



United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

August 12, 2014

Dear Chief State School Officer:

As the beginning of this school year approaches, we want to thank you for all of the efforts made in your state to ensure a healthy nutrition environment in schools. Your ongoing efforts to implement the new school meals nutrition standards under the Healthy, Hunger-Free Kids Act of 2010 (HHFKA) have met with success in schools across your state and are enhancing the health and nutrition of our nation's children.

We would like to take this opportunity to remind you of a critical element of our joint efforts to promote a healthy school environment. In June of 2013, the U.S. Department of Agriculture (USDA) published the "Smart Snacks in Schools" standards for all foods sold in school. These are practical standards, based on recommendations from pediatricians and nutrition experts, for foods sold in vending machines and a la carte lines, standards which make the healthy choice the easy choice for students.

The Congressional intent is clear that the purpose of Smart Snacks is to upgrade the nutritional quality of certain foods sold in schools outside of the school meals programs during the school day. This provision of HHFKA also specifically directed USDA to consider special exemptions for school-sponsored fundraisers involving food. We agree with and respect the intent of Congress to permit these time-honored traditions, which is reflected in the Smart Snacks standards established last year.

Simply put, States have complete authority to set the policy around fundraising. USDA has participated in multiple training sessions and communicated with states regularly – as recently as April and June of this year – about the upcoming implementation date for the Smart Snacks standards, and the role that States play in establishing the fundraising policy. Additional policy guidance on fundraising from USDA clarifying the role of States is also being sent to your Child Nutrition staff.

The new Smart Snacks standards are now in effect, and many states have already established policies on fundraising. I am providing for your awareness a State-by-State list of current fundraising policies. Additionally, for those states that have not yet set a fundraising policy, I am writing to ask for your assistance and engagement in making sure that this issue is a priority.

More specifically, I request that you:

- **Reach out to your local school district leadership** to discuss and understand their potential fundraising needs. It is also important that schools understand the role and authority of States in setting fundraising policies; there is no deadline (i.e. that States are free to establish policies at any point moving forward); and that no USDA approval is required.
- **Review the fundraising policies of other States.** As the [State-by-State list](#) shows, there are a wide variety of ways in which States can set policies around fundraising. Engagement from you is a critical component in making sure that policies reflect as best possible the circumstances of schools in your state.

America's students now have healthier and more nutritious school meals as a result of the Healthy, Hunger Free Kids Act. With the addition of Smart Snacks in Schools, students will have healthier choices available to them wherever food is sold to them at school. Additional resources and information are available at the Smart Snacks in School [Web site](#).

We appreciate your continuing dedication to creating a healthy school environment and improving children's health. Thank you for your attention to this critically important issue.

Sincerely,



Kevin W. Concannon
Under Secretary