

# USDA Child Nutrition Programs

## Administrative Review Summary Report

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School Food Authority: St Mary School

Agency Code: 11718

School(s) Reviewed: St Mary School

Review Date(s): January 9-10, 2018

Date of Exit Conference: Jan 10, 2018

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State agencies (SA) are required to conduct administrative reviews to assess School Food Authority (SFA)'s administration of the National School Lunch Program (NSLP), School Breakfast Program (SBP), and other school nutrition programs. The objectives of the Administrative Reviews are to:

- Determine whether the SFA meets program regulations,
- Provide technical assistance,
- Secure needed corrective action,
- Assess fiscal action, and when applicable, recover improperly paid funds.

### General Program Reminders/Updates:

- The Department of Public Instruction (DPI) School Nutrition Team (SNT) conducts School Nutrition Skills Development Courses (SNSDC) each summer in various locations around the state at no charge. Courses cover many areas of the school nutrition programs including administrative responsibilities, program basics, meal pattern requirements and menu planning, financial management, professional standards, meal benefit determination process, procurement, and many other topics. More information along with other upcoming trainings and webinars can be found on the Wisconsin DPI [School Nutrition Training](http://dpi.wi.gov/school-nutrition/training) webpage (dpi.wi.gov/school-nutrition/training).
- SFA staff are encouraged to pursue GOALS Certification. GOALS stands for Goal Oriented Achievement Learning Skills. This is a certificate endorsed by the DPI and is obtained by completing training in nutrition, program administration and operations, and communications and marketing. For more information go to the Wisconsin DPI [School Nutrition Training](http://dpi.wi.gov/school-nutrition/training/goal-oriented-achievement-learning-skills) webpage (dpi.wi.gov/school-nutrition/training/goal-oriented-achievement-learning-skills).
- The US Department of Agriculture has a toolkit of resources to assist schools in meeting the nutrition standards on their [Healthier School Day: The School Day Just Got Healthier](http://www.fns.usda.gov/healthierschoolday) webpage. The topics covered include Smart Snacks, offering fruits and vegetables, reducing sodium, and serving whole grain-rich products (http://www.fns.usda.gov/healthierschoolday).

- [The Smarter Lunchrooms Movement](http://smarterlunchrooms.org) encourages schools to implement low-cost and no-cost lunchroom solutions to help students' select healthier meal options (<http://smarterlunchrooms.org>). Smarter Lunchroom techniques are easy to begin implementing and do help encourage student consumption of fruits, vegetables, legumes, non-flavored milk, and other healthful choices. These strategies are effective and research-based. Consider trying the Smarter Lunchroom techniques for [increasing consumption of white milk](https://www.smarterlunchrooms.org/scorecard-tools/smarter-lunchrooms-strategies#Milk) (<https://www.smarterlunchrooms.org/scorecard-tools/smarter-lunchrooms-strategies#Milk>).

### **Appreciation/Commendations/Noteworthy Initiatives:**

Thank you to the staff at St Mary's for the courtesies extended to us during the on-site review. Thank you for being available when answering questions and providing additional information. All were very receptive to recommendations and guidance. In addition, thank you for taking the time to respond to the off-site questions and requests, as well as pulling records for the on-site portion of the review.

## **REVIEW AREAS**

### **1. MEAL ACCESS AND REIMBURSEMENT**

#### **Certification and Benefit Issuance**

#### **Commendations/Comments/Technical Assistance/Compliance Reminders**

##### **Carry Over**

- SFAs are required to adhere to the 30 operating day meal benefit carryover procedure. For up to 30 operating days into the new school year (or until a new eligibility determination is made, whichever comes first) an individual child's free or reduced price eligibility status from the previous year will continue. When the carryover period ends, unless the household is notified that their children are directly certified or the household submits an application that is approved, the children's meals must be claimed at the paid rate. A [template letter for expiring benefits](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/letter-to-households-1718.doc) (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/letter-to-households-1718.doc>) is available and may be adapted so that it is specific to the SFA and individual schools.

##### **Household Notification Letters**

- SFAs must notify all households of application denial in writing. Approved applications can be notified in writing, email, or verbally; however, written communication is encouraged. Any letters sent to households regarding Child Nutrition Programs must contain the correct non-discrimination statement.

##### **Free and Reduced Price Meal Applications**

- Applications must be reviewed in a timely manner. An eligibility determination must be made, the family notified of its status, and the status implemented within 10 operating days of the receipt of the application.
- Children are eligible for free or reduced price meal benefits on the date their eligibility is determined by the Determining Official.
- All free/reduced applications and the direct certification runs were available for review. All applications have been approved and students are receiving the benefits they have been determined eligible for.
- When an application only has one frequency of payment indicated for all of their reported incomes on the application, the income should not be converted to annual, but using the [Income Eligibility Guidelines](#) one would look at the amount of their income under the column indicating that frequency (i.e., weekly, twice monthly, every two weeks, monthly, annually).
- When a household has income in addition to a loss from a business, that income must be included on the free and reduced application in full and is not offset by the business loss. A business loss (negative dollar amount) would become \$0 for the income on the application

### **Household Size Box**

- The total household member size box (Step 3G) includes all children and adults in the household and must match the number of names on the application for the application to be considered complete.

