



Office of the State Superintendent of Education

DISTRICT OF COLUMBIA
MAYOR ADRIAN M. FENTY

March 25, 2010

The Honorable Mary Cheh
Councilmember
Council of the District of Columbia
The John A. Wilson Building
1350 Pennsylvania Avenue, NW, Suite 108
Washington, D.C. 20004

Dear Councilmember Cheh,

I am writing to express my support for the *Healthy Schools Act of 2009*. I share your commitment to a healthier lifestyle for our children, and your legislation outlines a clear path moving forward. OSSE has been working with your staff for the past three months on this important piece of legislation, and we are pleased with your efforts to engage District agencies and community stakeholders. Respectfully, I would like to highlight a few concerns on the latest version of the legislation so that we can work together on a resolution.

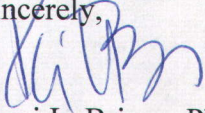
One of the newest provisions in the legislation would require OSSE to have test analyses conducted on school meals. Current USDA regulations require OSSE to do a School Meals Initiative review of each LEA at least once every five years. This review is a nutritional analysis of all of the lunches served in a one week period at a school and is done through USDA approved nutritional analysis software. Given that current requirements are in place, we will work with your staff to identify the best way to move forward on this provision.

As has been previously noted, we do have fiscal and capacity concerns with this legislation. We agree with the idea of incentivizing schools to meet the nutrition requirements for school meals, and to serve locally-grown and unprocessed foods; however, doing so would require additional funds and clarifying the language on reimbursing using local versus federal funding.

We also have capacity concerns for the Farm-to-School Program and the School Gardens Program, both of which OSSE would be responsible for monitoring. OSSE would have to dedicate at least one full time employee in order to carry out the specific requirements of the legislation. We look forward to working with your staff to discuss additional support in this area.

We appreciate your willingness to receive feedback and pull together stakeholders. OSSE is committed to continued coordination with your office to further strengthen the *Healthy Schools Act of 2009*.

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Briggs', written over the word 'Sincerely,'.

Kerri L. Briggs, Ph. D.
State Superintendent of Education