

# USDA Child Nutrition Programs Administrative Review Summary Report

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**School Food Authority:** Malaika Early Learning Center

**Agency Code:** 406916

**School(s) Reviewed:** Malaika Early Learning Center

**Review Date(s):** 4/3/18-4/4/18

**Date of Exit Conference:** 4/4/18

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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, meal benefit determination process, procurement, and many other topics. More information along with other upcoming trainings and webinars can be found on the Wisconsin DPI [School Nutrition Training](http://dpi.wi.gov/school-nutrition/training) webpage (dpi.wi.gov/school-nutrition/training).
- SFA staff are encouraged to pursue GOALS Certification. GOALS stands for Goal Oriented Achievement Learning Skills. This is a certificate endorsed by the DPI and is obtained by completing training in nutrition, program administration and operations, and communications and marketing. For more information go to the Wisconsin DPI [School Nutrition Training](http://dpi.wi.gov/school-nutrition/training/goal-oriented-achievement-learning-skills) webpage (dpi.wi.gov/school-nutrition/training/goal-oriented-achievement-learning-skills).
- The US Department of Agriculture has a toolkit of resources to assist schools in meeting the nutrition standards on their [Healthier School Day: The School Day Just Got Healthier](http://www.fns.usda.gov/healthierschoolday) webpage. The topics covered include Smart Snacks, offering fruits and vegetables, reducing sodium, and serving whole grain-rich products (http://www.fns.usda.gov/healthierschoolday).
- [The Smarter Lunchrooms Movement](http://smarterlunchrooms.org) encourages schools to implement low-cost and no-cost lunchroom solutions to help students' select healthier meal options (http://smarterlunchrooms.org). Smarter Lunchroom techniques are easy to begin implementing and do help encourage student consumption of fruits, vegetables, legumes, non-flavored milk, and other healthful choices. These strategies are effective and research-based. Consider trying the Smarter Lunchroom techniques for [increasing consumption of white milk](https://www.smarterlunchrooms.org/scorecard-tools/smarter-lunchrooms-strategies#Milk) (https://www.smarterlunchrooms.org/scorecard-tools/smarter-lunchrooms-strategies#Milk).

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

Thank you to the staff at Malaika Early Learning Center 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.

## **COMMUNITY ELIGIBILITY PROVISION (CEP)**

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

- It is necessary to maintain all certification documents supporting participation in CEP. REMINDER: the current identified student percentage (ISP) and claiming percentages are approved through the 2017-2018 school year for a four year cycle. CEP participating schools will need to inform the SNT annually of the intent to continue participating in CEP, or of any changes to participation (i.e. withdrawal, change of participating schools, groups or requested increases to percentages). SFA must renew their CEP contract for the 2018-2019 school year.

## **REVIEW AREAS**

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

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

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

- Malaika Early Learning Center operates under the Community Eligibility Provision (CEP), providing free breakfast and lunch meals to all students.
- Direct certification match runs were being conducted in the appropriate time frames.
  - All SFAs are required to distribute a public release before the start of the school year. For CEP schools please use the modified [CEP public release](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/cep-public-release.doc) (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/cep-public-release.doc>). The purpose is to inform the public that free and reduced price meals are available. SFAs must annually distribute the Public Release to:
    - Local news media
    - Grassroots organizations (local organizations providing services to populations in need)
    - Major employers contemplating or experiencing large layoffs
    - Local Employment Office

#### **Verification**

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

- Verification Collection Report was completed by February 1.

## Meal Counting and Claiming

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

- Teachers were at the end of the line checking off the students who took a reimbursable meal during service. They would then enter each student who took a reimbursable meal into a central online tracking sheet (google document) for the claim preparer.
- Manual edit checks were completed. The average daily attendance was taken for each month and applied to the claim. SFA claims 100% free.

## **2. MEAL PATTERN AND NUTRITIONAL QUALITY**

### **Commendations**

Thank you to the staff at Malaika Early Learning Center. We appreciate your time and efforts spent preparing for and participating in the onsite review. Additionally, thank you for partnering with MCFI to submit thorough and organized meal pattern documentation prior to the onsite review. Your dedication to your Child Nutrition Programs shows in your perfect week of review for both breakfast and lunch!

During the onsite review, students were enthusiastic about their meals and spoke of many of their “favorite” school lunches. During lunch observation, a 4K teacher was actively encouraging her students to try their fruits and vegetables, providing a great positive message. Thank you to the school nutrition professionals and entire staff at Malaika Early Learning Center for all that you do for your students!