### **Incomplete Applications**

- Any application that is missing required information, contains inconsistent information, or is unclear is considered an incomplete application and may not be determined until clarified. The SFA may return the application to the household or contact the child's parent or guardian either by phone or in writing/email. The determining official should document the details of the conversation plus date and initial. Applications missing signatures must be returned to the parent to obtain. Reasonable effort should be made to obtain the missing information prior to denying the application.

### **Application Forms**

- If an SFA wishes to change the look or format of the application for Free or Reduced-price school meals or other forms in the application packet, that document needs to be approved by the School Nutrition team at DPI.

### **Limited English Proficiency (LEP)**

- Application materials and other communications with households concerning eligibility determinations must be provided in a language that parents or guardians can understand in order to diminish any language barriers to participation for individuals with limited English proficiency.
- The USDA Food and Nutrition Service (FNS) website offers many other [foreign language translations of the Application for Free and Reduced Price School Meals](https://www.fns.usda.gov/school-meals/translated-applications) (<https://www.fns.usda.gov/school-meals/translated-applications>). The nonprofit food

service account may be used to pay for translation services if there is a need to translate materials in a language that is not currently available.

### **Public Release**

- All SFAs are required to distribute a [Public Release](#) before the start of the school year (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/free-reduced-applications#apps>). The purpose is to inform the public that free and reduced price meals are available. SFAs must annually distribute the Public Release to:
  - Local news media
  - Grassroots organizations (local organizations providing services to populations in need)
  - Major employers contemplating or experiencing large layoffs
  - Local Unemployment Office (as applicable)
- SFAs are not required to pay to have the public release published but must maintain documentation of whom it was sent to along with the specific materials distributed.

### **Independent Review of Applications**

- LEAs that have a 5% or higher error rate during the certification review of the Administrative Review are be required to conduct a second review of applications in the following school year.

### **Findings and Corrective Action Needed: Certification and Benefit Issuance**

**❑ Finding:** The finding was the SFA was using an outdated application. In addition, it was noted that the application instructions were outdated. Also, the parent letter which is known as *frequently asked questions letter* was not distributed to households. **Technical assistance** was required. There was only one application for review and this was considered incomplete due to total household members' box not being available for the household to fill out. The application and the error is recorded on the SFA1 form.

**Corrective Action Needed:** Please submit a summary statement of what the SFA will do to correct this problem in the future. Include in this statement what the requirements are for distributing application materials and what the SFA will do to meal these application materials requirements. It is encouraged the SFA review the eligibility manual and the Free and Reduced webpage for guidance.

**❑ Finding:** The SFA did not follow the required procedures for carryover of free and reduced meal benefits from the previous school year as outlined above.

**Corrective Action Needed:** Please provide a statement that going forward proper benefit carryover procedures will be followed as outlined above and in the annual [Eligibility Manual](#). (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/eligibility-manual.pdf>).

**❑ Finding:** The notification letters sent out to households regarding meal benefits were outdated and did not contain the correct non-discrimination statement.

**Corrective Action Needed:** Notification letters were corrected on-site; no further action required.

## Verification

### Commendations/Comments/Technical Assistance/Compliance Reminders

- Verification is only required when eligibility is determined through the application process, and is not required for eligibility determinations made through the direct certification process. Each year schools must annually verify eligibility of children from a sample of household applications approved free and reduced price benefits for that school year.
- When applications are chosen for verification, the person designated as the Confirming Official must review the application(s) to ensure the initial determination is correct prior to contacting the family. There is a place for the Confirming Official to sign and date on the back of the application.

### Findings and Corrective Action Needed: Verification

**Finding:** The finding was that there was no indication that a confirmation review took place.

**Corrective Action Needed:** Please review the verification website and verification webcasts and submit a statement on the process the SFA will use in the future regarding the confirmation review.

**Finding:** The finding was the SFA used the wrong income provided by household to determine current eligibility for verification.

**Corrective Action Needed:** Please submit a statement on what income the SFA will in the future for verification in determining meal benefits.

## Meal Counting and Claiming

### Commendations/Comments/Technical Assistance/Compliance Reminders

- Meals may only be charged to a student upon receipt of a reimbursable meal to assure proper benefits issuance.
- When entering the claim it is necessary to use the edit check to calculate your reimbursable meals by site for claim submission.
- Meals must be offered to all students each day school is in session a full day, so DPI has created [Field Trip meal resources](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning) to help schools offer student meals (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning>).

## **Findings and Corrective Action Needed: Meal Counting and Claiming**

**□ Finding:** The finding was edit checks were not being used correctly. **Technical assistance** was required.

**Corrective Action Needed:** Please submit a month of edit checks using the DPI edit check that was provided while on-site.

