

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

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**School Food Authority: Ripon SD**

**Agency Code: 20-4872**

**School(s) Reviewed: Ripon Middle School, Murray Park Elementary**

**Review Date(s): 11/29-30/17**

**Date of Exit Conference: 11/30/17**

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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. 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).
- 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.US Department of Agriculture.gov/healthierschoolday) webpage. The topics covered include Smart Snacks, offering fruits and vegetables, reducing sodium, and serving whole grain-rich products (http://www.fns.US Department of Agriculture.gov/healthierschoolday).

**Appreciation/Commendations/Noteworthy Initiatives:**

Thank you to the staff at Ripon 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. The food service

director corrected areas of concern immediately while consultant was on site, which is highly commendable. 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. I hope that you found the time spent in providing technical assistance during the on-site review helpful.

## REVIEW AREAS

### 1. MEAL ACCESS AND REIMBURSEMENT

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

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

- Of the 507 students eligible for free/reduced price meals in October, a sample of 254 was pulled and all were determined correctly, direct certification had been run in the appropriate timeframes, and Verification was completed by the required November 15 deadline. Kudos for a job well done!

##### **Disclosure**

- The information provided by the family on the free and reduced price application is to be used only for determining eligibility for meal or milk benefits.
- 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, school fees, etc. Consent must be obtained each school year. Find the [Sharing Information with Other Programs](#) 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](#) form is located on the SNT website (<http://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/disclosure-agreement.docx>).

#### Findings and Corrective Action Needed: Benefits Issuance

- ❑ **Finding #1:** Free and reduced eligibility information is shared with areas of the district other than food service to wave fees without parental notification or a signed fee waiver form.

**Corrective Action Needed:** Please submit a copy of the fee waiver form that you will use and send a letter to all households informing them of the new process for the fee waiver. A sample template is located on our [Free and Reduced Price Meal Applications and Eligibility](#) webpage, under the Sharing Information heading (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/free-reduced-applications#sharing-disclosure>). A disclosure agreement must be signed by all persons who will be receiving this information. The form is available on our [Free and Reduced Price Meal Applications and Eligibility](#) webpage, under the Disclosure heading (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/free-reduced-applications#sharing-disclosure>).

## 2. MEAL PATTERN AND NUTRITIONAL QUALITY

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

Thank you to the food service director for sending meal pattern documentation and answering many questions prior to the on-site review, as this greatly reduced the amount of time needed for the on-site review. The food service staff at Murray Park Elementary and Ripon Middle School are doing a wonderful job of serving healthy, appealing meals to students each day and should be commended for their hard work.

### **Crediting Using the Food Buying Guide**

- Technical assistance was given on the crediting of certain tricky fruit and vegetables based on the Food Buying Guide (FBG). One 33-count kiwi credits as  $\frac{1}{4}$  cup, and one 2-ounce hashbrown patty credits as  $\frac{1}{8}$  cup. If you are consistently getting a different yield than what is listed in the FBG, you may conduct an in-house yield study and document your results. Information can be found in the In-House Yield section of on our [Menu Planning](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning#ihy) webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning#ihy>).

### **Breakfast at Murray Park**

- Breakfast at Murray Park Elementary School is served out of a classroom, with the intention of increasing meal participation because it is more centrally located in the school. However, space is very limited in the classroom and students quickly filled all of the available seats, leaving many students to eat their breakfast standing up. It would also improve food quality for hot breakfast items if food could be served directly from the line in the cafeteria, rather than from an alternate location. We strongly recommend reconsidering the location of breakfast service for next school year. Serving breakfast in the cafeteria would allow students plenty of space to sit and eat their meal in a more relaxed setting, would improve food quality, and may also reduce food service labor.

### **Lunch Line Setup at Murray Park**

- Students who take the cold (alternate) entrée options at Murray Park Elementary are able to also select fruits or vegetables off of the main line; however, it is not clear how well this is being communicated to students, and based on the way the line is set up, students would have to fight the flow of traffic to get a fruit or vegetable off of the main line. To ensure that vegetable subgroups and daily and weekly vegetable requirements are met, all students must have access to the fruits and vegetables on the main line (which are housed in a salad bar). During meal observation we discussed reconfiguring the lunch line so that the salad bar is in the middle of the line, right between the hot and cold entrée options. This would make it much more likely that students selecting the cold entrée would actually be able to access all fruits and vegetables available on the line. It is also recommended that signage is added at the cold entrée station to tell students that they may take two Go-gurts with their meal (since each credits as 0.5 oz eq meat/meat alternate), and also to tell students to help themselves to fruits and vegetables offered on the salad bar.

