



No Changes Are Necessary to the State's Organization of School Nutrition Programs

at a glance

Florida's current organizational structure that divides school nutrition program functions between two state agencies is reasonable and has several advantages. The Department of Education is taking steps to resolve customer service issues reported by school districts.

Scope

As directed by the Legislature, OPPAGA reviewed Florida's school nutrition programs.¹ This report assesses the program's state-level organizational placement and addresses three questions.

- How are Florida's school nutrition programs organized, and how does this compare with other states?
- What are the advantages and disadvantages of Florida's current program structure?
- What would be the advantages and disadvantages of consolidating the school nutrition and commodity programs in Florida?

Separate OPPAGA reports assess the self-sufficiency of district school food service programs, evaluate the financial impact of implementing a statewide free breakfast program, and identify best practices for the efficient and effective operation of school district food service programs.

¹ Chapter [2008-190](#), *Laws of Florida*.

Background

Due to the relationship between good nutrition and student development and learning, both the federal and state governments have adopted policies for local school districts to operate school nutrition programs.²

The U.S. Department of Agriculture (USDA) administers four major school nutrition programs that support school district operations. Three of these programs—the National School Lunch Program, the School Breakfast Program, and the Summer Food Service Program—provide federal grants to the states. The Child Nutrition Commodity Program distributes food commodities to schools.³

Two state agencies have a role in administering these programs. The Florida Department of Education administers the National School Lunch, the School Breakfast, and the Summer Food Service programs.⁴ The department operates these programs through agreements with school districts

² The National School Lunch Act, as amended (42 U.S.C. 1751-1769), and the Child Nutrition Act of 1966, as amended (42 U.S.C. 1773), and Section 1006.06, *F.S.*

³ The United States Department of Agriculture also supports other food assistance programs in Florida, including the Child and Adult Food Care Program, which is administered by the Department of Health.

⁴ Schools in the National School Lunch or School Breakfast Programs may also participate in the Special Milk Program to provide milk to children in half-day pre-kindergarten and kindergarten programs where children do not have access to the school meal programs. The Special Milk Program provides milk to children in schools and childcare institutions who do not participate in other federal meal service programs. The program partially reimburses schools for the milk they serve.

and has a significant regulatory and oversight role with respect to the programs. The department is responsible for ensuring that federal funds are properly used and that school district food service programs meet federal and state guidelines. The department also provides technical assistance to school district programs to help them comply with federal regulations, enhance operational efficiency, and improve the quality and nutritional content of meals served. The department conducts federally mandated administrative compliance reviews of school district food service programs. These activities are performed by the Food and Nutrition Management section within the Bureau of School Business Services; this bureau is located within the Office of the Deputy Commissioner for Finance and Operations. The department has allocated 45 full-time and seven part-time staff to the program.

The Florida Department of Agriculture and Consumer Services administers the commodity program, and assists districts in selecting foods that they are entitled to receive from lists of commodities purchased by the USDA. These activities are performed by 18 staff in the Bureau of Food Distribution within the Division of Marketing.

To receive federal grants and commodities through the programs, local school districts must serve meals that meet federal nutritional requirements. They must also offer free or reduced price lunches to eligible children from low-income families. Within state and federal rules, districts select menus, prepare meals, set prices and collect revenue, and manage program operations.

Questions and Answers

How are Florida's school nutrition programs organized, and how does this compare with other states?

Florida's school nutrition programs are divided between two state agencies. The Department of Education administers the school lunch and breakfast programs and the Summer Food Service Program and ensures that these programs meet federal and state guidelines. The department develops state policies and procedures, provides training and technical assistance to district food service programs, and processes school districts' program applications and cash reimbursement

requests. The department conducts federally mandated administrative compliance reviews of school district food service programs.

The Department of Agriculture and Consumer Services administers the Child Nutrition Commodity Program, which provides food commodities purchased by the USDA directly to school districts. The department informs school districts of the types of food commodities that are available, which includes vegetable, fruit, dairy and meat products.⁵ The department also provides technical assistance to the districts in both ordering and using the commodities.