## **MEAL PATTERN AND NUTRITIONAL QUALITY**

### **Commendations and Appreciations**

Thank you to the Food Service Director and school nutrition professionals at St. Mary School. We appreciate your time and effort spent preparing for and participating in the onsite review. The Food Service Director demonstrated a thorough understanding of program requirements, which she implements to prepare and serve appealing, balanced meals to the students of St. Mary School. The Food Service Director asked thoughtful questions and responded quickly and positively to feedback. Students are offered two different portion sizes of fruits and entrees, which allows them to select the amounts they are hungry for while minimizing food waste.

### **Technical Assistance and Program Requirement Reminders**

#### **Daily and Weekly Minimum Requirements**

One daily and two weekly minimum requirements were not met during the week of review. On Wednesday, December 6, one-quarter cup of baked beans and one-half cup of mixed greens (spring mix and romaine) were offered. Leafy greens credit as half the volume served, so one-half cup of mixed greens credited as one-quarter cup of dark green vegetable. Therefore, the daily minimum requirement of three-quarter cups of vegetables was not met. Additionally, one-quarter cup of baked beans did not meet the weekly vegetable subgroup requirement of one-half cup for beans and peas (legumes).

A peanut butter sandwich is offered daily as an alternate entrée. Offered with #20 scoop of peanut butter and two slices of whole grain-rich bread, each sandwich credits as 1.5 ounce equivalents of meat/meat alternate and 2.5 ounce equivalents of grain. Offering the peanut butter sandwich daily contributed to a shortage of the weekly minimum requirement for meat/meat alternate. For age/grade group K-5, the shortage was 1.0 ounce equivalents; for age/grade group 6-8, the shortage was 2.0 ounce equivalents.

**Repeat violation during subsequent Administrative Reviews will be subject to fiscal action.**

#### **Production Records**

The lunch production record template currently in use is missing required information. While there is no required production record template, there are some examples that may be used on our [Production Records](http://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/production-records) webpage (<http://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/production-records>). An annotated copy of the production record requirements (“Must Haves and Nice to Haves” list) was left onsite. Current templates must be updated to include the following required information for continued use: serving site;

menu type; total number of purchase units prepared; total number of portions prepared and number of portions leftover; planned portion size for condiments.

### **Watermarked Child Nutrition (CN) Labels**

A CN label with a watermark is used when the CN logo and contribution statement are used on product information other than the actual product carton and is presented as a separate document. Manufacturers may provide schools with a CN label with a watermark during the bidding process or on their websites (e.g. Coyote Grill® 51% WG Cheese Quesadilla; Klements Lower Sodium Frankfurters; Advance Pierre Foods Breaded Chicken Breast Patties; High Liner Breaded Minced Cod Rectangle 3 oz.). Original CN labels on product cartons will not have a watermark. Product information on the CN label with a watermark can be changed. CN labels must be verified and collected from boxes as products are delivered. Once labels have been collected, check when new shipments arrive to determine if crediting towards the meal pattern has changed.

### **Corrective Action**

**Meal Pattern Finding #1:** The required 1/2 cup fruit, vegetable, or fruit vegetable combination statement is missing from signage.

**Required Corrective Action:** Add a statement to your current signage stating a student must select at least ½ cup fruit, vegetable, or fruit/vegetable combination as part of his or her reimbursable meal. **Submit a photo of updated signage.**

**Meal Pattern Finding #2:** Daily and weekly minimum requirements for vegetables and vegetable subgroups were not met for lunch during the review period as a result of one-quarter cup of baked beans and one-half cup of mixed greens (spring mix and romaine) offered on Wednesday, December 6. One-half cup of mixed greens credits as one-quarter cup of vegetable, resulting in a one-quarter cup daily shortage. One-quarter cup of baked beans did not meet the weekly vegetable subgroup requirement of one-half cup for beans and peas (legumes). **Repeat violation during subsequent Administrative Reviews will be subject to fiscal action.**

**Required Corrective Action:** Please submit a statement describing how you will meet the minimum daily requirements going forward. **Per discussion with the food service director, the baked bean portion size will be increased from one-quarter cup to one-half cup. This satisfies both daily and weekly minimum requirements. No further action is required.**

**Meal Pattern Finding #3:** Weekly minimum requirement for meat/meat alternate was not met for lunch during the review period. For age/grade group K-5, the shortage was 1.0 ounce equivalents; for age/grade group 6-8, the shortage was 2.0 ounce equivalents. **Repeat violation during subsequent Administrative Reviews will be subject to fiscal action.**

**Required Corrective Action:** Please submit a statement describing how you will meet the minimum daily requirements going forward. Consider adjusting the peanut butter sandwich recipe to increase the amount of peanut butter from 1.5 ounce equivalents to 2.0 ounce equivalents or adding a meat/meat alternate to the menu, such as string cheese or yogurt.

