

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

School Food Authority: Clayton School District

Review Date(s): 12/12/18– 12/13/18

School(s) Reviewed: Clayton Middle School

Date of Exit Conference: 12/13/18 and on 12/21/18 via phone with authorized representative.

Agency Code: 481120

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, meal benefit determination process, 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, or 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 (USDA) 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 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.

Appreciation/Commendations/Noteworthy Initiatives:

Thank you to the staff at Clayton School District for the courtesies extended 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.

The business manager/food service director and food service manager were welcoming, eager to make improvements, and quick to take corrective action steps. The staff at the review site were accommodating and receptive to suggestions.

REVIEW AREAS

1. MEAL ACCESS AND REIMBURSEMENT

Certification and Benefit Issuance

Commendations:

- The determining official did an excellent job preparing all benefit issuance documents for the review. The great organization made this section of the review go quickly and smoothly.

Technical Assistance:

Benefit Issuance Review

- Of the 139 eligibility determinations reviewed, two errors were identified. These errors have been recorded on the SFA-1 form and are used to determine an error percentage. The error percentage was 1.44%, which is low enough to not require an independent review of applications or benefit issuance fiscal action. An additional one error was identified outside of the benefits issuance sample. This error has been recorded on the SFA-2 form and are not used to determine error percentages.

Household Communications

- When a household is contacted to clarify information reported on an income application, the determining official should document the details of the communication. Additionally, if the application is edited by the determining official, the edits should be initialed and dated to indicate that the edits were based on additional clarification and not part of the initial application. Several applications contained edits by the determining official based on household communications, but the details were not noted and there were not initials/signatures or dates documented.

Program Names for Case Numbers on Applications

- Beginning in the school year 2018-19, WI DPI requires that program names be reported with case numbers when provided on an application. Applications with case numbers but no program name listed are considered incomplete until the missing information is obtained from the household. As a reminder, only Food Share, W-2 Cash Benefits, and FDPIR programs can be listed with case numbers on applications. Badgercare and Medicaid are not eligible programs for categorical eligibility on applications.

Direct Certification (DC)

- While the manual entry of DC information into the software system appears to be effective, it is recommended to explore options for electronic uploading of DC runs directly into the software.
- The effective date of a benefit established via DC extension (such as by a sibling or other household member) is the date that the determining official receives documentation or knowledge of the shared household members.

Transferring Students

- Transferring the eligibility determination between LEAs ensures that qualifying students continue to receive school meal benefits as they transition to new schools, and avoids the possibility of unpaid meal charges. FNS strongly encourages LEAs to immediately accept the eligibility determinations made at a student's previous LEA (if they participated in NSLP) when a student transfers between LEAs during the school year, over the summer, or at the start of the next school year.
- Wisconsin DPI requires source documentation of the student's previous eligibility. Source documentation means that the information originally used to determine the student's meal eligibility is shared with the school requesting the information for the new or transfer student. Source documentation may include a copy of the original application or a copy of a DC run with the student's name listed. A phone call or copy of a benefit approval letter are examples of documentation that would not be sufficient to establish the new or transfer student's eligibility.

Disclosure

- While Clayton School District currently does not disclose any free/reduced eligibility information for non-program purposes (such as fee waivers), it is important that sharing information and disclosure requirements are followed if this process changes in the future.
- 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. The [Sharing Information with Other Programs](#) template can be found 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, a disclosure agreement form should be signed and on file at the district. Template disclosure agreements for [outside agencies](#) and for [school staff](#) are available on the SNT website (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/disclosure-agreement.docx>; <https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/disclosure-agreement-school-staff.docx>).

Findings and Corrective Action Needed: Certification and Benefit Issuance

- ❑ **Finding A:** Three students were approved for free meal benefits based on a case number provided on an application along with the program name "kinship." The income reported on the application exceeds income eligibility guidelines. Kinship can only qualify a student for free meal benefits if the kinship care is court-ordered, formal and the state retains custody of the child. Documentation must be provided that indicates that the state retains custody in order to issue a free meal benefit based on kinship. Court-ordered, informal kinship care in which the household retains custody does not automatically qualify the child for free meals, but instead eligibility must be established via direct certification or an application. Please see the [Special Situations in Determining Free and Reduced Meal Eligibility](#) resource (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/free-and-reduced-special-situations-in-a-nutshell.pdf>).

