



State of Arizona
Department of Education

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MEMORANDUM

TO: Sponsors of the National School Lunch Program

FROM: Mary Szafranski, Deputy Associate Superintendent
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DATE: December 15, 2012

SUBJECT: Food and Nutrition Services (FNS) Guidance to School Food Authorities: Flexibility in the Meat/Meat Alternate and Grain Maximums for School Year 2012-2013

Original Signed

Introduction

In January 2012, at the direction of the Healthy Hunger-Free Kids Act passed by Congress, the U.S. Department of Agriculture (USDA) published a final rule to promote the health of America's school children. The rule established new, science-based nutrition standards for the National School Lunch and School Breakfast Programs.¹ These standards are based on the recommendations of doctors, nutritionists, and other experts, and are designed to ensure that taxpayer-funded school meals reinforce the efforts of parents who are trying to instill their children with healthy eating habits and lifestyles in the face of the nation's growing child obesity epidemic.

The new standards identify the healthy ranges for five categories of food--fruits, vegetables, grains, meats or meat alternatives, and fluid milk--as well as the healthy ranges for total calories, saturated and trans fat, and sodium. For the grains and the meats/meat alternates components there are science-based, age-appropriate daily minimum quantities, as well as weekly minimum and maximum quantities for total calories. School Food Authorities (SFAs) that comply with the new standards are eligible for reimbursement for school meals, as well as for a 6 cent per lunch performance-based reimbursement that became available on October 1, 2012.

On April 27, 2012, FNS published the interim rule entitled *Certification of Compliance with Meal Pattern Requirements for the National School Lunch Program under the Healthy, Hunger-Free*

¹ The rule became effective on July 1, 2012. 77 FR4 4088.



Kids Act of 2010 (77 FR 25024) (<http://www.gpo.gov/fdsys/pkg/FR-2012-04-27/pdf/2012-10229.pdf>). In support of this interim rule, Food and Nutrition Services (FNS) developed the Certification Tool and Instructions released in May 2012 (CN 04-13, <http://www.azed.gov/health-nutrition/files/2012/08/cn-04-13.pdf>). The instructions offer technical guidance to the Arizona Department of Education (ADE) and SFAs about how to assess their compliance with the new standards when certifying SFA eligibility for the 6 cent performance-based reimbursement. Several approaches were considered for measuring compliance with the weekly ranges for the grains and meats/meat alternates components for schools and SFAs. FNS opted to measure, for each day of the week-long menu, the reimbursable meal offered with the smallest grain or meat/meat alternate quantity (*i.e.*, the minimum), and the reimbursable meal offered with the largest grain or meat/meat alternate quantity (*i.e.*, the maximum). The weekly minimum and weekly maximum offerings available to students are determined by summing respectively, the daily minimums and daily maximum quantities.

During this initial period of implementation, FNS sought feedback from state agencies, including ADE, and SFAs on the new requirements. As a result, state agencies and SFA partners have identified significant operational challenges in meeting the requirements for the grains and meats/meat alternates components, particularly for SFAs with schools with multiple menu offerings and multiple serving lines during meal service. Those challenges, and the way in which FNS will help ADE and SFAs address them, are discussed below.

Operational Challenges Relating to Grains

Grains are unique among the components of the new school lunch standards in that they may be served in a variety of ways. For example, grains may be served as part of the entrée such as a sandwich or pasta, as a side dish such as rice or a roll, or both. Grains may also be served occasionally (up to 2 oz/eq. per week) as a dessert (e.g. fruit cobbler). Since the grain component can be served in this variety, school menu planners have a challenge when deciding to serve different portion sizes for the various meals on a given day. We understand that in practice it may be difficult for SFAs to offer meals with relatively larger grain items (e.g., 3 oz/eq.) on the same day as meals with smaller grain items (e.g., 1 oz/eq.), and stay within the weekly ranges. Some SFAs report that they have been forced to standardize their grain serving sizes to achieve compliance. This has limited menu planners' flexibility and in some cases has unintentionally prevented offering popular items such as sandwiches on a daily basis. In addition, some SFAs have reported that at present, popular grain products such as rolls and bread may not be readily available from suppliers in the wide range of serving sizes needed to meet the grain range weekly requirements, thus exacerbating planning challenges. Finally, the variation in the maximum grain limit by grade groups has contributed further challenges for SFAs that need to accommodate schools serving multiple grade groups.

Operational challenges relating to Meat/Meat Alternates

FNS have also been advised that some SFAs have found it difficult to offer meals with meat/meat alternate items in a range of sizes (e.g., 3 oz/eq. and 1 oz/eq. on the same day), and stay within the weekly ranges. As a result, some SFAs have limited service of popular food items such as hamburgers and bone-in chicken breasts. Additionally, as with grains, SFAs have reported that

some of the meat/meat alternate products used frequently are not yet available from suppliers in a useful range of sizes. FNS previously addressed this issue, noting that SFAs may have current inventories or products on order, including USDA Foods meats/meat alternate products that do not easily fit within the weekly ranges. (ADE memorandum CN07-13, *Existing Inventory of USDA Foods and Commercial Products*, <http://www.azed.gov/health-nutrition/files/2012/08/cn-07-13-existing-inventory-of-usda-foods-and-commercial-products.pdf>) At that time, FNS recognized the continued challenges of preparing and offering such products while remaining within the new requirements this school year.

FNS Offers Additional Flexibility to Assess Compliance with Weekly Ranges

To help address these operational challenges, FNS is offering additional flexibility in menu planning for School Year (SY) 2012-13. There is no change in the method of measuring the required daily minimum quantities for grains or meats/meat alternates. To review how to measure the required daily minimum, refer to memo CN 14-13, *Child Nutrition Reauthorization 2010: Questions and Answers Related to the Certification of Compliance with Meal Requirements for the National School Lunch Program (2nd Revision)*, specifically under section: Multiple Offerings, <http://www.azed.gov/health-nutrition/files/2012/08/cn-14-13-child-nutrition-reauthorization-qa-on-final-rule-nutrition-standards-nslp-and-sbp-3rd-r.pdf>). Given the complexity of calculating the grains and meats/meat alternates components, however, and to allow for more time for suppliers to more widely offer a broader array of serving options, ADE will consider any SFA compliant with the component requirements for grains and meat/meat alternates if the menu is compliant with the daily and weekly minimums for these two components, regardless of whether they have exceeded the maximums for the same components.

In addition, ADE will also take this flexible approach in assessing compliance with the grains and meats/meat alternates weekly ranges when conducting validation reviews. ADE will not reconsider or recertify any SFAs already certified as eligible to receive the 6 cent reimbursement based on previous guidance, as the previously certified menus would fit within this additional flexibility approach to assessment.

FNS will update the instructions that accompany the FNS-developed Certification Tool to reflect this additional flexible approach to assessment, as well as the Certification Questions and Answers (CN 03-13, <http://www.azed.gov/health-nutrition/files/2012/08/cn-03-13.pdf>) and other documents as appropriate.

We understand that this is a year of transition. The flexibility in the assessment approach reflected in this memorandum will facilitate implementation in SY 2012-13. FNS will continue to monitor implementation data and feedback from SFAs and ADE to determine whether the appropriate approach is being used to measure compliance, and whether other adjustments beyond the current School Year prove necessary.

Please contact your Child Nutrition Program Specialist at ADE with questions concerning this guidance. Your specialist can be found at the top of your Sponsor Application on CNP Web Common Logon.

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