

**From:** Bushong, Linda (MDE) **On Behalf Of** Leikert, Howard (MDE)  
**Sent:** Wednesday, March 26, 2014 1:44 PM  
**To:** MDE-SchoolNutrition  
**Subject:** Weekly News from MDE 032614

Perspective is an interesting phenomena. In the fall, if temperatures drop into the 40s we bundle up so we don't get cold on this very cold day. Now, especially this year, temperatures RISE into the 40s and it seems we should be outside in t-shirts enjoying the incredibly warm day. I can't wait for the 70s!! But I digress. Here is some news:

- 1) Bad Debt – We get a lot of questions about how to handle student school food service balances at the end of the year. Please note that the Federal Regulations located in 2 CFR Part 225, Appendix B Selected Items of Costs, Item #5 - Bad Debts is specifically identified (whether actual or estimated) arising from uncollectable accounts, related collection costs, and related legal costs, are UNALLOWABLE. You cannot use school food service funds to cover the debt of the students. A transfer from, for example, general fund would be required.
- 2) Free Salad Bars - Congratulations to Cornerstone Health Sciences Academy in Detroit that received the first free salad bar as a result of the latest round of funding for the Let's Move Salad Bars to Midwest Schools initiative! Read more about their new salad bar success at <http://www.thepacker.com/fruit-vegetable-news/Dole-Meijer-provide-school-salad-bars-248407951.html>. There's still time for you to get signed up for your own salad bar! Visit [www.saladbars2schools.org](http://www.saladbars2schools.org) and complete an application today!
- 3) Smart Snacks/Breakfast Waivers - Here is a copy of an email that we received from USDA – “USDA has issued a letter sent the Hill late yesterday (see attached), responding to the Congressional report language from the FY 2014 Appropriations Act that directs USDA to establish a process, within 90 days of enactment, for States to grant waivers for the 2014-2015 school year to Local Education Agencies unable to operate their program without incurring increased costs to comply with the Smart Snacks interim final rule, and/or comply with the new nutrition standards for the School Breakfast Program. **Based on consultation with our Office of General Counsel, we have determined that USDA is prohibited by Federal law from waiving these regulations and is also prohibited from authorizing State agencies to do so.**”
- 4) Fresh Fruit and Vegetable Program – We are pleased to announce that the application for the 2014-2015 Fresh Fruit and Vegetable Program (FFVP) Grant is now available via MEGS+. Applications are due May 29, 2014. A few things to consider: FFVP is an optional, competitive grant that gives money and guidance to schools to help them serve fresh fruit and vegetable snacks for free during the school day. To be eligible, schools must be elementary level (schools serving any combination of grades K-8) that have

been participating in the National School Lunch Program since the 2013-2014 school year and have at least 50% free and reduced eligibility status. Announcements will be made mid-June via e-mail and the FFVP page of our website. Prior to March 27, questions may be directed to Adrienne Davenport, FFVP Coordinator ([davenporta1@michigan.gov](mailto:davenporta1@michigan.gov)). Between March 27 and May 22, Linda Stull will serve as FFVP contact during Adrienne's maternity leave ([stulll@michigan.gov](mailto:stulll@michigan.gov)).

- 5) Professional Standards - FNS has created a webcast of their Professional Standards February 26, 2014, webinar. This webinar provides an overview of Professional Standards proposed regulation for school nutrition personnel. USDA released the proposed rule for all State Agency directors and school nutrition personnel who manage and operate the National School Lunch and School Breakfast Programs on February 4, 2014. This proposed rule provides consistent, national standards for school nutrition professionals and staff. The main benefit of this proposed rule is to ensure that school nutrition personnel are meeting minimum professional standards in order to adequately perform the duties and responsibilities of their positions. <https://www.youtube.com/watch?v=tMSI7tBFXzQ>
- 6) Food Safety Conference - Attached to this email is the 2014 Food Safety Education Conference save-the-date card. FNS' Office of Food Safety has asked that we distribute it to you, and we ask you to send it along to your SFAs and any others that might be interested.
- 7) Social Media - Michigan Team Nutrition's social media pages were hopping during National School Breakfast Week, March 3-7. Everyone wants to #BoostBreakfastMI! Great information was shared by all and we have more than 25 new followers on Twitter. Remember you DO NOT need to be associated with a Team Nutrition school to join the fun! Follow us on Twitter at <https://twitter.com/TeamNutritionMI>, subscribe on <https://www.youtube.com/user/miteamnutrition1>, and become a fan on Facebook <https://www.facebook.com/MichiganTeamNutrition>. We want to hear from you!
- 8) Michigan Good Food Newsletter - Linked below is the March 2014 edition of the Michigan Good Food Newsletter. This month's stories include:
  - a. Michigan Farm to Institution Network to Launch in April
  - b. Michigan SNAK Project
  - c. News and Notes
  - d. Living the "Good (Food) Life": Lucas DiGia

This and previous editions of the Michigan Good Food newsletter can be found on the MI Good Food website at [www.michiganfood.org](http://www.michiganfood.org) under "current activity" or at the following link: <http://www.michiganfood.org/index.php?id=152>. Contributions related to good food in Michigan are welcome! Submissions are requested by the 25th of the month for publication the following month.