Corrective Action: Contact the household to clarify if the kinship is formal or informal, and request documentation to support formal kinship status if the state retains custody of the children. If appropriate documentation can be obtained, retain the documentation and continue giving the children free meal benefits. If the kinship is informal or documentation cannot be obtained, run direct certification to see if the children match. If the children do not match to direct certification, then the students' meal benefits must be discontinued. If benefits must be discontinued, send an adverse action letter to the household that states that the meal benefit will be decreased to paid status in 10 days

from the date the letter is sent. Change the student's meal benefit in the software system on the 10th day. Submit documentation that shows how this error was resolved (documentation of formal kinship, direct certification match, or dated adverse action letter).

- ❑ **Finding B:** The letter sent to families to communicate the end of the carryover period states that the households can request a hearing if they disagree with the decrease in benefits after carryover. Benefit expiration due to carryover cannot be appealed, and thus this language must not be included in the letter. Please reference the [the Eligibility Manual](#) page 57 (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/eligibility-manual.pdf>).

Correction Action: Please revise the carryover ending letter so that it does not convey appeal rights. It is highly recommended to utilize [DPI's Expiring Benefits template](#) letter which explains the ending of the carryover period (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/expiring-benefits-template-letter.doc>). This template can be found on the [Free and Reduced Price Meal Applications and Eligibility](#) webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/free-reduced-applications>).

Verification

Technical Assistance:

- When a benefit eligibility status increases as a result of verification, the change must take place within three days. When a benefit eligibility decreases, the change cannot take place before ten calendar days and a notice of adverse action must be sent in writing with appeal rights procedures.
- The LEA must make at least one attempt to contact the household when the household does not adequately respond to the request for verification. "Non-response" includes no response and incomplete or ambiguous responses that do not permit the LEA to resolve children's eligibility for free and reduced price meals. The required follow-up attempt may be in writing (mail or e-mail) or by telephone or text message. The LEA must document contact was attempted. Additionally, the LEA must ensure LEP households are provided adequate language assistance and understand the need to respond to the verification request. Please reference [the Eligibility Manual](#) page 112 (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/eligibility-manual.pdf>).

Findings and Corrective Action Needed: Verification

- ❑ **Finding C:** For verification, the non-responsive household was contacted by the determining official via phone and email. However, the follow up efforts were not documented as is required in [the Eligibility Manual](#) page 112 (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/eligibility-manual.pdf>). Additionally, the household whose benefits were decreased as a result of verification was not given ten days before the decrease was implemented. In adverse action, it is required to give households ten calendar days' notice to allow for an appeal request before decreasing a benefit. Please reference page 57 in [the Eligibility Manual](#) (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/eligibility-manual.pdf>).

Correction Action: Submit a statement describing how the verifying official correctly complete verification next year. It is suggested that the official view the [Verification webcast](#) to reinforce the verification requirements (<https://dpi.wi.gov/school-nutrition/training/webcasts#verif>).

Meal Counting and Claiming

Technical Assistance:

Visiting Students

- Please note that SFAs may claim visiting students outside of the district in the paid category or the individual's benefit category with documentation, unless they are from a CEP school. In order to ensure the full meal cost is covered when serving visiting students, it is recommended to either charge the student the paid student price and claim in the paid category, or charge the adult meal price. Simply charging the paid student price but not claiming for reimbursement will likely not cover the entire cost of the meal.

Findings and Corrective Action Needed: Certification and Benefit Issuance

- ❑ **Finding D:** The claim preparer does not compare daily free, reduced price, and paid meal counts against data which will assist in the identification of meal counts in excess of the number of free, reduced price and paid meals served each day to children eligible for such meal, as is required in 7 CFR 210.8. The current meal count reviews conducted by the claim preparer appear to yield accurate claims, however this requirement has not been met.

Corrective Action: Submit a statement describing how the review of meal counts will be conducted prior to claim submission going forward. The procedure must include:

- A comparison of daily lunch and breakfast counts to the number of eligible students in each eligibility category to ensure that more students are not claimed than are eligible in any category on any given day, as described above.
- An edit check of each school's daily counts of free, reduced price and paid lunches against the product of the number of children in that school currently eligible for free, reduced price and paid lunches, respectively, times an attendance factor (as described in 7 CFR 210.8). The current procedures utilized by the SFA do include this process already through an electronic lunch edit check report and manual investigation of flagged, questionable data.

It is strongly recommended that the procedures also include:

- A manual review the software-generated monthly edit checks to ensure that all questionable meal counts are investigated—not just the ones automatically identified by the edit check report.
- An edit check of each school's daily breakfast counts free, reduced price and paid lunches against the product of the number of children in that school currently eligible for free, reduced price and paid lunches, respectively, times an attendance factor.