## 2. RESOURCE MANAGEMENT

### Nonprofit School Food Service Account

#### Commendations/Comments/Technical Assistance/Compliance Reminders

##### **Annual Financial Report (AFR):**

- All revenues including reimbursements and student payments, and expenses including food, labor, equipment, purchased services, and other need to be entered into the program to which they belong, and this will aid the school in calculating its “yearly” reference period for nonprogram food compliance which is highly recommended. The new [16-17 Annual Financial Report instructions](#) are located on our website (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/annual-financial-report-instructions.pdf>).
- When a student deposits funds in their lunch account which will be used for meal purchases, the amount received is not treated as revenue until the meal has actually been served to the student. The amount of funds on hand in student accounts is treated as a deposit or liability account in either the foodservice fund (Fund 50) or the general fund (Fund 10) until the meal is served at which point the deposit account is converted to revenue. This amount should not be recorded as revenue, or part of the fund balance on your Annual Financial Report.
- The ending balance on June 30 from the previous year needs to be the beginning balance on July 1 for the current year.
- The ending balance, on June 30, can never be a negative balance. A transfer must be made from the non-federal funds to bring the ending balance to \$0.00.
- The school food service fund may not have an ending fund balance in excess of 3 month operating expenses, as this is considered “Excess Cash Balance”.
- These categories of the AFR that should be addressed when tracking revenues and expenditures include:
  - Expenses for paper supplies, chemicals, thermometers, etc., should be reported under “Other”. Only expenses for edible food items and beverages should be reported under “Food”.
  - “Equipment” should reflect major purchases of equipment. Utensils, pans, smaller equipment such as a cart, etc., should be reported under “Other”.
  - Under “Purchases Services” you should be reporting any time you pay someone for services provides such as equipment repair and health inspections.
  - Under “Ala Carte”, you should be reporting the expenses for any food items served to students that are not claimed as part of the reimbursable meal. Revenues and expenses from adult meals would also be included here.
  - When revenues are recorded from the federal reimbursement payments, you want to make sure that you are recording the full reimbursement based on the printed claim form and not what is actually deposited into your account. As you will note on the claim, there may be money deducted from shipping, handling and processing fees for USDA Foods. The amount deducted from your revenue should be reported

as a food expenditure.

### **Allowable Costs**

- The nonprofit school food service account is to be used for the operation of the school meal program including food, supplies, equipment and personnel.
- The nonprofit school food service account may not be used to purchase land and/or buildings unless approved by FNS.
- Allowable costs are defined in 2 CFR 200 Subpart E and should be necessary, reasonable and allocable. More information on allowable costs can be found within the [Indirect Costs guidance](http://dpi.wi.gov/school-nutrition/national-school-lunch-program/financial) (<http://dpi.wi.gov/school-nutrition/national-school-lunch-program/financial>).
- Bad debt is an unallowable expense to the food service program. A transfer must be made from non-federal funds to cover student account write-offs. [SP23-2017 Unpaid Meal Charges guidance Q & A](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sp-23-2017.pdf) may be found our [Financial Management](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sp-23-2017.pdf) webpage (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sp-23-2017.pdf>; <https://dpi.wi.gov/school-nutrition/national-school-lunch-program/financial>).

### **Unpaid Meal Charge Policy**

- USDA Policy Memorandum SP 46-2016 requires all SFAs operating federal school meal programs, by July 1, 2017, to have a written and clearly communicated policy that addresses unpaid meal charges. For a snap-shot on what the policy must include, see the [Unpaid Meal Charges In a “Nutshell”](http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/unpaid-meal-charges-nutshell.pdf) (<http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/unpaid-meal-charges-nutshell.pdf>). For a more comprehensive overview, see SP 23-2017: [Unpaid Meal Charges Guidance](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sp-23-2017.pdf): <https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sp-23-2017.pdf>
  - Best Practices
  - Local meal charge policy checklist
  - Sample outstanding balance letter
  - Sample robo-call script

### **Findings and Corrective Action Needed: Nonprofit School Food Service Account**

**□ Finding:** The finding was that non-program foods are not being broken out for the annual financial report.

**Corrective Action Needed:** Please provide a statement how this will be corrected in the future.

### **Paid Lunch Equity**

### **Commendations/Comments/Technical Assistance/Compliance Reminders**

### **Findings and Corrective Action Needed: Paid Lunch Equity**

❑ **Finding:** The PLE tool was completed using the incorrect weighted average price in Step 1. Note that the lunch prices were increased by the appropriate amount for the current school year despite the incorrect weighted average price from school year 2016-17 being used.

