

**USDA Child Nutrition Programs  
Administrative Review Summary Report**

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**School Food Authority: Hustisford School District**

**Agency Code: 142625**

**School(s) Reviewed: Hustisford High School**

**Review Date(s): April 3-5, 2018**

**Date of Exit Conference: April 5, 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, 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](http://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](http://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 Hustisford School District 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

- Ninety-seven eligibility determinations were reviewed, Three errors were identified. These were recorded on the SFA 1.

##### 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.
- 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).

##### Annual Income

- There has been a recent modification to the requirement pertaining to the reporting of annual income on an application. USDA released SP-19, 2017 on March 20, 2017 allowing households to report current income as an *annual figure*. Annual income is typically reported for households with jobs that are seasonal, self-employed, or agricultural work since that is a more accurate representation of *current income*. These applications may now be processed at face value. However, most households that receive regular pay checks, will report income based on what is *currently earned* and the frequency of that pay, i.e. weekly, biweekly, bimonthly or monthly.

##### 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. Tehcnical assistance was provided.

##### 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.
- Thank you for using the DPI prototype letters with the current non-discrimination statement.

#### Limited English Proficiency (LEP)

- To assist SFAs in reaching households with limited English proficiency, the SNT provides the Wisconsinized version of the USDA Free and Reduced Price Meal application materials in English, Spanish, and Hmong.
- 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.

#### Other Source Categorical

- If a household submits an application that indicates Other Source Categorical Eligibility, such as homeless, migrant, or runaway, the SFA must confirm the children's status by an appropriate program official either through direct contact with the agency or by a list of names provided by the agency, before meal benefits can be provided. Once confirmed, this eligibility is only available to the designated child and is not extended to other members of the household.
- Applications that indicate a child is a foster child are categorically eligible for free meals. The child's status for free meals does not require confirmation of eligibility prior to receiving benefits. This benefit is not extended to other household members.

#### Direct Certification

- As a reminder, you are required to run direct certification a minimum of three times a year: at or near the beginning of the school year, three months after the initial run and six months after the initial run.
- The effective eligibility date for a DC eligible student is the date of the original output file.

#### Independent Review of Applications

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

#### Disclosure

- The LEA must seek written consent from the parent or guardian to use the information provided on the application or through direct certification for non-program purposes, such as athletic or testing fee waivers, registration fee waiver, etc. Consent must be obtained each school year. Find the [Sharing Information with Other Programs](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/sharing-info-other-programs.doc) template on the Free and Reduced Meal Applications and Eligibility webpage (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/sharing-info-other-programs.doc>).
- For anyone receiving eligibility information to approve students for non-food service program benefits after parental consent is received, the *Disclosure Agreement* form should be signed and on file

at the district. A template [Disclosure of Free and Reduced Price Information](http://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/disclosure-agreement.docx) form is located on the SNT website (<http://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/disclosure-agreement.docx>).

## 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.
- The LEA has a regulatory obligation to verify “for cause” all approved applications that may be questionable. For more information, refer to the current Eligibility Manual.
- When a benefit eligibility status increases, the change must take place within 3 days. When a benefit eligibility decreases, the change cannot take place before 10 calendar days and a notice of adverse action is sent in writing with appeal rights procedures.

### Findings and Corrective Action Needed: Verification

- ❑ **Finding #1:** The finding was that while verification was conducted in the appropriate time frame, a confirmation review did not take place at that time. In addition, there was no documentation to show a follow-up call or letter had been sent to a household that was a non-responsive regarding verification document requests.

**Corrective Action Needed:** Please review the [Verification website](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/verification) and [Webcasts](https://dpi.wi.gov/school-nutrition/training/webcasts#VW) on the DPI website (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/verification>; <https://dpi.wi.gov/school-nutrition/training/webcasts#VW>). Please submit a statement on the role of the confirming official. In addition submit a statement of understanding regarding the requirement to follow-up with non-responsive household during verification.

## Meal Counting and Claiming

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

- Meals may only be charged to a student at the time of receipt of a reimbursable meal to assure proper benefits issuance. **Technical assistance** was provided regarding the seniors that leave campus and order meals to go. It was mentioned by the food service director that students are still charged for the meal even if the student did not take one of the ordered meals to go. While this is a rare occurrence, **technical assistance** was required to the SFA to stop the practice of charging meals to students who did not take the ordered meal to go.
- 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>).