## Findings and Corrective Action Needed: Meal Pattern

- ❑ **Finding #1:** Any processed product that is not listed in the USDA *Food Buying Guide* for School Meal Programs requires a current Child Nutrition (CN) label or a detailed product formulation statement (PFS) to be credited toward the meal pattern. A complete PFS must be directly from the manufacturer and must include the product name and number; weights of raw and cooked ingredients; portion size; statement of contribution to meal pattern requirements; and an original signature from the manufacturer certifying that the information is correct. It is highly preferred that this documentation is printed on company letterhead and signed by an appropriate person (e.g., a quality assurance agent or registered dietitian, rather than a salesperson). Remember to collect new product labels annually. Update records when new products are purchased and when product formulations change throughout the school year as well. More information about crediting documentation can be found on the [Meal Pattern Components](http://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/meal-pattern) webpage (<http://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/meal-pattern>). If a processed item does not have a valid CN label or PFS and cannot be found in the USDA *Food Buying Guide* for School Meal Programs, it may not be credited when served as part of the USDA's Child Nutrition Programs. If this is the case for a product you are using, please find a replacement product to use instead that has either a CN label or PFS.

**Corrective Action Needed:** Please submit a current and accurate CN label or PFS for the egg patty.

- ❑ **Finding #2:** During the week of review (October 23-27, 2017) there was no bean/pea/legume served at Murray Park Elementary School. It is a meal pattern requirement that students are offered ½ cup of vegetables from the bean/pea/legume subgroup each week. For more information on the vegetables that fall into each subgroup, see the [vegetable subgroup table](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/vegetable-subgroups.pdf) (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/vegetable-subgroups.pdf>). Please keep in mind that if any missing vegetable subgroup is found during Ripon School District's next administrative review, fiscal action must be taken.

**Corrective Action Needed:** Please submit a written statement explaining what you will add to this menu week to provide ½ cup of beans/peas/legumes.

- ❑ **Finding #3:** Prior to meal observation at Ripon Middle School, it was noted that there was a sign hanging on the milk cooler indicating that students could "Choose 10 ounces of water or milk with lunch." If a student already had a milk, then they would be charged an a la carte price for the bottled water. The intention was to provide students with access to water free of charge, but based on the signage it seemed that water was being offered as an alternative to milk. This is not allowable, as students must not be offered any alternative beverages in place of milk. Milk is part of the reimbursable meal, but water is not. When this was brought to the food service director's attention, the sign was immediately removed. Before the second meal service, the bottled water was removed from the line.

**Corrective Action Needed:** Please submit a written statement confirming that water will no longer be offered as an alternative to milk or as part of the reimbursable meal.

- ❑ **Finding #4:** Prior to breakfast service at Murray Park Elementary, it was noted that the strawberries were pre-portioned in 4 fluid ounce cups, but the cups were not filled to the top. Most cups were about halfway full, so it was estimated that the strawberries were about ¼

cup each. The production records listed the correct serving size of ½ cup. The only other fruit offering was ½ cup juice (students could only take one juice). We discussed this prior to meal service and serving staff were aware that students needed to be offered two fruit cups in order to meet meal pattern requirements and in order for the strawberries to count as an item under Offer versus Serve. During meal service, staff did inform students that they could take two fruit cups but some students still left the line with non-reimbursable meals. The main reason for meals being non-reimbursable was because students had two items plus one strawberry cup, which did not count as an item since it was less than ½ cup. Technical assistance was given on switching to a 5 fluid ounce portion cup and using a ½ cup spoodle to portion the strawberries. **On the day of observation, 13 non-reimbursable breakfasts were observed. Fiscal action will be taken for these meals.**

**Corrective Action Needed:** Please submit a written statement confirming how you will ensure that fruit is portioned correctly at breakfast so that students are offered 1 cup every day.