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

#### In-House Yield

In-house yield data may be used for crediting food items contributing to meal pattern requirements. Original documentation showing methods and procedures used to determine yield must be completed and maintained at the food service operation and will be reviewed during the school food authority's next regularly scheduled Administrative Review (AR). An in-house yield study may be warranted if your food service operation consistently gets higher or lower yield from a product than the yield specified in the Food Buying Guide (FBG), or if a specific food item or size is not currently listed in the FBG (e.g. 163 count apples). [Specific and verifiable procedures](#), which must be followed, are available on the [Menu Planning webpage](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/in-house-yield-study-procedures.pdf) (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/in-house-yield-study-procedures.pdf>; <https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning#ihy>).

#### No Offer versus Serve (OVS)

Without OVS in place, students must be served  $\frac{3}{4}$  cup vegetable and  $\frac{1}{2}$  cup fruit as part of a reimbursable lunch. Prior to lunch service on the day of observation, a #8 scoop was pulled to serve the baked beans. This would have only provided  $\frac{1}{2}$  cup vegetables. Since the baked beans were the only vegetable on the menu for this meal, the full  $\frac{3}{4}$  cup of beans must be served in order for those meals to be reimbursable. This was corrected prior to lunch service. While the school is ultimately responsible for ensuring all meals served meet the meal pattern requirements, MCFI provides helpful and accurate portioning information on the production records for each meal that may be referenced.

### Milk Variety

- A variety of milk, at least two allowable milk types, is required to be offered daily at lunch and breakfast. Allowable milk types in Child Nutrition Programs include nonfat (skim) unflavored milk, nonfat (skim) flavored milk (e.g., chocolate), and low-fat (1%) unflavored milk. During onsite lunch observation, it was noted that the low-fat unflavored milk ran out as the last student went through the service line. During onsite breakfast observation, the low-fat unflavored milk had to be restocked prior to the end of service. If students are not offered at least two milk types, the meals do not meet the meal pattern and are considered non-reimbursable.
- Documenting your actual milk usage by type on the production records will provide an accurate way to forecast how much of each type should be put out to ensure that each student has access to both varieties of milk.

### Production Records

- The total number of reimbursable and adult meals should be recorded for each meal on the production record.
- Substitutions or modifications made to the planned menu to accommodate special dietary needs should be recorded on the production record. The specific product information, serving size, and number of portions served should be recorded for any products served as an accommodation.

### Serving Size for Baby Carrots

Some foods, such as baby carrots, do not fit neatly into scoops or spoodles, which makes serving the correct portion more challenging. There is a simple method to determine the number of baby carrots to serve to meet a particular serving size. To do this, dice the baby carrots finely, keeping track of how many carrots you've diced. Once you've diced enough to fill a certain measure (spoodle, measuring cup, etc.), you know how many baby carrots are required to credit as that amount of red/orange vegetable. This process should be repeated any time the size of the baby carrots being served changes.

### Training Recommendation

Anyone involved with the United States Department of Agriculture (USDA) School Meal Programs is encouraged to attend DPI training classes. These are offered in the summer and select other times throughout the year. The classes provide an overview of all areas of the National School Lunch Program (NSLP) and School Breakfast Program (SBP) requirements including verification, free/reduced meal applications, meal pattern, and record keeping requirements. Travel/meal expenses are allowable food service expenses. 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. These can be found on DPI's [Webcast Page](https://dpi.wi.gov/school-nutrition/training/webcasts) (https://dpi.wi.gov/school-nutrition/training/webcasts).

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

- ❑ **Meal Pattern Finding #1:** Milk is a required component as part of the National School Lunch and School Breakfast Programs. You must record daily usage by milk type. While you have a daily estimation of milk usage by type, actual usage should be documented as proof that students were offered milk in at least two varieties daily.

**Corrective Action Needed:** Submit two days of completed breakfast and lunch production records showing that milk usage by type is being recorded at each meal.

- ❑ **Meal Pattern Finding #2:** Adequate signage helps ensure that students know what is included with a reimbursable meal. Signage was posted in the cafeteria and near the beginning of the service line. The signage posted in the cafeteria accurately explains what students must take as part of their reimbursable meal without OVS. The signage posted near the beginning of the service line, however, contains instructions for what students must take for a reimbursable meal under OVS.

**Corrective Action Needed:** Please replace your breakfast and lunch signage posted near the beginning of the service line with signs created for meal service without OVS. Submit a photo of the new signage once posted. Samples of signage that can be printed or updated and implemented in your school can be found on our [Signage Resources](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/signage) webpage ([dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/signage](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/signage)).

### 3. RESOURCE MANAGEMENT

#### Nonprofit School Food Service Account

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

- The AFR was completed and the revenues/expenses were categorized appropriately. Moving forward with the AFR, it would be beneficial for the SFA to break out the fund transfer into the food service account by the program categories to see how each program is operating.