**Corrective Action Needed:** Please correct the PLE tool and upload the updated version to the online contract.

## Revenue from Nonprogram Foods

### Commendations/Comments/Technical Assistance/Compliance Reminders

- Nonprogram foods include: Adult Meals, A la Carte, Extra Entrees, Extra Milk (for cold lunch or milk break), Vended Meals (meals sold to other agencies), Catered Meals, and Food Service operated Vending Machines.
- All nonprogram food costs including food, labor, equipment, and purchased services must be covered by revenues received from the sale of those foods. Nonprogram foods may not be supported by reimbursable meals or have a nonprogram foods loss absorbed by the food service account. Thus nonprogram foods may never run in the negative unless non-federal funds are transferred into the food service fund to cover the deficit.
- Nonprogram Food costs and revenues must be separated from program food costs and revenues.
- If applicable, The USDA Nonprogram Revenue Tool must be completed yearly, at a minimum. The [DPI Nonprogram Food Revenue Tool/Calculator](#) located on our website feeds into the USDA tool and aids in calculating prices of nonprogram foods and meeting the USDA nonprogram food regulation (<http://dpi.wi.gov/sites/default/files/imce/school-nutrition/xls/non-program-food-price-calculator.xlsx>).

$$\frac{\text{Nonprogram food revenue}}{\text{Total program and nonprogram revenue}} \geq \frac{\text{Total nonprogram food costs}}{\text{Total program and nonprogram food costs}}$$

- SFAs that sell only nonprogram milk and adult meals as nonprogram foods are [exempt](#) from completing the USDA Nonprogram Food Revenue tool. Technical assistance was provided.

### Adult Meals

- Adult meals are considered non-program foods. Food service programs must price adult meals above the overall cost of the meals. Since adult meal costs can be difficult to calculate, SFAs must, at a minimum, follow the minimum pricing guidelines in Food Nutrition Services Instruction 782-5.
- A [Wisconsin Adult Meal Pricing Worksheet](#) has been developed to assist you in pricing adult meals (<http://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/wisconsin-adult-meal-pricing-guide.doc>).

## Resources

- [Nonprogram Foods Revenue Rule SP-20-2016](http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sp-20-2016.pdf) (http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sp-20-2016.pdf)
- [Nonprogram Foods In a "Nutshell"](http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/nonprogram-foods-in-a-nutshell.pdf) (http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/nonprogram-foods-in-a-nutshell.pdf)

## Findings and Corrective Action Needed: Revenue From Nonprogram Foods

□ **Finding:** The non-program foods revenue tool has not been completed for the current school year as required due to non-program foods being sold. It was mentioned that the non-program foods (mid-morning snacks) that are being sold may be discontinued.

**Corrective Action Needed:** Please complete and submit the non-program foods revenue tool for the current school year or submit a statement if non-program foods (mid-morning snacks) will be discontinued.

## 3. GENERAL PROGRAM COMPLIANCE

### Civil Rights

#### Commendations/Comments/Technical Assistance/Compliance Reminders

##### **Nondiscrimination Statement**

- When including the [non-discrimination statement](#) on letters, menus, website, and other documents used to convey program information, it is necessary to use the current statement which was updated in October 2015 (http://dpi.wi.gov/school-nutrition/national-school-lunch-program/civil-rights). However, when space is very limited, such as on the printed menus, the abbreviated statement may be used, "**This institution is an equal opportunity provider.**" Both statements should be in the same size font as the other text in the document.

##### **And Justice for All Poster**

- "And Justice for All" posters need to be posted in public view where the program is offered.

##### **Civil Rights Training**

- Civil rights training must be conducted on a yearly basis for all staff and volunteers who administer any portion of a school nutrition program.

##### **Civil Rights Self-Compliance Form**

- The [Civil Rights Self-Evaluation Compliance](#) form is required to be completed by October 31 annually.

### **Special Dietary Needs**

- SFAs must accommodate dietary requests that are supported by a signed medical statement from a licensed medical practitioner. Meals served to students with special dietary needs who have a signed medical statement from a licensed medical practitioner do not need to meet meal pattern requirements. Additional information on [special dietary needs](http://dpi.wi.gov/school-nutrition/national-school-lunch-program/special-dietary-needs) can be found on the DPI School Nutrition Team website (<http://dpi.wi.gov/school-nutrition/national-school-lunch-program/special-dietary-needs>).
- School food service staff may make food substitutions, at their discretion, for children for whom they do not have a signed medical statement from a licensed medical practitioner. It is highly recommended that the SFA have a completed medical statement on file from a medical authority (which could be the school nurse) to support the request. Accommodations made for students without a signed medical statement from a licensed medical practitioner must meet the USDA meal pattern requirements in order for the meals to be reimbursable. It is recommended that the SFA develop a policy for handling these types of accommodations to ensure that requests are equitable for everyone.
- Juice may not be substituted for fluid milk unless juice is specified as a substitution on a medical statement signed by a licensed medical practitioner. Water is available to all students, lactose free milk may be offered, or schools may choose to provide a fluid milk substitute that meets the nutritional requirements set forth by USDA. If choosing to provide a fluid milk substitute, you must notify our office in writing and provide the nutrition information from the product you will be using. For more information on [fluid milk substitutes](#), please see our Special Dietary Needs webpage (<http://dpi.wi.gov/school-nutrition/national-school-lunch-program/special-dietary-needs>).