- ❑ **Finding #5:** There was no signage posted at breakfast or lunch at Murray Park Elementary. It is required to post signage visible to the students that indicates the offered components in each meal and tells students what they must select in order for their meal to count as reimbursable. The breakfast signage should list the three components and the four items offered, and must communicate to students that under Offer versus Serve, they must select at least three food items, one of which must be at least ½ cup of fruit, vegetable, or a combination of fruit and vegetable.

**Corrective Action Needed:** Please submit a photo of signage posted at breakfast at Murray Park Elementary. Lunch signage was posted during the on-site review; no further action is needed.

- ❑ **Finding #6:** Offer versus Serve training should be done with food service staff at Murray Park Elementary to ensure that reimbursable meals are offered and served. During meal observation it was noted that there was confusion among staff as to what students had to take to have a reimbursable meal; some students were told that they must take both a fruit and a vegetable. To have a reimbursable lunch, students must take three components including ½ cup fruit and/or vegetable. To have a reimbursable breakfast, students must take three items including ½ cup of fruit. There is an [Offer versus Serve](https://dpi.wi.gov/school-nutrition/training/webcasts#ovs) webcast on DPI's website that can be used for training (<https://dpi.wi.gov/school-nutrition/training/webcasts#ovs>).

**Corrective Action Needed:** Please submit a signed training roster confirming that staff at Murray Park completed Offer versus Serve training.

### 3. 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 allocated to 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 the DPI website (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/annual-financial-report-instructions.pdf>). The purchase record template on the DPI website may aid in this expense and revenue separation.
- Because of the Nonprogram Revenue Rule, expenses must be broken out by actual Labor, Food, Purchased Services, Equipment, or Other, and not all dumped into Purchased Services as was previously done for SFAs with FSMC contracts.
- All food service revenues and expenditures for a district must run through the food service account/Fund 50. As caterings are considered nonprogram foods, all of these revenues must accrue to the districts food service account.

### **Allowable Costs**

- 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](#) may be found our Financial Management webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/financial>).

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

- ❑ **Finding #1:** On the Annual Financial Report, all of the expenses were not broken out by category as much was dumped into Purchased Services under NSLP.

**Corrective Action Needed:** Please provide a statement that going forward all expenses will be reported in their correct category.

### **Revenue from Nonprogram Foods**

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

- Nonprogram Food costs and revenues must be separated from Program food costs and revenues.
- 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.
- 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>).

## 4. GENERAL PROGRAM COMPLIANCE

### Civil Rights

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

##### And Justice for All Poster

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

##### 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.

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

- **Finding #1:** “And Justice for All” poster not posted out in cafeteria in public view at Ripon Middle School.

**Corrective Action Required:** Corrected on site. No further corrective action necessary.

### **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**

- 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*. This can be accessed electronically on the [Wellness Policy](http://dpi.wi.gov/school-nutrition/wellness-policy/toolkit) webpage (<http://dpi.wi.gov/school-nutrition/wellness-policy/toolkit>). At a minimum the wellness policy must include:
  - 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>).
- **SFA is required to review and update Local Wellness Policy (1002)**  
**Technical Assistance:** The final *Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010* rule requires the SFA to review and update the local school wellness policy on a periodic basis. The frequency of updates is based on the content and structure of the plan. It is recommended that this review occur annually. Your SFA has not reviewed nor updated your policy within the past 2 years. Additionally, your SFA does not have documentation indicating when and how the plan is/will be reviewed and updated.
- **SFA is required to complete an assessment of the Local Wellness Policy (1005)**  
**Technical Assistance:** The final *Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010* rule requires the SFA to assess the local school wellness policy (LWP) every three years, at a minimum. The first assessment should be completed within three years of your SFA's policy being updated, but no later than June 30, 2020 to be in compliance with this rule. The triennial assessment must evaluate compliance with the LWP, how the LWP compares to model wellness policies, and progress made in attaining the goals of the LWP. SFAs must retain documentation of the results of the triennial assessment and when it took place. To assist SFAs with evaluating compliance with their LWP, a report card has been developed and is available at [School Nutrition Team's Wellness Policy webpage](https://dpi.wi.gov/school-nutrition/wellness-policy) (<https://dpi.wi.gov/school-nutrition/wellness-policy>). A sample model wellness policy is available at the [USDA Wellness Policy webpage](http://www.fns.usda.gov/tn/implementation-tools-and-resources) (<http://www.fns.usda.gov/tn/implementation-tools-and-resources>). Public School Districts that participated in the Wisconsin Obesity Prevention's Wellness Policy project, in SY16-17,