Federal law requires that state education agencies administer the school meals programs. However, federal officials report that two states, Texas and New Jersey, have sought and received federal approval to administer their school-based nutrition programs through their agricultural agency. In contrast, it is more frequent for the commodity program to be administered by the state education agency. For example, Georgia, Alabama, Mississippi, and South Carolina have each consolidated school nutrition programs within the state department of education.

What are the advantages and disadvantages of Florida's current program structure?

Florida's current practice of dividing school food nutrition program administration between the Department of Education and the Department of Agriculture and Consumer Services aligns program responsibilities with other functions of the two agencies. School districts report that they are generally satisfied with the current program structure. However, some districts report issues in working with the Department of Education, and these should be addressed.

The Department of Education provides leadership, technical assistance, and support to school districts in a wide range of educational program areas. The school nutrition program supports the Department of Education's core mission, which focuses on student achievement. The school nutrition program ensures that students receive the nutrition they need to facilitate effective learning.

⁵ Most food commodities are available in bulk quantities such as bulk packs of chicken drumsticks. However, the USDA has agreements with food processors to produce products such as chicken nuggets, so a district can obtain the commodities in more user-friendly packaging.

It is one of several non-instructional, educational support programs the department administers at the state level; others include transportation and facilities construction and management.

The current arrangement also enables the Department of Education to readily collect economic data from district food service programs, which it uses to determine district, school, and student eligibility for federal Title I funds, which are distributed to schools serving low income students. The department also uses this data to report No Child Left Behind Accountability measures to the federal government and to ensure that low income students in schools that do not meet federal accountability requirements are provided school choice options and supplemental student services.

The Department of Agriculture and Consumer Services administers the food commodity program. Placing the Child Nutrition Commodity Program within the Department of Agriculture and Consumer Services is consistent with its relationship with USDA and administration of nutrition and food marketing programs within Florida. This placement also leverages the department’s expertise in food quality, nutrition, and safety, which are key considerations in the commodity program. While the department does not have a direct role in supporting school districts, its administration of the federal commodity program also serves the Emergency Food Assistance Program, which provides emergency food and nutrition assistance to low-income Americans.

School districts are generally satisfied with the performance of the two departments in administering the programs. In September 2008, we surveyed the state’s 67 school districts to determine their level of satisfaction with the two state agencies involved in the administration of the school nutrition and commodity programs. Districts indicated general satisfaction with the performance of both agencies (see Exhibit 1). Over two-thirds of the districts’ responses indicated the districts were either satisfied or very satisfied with the performance of the Department of Education, and over 90% of the districts were either satisfied or very satisfied with the performance of the Department of Agriculture and Consumer Services.

However, survey responses from 13 school districts said the district was either dissatisfied or very dissatisfied with the performance of the Department of Education. In contrast, only one response indicated dissatisfaction with the performance of the Department of Agriculture and Consumer Services. The difference in satisfaction levels partly reflects the significant regulatory and oversight role played by the Department of Education in monitoring district program administration, whereas the Department of Agricultural and Consumer Services provides assistance to school districts in obtaining food commodities.

**Exhibit 1
School Districts Were Generally Satisfied With the Performance of the Two State Agencies**

District Response	Department of Education	Department of Agriculture and Consumer Services
Very Satisfied	22%	40%
Satisfied	46%	52%
Neutral	12%	5%
Dissatisfied	15%	2%
Very Dissatisfied	5%	0%

Source: OPPAGA analysis of survey responses.

Survey respondents cited three general areas the Department of Education’s Food and Nutrition Management Program could improve:

- responsiveness to district questions and requests for assistance;
- guidance and direction for the districts; and
- paperwork requirements.