2. MEAL PATTERN AND NUTRITIONAL QUALITY

Menus, OVS, and Crediting

Commendations:

- Thank you to the food service manager for the prompt communication and organization of requested documents. The manager's thorough work made for an expedited review. Thank you to all of the staff in the Clayton School District kitchen- they were kind, cooperative, and friendly. Staff has excellent rapport with students and helps to make the lunchroom a positive and fun place. Clayton School District's efforts to provide healthy meals to students is much appreciated. Keep up the great work!

Technical Assistance:

Starchy Vegetables to Meet Fruit Requirement at Breakfast:

- Tri-taters, from the starchy vegetable subgroup, were offered at breakfast as part of a reimbursable meal without offering other non-starchy vegetables throughout the week. To

substitute a starchy vegetable for fruit, at least two cups of non-starchy vegetables from dark-green, red/orange, beans and peas (legumes), or other vegetable subgroup must be planned sometime during the week in addition to the starchy vegetable. Alternatively, a starchy vegetable may count as an extra. When planning a starchy vegetable as an extra, do not count it as a food item. It is required to plan a full cup of fruit and/or vegetable. The starchy vegetable does not count as part of the ½ cup required fruit and/or vegetable for Offer versus Serve, and the student needs to select three other food items in order to have a reimbursable meal. However, the starchy vegetable still counts towards the weekly dietary specifications.

- Example: If ½ cup of starchy vegetable (being served as an extra) is on a tray, look for three other items including at least ½ cup of fruit and/or vegetable on the tray as well. Ensure that POS staff is aware of this – it may also be noted on signage to communicate with students.
- Note: No corrective action is required. This was noticed during the week of the on-site visit, but not on the day of review or during the week of review. Additionally, the manager stated that moving forward the tri-tater will be served as an extra.

Grain-Based Desserts at Lunch

- Elementary students are offered graham crackers, a grain based dessert, with alternate meals on Tuesday and Thursday. When additional grain based desserts (e.g. chocolate chip cookies) are being offered during the week to all students, the limit of 2 oz eq grain based desserts per week is being surpassed.
- Note: No corrective action is required. This was noticed during the week of the on-site visit at Clayton Elementary School, which was not the selected review site. Also see Meal Pattern Finding H.

Hummus

- Hummus is portioned in 1 oz by weight. This is not enough to credit as a vegetable. However, the bean/pea [legume] subgroup is met by the daily 1/8 cup of chickpeas offered on the salad bar. 2.5 ounces by weight equals 1/8 creditable cup vegetable.

Weekly Meat/Meat Alternate (M/MA) Minimums:

- The meal pattern requires a minimum amount of each food component per age/grade group to be offered, regardless of what the student chooses to select. Each line needs to meet the daily meal pattern requirements as well as the weekly meal pattern requirements. Because students are only able to select one entrée option, each entrée option offered is viewed as one “line” and therefore needs to meet the daily as well as the weekly requirements. Continue to offer an additional M/MA (eg, cheese stick, yogurt) with the peanut butter sandwich entrée to meet the weekly minimum.
- Note: The manager was initially unaware that middle school students are offered a cheese stick with the peanut butter sandwich entrée. Food service staff assured reviewers that cheese sticks are always on the line and offered to students who select the alternate entrée. This was verified by state agency (SA) during on-site review. Also see Meal Pattern Finding G. Keep in mind that all entrée options must meet both the daily and weekly minimum requirements for all grade groups.

Meal Pattern Component	Grades K-5	Grades 6-8	Grades K-8	Grades 9-12
Grains (oz eq) ^g	Weekly: ≥8oz eq Daily: 1 oz eq	Weekly: ≥8oz eq Daily: 1 oz eq	Weekly: ≥8oz eq Daily: 1 oz eq	Weekly: ≥10oz eq Daily: 2 oz eq
Meats/Meat Alternates ^g (oz eq)	Weekly: ≥8oz eq Daily: 1 oz eq	Weekly: ≥9oz eq Daily: 1 oz eq	Weekly: ≥9oz eq Daily: 1 oz eq	Weekly: ≥10oz eq Daily: 2 oz eq

Milk Types:

