

APA-1

TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION

Control: 290

Department or Agency: State Board of Education State Department of
Education

Rule No.: 290-080-030-.05

Rule Title: School-Based Child Nutrition Program Personnel

Intended Action Amend

Would the absence of the proposed rule significantly harm or
endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police
power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available
that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly
increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm
that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the
purpose of, and so they have, as their primary effect, the
protection of the public? Yes

Does the proposed action relate to or affect in any manner any
litigation which the agency is a party to concerning the subject
matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be
accompanied by a fiscal note prepared in accordance with subsection (f) of Section
41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance
with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it
conforms to all applicable filing requirements of the Administrative Procedure
Division of the Legislative Services Agency.

Signature of certifying officer

Eric G. Mackey
Eric Mackey

Date

Monday, September 15, 2025 SEP 15, 2025

REC'D & FILED
LEGISLATIVE SVC AGENCY

STATE BOARD OF EDUCATION
STATE DEPARTMENT OF EDUCATION

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Education

RULE NO. & TITLE: 290-080-030-.05 School-Based Child Nutrition
Program Personnel

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

To amend the Rule regarding personnel in school-based child nutrition programs.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

A public hearing will be held on November 13, 2025, beginning at 10:00 a.m. at the Auditorium, Plaza Level, Gordon Persons Building, 50 North Ripley Street, Montgomery, AL. All persons who wish to express their views should contact the State Superintendent of Education (334-694-4900) no later than November 4, 2025, to be scheduled on the agenda. All persons who wish to express their views in writing must address written comments to the State Superintendent of Education, Gordon Persons Building, Post Office Box 302101, Montgomery, AL 36130-2101.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, November 4, 2025

CONTACT PERSON AT AGENCY:

Angelice Lowe
Child Nutrition Programs
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Education
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Eric G. Mackey

Eric Mackey

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

School-Based Child Nutrition Program
~~Pesonne~~Personnel.

(1) **Definitions.**

~~(a)~~ Child Nutrition Program (CNP). As used in this ~~rule~~Rule, the term refers to nonprofit school nutrition programs that receive funds from the U.S. Department of Agriculture.

~~(b)~~ Equivalent educational experience. The equivalent educational experience for an associate's degree is at least ~~360~~360 semester hours of earned credit from an accredited institution. The equivalent educational experience for a bachelor's degree is at least ~~6120~~6120 semester hours of earned credit from an accredited institution.

~~(c)~~ Local Education Agency (LEA). A public board of education or other public or private ~~non-profit~~nonprofit authority legally constituted in Alabama for either administrative control or direction of public or private ~~non-profit~~nonprofit schools.

~~(d)~~ School Food Authority (SFA). The governing body which is responsible for one or more schools and has the legal authority to operate child nutrition programs under the U.S. Department of Agriculture.

(e) School Nutrition Association (SNA). The national, nonprofit professional organization for school nutrition personnel.

(f) School Nutrition Specialist (SNS). A credential issued by the School Nutrition Association (SNA) based on passing the School Nutrition Specialist exam, demonstrating the knowledge and competencies necessary to managing school nutrition programs, and continuing professional development.

(2) **Effective Date.** The effective date for the rules, regulations, certifications, and program requirements referenced herein is August 15, 2023.

(3) **Child Nutrition Program (CNP) Director.** The governing body of each School Food Authority (SFA) shall employ a CNP Director. The CNP Director is responsible for the supervision and administration of the nutrition programs at the local education agency (LEA). ~~Requirements~~

~~(a)~~ Hiring requirements for the position depend on the number of enrolled students in the system, as defined in the federal regulation 7 C.F.R. 210 School Nutrition program professional

standards and guidance for Professional Standards for State and Local State School Nutrition Programs Personnel—~~as Required by the Healthy, Hunger Free Kids Act of 2010 and the Hiring Flexibility under Professional Standards of 2019.~~

~~(4) **Hiring Standards for New Child Nutrition Program (CNP) Directors.** New CNP Directors must meet the following hiring standards.~~

~~(a) If student enrollment is 2,500 or more, one of the following~~ (b) The governing body of the SFA retains authority to have more restrictive hiring requirements must be met.

~~1. Bachelor's degree or higher from an accredited institution, with an academic major in food and nutrition, food service management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, food science, community nutrition and marketing, hospitality management, or a related field.~~

~~2. Bachelor's degree or higher from an accredited institution in any academic major and one of the following:~~

~~(i) An Alabama recognized certificate from another state.~~

~~(ii) The School Nutrition Specialist (SNS) credential from the School Nutrition Association (SNA).~~

~~3. Bachelor's degree or higher from an accredited institution in any academic major and at least five years of experience in the management of school nutrition programs.~~

~~(b) If student enrollment is 2,499 or fewer, one of the following requirements must be met:~~

~~1. Bachelor's degree or higher from an accredited institution, with an academic major in food and nutrition, food service management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, food science, community nutrition and marketing, hospitality management, or a related field.~~

~~2. Bachelor's degree or higher from an accredited institution in any academic major; and the State-recognized School Nutrition Specialist (SNS) credential from the School Nutrition Association (SNA).~~

~~3. Bachelor's degree or higher in any academic major and at least one year of relevant institutional food service experience.~~

~~4. Associate's degree from an accredited institution or equivalent educational experience, with an academic major in food and nutrition, food service management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, food science, community nutrition and marketing, hospitality management, or a related field and at least one year of institutional food service experience. Any individual employed under this requirement must earn a bachelor's degree in any major or earn the State-recognized School Nutrition Specialist (SNS) credential within three years of the date of employment.~~

~~(4) Temporary Exception for Hiring Child Nutrition Program (CNP) Directors.~~ The ALSDE Director of Child Nutrition Programs may approve a request from an SFA to employ an individual as a for the CNP Director for up to three years from the date of employmentposition.