The issues raised by survey respondents are management-oriented rather than organizational concerns. While they should be resolved, changing the program’s organizational structure would not necessarily address these concerns. Department of Education officials reported that they have taken several steps to address these issues in recent months, including personnel changes within the Food and Nutrition Management section, improvements in the training of district staff, and streamlining of paperwork. Four districts indicated that the Department of Education’s performance had improved in recent months.

What would be the advantages and disadvantages of consolidating the school nutrition and commodity programs in Florida?

If Florida were to consolidate the four school nutrition programs, the program could be placed within either the Department of Education or the Department of Agriculture and Consumer Services. The primary advantage of consolidation would be potential efficiencies resulting from placement of all of the school nutrition programs under a single agency. The primary disadvantage would be possible transitional issues related to moving a program from one agency to another, which can include the loss of experienced staff and short-term interruptions in program service. States that have consolidated programs have reported that the consolidated program works well. However, it is not clear that this step would produce substantial benefits for Florida.

Consolidating the programs within Florida's Department of Education would place all four school nutrition programs completely within the K-12 educational system. However, one issue that would need to be addressed if the programs were consolidated within the state's education agency is the placement of the Emergency Food Assistance Program, a commodity program which is not related to K-12 education. This could require separating the education and non-education components of the commodity program. Several states serve as models should Florida decide to consolidate the programs in the Department of Education. For example, Alabama administers all of the food commodity programs through its department of education, while South Carolina's Department of Education administers all of the school nutrition programs but not the Emergency Food Assistance Program. Administrators in both states indicated that housing the food distribution program within the education agency seems to work well in terms of policy making, administrative decisions, and communication among program staff.

Consolidating the programs within the Department of Agriculture and Consumer Services would take advantage of the department's food and nutrition mission and expertise. Officials in Texas and New Jersey indicated that consolidating the federal

programs into their agriculture departments had provided two primary benefits. First, it improved coordination between the various programs. Second, the officials said that consolidating the programs within the agriculture agency had increased program visibility and administrative support by functioning within a smaller agency, rather than as a non-curriculum program within the larger state education agency.

Officials in both Texas and New Jersey indicated that the primary disadvantage of consolidation was that it created transitional issues during the transfer. For example, when consolidation was being discussed, several Department of Education staff became concerned about the future of their positions and took other employment. As a result, after the transfer the Department of Agriculture had to hire new employees who were unfamiliar with the program, contributing to interruptions in the delivery of program services. In addition, a former USDA official familiar with the two states indicated that some school districts have found consolidation challenging because they had to report to and be responsive to the requirements of both state agencies.

Another challenge to consolidating school nutrition programs within the agricultural agency is that it could create either data sharing and/or duplicate data reporting issues. Federal regulations protect the privacy of student records, and school districts and the Department of Education are generally restricted from disclosing this data and must establish safeguards set up to protect this information. Thus, if the programs were transferred to the Department of Agriculture and Consumer Services, sharing of student enrollment and related information, which the agency would need for activities such as determining school-level participation rates, would need to be addressed. In addition, steps would need to be taken to ensure that school districts would not be required to provide duplicate data to both state agencies.

While these two consolidation models would be feasible in Florida, we found no compelling reason to change the current structure of Florida's school nutrition programs. The current structure aligns key program activities with the core missions of state agencies, and changing the structure would

not produce identifiable cost savings or other substantial benefits. Furthermore, transferring programs and functions from one agency to another would likely result in at least short-term disruptions in services to school districts.

Agency Response ---

In accordance with the provisions of s. 11.51(5), *Florida Statutes*, a draft of our report was submitted to the Department of Education and the Department of Agriculture and Consumer Services to review and respond. Both written responses have been reprinted herein in Appendix A.

OPPAGA supports the Florida Legislature by providing evaluative research and objective analyses to promote government accountability and the efficient and effective use of public resources. This project was conducted in accordance with applicable evaluation standards. Copies of this report in print or alternate accessible format may be obtained by telephone (850/488-0021), by FAX (850/487-3804), in person, or by mail (OPPAGA Report Production, Claude Pepper Building, Room 312, 111 W. Madison St., Tallahassee, FL 32399-1475). Cover photo by Mark Foley.