- A variety of milk (at least two allowable milk types [one of which must be unflavored]) must be offered daily at breakfast and lunch. Allowable milk types in Child Nutrition Programs include nonfat (skim) milk, flavored (e.g. chocolate, strawberry, etc.) or unflavored, and low-fat (1%) milk, flavored or unflavored. Notably, children 2-5 years old and not yet in kindergarten must be served nonfat (skim) or low-fat (1%) milk, unflavored only. The [Child Nutrition Programs: Flexibilities for Milk, Whole Grains, and Sodium Requirements Final Rule](https://www.federalregister.gov/2018-26762) is effective school year (SY) 2019-2020, which begins July 1, 2019, and broadens the milk options in the National School Lunch Program (NSLP), School Breakfast Program (SBP), Child and Adult Care Food Program (CACFP), and Special Milk Program (SMP) (<https://s3.amazonaws.com/public-inspection.federalregister.gov/2018-26762.pdf>). *All of the milk types offered in Clayton Middle School (1% and 1% chocolate) are currently allowable. Pre-K students may continue to have access to both milk types if they are co-mingled.*

Grape Portions

- Pre-cut bunches of grapes were served at lunch on 12/12 with a ½ cup spoodle. Students were served a heaping scoop. Per the USDA Food Buying Guide, 14 whole grapes is equal to ½ cup fruit. The scoops averaged 15-19 grapes. Reviewers do not doubt that students who selected grapes took at least ½ cup (14 grapes). Best practice would be to put out a “display dish” of 14 grapes on days that grapes are served. This display can serve as a visual aid to students and staff and remind them to select at least the minimum amount of grapes to make a reimbursable meal.

Findings and Corrective Action Needed: Meal Pattern and Nutritional Quality

☐ ****Finding E:** Acceptable crediting documentation was not available for:

- Cinnamon Pop-Tarts- *Corrected on site. No further action required.*
- Banana and chocolate chip breakfast FIT bars- *Corrected on site. No further action required.*
- Tasty Brands breakfast toast

Please provide crediting information for these products by securing a product formulation statement (PFS) directly from the manufacturer or saving a Child Nutrition (CN) label directly off the packaging the next time the product is received. A complete PFS must be directly from the manufacturer and 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. Documentation should be printed on company letterhead and signed by an appropriate person (e.g., a quality assurance agent or registered dietitian, rather than a salesperson). If proper documentation cannot be obtained, discontinuation of these products for school meals should occur.

Corrective Action: Submit crediting documentation (PFS, CN label, USDA Fact Sheet) for the items. If applicable, find substitution items and submit crediting documentation.

***If the determined ounce equivalents of meat/meat alternate and grains offered in the breakfast toast result in a daily and/or weekly M/MA shortage, please note that on future Administration Reviews (AR) repeat violations of minimum quantity shortages may result in fiscal action.*

- ✓ **Finding F:** Signage helps students understand what components make up a reimbursable meal. The signage displayed was neat, attractive, and impressive. Please add a statement to the current signage that states the student must take at least ½ cup fruit and/or vegetable, or a combination.

Corrective Action: *Corrected on site. No further action required.*

- ❑ **Finding G:** Some information was missing from some production records.
 - On 12/12 a hot dog was served to a student who does not like corn dogs. Substitution items are not currently being recorded on production records. *Note: the item is an allowable substitution that meets meal pattern requirements and has crediting documentation.*
 - The peanut butter sandwich entrée is being offered with a cheese stick. However, production records do not reflect that.

Corrective Action: Please submit an updated lunch production record template that shows:

- A place to record substitutions
- Cheese sticks are offered with peanut butter sandwiches
- ✓ **Finding H:** Cookies served at lunch on 12/12 were not whole-grain rich. The first ingredient is “enriched bleached flour,” which is not a whole-grain product. USDA has a very thorough [Whole Grain Resource](#) that provides tools and tips for identifying whole grain-rich products (<https://www.fns.usda.gov/sites/default/files/WholeGrainResource.pdf>).

Corrective Action: *Corrected on site. No further action required.* The food service manager stated that going forward the cookie will be served as an extra and not credit it toward the meal pattern. As a reminder, “extras” should be limited and served only on occasion. This helps to control costs, as well as keep calories, sodium, and fat within allowable ranges.

Once the Public Health Nutritionist has all crediting documentation and updated standardized recipes for the week of review, it can be analyzed to determine if the meal patterns for the National School Lunch Program and School Breakfast Program are being met. Until that time, the review cannot be closed. Please be aware that the possibility to conduct a weighted nutrient analysis exists if substantial errors are found. Additional errors may require additional corrective action and may also be subject to fiscal action.

3. RESOURCE MANAGEMENT

Nonprofit School Food Service Account

Commendations:

- The business manager does an excellent job managing the financial aspects of the child nutrition programs. Financial questions were answered thoroughly and with ample documentation. The business manager was quick to make corrections when errors were noted.