have received a copy of a report comparing their policy to a model policy (reports were sent in August 2017). Additional information about interpreting your schools report is available at the [Wisconsin Health Atlas webpage](https://www.wihealthatlas.org/lwp/) (<https://www.wihealthatlas.org/lwp/>). Schools are encouraged to establish an account with the Rudd Center for Food Policy and Obesity to access the Wellness School Assessment Tool ([WellSAT](#)) for assistance in assessing the LWP.

- **SFA required to inform the public of the results of the most recent assessment (1006) Technical Assistance for 1006, if do have a policy:** The final *Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010* rule requires the SFA to inform and update the public about the assessment of the implementation of LWP. The notification should include the extent to which SFAs are in compliance with their LWP; the progress made toward attaining the goals of the LWP; and the extent to which the SFA's LWP compares to a model policy. SFAs are required to retain a copy of the assessment and documentation regarding the public notification. SFAs may use a variety of methods to notify the public about the assessment. This may include mailing flyers, newsletters, emails, website postings, and newspaper articles. It is recommended SFAs include a plan to improve upon the results of the assessment.

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

- **Finding #1: SFA LWP meets some but not all requirements as stipulated above (1000)**  
**Corrective Action Required:** Please provide a timeline for updating your policy to become compliant with the final rule. The LWP needs updated language regarding nutrition promotion and guidelines for all foods made available (sold and non-sold) on campus during school day. Additionally, LWP requires a plan for measuring implementation.

### **Smart Snacks in Schools**

#### **Commendations/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 if they do not qualify for an exemption. More information, including a helpful *Smart Snacks in a Nutshell* handout, can be found on our [Smart Snacks](#) webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks>).
- The Wisconsin Department of Public Instruction allows two fundraiser exemptions per student organization per school per school year. A fundraiser cannot exceed two weeks in time. An exempt fundraiser may sell foods and beverages that are not allowable under the Smart Snacks rule but may not compete directly with the sale of reimbursable meals. All food fundraisers must be tracked SFA-wide to assure compliance with the regulation. Copies of the tools are available on our [Smart Snacks](#) webpage (<http://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks>).

## **Findings and Corrective Action Needed: Smart Snacks**

- ❑ **Finding #1:** Most of the foods and beverages that food service is selling a la carte are compliant. Three items were found to be non-compliant:
- Fruit by the Foot (first ingredient is sugar, which does not meet a general standard)
  - Gushers (first ingredient is sugar, which does not meet a general standard)
  - Cheetos (first ingredient is enriched corn meal, which is not whole grain-rich)
- Corrective Action Required:** Please submit a written statement confirming that these products will no longer be ordered and sold a la carte.
- ❑ **Finding #2:** At Murray Park Elementary a student organization sells suckers on a regular basis. Suckers do not meet any of the Smart Snacks general standards. At Ripon Middle School the student council holds a cookie-gram sale that occurs once or twice per year. The cookie label/recipe was not available for analysis but it likely does not meet the Smart Snacks standards, as the cookie would have to be whole grain-rich.

There are two situations by which a student organization may sell foods and beverages to students during the school day.

1. If they are selling foods or beverages that **meet** the Smart Snacks standards:
  - a. These foods or beverages may be sold at any time and in any location.
  - b. The organization must keep documentation on file that proves the compliance of the items. This may include nutrition facts labels for purchased foods or beverages, or recipes for anything that is made from scratch. It is also helpful to keep printouts of the results page from the Smart Snacks calculator.
2. If they are selling foods or beverages that **do not meet** the Smart Snacks standards:
  - a. These are considered exempt fundraisers. Each student organization may hold two exempt fundraisers per school per school year. Each exempt fundraiser may be no longer than two consecutive weeks in length.
  - b. Exempt fundraisers cannot occur in the meal service area during meal times.
  - c. Someone in the school must keep track of the exempt fundraisers. Tracking exempt fundraisers is crucial to ensuring that each student organization holding fundraisers that comply with the rule. The process of tracking fundraisers simply means keeping a list of each student organization that has had a fundraiser, noting the length of time and location of the fundraiser, and ensuring that no organization has more than two fundraisers and that each fundraiser is not more than two consecutive weeks. Templates, such as the Exempt Fundraiser Tracking Tool, are available on the [Smart Snacks](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks) webpage, under the resources heading (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks>).

