



THE HEALTHY, HUNGER-FREE KIDS ACT OF 2010: AFTERSCHOOL MEAL PROGRAM

April 2011

ON DECEMBER 13, 2010, President Barack Obama signed into law the Healthy, Hunger-Free Kids Act of 2010.¹ The Act strengthens school food nutrition standards, increases access to and funding for school meals, and increases technical assistance to schools. It also strengthens school wellness policies, improves farm to school programs, expands afterschool meals programs for at-risk children, and establishes certification standards for food service personnel. The Public Health Law Center has created a set of fact sheets outlining several key areas of the Act.²

Q How does the Act impact the afterschool environment?

A The Act expands the afterschool meals for organizations that serve at-risk children. It instructs the United States Department of Agriculture (USDA) to create nutrition guidelines

for afterschool meals for at-risk school children. The Act makes the afterschool meal program available in all fifty states.³

“The Act expands the afterschool meals for organizations that serve at-risk children”

Q What organizations will qualify for the afterschool meal program?

A Organizations that have an educational purpose and provide care for at-risk children during after-school hours, weekends or holidays during the school year will be eligible to participate in the afterschool meal program. Chil-

dren who participate must be no older than 18 years or in a primary school program serving children with disabilities. The organization must be operated in a geographic area where more than fifty percent of the children receive free or reduced price school meals.

Q What does the afterschool program do?

A The meal program reimburses the participating organization for providing one free meal or snack per child every day.

Q When will the USDA issue the nutritional guidelines?

A The Act requires the USDA to issue nutrition guidelines for afterschool meals and snacks by July 2011.

Q How can I monitor what is happening with the USDA's implementation of the law?

A The USDA will release proposed rules, notes and “guidance documents” that describe the agency’s thinking on regulatory issues. Following these documents is easy due to an electronic submission system on a federal website called www.Regulations.gov, which allows people to search, view and comment on rules quickly and efficiently. If the public is allowed to comment on a proposed rule or other guidance document, the agency will give a deadline for submitting a comment. For more information on how to comment, please refer to the Public Health Law Center’s fact sheet titled *Submitting Comments to the USDA*.⁴



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¹ Healthy, Hunger-Free Kids Act of 2010, S. 3307, 111th Cong. (2010), available at <http://www.gpo.gov/fdsys/pkg/BILLS-111s3307enr/pdf/BILLS-111s3307enr.pdf>.

² The fact sheets can be found at: <http://www.publichealthlawcenter.org/documents/publications/fact-sheets>.

³ 42 U.S.C. 1766(r)(5) (2004). The Afterschool Meal Program previously operated in 13 states Id.

⁴ See also Tobacco Control Legal Consortium, *Submitting Comments on Tobacco Products to the FDA* (2010), available at <http://www.publichealthlawcenter.org/sites/default/files/resources/tclc-fs-submittingcomments-fda-2010.pdf>; Public Health Law Network, *Rulemaking Process and Steps to Comment*, (Feb. 2, 2011) <http://www.publichealthlawnetwork.org/rulemaking-process-and-steps-to-comment/>.