### **Overt Identification**

- The meal counting system must prevent overt identification of students receiving free and reduced price benefits.
- All SFAs should have procedures (written procedures preferred) in place for handling civil rights complaints in regards to discrimination in the National School Lunch Program and School Breakfast Program. A SFA may always attempt to resolve a situation that is occurring in real time. However, if an individual states that they wish to file a civil rights complaint, the SFA must provide them with the information necessary to do so and not impede an individual's right to file. Please refer to the [USDA Program Discrimination Complain Form](#) for assistance in filing these complaints ([https://www.ocio.usda.gov/sites/default/files/docs/2012/Complain\\_combined\\_6\\_8\\_12.pdf](https://www.ocio.usda.gov/sites/default/files/docs/2012/Complain_combined_6_8_12.pdf)).

### **Findings and Corrective Action Needed: Civil Rights**

#### **Local Wellness Policy**

#### **Commendations/Comments/Technical Assistance/Compliance Reminders**

The local wellness policy requirement was established by the Child Nutrition and Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Reauthorization Act of 2004 and further strengthened by the Healthy, Hunger-Free Kids Act (HHFKA) of 2010.

The final rule requires School Food Authorities (SFAs) to begin developing a revised local school wellness policy during School Year 2016-2017 and full compliance with the requirements of the final rule by June 30, 2017.

At a minimum, SFAs must permit participation by the general public and the school community including parents, students, and representatives of the school food authority, teachers of physical education, school health professionals, the school board, and school administrators in the wellness policy process. In addition, SFAs must designate one or more school officials to ensure each school complies with the policy.

### **Content of the Wellness Policy**

At a minimum the wellness policy must include:

The final *Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010* rule requires the SFA to retain basic records demonstrating compliance with the local school wellness (LWP) requirements. If no LWP has been developed, the SFA must establish a written policy. For assistance in the creation of a LWP, SFAs are encouraged to utilize the [Wisconsin Wellness: Putting Policy into Practice - School Wellness Policy Toolkit](http://dpi.wi.gov/school-nutrition/wellness-policy/toolkit). This can be accessed electronically at (<http://dpi.wi.gov/school-nutrition/wellness-policy/toolkit>). LWPs should include specific goals related to:

- Nutrition education (Recommended goals related to nutrition education include integrating into other core subjects or offering as a stand-alone course for all grade levels.)
- Nutrition promotion (At a minimum SFAs must review smarter lunchroom tools and strategies. Additional promotional activities include contests, surveys, food demonstrations, taste testing, and farm to school programming.)
- Physical activity (Recommended that SFAs offer time for students to meet the 60 minute goal, this could include recess, classroom physical activity breaks, and opportunities for physical activity before and after school.)
- Guidelines for all foods and beverages sold on the school campus during the school day (The LWP must contain guidelines for Federal school meal requirements and competitive food standards [Smart Snacks]).
- Guidelines for all foods and beverages provided on the school campus during the school day (SFAs must develop standards for foods provided to students, this includes classroom parties, schools celebrations, food offered as rewards/incentives.)
- Guidelines for food and beverage marketing (At a minimum, SFAs must restrict marketing to food and beverages that meet competitive food standards on the school campus during the school day.)
- Public involvement and committee leadership (SFAs must invite and allow for a diverse group of stakeholders to participate in the development, implantation, review, and updating of the LWP. SFAs must also identify the official responsible for oversight of the LWP to ensure school compliance.)
- Implementation, assessment and update of policy (At a minimum, SFAs must notify the public about the content, implementation of, and updates to the LWP. SFAs must complete a triennial assessment to evaluate compliance with the LWP, how the LWP compares to model wellness policies, and progress made in attaining the goals of the LWP).

Please refer to the USDA [summary of the requirements](http://www.fns.usda.gov/sites/default/files/tn/LWPsummary_finalrule.pdf) for local school wellness policies ([http://www.fns.usda.gov/sites/default/files/tn/LWPsummary\\_finalrule.pdf](http://www.fns.usda.gov/sites/default/files/tn/LWPsummary_finalrule.pdf)). Wisconsin Team Nutrition has several [wellness policy resources](#) available, including a toolkit, a wellness policy builder, and wellness policy report card (<http://dpi.wi.gov/school-nutrition/wellness-policy>).

### **Findings and Corrective Action Needed: Local Wellness Policy**

❑ **Finding:** The local wellness policy meets some, but not all, content requirements as stipulated above. The policy is currently lacking specific language related to public involvement, schools meals compliance with the Healthy Hunger-free Kids Act of 2010, foods sold outside of school meals program compliance with USDA’s Nutrition Standards for All Foods Sold In Schools (Smart Snacks) rule, food and beverage marketing, and nutrition promotion goals involving evidence based strategies such as Smarter Lunchrooms techniques.

**Corrective Action Needed:** Please provide a timeline outlining how and when these items will be added to the wellness policy.