- Please note that SFAs may claim visiting students in the paid category or the individual's category with documentation, unless they are from a CEP school.
- REMINDER: Meal benefits apply only to the reimbursable meal. The reimbursable meal includes milk as one of the required components, and must be priced as a unit. If the student decides to take only milk, this is not a reimbursable meal and will be charged for the milk as an a la carte item.

## 2. MEAL PATTERN AND NUTRITIONAL QUALITY

### Commendations

Thank you to the Food Service Director for her many years of dedication to the students of the Hustisford School District. Not many Food Service Directors are asked by the senior class to speak at commencement, so you have definitely been doing something right! Thank you to the food service staff for all they do to feed the children of your district, the meals provided are healthy, great tasting, and well designed for variety. Your time and effort spent preparing for and participating in the onsite review is much appreciated. All school staff were welcoming and professional. The food service staff had pleasant interactions with students during observed meal services. Kitchens and service areas were very clean as well. The Food Service Director was available to answer questions, nice to work with, and receptive to feedback.

### Comments/Technical Assistance/Compliance Reminders

#### Training

It is recommended that anyone involved with the School Meals Program attend DPI training classes. The classes are offered in the summer and select other times throughout the year. Travel/meal expenses are allowable food service expenses for your program. The classes provide an overview of all areas of the NSLP and SBP requirements including verification, free/reduced meal applications, meal pattern, and record keeping requirements. Information on upcoming trainings can be found on DPI's [Training Page](https://dpi.wi.gov/school-nutrition/training#up) (https://dpi.wi.gov/school-nutrition/training#up). Numerous webcasts are also available, which cover a wide array of topics including:

- [USDA food recipes](https://www.youtube.com/watch?v=8tp4WCWcryg&list=UUNnBe12n6q4QT39Fz2y7BPg) (https://www.youtube.com/watch?v=8tp4WCWcryg&list=UUNnBe12n6q4QT39Fz2y7BPg)
- [Offer Versus Serve](https://dpi.wi.gov/school-nutrition/training/webcasts#cyc) (https://dpi.wi.gov/school-nutrition/training/webcasts#cyc)

The U.S. Department of Agriculture encourages schools to utilize [Smarter Lunchroom](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/wp_ch6.pdf) (https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/wp\_ch6.pdf) techniques to encourage students to make healthy food choices. Smarter Lunchrooms use research-based principles that lead children to make healthy choices but still offer a full spectrum of choice. All Smarter Lunchroom techniques are low- or no-cost, sustainable, and focus on improving the lunchroom environment to promote healthful eating behaviors. [Smarter Lunchrooms Strategies](https://www.smarterlunchrooms.org/scorecard-tools/smarter-lunchrooms-strategies) (https://www.smarterlunchrooms.org/scorecard-tools/smarter-lunchrooms-strategies)

#### Production Records

Production records are intended to be useful tools to record information prior to production, during production, and following production. One of the intents is that someone else (e.g. a substitute food service worker) could produce the planned menu. Be specific on production records about the identity, brand, and description of the items served. Instead of "fruit bowl" list each of the fruit cups offered individually. When offering fresh fruit case size should also be recorded. It is helpful to include not just the portion size, but also crediting on production records. Planned portion sizes are required for every meal

component. Even in self-service, the menu planner must plan a specific portion size that he or she intends students to take. Find information on [production records](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/production-record-requirements.pdf) “must haves/nice to haves” here (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/production-record-requirements.pdf>). The DPI offers 1, 2, and 3 grade group [lunch](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/production-record-lunch-three-grade-groups.doc) production records (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/production-record-lunch-three-grade-groups.doc>) and a K-12 [breakfast](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/production-record-breakfast-one-grade-group.doc) record here as well (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/production-record-breakfast-one-grade-group.doc>).

### Standardized Recipes

Use of standardized recipes is another important part of school meal programs. Any menu item that has more than one ingredient (even if it is water) should have a standardized recipe. This is defined as one that has been tried, tested, evaluated, and adapted for use by your food service. It produces a consistent quality and yield every time when the exact procedures, equipment, and ingredients are used. This will be a continuous work in progress as you modify older recipes and update with current ingredients in stock.