Technical Assistance:

Allowable Costs

- On the last administrative review, corrective action was required to assure that utilities charged to food service were direct costs. On the 2018-19 review, the energy usage study completed by CESA 10 for the SFA was reviewed. The study revealed that 3.4% of utilities could be charged to food service as direct costs based on usage. No concerns regarding unallowable or indirect costs were raised on the 18-19 administrative review.

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 [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>).
- For assistance allocating expenses on the AFR, please reference the resources provided in the Annual Food Service Financial Report section of the [Financial Management webpage](#)

(<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/financial>). An expenditures reference sheet and an expense allocation tool are available.

Unpaid Meal Charge Policy

- USDA Policy Memorandum SP 46-2016 requires all SFAs operating federal school meal programs to have a written and clearly communicated policy that addresses unpaid meal charges. For a snapshot 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
- SFAs are required to provide the unpaid meal charge policy in writing to all households at the start of each school year and to households transferring to the district during the school year.

Findings and Corrective Action Needed: Nonprofit School Food Service Account

- ✓ **Finding I:** The annual financial report (AFR) did not have any expenditures allocated to non-program foods. Non-program foods include adults meals, extra milks, extra entrees, items sold to student groups, and milk served to paid elementary students at milk break. The revenues associated with the sale of adult meals, extra milks, and extra entrees were not included in non-program foods revenue. Additionally, the expenditures allocated to the Wisconsin School Day Milk Program (WSDMP) include more than just the cost of milk served to free and reduced eligible students during milk break. Only costs associated with serving free milk to free and reduced eligible children at milk break through the WSDMP should be allocated to WSDMP (WMMP) expenditures.

Corrective Action: Correct the AFR to resolve the errors described. This can be completed online until December 31. After December 31, any changes to the AFR must be done by contacting Jacque Jordee at jacqueline.jordee@dpi.wi.gov or 608-267-9134 and fax or email her an updated report to complete a manual update. Notify the consultant when the report has been resubmitted or the discrepancy has been otherwise resolved. *Corrected on-site; no further action required.*

- ❑ **Finding J:** The unpaid meal charge policy was not distributed in writing (letter, email, handbook, registration materials, etc.) to all households at the start of the school year and to households transferring into the district during the school year. Please note that posting the policy on the district website is encouraged, but does not meet the policy distribution requirement.

Corrective Action: Submit a detailed plan describing how the policy will be distributed to all households in writing going forward.

Revenue from Non-Program Foods

Technical Assistance:

- The USDA Nonprogram Revenue Tool must be completed yearly, at a minimum. The [DPI Nonprogram Food Revenue Tool/Calculator](http://dpi.wi.gov/sites/default/files/imce/school-nutrition/xls/non-program-food-price-calculator) 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>).

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

- 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.

Food Purchased for Other Organizations

- On occasion, the food service manager will purchase food items for student organizations on their behalf. In these scenarios, the full cost of the food is recovered via a journal entry from the organizations account to Fund 50. It is highly recommended to begin charging some type of service/labor fee for these food orders to ensure that the food service manager’s labor time spent preparing the orders is covered since these orders are for non-program purposes.

Findings and Corrective Action Needed: Nonprogram Foods

- ❑ **Finding K:** The Non-Program Foods Revenue Tool has not been completed for the current school year, and the SFA sells more than just adult meals and milk. Extra entrees are also sold to students, thus requiring completion of the tool to assess compliance with non-program foods revenue requirements. Please note that milk served to paid eligible students free of charge at “milk break” when the Wisconsin School Day Milk Program is offered is considered a non-program food and must be included in the tool.

Corrective Action Needed: Complete the tool using a reference period of at least five consecutive school days. Submit completed tool to consultant. After tool completion and submission, the SFA and consultant will collaborate on any suggested changes to non-program food procedures and pricing to ensure compliance.

4. GENERAL PROGRAM COMPLIANCE

Civil Rights

Technical Assistance:

Non-Discrimination Statement

- When including the [non-discrimination statement](http://dpi.wi.gov/school-nutrition/national-school-lunch-program/civil-rights) on letters, menus, website, and other documents used to convey program information, it is necessary to use the current statement which was updated in 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 or low balance notices, the abbreviated statement may be used, “**This institution is an equal opportunity provider.**” Either of these statements must be in the same size font as the other text in the document.

Processes for Complaints

- Schools must have a process for receiving and processing complaints alleging discrimination within the school meals program.
- All verbal or written civil rights complaints regarding the school nutrition programs that are filed with the district must be forwarded to the Civil Rights Division of USDA Food and Nutrition Service or the state agency within 5 days. This should be included in the district procedures to ensure compliance.