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Appendix A

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Dr. Eric J. Smith
Commissioner of Education

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January 15, 2009

Dr. Gary R. VanLandingham
Director, Office of Program Policy Analysis
and Government Accountability
Claude Pepper Building
111 West Madison Street, Room 312
Tallahassee, Florida 32399

Dear Dr. VanLandingham:

This memorandum provides the Department of Education's response to the revised draft report, "No Changes Are Necessary to the State's Organization of School Nutrition Programs."

We would like to expand on some of the points made in this report, including the relative size, complexity, and scope of responsibility for the programs administered by the Department of Education (DOE).

It is important to recognize that DOE currently administers and regulates four large and complex programs (National School Lunch Program, School Breakfast Program, Summer Food Service Program, and Special Milk Program) which provide more than \$600 million in federal funding. DOE is responsible for all programmatic oversight and regulation including, but not limited to, approval of applications, reimbursement of claims (and associated fiscal management), data collection and analysis, technical assistance and training, monitoring of program compliance, and enforcement of statutory and regulatory requirements.

Dr. Gary R. VanLandingham
January 15, 2009
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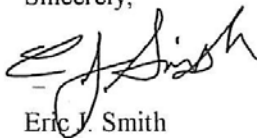
The findings and related recommendations contained in this report rely heavily on a survey designed to assess satisfaction of school districts with the services provided by DOE. Prior to receiving the results of this survey, DOE had already taken additional steps to address the issues raised by the survey results. Among those are:

- Provision of additional and systematic guidance through a series of policy memoranda and associated training.
- Increasing availability of and capacity for training through WebEx and other distance learning modalities.
- Reduction of paperwork and redundancies for districts, for example, establishment of one agreement between the district and DOE to cover all programs; changes in menu review requirements; simplification of production records and the renewal process; and reorganization of program staff to provide a single point of contact for all programs.
- Increasing flexibility for districts, for example, allowing alternate locations for Point of Service and providing for alternate methods of recording participation.
- Streamlining processes for districts by continuing to upgrade and enhance the capabilities of the Child Nutrition Program (CNP) Data Processing System.

Because the DOE has established and nurtured an extensive network of support for school districts in areas such as finance, transportation, reporting, and federal grants management; it is uniquely positioned to provide the intensive kinds of program oversight, administration, assistance, and compliance support required for school nutrition programs.

We appreciate the opportunity to respond to this draft report. Please let me know if you need additional information or clarification.

Sincerely,



Eric J. Smith
Commissioner



Florida Department of Agriculture and Consumer Services
CHARLES H. BRONSON, Commissioner
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Please Respond to:

January 6, 2009

Gary R. VanLandingham, Director
Office of Program Policy Analysis and Government Accountability
Claude Pepper Building, Room 312
111 West Madison Street
Tallahassee, Florida 32399-1475

Dear Mr. VanLandingham:

The following comments are provided in response to your review of the organizational placement of Florida's School Nutrition Program including the Department of Agriculture and Consumer Services.

We concur with your conclusion that there is no compelling reason to change the current organizational structure of the Florida's school nutrition programs. We agree that the current structure aligns key program activities with the core missions of state agencies, and that consolidating these programs would produce minimal benefits while creating the potential for transitory disruptions in the services provided to school districts.

We are pleased that the report acknowledges the high level of satisfaction achieved through the efforts of the Department of Agriculture and Consumer Services in their administration of the commodities component of the school nutrition program. We will continue to work diligently to provide exemplary service and assistance to Florida schools.

Our Department appreciates the interest and efforts of your staff and the professionalism they exhibited in helping improve the operations of state government.

Sincerely,

A handwritten signature in black ink that reads "Charles H. Bronson".

CHARLES H. BRONSON
COMMISSIONER OF AGRICULTURE

CHB/gb



Florida Agriculture and Forest Products
\$97 Billion for Florida's Economy