

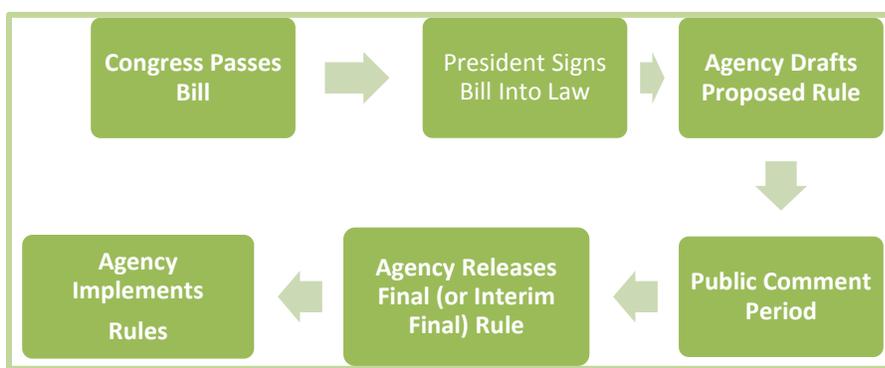


School Nutrition Policy: Legislation vs. Regulation

The rules and guidelines that schools must follow to participate in the National School Lunch Program (NSLP), School Breakfast Program (SBP), and other USDA Child Nutrition Program are developed by Congressional Legislation and USDA Regulation process. In 2010, Congress passed the *Healthy, Hunger-Free Kids Act* (HHFKA) which reauthorized the child nutrition programs. Contained within the law were instructions for the USDA Secretary to create guidelines and regulations for programs including new meal patterns for lunch and breakfast, competitive foods, professional standards, and local wellness policies.

Before USDA can issue any regulations, legislation must be in place, such as HHFKA. Following passage, USDA responds to certain directives contained within the legislation and drafts, publishes, and releases “rules” which outline the structure of a regulation.

The rule process can take months or years, depending on the complexity or urgency of implementation. When a rule has been submitted, the public has between 30-90 days on average to submit comments. SNA always submits comments based on membership feedback on proposed rules that impact school nutrition programs.



Still confused about who has jurisdiction or how to impact policy making? Check out the chart or contact the Child Nutrition Policy Center at SNA.

	Legislation	Regulation
Jurisdiction	Congress	Federal Agencies
Child Nutrition Oversight	House Education & Workforce Committee & Senate Agriculture Committee.	USDA and the Food and Nutrition Services Division.
Purpose	To address national problems or reauthorize government programs. In the instance of Child Nutrition, legislation is focused on reauthorizing and amending current programs.	To provide guidance and rules for programs created or reauthorized by legislation. These guidance and rules are interpretations of the laws set by Congress.
Duration	Primary reauthorization is addressed on a five-year cycle.	Legislation often sets target dates for when new rules/guidance should be released. Additional guidance memos are released as needed.
How to impact	Engagement with Members of Congress to educate and highlight importance of child nutrition programs.	Submit comments during proposed rule comment periods.