Continue to use the resources on our website regarding recipe standardization. These include a checklist for pieces of information needed to standardize a recipe, tools to help analyze the meal component contribution, nutrient analysis tools, and templates to organize all information once obtained. These are found on the [Meal Planning](http://dpi.wi.gov/schoolnutrition/national-school-lunch-program/menu-planning/recipes) webpage (<http://dpi.wi.gov/schoolnutrition/national-school-lunch-program/menu-planning/recipes>). Viewing of the webcast, [What's the Yield with Standardized Recipes?](http://dpi.wi.gov/school-nutrition/training/webcasts#sr), which guides the viewer through the recipe standardization process is encouraged (<http://dpi.wi.gov/school-nutrition/training/webcasts#sr>).

### Whole Grain

All grains offered and credited in school meal programs are required to be whole grain-rich. Foods that meet the whole grain-rich criteria for the school meal programs must contain at least 50 percent whole grain. The remaining 50 percent or less of grains, if any, must be enriched. Grains that are not whole grain-rich cannot be credited toward the grain component. Replace all enriched grain products with whole grain-rich versions. USDA meal pattern crediting for whole grain products requires 9-12<sup>th</sup> grade students to be offered 2 oz eq wg daily to meet the weekly requirement of  $\geq 10$  oz eq wg.

### Signage

Signage helps students understand what components make up a reimbursable meal, and your signage was very impressive! If you are interested in ordering signage from SNT, please visit the Team Nutrition webpage ([dpi.wi.gov/team-nutrition](http://dpi.wi.gov/team-nutrition)) and complete the Resource [Order Form](https://docs.google.com/forms/d/e/1FAIpQLSc3VjFukdf0sw2-K81mxgjGsPK23H1_EMsqroLKctl-k6PBhg/viewform). ([https://docs.google.com/forms/d/e/1FAIpQLSc3VjFukdf0sw2-K81mxgjGsPK23H1\\_EMsqroLKctl-k6PBhg/viewform](https://docs.google.com/forms/d/e/1FAIpQLSc3VjFukdf0sw2-K81mxgjGsPK23H1_EMsqroLKctl-k6PBhg/viewform))

The vegetables on the garden bar are being used to meet the weekly vegetable requirements, portion sizes of at least  $\frac{1}{8}$  cup each should be communicated to students with signage. Many schools are using pictures of planned portion sizes to indicate how many of each item need to be taken to meet meal pattern requirements. Examples could include how many carrot sticks equal a  $\frac{1}{4}$  cup or how many tongs of salad greens are needed to equal  $\frac{1}{2}$  cup.

## **Findings and Corrective Action Needed: Meal Pattern and Nutritional Quality**

❑ **Finding # 1:** Current breakfast production records are incomplete. As a reminder and for your reference, please find information on [production records](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/production-record-requirements.pdf) “must haves/nice to haves” here. (https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/production-record-requirements.pdf)

**Corrective Action Needed:** As you are creating your own breakfast production record please provide a completed day if each days offering are the same for one week. Include all necessary information.

❑ **Finding #1:** Standardized Recipes are required for all menu items that contain more than one ingredient, and need to be standardized to the kitchen the item is being prepared in with the ingredients used on site.

**Corrective Action Needed:** Please submit the following recipes that have been standardized to your production kitchens.

- Mashed Potatoes and gravy served on 03.12.18
- Meatball Sub Sandwich served on 03.13.18
- Lasagna served on 03.14.18

❑ **Finding #2:** During the week of review there was a daily and weekly grain shortage due to:

1. The hamburger and hot dog bun currently being offered credits as 1.5 oz eq wg, to meet the meal pattern for 9-12 graders 2 oz eq wg must be offered daily.
2. The alternate entrée of an uncrustable peanut butter and jelly bundled with either a 4 oz eq yogurt cup or a 1 oz cheese stick currently credits as 2 oz eq m/ma and 1 oz eq wg.

**Corrective Action Needed:** Please submit:

1. PFS Documentation (product formulation statement) for the new whole grain bread products to replace the hamburger/ hot dog buns.

OR

2. Submit a statement describing how you will rectify the whole grain shortages on the days you offer the hamburger or hot dog bun.