- 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. An 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 Complaint Form](#) for assistance in filing these complaints (https://www.ocio.usda.gov/sites/default/files/docs/2012/Complain_combined_6_8_12.pdf).
- Additional information can be found in the [FNS 113-1 USDA Civil Rights Compliance and Enforcement for Nutrition Programs and Activities](#) resource.

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. SFAs may use the [prototype Medical Statement](#) for Special Dietary Needs posted on the DPI website, which is also available in Spanish and Hmong (<http://dpi.wi.gov/school-nutrition/national-school-lunch-program/special-dietary-needs>). 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>).
- School food service staff may make food substitutions, at their discretion, to accommodate children without 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. These accommodations made for students 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 or water may not be substituted for fluid milk unless juice or water is specified as a substitution on a medical statement signed by a licensed medical practitioner. An SFA may choose to offer lactose-free milk or provide a fluid milk substitute that meets the nutritional requirements set forth by USDA without a medical statement. Nutrition information for a fluid milk substitute the SFA wishes to provide for students, must be approved by the SNT office. 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>).

Findings and Corrective Action Needed: Civil Rights

- ❑ **Finding L:** The application approval/denial letter does not contain full non-discrimination statement. Additionally, the alternate meal notification letter sent to parents does not contain the non-discrimination statement (full or shortened).

Correction Action: Please revise the letters so that they contain the full non-discrimination statement. Submit a copies of the revised letters.

Local Wellness Policy (LWP)

Technical Assistance:

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. 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).

Triennial Assessment

- 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 the 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).
- Additionally, the SFA is required 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 an improvement plan upon the results of the assessment.

Resources:

- 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>). The policy builder provides sample language that can be used in the SFA's policy when the updates are made. The wellness policy report can assist in completing the triennial assessment of policy implementation.

Findings and Corrective Action Needed: Local Wellness Policy

- ❑ **Finding M:** The local wellness policy (LWP) does not contain required language pertaining to food/beverage marketing and the triennial assessment. As a reminder, diverse stakeholders (including parents, students, and community members) should be recruited to participate in wellness policy development and review—not just policy implementation.

Correction Action: Submit a timeline for updating the policy to become compliant with the final *Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010* rule.

Smart Snacks in Schools

Commendations:

- Thank you to the school principal for communication prior to the on-site review. The principal's cooperation to comply with the Smart Snack regulations is much appreciated.

Technical Assistance:

Smart Snack Calculator

- It is recommended to use the [Alliance for a Healthier Generation's Smart Snacks Product Calculator](#) to assess product compliance (<https://foodplanner.healthiergeneration.org/calculator/>). 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.

Whole Grain-Rich (WGR)

- Additional information on WGR items, including how to determine if a product is WGR, can be found in the [USDA Whole Grain Resource](#) (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/meal-pattern#grain>).

Vending Machines

- Since the Clayton School District is housed in one building, it would be best practice to place signage on the vending machine to let students know who is allowed to make purchases. The vending machines contain items only compliant for high school students to purchase. The principal stated the machine is currently in a portion of the building that middle and elementary school students are not allowed to access. This was verified by SA during on-site review.

Beverages

- As a reminder, only high school students are allowed to purchase low-calorie or no-calorie beverages during the school day (beginning at midnight and ending thirty minutes after the end of instruction). Low-calorie beverages can only have ≤ 5 calories per fluid ounce. Low calorie beverages cannot exceed 12 fluid ounces. No-calorie beverages cannot exceed 20 fluid ounces.

Findings and Corrective Action Needed: Smart Snacks

- ❑ **Finding N:** The following items sold on the snack cart are non-compliant. Their first ingredient is not a whole grain:
 - Cheez It (1st ingredient is enriched flour)
 - Austin Cheddar Cheese and Peanut Butter (1st ingredient is enriched flour)
 - Goldfish (1st ingredient is enriched flour)
 - Great Value Cereal Bars (1st ingredient is non-creditable fruit)

Corrective Action: Submit a written plan of action explaining what will be done to bring all offerings into compliance. If replacement items are selected, submit nutrition information and Smart Snack Compliance results for each new item.