Howard Leikert, MBA, SNS  
Supervisor, School Nutrition Programs  
Michigan Department of Education  
517-373-3892

“The MDE School Nutrition Programs team is committed to the success of child nutrition programs through training, support, and leadership by fostering partnerships to ensure the nutritional well-being of all students in Michigan.”



United States Department of Agriculture

Office of the Secretary  
Washington, D.C. 20250

MAR 13 2014

The Honorable John Kline  
Chairman  
Committee on Education and the Workforce  
U.S. House of Representatives  
2181 Rayburn House Office Building  
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter of February 5, 2014, cosigned by Congressman Robert Aderholt, regarding the establishment of a waiver process to allow schools to delay implementing the new School Breakfast Program and Smart Snacks standards.

Your letter references report language included in the Explanatory Statement that accompanied the Consolidated Appropriations Act, 2014, P.L. 113-76. The report language directs the Department of Agriculture (USDA) to establish, within 90 days of enactment, a waiver approval process for State agencies to grant waivers for the 2014-2015 school year to any local educational agency (LEA) that certifies it cannot operate a food service program without incurring increased costs if required to comply with the interim final rule, "National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the Healthy, Hunger-Free Kids Act of 2010," and/or comply with 7 CFR Part 220, related to establishing new nutrition standards for the School Breakfast Program. USDA is further directed to provide such LEAs with technical assistance to help with implementation of the new nutrition standards in future years.

Our Office of the General Counsel has confirmed that USDA is prohibited by Federal law from waiving these regulations and is also prohibited from authorizing State agencies to do so. The Richard B. Russell National School Lunch Act limits waivers under section 12(I), and specifically prohibits me from granting a waiver that relates to the nutritional content of program meals served or the sale of competitive foods (42 U.S.C. 1760(I)(4)(A) and (J)). Since report language is non-binding in nature, and statutory prohibitions are binding, USDA is respectfully unable to comply with the directive to establish a waiver process.

Although USDA cannot grant waivers for these requirements, USDA remains committed to providing training and technical assistance to schools to help ensure the continued successful implementation of the School Breakfast Program and Smart Snacks standards. Early in the implementation process for school meals, when schools asked for flexibility to serve larger servings of grains and meats within the overall calorie caps, USDA responded. In January of this year, that flexibility was made permanent. We will continue to listen to stakeholders and provide guidance and flexibilities, as appropriate, to help schools and students adapt to the new requirements.

The Honorable John Kline  
Page 2

These efforts have yielded positive results, as evidenced by the fact that nearly 90 percent of schools are successfully meeting the new standards. Continuing this progress remains a top priority for USDA. Successful, long-term change takes time to implement, and we will continue to be a strong partner with States and schools as they implement the phased-in breakfast requirements. Most recently, USDA announced \$5.5 million in new grants to help support schools by providing simple, actionable, low-cost steps that they can take that will increase consumption of healthier foods and decrease plate waste.

USDA also has plans in place to support schools in implementing the new Smart Snacks requirements, which will work in concert with recent improvements in school meals to support and promote diets that contribute to students' long-term health and well-being. Among other actions, we are partnering with the Alliance for a Healthier Generation to provide an online nutrition calculator to schools that will help them easily identify food and beverage products that meet the new standards.

Throughout the coming school year, our first priority will be to work with our State and local partners to provide the technical assistance schools need to learn about the new requirements and what they need to do in order to meet them. As our track record on school meals demonstrates, USDA will pay careful attention to issues that come up during the Smart Snacks implementation and work with stakeholders to resolve them.

Again, thank you for your strong support of our programs and for your shared vision and commitment to helping communities improve the health and well-being of our Nation's children. Please have your staff contact Ann Wright, Acting Assistant Secretary for Congressional Relations, at (202) 720-7095, if you have any questions. A similar letter is being sent to Congressman Aderholt.

Sincerely,



Thomas J. Vilsack  
Secretary



United States Department of Agriculture

MAR 13 2014

Office of the Secretary  
Washington, D.C. 20250

The Honorable Robert B. Aderholt  
Chairman, Subcommittee on Agriculture, Rural Development,  
Food and Drug Administration, and Related Agencies  
Committee on Appropriations  
U.S. House of Representatives  
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Sincerely,



Thomas J. Vilsack  
Secretary

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## A Food Safe America

2014 Consumer Food Safety Education Conference

December 4 - 5, 2014

Crystal Gateway Marriott • Arlington, VA

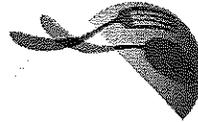


For Further Information

Call: 202.220.0651

Visit: [www.teamfoodsafety.org/2014](http://www.teamfoodsafety.org/2014)

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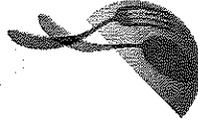


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