ALSO

3. Submit a statement describing what you will offer and documentation for the alternate entrée bundle for the additional 1 oz eq whole grain.

## **3. RESOURCE MANAGEMENT**

### **Nonprofit School Food Service Account**

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

- SFAs must limit the net cash resources in order to not exceed three months average expenditures.

#### **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.
- 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, 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/school-nutrition/national-school-lunch-program/financial) may be found our Financial Management webpage (<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 #1:** The finding was that an unpaid meal balance policy or written procedure was not available for households at the start of the school year.

**Corrective Action Needed:** Please submit a statement of how this will be corrected to meet regulation.

### 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.
- 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 (<http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/exceptions-nonprogram-revenue.pdf>).

#### 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>).
- Districts need to reassess adult meal prices annually prior to contract submission to ensure student reimbursement are not being used to subsidize adult meals. The current reimbursement rates should be used to determine prices.

#### Resources

- [Nonprogram Foods Revenue Rule SP-20-2016](#) (<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>)

### **Findings and Corrective Action Needed: Revenue from Nonprogram Foods**

❑ **Finding:** The Nonprogram Foods Revenue Tool has not been completed for the current school year. **Corrective Action Needed:** Watch the [Nonprogram Foods Revenue Tool webinar](https://media.dpi.wi.gov/school-nutrition/nonprogram-food-revenues/story_html5.html) ([https://media.dpi.wi.gov/school-nutrition/nonprogram-food-revenues/story\\_html5.html](https://media.dpi.wi.gov/school-nutrition/nonprogram-food-revenues/story_html5.html)). Please submit a non-program tool either using the annual financial report or a 5 day reference period. **The tool was completed on-site, no further action needed.**

### **Indirect Costs**

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

- DPI does not allow the annual assigned indirect cost rate to be applied to Fund 50 (Foodservice account within WUFAR). For both public and private schools in Wisconsin, any costs assessed to foodservice must be based on documented and justifiable costs for each school building as they pertain to your school situation rather than on the indirect cost rate. This could include items such as utilities, rent, printing and mailing services, administrative oversight, etc.
- Allowable Expenditures assessed to the food service fund must be supported with documentation for things such as gas, electricity, waste removal, fuel, water, etc. for both public and private schools. Examples of supporting documentation for costs assessed to food service fund could include:
  - Rent – consultation with knowledgeable resource person on appropriate charges per facility (i.e., local realty broker who has knowledge of current rates for rent of similar facilities).
  - Utility charges - separately metered or current usage study by the local utility company.
  - Labor expenditures - based on actual amount of time worked specifically for the purpose of school food service times the employee's wages and benefits.
  - Printing/publishing – documentation of actual costs or documentation to support how these costs were prorated from the district's total costs, based on volume.
  - Waste disposal services, extermination services, and laundry services - documentation of actual costs or documentation to support how these costs were prorated from district's total.

### **Findings and Corrective Action Needed: Indirect Costs**

❑ **Finding #1:** The finding was that indirect costs were charged to the food service fund. This cost was wages for custodial services. A percentage is applied, but there was not documentation to support that percentage. **Technical assistance** was provided to the business manager and guidance was given on what to use to conduct the tie study.

**Corrective Action Needed:** Please conduct a work study for hours worked by custodial staff regarding time for the food service department. Please submit a copy of this time study and what percentage will apply.

## **4. 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 (<https://dpi.wi.gov/sites/default/files/imce/forms/doc/f1441.doc>).

### Special Dietary Needs

- All food substitutions made outside of the meal pattern requirements must be supported by a signed medical statement from a licensed medical professional. You may use the [prototype Medical Statement](#) for Special Dietary Needs posted on our website, which is also available in Spanish and Hmong (<http://dpi.wi.gov/school-nutrition/national-school-lunch-program/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](#) 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>).

- Review the use of appropriate fluid milk substitutions which must be nutritionally equivalent to cow's milk and pre-approved through DPI. Fluid milk substitution rules apply to all federal school nutrition programs, including the National School Lunch Program, School Breakfast, and After School Snack Program, but do not apply to the Wisconsin School Day Milk Program. WSDMP, which allows juice as a milk substitution. Lactose-free milk is currently allowed as part of the reimbursable school meal. SFAs may offer it to children who have lactose intolerance without requiring documentation. If schools offer lactose-free milk, there is no need to offer a fortified milk substitute, or seek pre-approval for use.