On-site Monitoring

Technical Assistance:

- While the SFA operates three school sites according to the online contract, all school sites are located in the same building. The food service director and manager have direct daily oversight for all sites and therefore on-site monitoring is not required.
-

Professional Standards

Technical Assistance:

Two Year Flexibility

- SFAs may utilize the two year flexibility offered by the state agency for professional standards training. The SFA may define a two year period and allow staff members to complete twice their annual training hour requirements over two years. For example, a full time staff member could complete 12 hours of training over the defined two year period as opposed to completing six hours every year. This option does not require additional approval from the state agency.
-

Food Safety

Technical Assistance:

Food Safety Plans

- Food safety plans must be based on Hazard Analysis Critical Control Point (HACCP) principles to cover any facility where food is stored, prepared, or served for the purposes of the NSLP, SBP, or other FNS programs. This means the food safety program/plan should contain standard operating procedures (SOP) for safe food handling on school buses, in hallways, school courtyards, kiosks, classrooms, or other locations outside the cafeteria including on field trips.

Employee Health Reporting Agreements

- Signed employee health reporting agreements were not available upon request, as they could not be located despite staff memory of training on the content and form completion. While on site, all staff members working in the kitchen read and signed new agreements which will be kept on file.

Personal Food Items Stored in Cooler

- It was observed that several personal food items belonging to food service staff members were stored in the cooler with food for the meal programs. While these items were kept on a separate tray, it is recommended to further separate personal food items by containing them in small bin and storing them near the bottom of the cooler. It is also suggested to more clearly label these personal food items to distinguish them from foods for the programs.

Milk Barrels

- Milk barrels with frozen inserts are used during meal service and for the afternoon milk break. Temperatures of the milk in the barrels must be taken and recorded prior to returning the milk to the milk cooler at the end of service. At the end of the day, the custodial staff are responsible for temping the milk left in the barrels from afternoon milk break. However, these temperatures are

not recorded. It is necessary to work closely with the custodial staff to ensure these temperatures are recorded and that corrective action for milk temped above 41 degrees is understood. It is also recommended that the milk break milks in the barrels be temped and returned to the cooler as soon as possible after milk break is over, and not left out for an extended period of time. Quick return of the milks to the cooler will ensure appropriate temperature control and prevention of pilferage.

Sharing Bin/Table

- The SFA implemented a sharing bin at the beginning of the current school year. The bin is located after the point of service, is supervised by the cashier, and features an ice-lined container for temperature control. A standard operating procedure (SOP) for the sharing bin has been developed and is included as part of the food safety plan. The sharing bin was discussed with the sanitarian and authorized representative prior to implementation. Only students in third grade and up are allowed to take food items from the bin. The SOP states that all items left in the bin at the end of service will be discarded, which was observed in practice during the review. Continue working on the SOP and collaborating with the sanitarian on the sharing bin. Based on on-site observation, the bin is effective and implemented correctly. Please see the following information for more sharing bin/table recommendations.
- Both Sharing Tables and No Thank You Tables are permitted in Wisconsin. Definitions, considerations, and guidance for safe and responsible implementation for each type of table is outlined below. Sharing or no thank you tables are appropriate for students in first grade and up. Preschool, pre-kindergarten, and kindergarten students are considered a susceptible population at greater risk for foodborne illness.
 - Sharing Table: A sharing table is a designated table for items students do not intend to consume. Students may pick up items from the sharing table during the meal period. Items must be pre-packaged and unopened. A designated food service worker or trained individual must monitor the sharing table throughout meal service, inspecting items for wholesomeness. The table should not be located immediately after the point of service/sale.
 - No Thank You Table: A no thank you table is a designated table placed after the point of service for items students do not intend to consume. Students may not pick up items from this table during the meal period. At the end of meal service, a designated worker or trained individual must inspect the items for wholesomeness.
- Considerations:
 1. School food authorities (SFA) are making a conscientious effort to be good stewards of federal and state funding and USDA Foods received for the school meal and afterschool snack programs.
 2. Offer versus Serve is effectively implemented. This includes training and supervising food service employees, informing students they may turn down up to two components at lunch and one food item at breakfast, and providing age appropriate signage.
 3. The legal entity (e.g. school board, administrator) stated, in writing, sharing or no thank you tables are allowed at specific serving locations and accepts liability in the event of foodborne illness or injury.
 4. Parents will be informed in writing.
 5. The food safety plan for the specific serving locations where sharing or no thank you tables are allowed includes a standard operating procedure (SOP). Please work with the sanitarian and/or local regulatory authority before, during, and after the development of the SOP. Any changes required by the sanitarian will be made.
 6. Items on the sharing or no thank you table are limited to school meal or snack components. Food items brought from home are excluded.

