

## SB 281 Update

The California Department of Education (CDE), Nutrition Services Division (NSD) has been working incredibly hard to implement – as soon as possible – the *California Fresh Start* Pilot Program (CFS) established by SB 281, and its additional breakfast reimbursement for supplemental services of nutritious fruits and vegetables. Our goal, communicated to many of you, was to implement the CFS Pilot Program by the end of October.

NSD recently learned that CDE cannot implement the CFS without first adopting emergency state regulations in consultation with the Department of Food and Agriculture (CFA), Department of Health Services (DHS), and the State Board of Education (SBE), since the bill requires CDE to consult with these entities in its development of "...emergency regulations, as it deems necessary, to implement the program..." Accordingly, CDE must develop emergency regulations and establish guidelines for the evaluation of the program --- prior to implementing the program and going forward with the evaluation.

The CFS proposed emergency regulations and the evaluation plan will be presented to the SBE *at the absolute earliest opportunity* (and no later than January 2006). Upon approval of the emergency regulations, the program will begin.

Implementing the *California Fresh Start* program is NSD's absolute top priority. We have redirected a team of exceptionally dedicated and hardworking staff to develop these emergency regulations, and we expect that they will complete them next week. The emergency regulations will go through the CDE internal regulation review process and NSD will obtain the approvals of DFA and DHS before the regulations are presented to the SBE for its approval at the earliest possible opportunity.

Please note: Reimbursement cannot be claimed for servings of nutritious fruits and vegetables prior to the emergency regulations taking effect.

Please be assured that we are doing everything possible to implement this new program as soon as possible.

If you have any questions regarding this information, please contact Ronna Jakobitz at (916) 324-7133 or [rjakobit@cde.ca.gov](mailto:rjakobit@cde.ca.gov), or Rae Dalimonte at (916) 445-6775 or [rdalimon@cde.ca.gov](mailto:rdalimon@cde.ca.gov).