##### Annual Financial Report (AFR)

- All revenues (reimbursements and student payments) and expenses (including food, labor, equipment, purchased services, and the other category) need to be separated into each program; 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 ending balance on June 30 from the previous year needs to be the beginning balance on July 1 for the current year.
- The ending balance, on June 30, can never be a negative balance. A transfer must be made from the non-federal funds to bring the ending balance to \$0.00.
- 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” report any time you pay someone for services provides such as equipment repair and health inspections.
  - Under “Ala Carte”, report 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, 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.

### 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 costs associated with nonprogram foods, 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.
- Since nonprogram foods include Adult Meals and extra milk, these expenses and revenues must be separated from Program foods.

### Adult Meals

- Adult meals are considered non-program foods. Food service programs must price adult meals above the overall cost of the meals. SFAs must follow the **minimum** pricing guidelines in Food Nutrition Services Instruction 782-5.
- At the CEP schools, the price of \$3.52 is allowable because that includes all of the free reimbursements.

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

- ❑ **Finding:** SFA does not charge staff or adults who eat under NSLP, but they transfer money into the food service account to cover the difference. It was noted on site that the SFA only transfers in only the free reimbursement rate for the adult meals. The adult price should be \$3.52 and must cover the free reimbursement (\$3.24) and all subsidies (commodities: \$.23 and state reimbursement (.0473) from a claimed meal.

**Corrective Action Needed:** Please submit a plan of action as to how the SFA will handle the transferring of funds for adult meals. Additionally, please update your online contact to state that the adult lunch is \$3.52 instead of \$3.50.

## **4. GENERAL PROGRAM COMPLIANCE**

### Civil Rights

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

- The SFA includes the complete current nondiscrimination statement on the notification letters to households for the free and reduced meal application process.
- "And Justice for All" posters are posted in public view where the program is offered.
- Civil rights training was completed by all staff in the schools and documentation was available for review.

- The [Civil Rights Self-Evaluation Compliance](https://dpi.wi.gov/sites/default/files/imce/forms/doc/f1441.doc) form was completed and on file by October 31 (<https://dpi.wi.gov/sites/default/files/imce/forms/doc/f1441.doc>).

### Special Dietary Needs

- SFA had documentation on file for students with special dietary needs and they were accommodated based on the medical professional's statement.
- All food substitutions made outside of the meal pattern requirements must be supported by a signed medical statement from a licensed medical professional. SFAs may use the [prototype Medical Statement](#) for Special Dietary Needs posted on the DPI website. Meals served to students with special dietary needs with the signed medical statement 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>). This [flow chart](#) gives guidance on special dietary needs, as well (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sdn-flowchart.pdf>)

### 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 2016-17 with full compliance 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 the SFA 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](#) (<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).

#### Resources:

- 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).
- USDA Food and Nutrition Service has information on the [local school wellness policy](https://healthymeals.nal.usda.gov/school-wellness-resources) process and wellness policy elements (https://healthymeals.nal.usda.gov/school-wellness-resources).
- 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).

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

- ❑ **Finding:** The SFA has a wellness policy on file, but not all of the requirements were included. The wellness policy needs to include information about who is on the committee, how the public is informed of updates, how the public can be more involved, the triennial assessment, who oversees the policy, nutrition promotion, nutrition education and guidelines for foods provided to students during the school day.

**Corrective Action Needed:** Please submit a timeline for when the SFA will be updating the wellness policy.

#### Smart Snacks

At the time of the on-site review there were no competitive foods or beverages sold at Malaika Early Learning Center. If any food or beverage sales occur in the future, the items must either be in compliance with the Smart Snacks general and nutritional guidelines, or must qualify as an exempt fundraiser. A staff member at each school should be responsible for documenting compliance of exempt fundraisers and any other competitive food sales. You can find fundraiser tracking tools on our [Smart Snacks](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks) webpage (https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks).

#### Professional Standards

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

- The Professional Standards regulations in 7 CFR 210.30 established regulations for annual training standards for all school nutrition program directors, managers, and staff which must be tracked.

### 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, substitute, 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 Needed: Professional Standards**

- Finding:** Staff have not completed the required training hours for the school year and did not have a training plan for continuous education for the remaining of the school year.

**Corrective Action Needed:** Please provide a training plan for meeting the required training hours for the food service director and the kitchen staff.

- Finding:** Training was not being monitored on a tracking tool. Everyone kept track of their own trainings.

**Corrective Action Needed:** Please include all current training hours for each food service employee onto the DPI tracking tool and submit as part of corrective action.

