionally but the cost of labor, utilities, cleaning supplies, equipment repair and replacement, etc. remains unchanged.

Further, as mentioned earlier, schools without local resources to support the school cafeteria will have to make difficult decisions. Eliminating programs that aren't self-supporting, like the school breakfast program in many schools, is a very real possibility. Some schools may opt to leave the national program altogether. In that circumstance, there is no guarantee that low income families will receive help with meals at school. And the meals served to all students would not be subject to any nutrition standards what-so-ever.

Finally, schools have worked hard over the years to remove the social stigma that can be associated with receiving subsidized school meals by eliminating the overt identification of eligible students. If paying students opt out of the program, leaving only those who have no other choice, students who need program benefits may choose not to participate. The program in and of itself will identify them as poor.

Thank you for this opportunity to respond to your questions.

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[Whereupon, at 11:18 a.m., the subcommittee was adjourned.]