**Corrective Action Needed:** Please submit a written statement explaining your plan for ensuring compliance with Smart Snacks at both Murray Park and Ripon Middle School, including how the regular sale of suckers will be brought into compliance. Please indicate who will be responsible for keeping track of exempt fundraisers at each school.

## 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)). The [Office of Food Safety](#) website ([www.fns.usda.gov/ofs/food-safety](http://www.fns.usda.gov/ofs/food-safety)) includes food safety resources.

### Food Safety Inspections

- Every school operating USDA School Child Nutrition Programs must have two food safety inspections during each school year: including food safety inspection and 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.

### 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 (SOPs), all equipment, and a listing of food service staff at that site. 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>)

### 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.

### 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	

### 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 the 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.

### **Findings and Corrective Action: Food Safety**

- **Finding #1:** Most recent food safety inspection report is not posted in a publicly visible location.  
**Corrective Action Needed:** Post most recent food safety inspection report in location visible to public. Completed on-site. No further action required
- **Finding #2:** Incomplete “Description of Program Overview and Facility.” Refer to page 56 of [USDA Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles](https://fns-prod.azureedge.net/sites/default/files/Food_Safety_HACCPGuidance.pdf) (https://fns-prod.azureedge.net/sites/default/files/Food\_Safety\_HACCPGuidance.pdf).  
**Corrective Action Needed:** Update Description of Program Overview and Facility page of food safety plan with *site-specific* information. Submit updated page.
- **Finding #3:** Uncategorized menu items into Process 1, 2, and 3.  
**Corrective Action Needed:** Categorize all menu items on chart for Menu Items Categorized by Process 1, 2, or 3. Submit updated chart.
- **Finding #4:** Standard operating procedures (SOPs) are not site-specific.  
**Corrective Action Needed:** Remove or adapt SOPs to reflect site-specific procedures. Submit updated SOPs.
- **Finding #5:** No annual food safety plan review completed.  
**Corrective Action Needed:** Review entire food safety plan and update as needed. Document date and name of reviewer on the Food Safety Plan Review page. Submit completed Food Safety Plan Review page.
- **Finding #6:** Missing Food Employee Reporting Agreements.  
**Corrective Action Needed:** Complete all missing agreements. All employee reporting agreements completed on-site. No further action necessary.

### **Buy American**

- The USDA requires that an 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>).
- 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: Buy American

- **Finding #1:** 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:

- Mandarin oranges from China
- Tomatoes from Mexico

**Corrective Action:** The identified noncompliant food item(s) qualify to be on the non-compliant product list, but the SFA does not have a noncompliant list/process in place for tracking.

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 [Buy American Provision](https://dpi.wi.gov/school-nutrition/procurement/buy-american) webpage (https://dpi.wi.gov/school-nutrition/procurement/buy-american).

- **Label does not identify country of origin:**  
In USDA Memo SP 38 -2017, any product that does not identify the country of origin now requires certification from the manufacturer or distributor. See the TA notes above for sample certification language. This will be treated as TA for the 2017-18 school year, but work with your distributor/supplier to move toward compliance.

## Summer Food Service Program (SFSP) Outreach

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

#### Summer Meals

- A goal of USDA Child Nutrition Programs is to ensure all students have access to healthy and nutritious meals year round. Even though a summer feeding program is not operated at Ripon School District, USDA would like all SFAs to inform families of where their students can receive a free meal in the summer months. Fond du Lac public school offers summer meals.
- 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).

## Findings and Corrective Action: SFSP Outreach

- **Finding #1:** No summer food service outreach was provided to students.  
**Corrective Action Needed:** Please provide a statement that Ripon SD will notify students of the ability to receive free summer meals at surrounding school districts like Fond du Lac public school.

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).