### Water

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

- During meal service, cups and water available for students.

### Food Safety and Storage

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

#### 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.

### Food Safety Plans

- The Food Safety Plan was available for review. It was obvious in observing the food service manager/director at work that they are very knowledgeable about food safety practices and safe food handling. All temperature logs, calibration logs, and sanitizing solution logs were up-to-date.
- 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 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](https://dpi.wi.gov/school-nutrition/food-safety) webpage (<https://dpi.wi.gov/school-nutrition/food-safety>).
- The site-specific food safety plan should include SOPs for all programs and procedures utilized at the site. SFA should have a SOP for meals provided on field trips.

### Time as a 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 Needed: Food Safety and Storage**

- ❑ **Finding:** Milk crates put out for the students but not held under refrigeration methods. Staff threw away any unused milk. No SOP was found on file.

**Corrective Action Needed:** Please select and provide a completed Standard Operating Procedure for how the SFA will handle milk, which requires Time as a Public Health Control. SFA was looking into purchasing milk barrels/bags to keep the milk cold during food service.

- Option 1: [Milk Bag with Temp Option](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/sop-milk-bag-temperature.docx) (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/sop-milk-bag-temperature.docx>)
- Option 2: [Milk Barrel with Temp Option](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/sop-milk-barrel-temperature.docx) (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/sop-milk-barrel-temperature.docx>)
- Option 3: Time as a Public Health Control-no milk bag or barrel

- ❑ **Finding:** SFA had two food service staff working in the kitchen but only one staff member had the Employee Reporting Agreement on file.

**Corrective Action Needed:** Please submit a copy of the other staff member’s [Employee Reporting Agreement](https://datcp.wi.gov/Documents/foodemployeereportingagreementsupplement.pdf) (<https://datcp.wi.gov/Documents/foodemployeereportingagreementsupplement.pdf>).

## **Buy American**

### **Commendations/Comments/Technical Assistance (TA)/Compliance Reminders**

The USDA requires that a School Food Authority (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 the Buy American provision: pineapples, mandarin oranges, olives, tuna, bananas and coffee.
- If no country of origin is identified on the label, the SFA must get certification from the 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 be accepted in an email.
- Labels should indicate if the product is grown, processed, and packaged in the continental U.S. or any U.S. Territory. If the label indicates that the 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 prior, written approval of the Food Service Director, should be rejected. If non-domestic substitutes that were not pre-approved in writing by the food service director are 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 the manufacturer that poor market conditions exist (weather, and/or supply availability of market). This requirement applies to private labels.
- The SFA should maintain written procedures to ensure product received and inventory is compliant with the Buy American Provision procedures. 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 noncompliant products, can be found on the SNT [Procurement](http://dpi.wi.gov/school-nutrition/procurement/buy-american) 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 the storage area as non-domestic and not listed on the SFA's Buy American – Noncompliant List:
  - Whole Pineapples – Costa Rica
  - Honeydew Melon - Honduras

**Corrective Action Needed:** Add the above items to your Noncompliant Product List for tracking nondomestic products. Provide documentation showing these items have been added to your list as corrective action.

### **Reporting and Recordkeeping**

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

- Thank you for keeping all records on file for the recommended time frame.
- There are additional record retention rules for CEP. “LEAs/schools must retain records used in the development of the ISP (e.g., records for the initial approval year and all records from the year any updates are made to the ISP) during the entire period CEP is in effect. In addition documentation must be retained for five years after the submission of the final claim for reimbursement for the last fiscal year of CEP.” Documents would also need to be maintained longer if there were an open audit issue needing to be resolved.

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

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

##### Breakfast Promotion

A [Breakfast in the Classroom Toolkit](https://dpi.wi.gov/school-nutrition/school-breakfast-program/resources) is also available if that option is considered (<https://dpi.wi.gov/school-nutrition/school-breakfast-program/resources>).

##### 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 Malaika, USDA requires all SFAs to inform families of where their students can receive a free meal in the summer months. SFAs can inform families of summer meals via the following methods:

- Promotion of the [summer meals locator](https://dpi.wi.gov/community-nutrition/sfsp/find-summer-meals-site) on the DPI Summer Meals webpage (<https://dpi.wi.gov/community-nutrition/sfsp/find-summer-meals-site>)
- Promotion of calling 211 to locate meals in the area
- Promotion of the ability to text ‘food’ to 877-877 to locate meals in the area
- Promotion of the USDA [Summer Food](http://www.fns.usda.gov/summerfoodrocks) website (<http://www.fns.usda.gov/summerfoodrocks>)

##### Resources:

- 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>).
- 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](mailto:amy.kolano@dpi.wi.gov)

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

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

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

