



Chairman Bobby Scott
House Committee on Education and Labor
2328 Rayburn House Office Building
Washington, DC 20515

Ranking Member Virginia Foxx
House Committee on Education and Labor
2462 Rayburn House Office Building
Washington, DC 20515

July 26, 2022

Dear Chairman Scott and Ranking Member Foxx:

On behalf of AASA, The School Superintendents Association (AASA), representing more than 13,000 public school superintendents, and The Association of School Business Officials International (ASBO), representing more than 30,000 school business professionals, we write to share our thoughts on the forthcoming mark-up of the The Healthy Meals, Healthy Kids Act.

The superintendents and school business officials across America that we represent recognize that a child must be fed before they can learn. We are keenly aware of the critical role nutrition plays in cognitive development and academic performance in children; a hungry, undernourished child is more likely to be less energetic and less able to concentrate. As the pandemic has demonstrated, providing healthy meals and snack options for school children is critical; our members are proud of their strong nutrition programs and are eager for a reauthorization that provides districts with increased financial and operational flexibilities.

While we are disappointed this proposal is not a bipartisan one, we acknowledge that there are many things within this version that are an improvement from previous Democrat-only child nutrition reauthorizations that have made it to the Committee over the past decade. And as with most partisan education bills there are policy provisions that we support and oppose.

In particular, we commend the expansion of the Community Eligibility Provision (CEP). Strengthening this program has been a longtime priority for our organizations as a program that feeds more students at no cost with less unnecessary paperwork. By decreasing the threshold and increasing the multiplier, more school districts will be able to participate and ensure all students are coming to class ready to learn. Additionally, we welcome the opportunity to build upon the success of the Medicaid direct certification demonstration projects and make Medicaid direct certification permanent and nationwide to improve access to meals and reduce the administrative burden on schools.

The increase of the national average lunch payment and commodity assistance for breakfast are appreciated, but we would be remiss not to acknowledge that the reimbursement rates for both the National School Lunch Program and School Breakfast Program are significantly less than the cost of producing these meals and feeding students. We encourage Congress to provide sufficient resources to cover the local cost of providing the federal free and reduced-priced lunches and breakfasts.

We were disappointed to see that no flexibilities around nutritional standards were included in The Healthy Meals, Healthy Kids Act. Nutrition mandates will only be successful if students continue to consume school meals. Burdensome nutritional provisions contribute to excess food waste, increased program costs, and reduced student participation that hamper schools' operational capacity. We continue to recommend flexibilities around nutritional standards that

allow schools to provide healthy, well-balanced meals that are aligned with students' taste preferences.

We were also disappointed to see no changes to the Administrative Review (AR) cycle. School food service operators strive to be responsible stewards of federal funds and welcome efforts to ensure school meal programs fully comply with regulatory requirements. However, School Food Authorities (SFAs) and State agencies that oversee these programs are overwhelmed by excessive reporting requirements required under the shorter three-year AR cycle. Layered on top of monthly and annual reporting requirements, and additional audits and inspections, these administrative mandates take substantial time away from the mission of serving students. As such, Congress must encourage USDA to return to a five-year cycle for SFAs consistently in compliance. State agencies will be able to conduct more thorough reviews and school nutrition professionals will be able to spend more time focused on serving healthy meals.

Finally, we have concerns about the potential implications of Sec. 1006 Ensuring Adequate Meal Time and caution the Committee from taking any action that could lead to a Federal prescription of the duration of lunch time. While we recognize the importance of giving students time to eat, we are opposed to a Federal requirement that school districts include a certain amount of time for meals that may not consider the variety of schedules that students within schools and within districts may utilize. School leaders have numerous considerations as they structure the school day and while meal time is important, certain requirements that directly cut into critical instructional time could jeopardize students academic success. Local school leaders know best how to optimize the school day and should be fully entrusted to structure their school day in the matter that best suits their students and facilities.

We look forward to working with the House as the bill moves through committee and to the floor to ensure increased access to meals and financial sustainability of school meal programs. If you need additional assistance, please do not hesitate to contact us at tthomas@aasa.org and eyost@asbointl.org.

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