### **Smart Snacks**

The Smart Snacks Final Rule, published in the Federal Register on July 29, 2016, finalized science-based nutrition guidelines for competitive foods sold on the school campus during the school day. Foods and beverages sold in schools must meet both the general standards and nutrient standards unless the sales qualify for an exemption. More information is available on the [Smart Snacks](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks) webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks>).

Beverages sold on the snack cart must meet Smart Snacks standards for the youngest age/grade group. As the snack cart is available to students in kindergarten through eighth grade, water (plain); low-fat milk (unflavored); fat-free milk (flavored or unflavored); and 100% juice can be offered. Please discontinue selling Rejuv 100% apple juice, ten ounce bottles. We recommend using the Alliance for a Healthier Generation [Smart Snacks Product Calculator](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks), found on the Smart Snacks webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks>) to assess product compliance. Simply answer a series of questions to see if the general and nutrition standards are met, then save and print the results for your records. Stapling a complete nutrition facts label with ingredient statement to the printout is a best practice.

The following a la carte food items are non-compliant with Smart Snacks standards:

- Rold Gold Tiny Twist pretzels
- Rejuv 100% apple juice, ten ounce bottles
- 

**The Food Service Director stated the snack cart will be discontinued at the end of the first semester due to low participation and inventory management.**

If any food or beverage sales resume in the future, the items either must comply with the Smart Snacks general and nutritional guidelines, or must qualify as an exempt fundraiser. A staff member at each school should be responsible for documenting compliance of exempt

fundraisers and any other competitive food sales. You can find fundraiser tracking tools on our [Smart Snacks](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks) webpage (https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks).

## **Professional Standards**

### **Commendations/Comments/Technical Assistance/Compliance Reminders**

- The Professional Standards regulations in 7 CFR 210.30 established hiring standards for new school nutrition program directors, hired on or after July 1, 2015, that manage and operate the National School Lunch and School Breakfast Programs. In addition, the regulations established annual training standards for all school nutrition program directors, managers, and staff which must be tracked.
- Each SFA must designate at least one staff member as a program “director”. A program “director” is the person designated to perform or oversee the majority of the program duties such as sanitation, food safety, nutrition and menu planning, food production, procurement, financial management, record keeping, customer service, nutrition education, and general day-to-day program management.
- The [hiring standards for SFA directors](http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/professional-standards-hiring-chart-by-district-size.pdf) are based on the size of their SFA and includes education, school nutrition experience and food safety training requirements (http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/professional-standards-hiring-chart-by-district-size.pdf).
- Per SP 38-2016, any School Food Service Director hired after July 1, 2015 that does not meet the minimum education requirements cannot use the nonprofit school food service account to pay their salary; this would be an unallowable cost and the SFA’s general fund may be used to pay the salary of a new director who is actively pursuing the minimum education requirements.

### **Professional Standards: Training Requirements**

- Annual training must be job-specific and intended to help employees perform their duties well. The required annual training hours vary according to the employee’s role in the management and operation of the school nutrition program.
  - Trainings can be provided in a variety of formats (online, in person, webinars) and through various providers (DPI, USDA, in-house, etc.).
  - SFAs should clearly document all required training information and maintain that file including the name of staff person, date hired, title/position, brief list of core duties/responsibilities, status (full, part-time, volunteer, etc.), professional standards position (director, manager or staff). Learning codes are not required, but encouraged. A template tracking tool is posted to our [Professional Standards](http://dpi.wi.gov/school-nutrition/training/professional-standards) webpage (http://dpi.wi.gov/school-nutrition/training/professional-standards).
- **Annual Training Requirements for All Staff**  
Directors: 12 hours  
Managers: 10 hours  
Other Staff (20 hours or more per week): 6 hours  
Part Time Staff (under 20 hours per week): 4 hours

If hired January 1 or later, only half of the training hours are required during the first school year of employment. **Technical assistance** was required.

### **Findings and Corrective Action Needed: Professional Standards**

❑ **Finding:** The finding was that there was no tracking of training hours, which is required for professional standards.

**Corrective Action Needed:** Please develop a tracking tool and submit a copy of this tool with all current trainings for all involved in food service.

### **Water**

#### **Commendations/Comments/Technical Assistance/Compliance Reminders**

Water is required to be available at no charge to students during the lunch and breakfast meal services. Schools can provide free water in a variety of ways, such as water pitchers and cups on lunch tables, a water fountain, or a faucet that allows students to fill their own bottles or cups.

### **Food Safety and Buy American**

#### **Commendations/Comments/Technical Assistance/Compliance Reminders**

[A Flash of Food Safety](#) is a video series designed to help school nutrition professionals understand and apply safe food practices ([www.fns.usda.gov/ofs/food-safety-flashes](http://www.fns.usda.gov/ofs/food-safety-flashes)). While you're at it, visit the [Office of Food Safety](http://www.fns.usda.gov/ofs/food-safety) website ([www.fns.usda.gov/ofs/food-safety](http://www.fns.usda.gov/ofs/food-safety)) and explore all of the great food safety resources available to USDA's nutrition assistance program operators. Let's grow food safety!

