



Ms. Tina Namian, Chief
School Programs Branch
Policy and Program Development Division
Food and Nutrition Service
3101 Park Center Drive
Alexandria, Virginia 22302

Dear Ms. Namian:

The American Commodity Distribution Association (ACDA) appreciates the opportunity to submit the following comments in response to the proposed rule to add four flexibilities to the hiring standards for new school nutrition program directors in small local educational agencies (LEAs) and new school nutrition program State directors under the professional standards regulations for the National School Lunch and School Breakfast Programs as published in the March 6, 2018, edition of the Federal Register. ACDA appreciates that USDA is considering the need for flexibility in this area. However, ACDA believes that the proposed rule change does not go far enough, and limits the ability of states to hire qualified and experienced individuals. We urge USDA to consider including in (g)(1)(i) additional paths to qualification for this position based on relevant experience in addition to a bachelor's degree in any academic major and a master's degree in specific fields.

While ACDA's main focus is food distribution, many state food distribution programs are under the purview of the child nutrition state director. In instances where these activities are not co-located within the same agency, the food distribution state agency must work closely with the child nutrition state director to ensure School Food Authorities (SFAs) receive their USDA Foods benefits. In addition, the child nutrition state director position has a direct impact on the school food authority recipient agencies that our organization also represents.

Many of our member states struggle with hiring child nutrition staff. Slow government hiring processes, limited budgets for competitive salaries, an aging workforce, and sometimes challenging locations are all hurdles that make hiring difficult for our member states. Strict USDA requirements for a specific bachelor's degree make hiring for the state director position even more challenging. This increases the likelihood that state agencies will end up operating with vacant state director positions for longer periods of time, which would negatively impact state-level oversight and administration of the programs.

We certainly understand USDA's goals in setting minimum hiring standards for this position; we also want to see highly qualified candidates selected for these positions. However, we believe that specific child nutrition program management experience at the state level, and additional non-degree training and credentials could make a candidate well qualified.

The current professional standards rule offers a variety of paths for a candidate to be qualified for a position as an SFA director, as well as a clear path for very small SFA's to request a waiver if they wish to hire a candidate who does not qualify. We think this approach makes sense for child nutrition state directors as well. We suggest adding to 7 CFR 235.11(g)(1)(i) the following additional alternative qualifications for a candidate to be considered for the position of child nutrition state director:

- A Bachelor's degree in any field and 4 years of experience managing federal child nutrition programs at a state agency level;
- A Bachelor's degree in any field, 4 years of general program management experience, and a State recognized certificate for school nutrition directors; and

- A Bachelor's degree in any field, 4 years of general program management experience, and 500 hours of continuing education related to federal child nutrition programs

We also suggest adding a waiver process to allow the FNS Regional Office to approve a candidate who does not meet the current and proposed modified criteria when the state agency feels the candidate is well qualified through other means. We urge that this suggested waiver process should have a reasonable turnaround, such as 2-3 weeks, because hiring processes need to move fairly quickly or qualified candidates will take other positions. If no negative response is received from the Regional Office within that timeframe, the state agency should be allowed to hire the candidate. This would ensure that the state agency director position is not vacant for long periods of time. If USDA feels this is too lenient a waiver process for all states, we would suggest at least implementing it for the smaller states, who have the challenge of lower salary budgets, rural locations, a smaller pool of internal candidates from which to hire, and fewer large SFAs from which qualified candidates may be drawn.

We feel that these proposed modifications will give our member states the flexibility they need in the hiring process, while still ensuring that state directors are well qualified to meet the demands of the job. We appreciate the opportunity to comment, and hope you will take our recommendations into consideration.

Sincerely,

A handwritten signature in blue ink that reads "Angelice S. Lowe". The signature is written in a cursive style with a large initial 'A'.

Angelice Lowe, President

(g) Professional standards. State agencies must meet the minimum hiring and training standards established by FNS.

(1) Hiring standards for State directors of school nutrition programs. Beginning July 1, 2015, newly hired State agency directors with responsibility for the administration of the National School Lunch Program under part 210 of this chapter and the School Breakfast Program under part 220 of this chapter must have:

(i) Bachelor's degree with an academic major in areas including food and nutrition, food service management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, or a related field or a bachelor's degree with any academic major and a master's degree with an academic major in areas including food and nutrition, food service management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, or a related field;

(ii) Extensive relevant knowledge and experience in areas such as institutional food service operations, management, business, and/or nutrition education (experience in three or more of these areas highly recommended); and

(iii) Additional abilities and skills needed to lead, manage and supervise people to support the mission of Child Nutrition programs.

(iv) It is also strongly preferred that new hires possess:

(A) Both a bachelor's degree and a master's degree ~~Master's degree~~ with an academic major in areas including food and nutrition, food service management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, or a related field;

(B) At least five years of experience leading people in successfully accomplishing major multi-faceted projects related to child nutrition and/or institutional foodservice management; and

(C) Professional certification in food and nutrition, food service management, school business management or a related field as determined by FNS.

(2) Hiring standards for State directors of distributing agencies. Beginning July 1, 2015, newly hired State agency directors with responsibility for the administration of the distribution of USDA donated foods under part 250 of this chapter must have:

(i) Bachelor's degree in any academic major;

(ii) Extensive relevant knowledge and experience in areas such as institutional food service operations, management, business, and/or nutrition education; and

(iii) Additional abilities and skills needed to lead, manage and supervise people to support the mission of Child Nutrition programs.

(iv) It is also strongly preferred that new hires possess at least five years of experience in institutional food service operations.