#### Overt Identification

- The meal counting system must prevent overt identification of students receiving free and reduced price benefits.

#### Processes for complaints

- 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](https://www.ocio.usda.gov/sites/default/files/docs/2012/Complain_combined_6_8_12.pdf) for assistance in filing these complaints (https://www.ocio.usda.gov/sites/default/files/docs/2012/Complain\_combined\_6\_8\_12.pdf).

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

- Finding:** The finding was that the non-discrimination statement was not correct on the lunch menu that is posted on the website and on the printed lunch menu.

**Corrective Action Required:** Please update the lunch menu on the website and printed version to reflect the current statement. Please submit a copy of the updated lunch menu.

- Finding:** The finding was that the sharing of information letter for fee waivers was not broken out specific to each program that offers this option.

**Corrective Action Required:** Please update the sharing of information letter to be more specific to each of the programs that offer fee waivers. Please submit a copy of this updated letter. **Corrected on-site, no further action needed.**

#### **On-site Monitoring**

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

- Every school year, each SFA with more than one school must perform no less than one on-site review of the meal counting and claiming system and the readily observable general areas of review identified under 7 CFR 210.18(h) in each school operating the NSLP and 50% of schools operating the SBP administered by the SFA by February 1.
- The Administrative Review Final Rule updated 7 CFR Part 220.11(d)(1) establishing the requirement to conduct onsite monitoring of the School Breakfast Program beginning in school year 2016-17. The annual requirement is to annually review 50% of schools approved to participate in the SBP within the jurisdiction of the SFA, with each school in SBP being reviewed once every two years. For more

information see USDA memo [SP 56-2016](http://www.fns.usda.gov/sites/default/files/cn/SP56-2016os.pdf) (<http://www.fns.usda.gov/sites/default/files/cn/SP56-2016os.pdf>).

- The onsite monitoring forms have been updated to include the general areas of review and a new SBP program onsite review form found on our [Administrative Review](#) webpage under the SFA onsite monitoring section (<http://dpi.wi.gov/school-nutrition/national-school-lunch-program/administrative-review>).

### **Findings and Corrective Action Needed: On-site Monitoring**

- ❑ **Finding:** The finding was that the on-site monitoring form being used was not the most updated form. In addition, breakfast on-site monitoring needs to be conducted each year for 50 percent of the schools in the program and the required form filled out.

**Corrective Action Required:** Please complete the on-site monitoring form for the district and submit copies of the updated on-site monitoring form for the High school for both breakfast and lunch.

### **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>). 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](http://dpi.wi.gov/school-nutrition/wellness-policy) available, including a toolkit, a wellness policy builder, and wellness policy report card (<http://dpi.wi.gov/school-nutrition/wellness-policy>). The district is working with Neola for updates to the wellness policy.

SFA is required to make the Local Wellness Policy available to the public and public must be informed of updates to policy. **Technical Assistance:** The final *Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010* rule requires the SFA to inform the public about the content, implementation of, and updates to the LWP annually.

SFA is required to inform potential stakeholders of their ability to participate in the Local Wellness Policy. **Technical Assistance:** The final *Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010* rule requires the SFA to retain documentation that notifies potential stakeholders of their ability to participate in the development, review, update, and implementation of the local school wellness policy (LWP). SFAs are required to actively seek members for the wellness committee that represent a diverse group and to the extent possible, allow them to participate.

SFAs must document stakeholders invited to participate in the committee and their relationship to the SFA. SFAs are encouraged to notify key stakeholders through various methods of communication. This may include a district-wide email, the posting of flyers at community locations, or a newspaper posting. For information on forming a wellness committee, review pages 5-6 of the [Wisconsin Wellness: Putting Policy into Practice - School Wellness Policy Toolkit](http://dpi.wi.gov/school-nutrition/wellness-policy/toolkit) (<http://dpi.wi.gov/school-nutrition/wellness-policy/toolkit>).

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

- ❑ **Finding:** The finding was that there was not a plan in place to let potential stakeholders know of the ability to participate on the Wellness committee. In addition, it was noted that the Wellness policy is not readily available to the public.



**Corrective Action Required:** Please provide a statement on how the district will make the general public aware of the ability to participate on the Wellness committee and how the Wellness policy will be available to the public.