#### **Food Safety Inspections**

- Every school operating USDA School Child Nutrition Programs must have two food safety inspections during each school year: one in the fall, which is an actual food safety inspection; and one in the spring, which is a review of the site's Food Safety Plan.
- Food safety inspection reports must be posted in public view. Posting the food safety inspection report in the same location as the "And Justice For All" poster can be a convenient way to have both items publicly visible.

#### **Temperatures**

- All cooling equipment must have internal temperatures taken and recorded daily on temperature logs. Posting them directly on the equipment makes recording convenient and a regular part of daily routines.

#### **Food Safety Plans**

- All schools must have a comprehensive, site-specific food safety plan on-site which includes all process 1, 2, and 3 items, all applicable standard operating procedures

(SOP), all equipment, and food service staff. The food safety plan must be reviewed annually. A prototype food safety plan template as well as template SOPs may be found on the [SNT Food Safety](https://dpi.wi.gov/school-nutrition/food-safety) webpage. (<https://dpi.wi.gov/school-nutrition/food-safety>)

- Only SOPs relevant to the programs and procedures for which the site-specific food safety plan is written should be included in the plan.
- The site-specific food safety plan should include SOPs for all programs and procedures utilized at the site.

### **Food Employee Reporting Agreements**

- All food service employees must have a signed [Food Employee Reporting Agreement](#) on file (<https://datcp.wi.gov/Documents/foodemployeereportingagreementsupplement.pdf>).
- Employees must sign a new Food Employee Reporting Agreement form if changes are made to the document. While there are no requirements as to how frequently food service employees must sign a Food Employee Reporting Agreement form, it is the best practice for each food service employee to annually review and sign an agreement to reinforce the information contained in the document.

### **Buy American**

- The USDA requires that a SFA purchase, to the maximum extent practicable, domestic commodities or products. Using food products from local sources supports the local economy, small local farmers and provides healthy choices for children in the school meal programs. The Buy American provision is required whether food products are purchased by SFAs or entities that are purchasing on their behalf.
- There are limited exceptions to the Buy American provision which allow for the purchase of products not meeting the “domestic” standard as described above (“non-domestic”) in circumstances when use of domestic products is truly not practicable. Refer to SP 24-2016 for more information on the Buy American provision and limited exceptions.
- More information on this new requirement, including a tool to assist with tracking noncompliance products, can be found on the SNT [Procurement](#) webpage (<http://dpi.wi.gov/school-nutrition/procurement/buy-american>).

### **Findings and Corrective Action Needed: Food Safety and Buy American**

**❑ Finding:** The finding was that there was not an Employee Reporting Agreement signed by student workers.

**Corrective Action Needed:** SFA was provided a copy of the Employee Reporting Agreement. Please have all student workers in food service review it and submit copies of all signed agreements.

**❑ Finding:** Products were identified in SFA’s storage area as non-domestic and not listed on the SFA’s Buy American – Noncompliant List or SFA equivalent form or did not have proper labeling to identify the country of origin.

**Corrective Action Needed:** Please submit copies of the [non-compliant form](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/buy-american-noncompliant-list.docx) for products found not in compliance (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/buy-american-noncompliant-list.docx>).

### **Reporting and Recordkeeping**

#### **Commendations/Comments/Technical Assistance/Compliance Reminders**

- All free and reduced price applications, including applications from households denied benefits must be kept on file for a minimum of three years after the final claim is submitted for the fiscal year to which they pertain.

### **Summer Food Service Program (SFSP)**

#### **Commendations/Comments/Technical Assistance/Compliance Reminders**

As part of the National School Lunch Program, it is required to do SFSP outreach. The purpose is to inform your students and families of the free feeding site(s) they may have access to in the summer while school is out of session. Near the end of this school year, it is as simple as a blurb in a newsletter sent home to students, or putting up free posters and/or mail these items free of charge. To access an inclusive map of all potential participating sites in your area, see the [interactive map](http://www.fns.usda.gov/capacitybuilder) on the SFSP website (<http://www.fns.usda.gov/capacitybuilder>).

**Technical assistance** was provided.

Dr. Tony Evers, State Superintendent of Wisconsin Department of Public Instruction, shares a vision that every student will graduate prepared for college and career. His goals are for students to have the knowledge, skills, and habits that will allow them to succeed in life after high school. Access to quality nutrition plays a major role in developing those life-long habits.

The School Nutrition Team believes that what school nutrition programs do every day plays a very important part in the success of every child being able to graduate. We all know that well-nourished children are ready to learn. Thank you for all you do to ensure your students' success.

For more information on this initiative, please visit the Wisconsin DPI [Every Child a Graduate](https://dpi.wi.gov/statesupt/every-child-graduate) webpage (<https://dpi.wi.gov/statesupt/every-child-graduate>).