(e) A CNP Director who does not meet ~~any option above but meets one of the options below:~~

~~(a) Holds at least an earned associate's degree from an accredited institution; has two years of institutional food service work experience; completes State-approved training for new CNP Directors; and earns the School Nutrition Specialist (SNS) Credential from the School Nutrition Association (SNA) within three years of the date of employment. (Individuals must meet degree and specific coursework requirements prior to taking the SNS Credentialing Exam.) If the person does not earn a passing score within three years, the federal funds~~Professional Standards ~~may not be used to pay the person's salary~~paid with CNP funds.

~~(b) Holds at least an earned bachelor's degree or higher from an accredited institution; completes State-approved training for new CNP Directors; and earns the School Nutrition Specialist Credential (SNS) from the School Nutrition Association (SNA) within three years of the date of employment. (Individuals must meet degree and specific coursework requirements prior to taking the SNS Credentialing Exam.) If the person does not earn a passing score within three years, federal funds may not be used to pay the person's salary.~~

~~(5)~~ (4) **Requirements for the Alabama Professional Child Nutrition Program (CNP) Director Certificate.** CNP Directors in school

systems with a student enrollment of 2,500 and above are required to have a valid Alabama Professional Child Nutrition Program Director Certificate issued by the Teacher Certification section of the ALSDE. Smaller school systems are strongly encouraged to hire certified CNP Directors. Additional information is provided in ~~the next section, (6) Exception for Certified CNP Directors in Small School Systems~~ section (5) in this Rule.

(a) Option 1. Bachelor's Degree in Field and Relevant Experience. Both requirements below must be met.

1. At least an earned bachelor's degree from an accredited institution with an academic major in food and nutrition, food service management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, food science, community nutrition and marketing, hospitality management, or a related field. At least four of the courses must be in food and nutrition.

2. A minimum of 1,400 clock hours of compensated food service management, or an acceptable alternative ~~to that~~ must be approved by the State Superintendent of Education, to include but not limited to, supervisory and/or administrative experiences attained within the five years immediately preceding the date of application.

(b) Option 2. Bachelor's Degree and Specified Coursework. All requirements below must be met.

1. An earned bachelor's degree from an accredited institution degree in any major.

2. Specific coursework within three years from the date of employment:

(i) Nine semester hours in food and nutrition,

(ii) Three semester hours in quantity food production,

(iii) Three semester hours in quantity purchasing,

(iv) Three semester hours in personnel management, and

(v) Three semester hours in accounting.

3. Verifies a minimum of 1,400 clock hours of compensated food service.

(c) Option 3. Bachelor's Degree and School Nutrition Specialist (SNS) Credential. Both requirements below must be met.

1. An earned bachelor's degree from an accredited institution in any major.

2. The School Nutrition Specialist (SNS) Credential from the School Nutrition Association (SNA). Individuals must meet degree and specific coursework requirements prior to taking the School Nutrition Specialist (SNS) Credentialing Exam.

(d) Option 4. Bachelor's Degree, Training, and Experience. All requirements below must be met.

1. An earned bachelor's degree from an accredited institution in any major.

2. At least five years of experience at least at the level of a school food service manager.

(e) Option 5. Bachelor's Degree and a CNP Director Certificate from Another State. Both requirements below must be met.

1. An earned bachelor's degree from an accredited institution in any major.

2. A CNP director certificate from another state.

~~(6)~~ (5) ~~Exception for Certified~~ Exemption to Certification Requirements Available

for CNP Directors in Small School Systems. School systems with an enrollment of 2,499 or ~~less~~ fewer students may use any of the certification options above or may request an ~~exception~~ exemption from the ALSDE Director of Child Nutrition Programs to allow the continued employment of an individual who does not hold at least an earned bachelor's from an accredited institution. The individual must meet all the following criteria.

(a) A high school diploma (or GED).

(b) At least three years of school food service management experience.

(c) State-approved training for new CNP Directors.

(d) A Level 4 Certificate from the School Nutrition Association (SNA).

~~(7) **Hiring Standards for Site Managers.** Each site that provides meals shall employ a manager. Managers are not required to hold a certificate. A CNP Director may also serve as a site manager.~~

~~(a) Each manager of a food service operation at the site level must have at least a high school equivalency diploma and three years of school food service or related work.~~

~~(b) If an acceptable candidate meeting the educational requirement is not available, the governing body may employ a manager on the condition that the educational requirement be met within one year from the date of employment. A manager so employed who fails to meet the educational requirement within the prescribed time limits shall not be continued in employment as a CNP manager.~~

Author: Dr. Eric G. Mackey

Statutory Authority: Code of Ala. 1975, §§16-3-11 through 12, 16-3-19, 7 CFR Part 210.

History: New Rule: Filed June 14, 1994; effective July 9, 1994.

Repealed and New Rule: Published June 30, 2023; effective August 14, 2023. Amended: Published ; effective .