## Smart Snacks in Schools

### Commendations

Thank you for spending the time and assuring all of the items stocked in the food service department's vending machine are Smart Snack compliant.

### Comments/Technical Assistance/Compliance Reminders

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. [Smart Snacks in a Nutshell](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/smart-snacks-in-a-nutshell.pdf) is a clear concise sheet with information. (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/smart-snacks-in-a-nutshell.pdf>). Schools agree to comply with the regulations set forth by USDA when they choose to participate in the child nutrition programs; willful noncompliance of regulations can result in the loss of federal funding. If multiple grades have access to vending machines with beverages, products must meet Smart Snacks standards for the youngest age/grade group. For example, if a vending machine with beverages is available to 6-12th graders, beverages must meet Smart Snacks standards for the 6-8 age/grade group; therefore, items like caffeinated, low-calorie ( $\leq 5$  kcal/fluid oz.) flat or carbonated, or no-calorie beverages ( $< 5$  kcal/8 fluid oz;  $\leq 10$  kcal/20 fluid oz.) flat or carbonated beverages are unallowable. We recommend using the Alliance for a Healthier Generation Smart Snacks Product Calculator, found on the [Smart Snacks webpage](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks) (<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. [Smart Snacks webinar](https://dpi.wi.gov/school-nutrition/training/webcasts#ss) for more information (<https://dpi.wi.gov/school-nutrition/training/webcasts#ss>).

**Technical Assistance** was given on-site regarding the use of timers on the non-compliant vending machines. Having timers on the two beverage machines is very important as there are items that are not compliant for the middle school (6-8<sup>th</sup> grade) students. As a reminder, the school day is defined as the period from the midnight before to 30 minutes after the end of the instructional school day.

## Professional Standards: New Food Service Director Hiring Requirements

### 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](#) 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.

#### Findings and Corrective Action: Professional Standards

- Finding:** The finding was that some food service staff have not completed the required training hours for the current school year. While several trainings occurred, some staff need additional training to meet the required training hours.

**Corrective Action Needed:** Provide a statement on what training will occur to meet this requirement for the required training hours for the food service staff.

- Finding:** Training is not being monitored on a tracking tool for non-food service staff. A tracking tool was not available for food service staff.

**Corrective Action Needed:** Please provide a tool and include all current training hours for food service employees onto the DPI tracking tool and submit as part of corrective action. Please include a tracking mechanism for non-food service staff and any hours currently taken or include them on the DPI tracking tool with food service staff.

#### **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, Storage 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)), Visit the [Office of 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](#) 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.

### 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.

### Storage

- SFAs are required to ensure that facilities for the handling, storage, and distribution of purchased and donated foods are properly safeguarded against theft, spoilage, and other loss (7 CFR 210.13(d)).
- The on-site and/or off-site storage areas were reviewed, including freezers, refrigerators, dry good storage rooms and other areas. **Technical assistance** was provided regarding items that are not marked in storage containers which store items not in the original packaging. Please review the SOP regarding date marking.

Time as Public Health Control

- When using “Time as a Public Health Control:”
  - The internal temperature must be at or below 41 degrees Fahrenheit (°F) at the beginning of this holding period for cold time/temperature control for safety (TCS) food.
  - TCS food can be held up to 6 hours at an internal temperature between 41°F and 70°F under monitored conditions. Provisions must be made to discard product if the 6 hour time limit is exceeded, the temperature of the cold TCS food rises above 70°F, or the food is removed from service.
  - Hot TCS foods can be held up to 4 hours at an internal temperature greater than 70°F. Provisions must be made to discard product if the 4 hour time limit is exceeded, the temperature of the hot TCS food falls to 70°F, or the food is removed from service.
  - **There can be no leftovers and no reuse of the items covered under this plan.** Thus, if any TCS food is held without mechanical refrigeration during service, including TCS foods on garden bars, all leftover TCS food must be discarded.

**Time/Temperature Control for Safety (TCS) Food**

Milk and dairy products	Tofu or other soy protein
Shell eggs	Sprouts and seed sprouts
Meat (beef, pork, and lamb)	Sliced melons
Poultry	Cut tomatoes
Fish	Cut leafy greens
Shellfish and crustaceans	Untreated garlic-and-oil mixtures
Baked potatoes	Synthetic ingredients, such as textured soy protein in meat alternatives
Heat-treated plant food, such as cooked rice, beans, and vegetables	

**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.

The Buy American provision should be included in solicitations, contracts, and product specifications. A reply offer to comply with Buy American terms in a solicitation ensures contractors are aware of Buy American requirements. Furthermore, bidder assurance of the Buy American provision ensures that the bidder is responsive and responsible to the solicitation.

SFAs must monitor contractor performance as required in 2 CFR Part 200.318(b), formerly in 7 CFR Part 3016.36(b)(2), to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

- The following products may be exceptions to Buy American provisions: pineapples, mandarin oranges, olives, tuna, bananas and coffee.
- If no country of origin identified on label, than SFA must get certification from distributor or supplier stating: “We certify that (insert product name) was processed in the U.S. and contains over 51% of its agricultural food component, by weight or volume, from the U.S.,” This can accepted within an email.
- What is acceptable to determine compliance on a label? Label should indicate if the product is grown, processed and packed in the continental U.S. and any U.S. Territories. If label indicates that

product is distributed or packed in the U.S, but the country of origin is not listed, this product requires the distributor's certification as mentioned above.

- Any substitution of a non-domestic product for a domestic product (which was originally a part of the RFP), must be approved, in writing, by the food service director, prior to the delivery of the product to the School.
- Any non-domestic product delivered to the school, without the prior, written approval of the Food Service Director, will be rejected. Should non-domestic substitutes that were not pre-approved in writing by the food service director be delivered to and rejected by the school, selected distributor(s) shall be held accountable for all over-claims that result from failure to meet the school's required meal pattern.
- Agricultural products which are processed and produced outside of the U.S. may be accepted with proof from manufacturer that poor market conditions exist (weather, and/or supply availability of market); this requirement applies to private labels as well as other labels.
- The SFA should maintain written procedures to ensure product received and inventory is compliant with the Buy American procedure. Sample written procurement contract management procedures and Buy American monitoring procedures can be found in the [Contract Management](#) chapter of the *Introduction to the Procurement Policy and Procedures Handbook* (<https://dpi.wi.gov/school-nutrition/procurement/contract-procedures/contract-management>). Additional Buy American monitoring procedures can be found on the [Buy American Provision](#) webpage (<https://dpi.wi.gov/school-nutrition/procurement/buy-american/monitoring>).

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: Buy American**

- ❑ **Finding:** The following 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:
  - Cucumbers product of Mexico
  - Bananas product of Guatemala
  - Sauerkraut product of Germany

**Corrective Action Needed:** Begin using a Noncompliant Product List for tracking nondomestic products. Provide a copy of the form that will be used and include any noncompliant products currently in the SFAs food storage areas. Provide the completed list as corrective action. A [template form](#) is located on the procurement webpage (<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.

## School Breakfast Program (SBP) and Summer Food Service Program (SFSP) Outreach

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

- At the beginning of the school year, the SFA must notify families of the availability of breakfast and schools should send reminders regarding the availability of the SBP multiple times throughout the school year.
- 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](#) on the SFSP website (<http://www.fns.usda.gov/capacitybuilder>).

For more information on Summer Feeding option contact:

Amy J. Kolano, RD, CD  
Summer Food Service Program Coordinator  
Phone: 608.266.7124  
e-mail: amy.kolano@dpi.wi.gov

## 5. OTHER FEDERAL PROGRAMS REVIEWS

### Wisconsin School Day Milk Program

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

- Wisconsin School Day Milk Program requires the distribution of free milk to free and reduced priced students in K-5.
- Point of Service Counts (POS) for the Wisconsin School Day Program and the Special Milk Program must be recorded by who “did” take milk not by marking who “did not” take one.
- Per the Agreement in the points the SFA agrees to, number 3 states that schools will serve Wisconsin-produced milk. Please check with your distributor to see if they can verify that and you may want to include that stipulation in your milk bid.
- **Technical assistance** was provided to be sure to follow the SOP for milk bags for the WSDM.

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](http://dpi.wi.gov/statesupt/agenda-2017) webpage (dpi.wi.gov/statesupt/agenda-2017).



*With School Nutrition Programs!*