7. Fruits and vegetables with edible peels must be washed and wrapped or packaged for meal service.
 8. Food on sharing or no thank you tables is not for adults (e.g. food service staff, aides, teachers, custodians).
- Wholesome leftovers may be re-served; given away to students during the same meal period (sharing tables) or later part of or subsequent school day (no thank you tables); given to the school nurse for students with medications or complaints of hunger; donated; or composted. “Wholesome” must be defined by the SFA as part of the SOP. Only non-time/temperature control for safety (TCS) food items may be re-served and sold in child nutrition programs by the school food authority. TCS foods include milk, cheese, and yogurt, among many other food items. Food safety decisions surrounding sharing and no thank you tables are at the discretion of the sanitarian and/or local regulatory authority. Implementation may vary across the state.
 - Consider using a monitoring log for items left the sharing table or no thank you table. List prepackaged items and fruits with a non-edible peel or wrapper. At the end of meal service, count the items placed on the table. The employee who initials this log must check all leftover items for wholesomeness. No open items may be re-served. Use data to inform future menu planning and purchasing decisions. A template is available on the [Food Safety](https://dpi.wi.gov/school-nutrition/food-safety) webpage (<https://dpi.wi.gov/school-nutrition/food-safety>).

Findings and Corrective Action Needed: Food Safety

- ❑ **Finding O:** Reimbursable field trip meals are offered, however there was not a corresponding standard operating procedure (SOP) in any schools’ food safety plan detailing the food safety practices for field trip meals.

Correction Action: Submit an SOP for field trip meals to reflect site-specific procedures including food handling, storing, transporting, and the leftover food procedure. A [template field trip SOP](https://dpi.wi.gov/school-nutrition/food-safety#templates) which can be modified to be site-specific is available on the [food safety webpage](https://dpi.wi.gov/school-nutrition/food-safety#templates) (<https://dpi.wi.gov/school-nutrition/food-safety#templates>). The SOP should be added to food safety plan at any schools where field trip meals are offered.

Reporting and Recordkeeping

Technical Assistance

- There are several reports that must be completed and submitted to DPI annually. The October lunch claim cannot be submitted until the AFR, FNS 10, and Paid Lunch Price reports are submitted. The SFA submitted the Paid Lunch Price report past the due date.
 - Annual Financial Report (AFR) due by August 31st
 - FNS 10 report due by November 1st
 - Paid Lunch Price Report due between November 1st-15th
 - Verification Collection Report due between November 15th--February 1st
- Reference the [Reporting webpage](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/reporting) (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/reporting>) and [Calendar of Requirements](https://dpi.wi.gov/school-nutrition/calendar-of-requirements) (<https://dpi.wi.gov/school-nutrition/calendar-of-requirements>) for detailed explanations of the required reports and deadlines.

Buy American

Findings and Corrective Action Needed: Buy American

- ❑ **Finding P:** Documentation is kept for most non-domestic items. However, the following items were identified in storage on December 10 and documentation was not available:
 - Bell peppers- Honduras

Corrective Action: Submit completed documentation for the above items as well as seasonal items. We recommend checking for new/substitution products and their country of origin multiple times per semester (ex, once every month). A suggested [Buy American - Non Compliant Product List template](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/buy-american-noncompliant-list.docx) can be found on the Buy American webpage (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/buy-american-noncompliant-list.docx>).

Wisconsin School Day Milk Program (WSDMP)

Technical Assistance:

- While the program seems to be functioning well overall and the claim appears accurate, the point of service counting procedures require corrective action. See below.
- While the SFA currently does not serve any students the allowable juice substitute in this program, it is important to be aware of the juice substitution requirements. Written documentation should be on file that the individual student is allergic to milk or has a metabolic disorder or other condition that prohibits the consumption of milk. Juice is the only acceptable and claimable substitute for the WSDMP. The juice substitute should be 100% full strength juice and in an 8 fl. oz. portion.
- Under WSDMP, milk served only to children in pre-K through Grade 5 who qualify for free or reduced price meals can be claimed for reimbursement and these students cannot be charged for the milk they receive. Milk served to paid students during the “milk break” time when WSDMP is offered cannot be claimed for reimbursement and these milks are considered non-program foods. The SFA currently does not charge paid students for the milk they receive at milk break, and thus are giving away this non-program food item free of charge. This must be accounted for when assessing compliance with non-program food revenue requirements. Technical assistance was provided to be sure to include these “milk break” milks served free of charge to paid students when completing the non-program foods revenue tool.

Findings and Corrective Action Needed: WSDMP

- Finding R:** The Wisconsin School Day Milk Program agreement on file with DPI is from 1991 and does not reflect current practices for the program in the SFA.

Corrective Action: Complete and submit an updated [agreement](https://dpi.wi.gov/sites/default/files/imce/forms/pdf/f1464.pdf) to the consultant for approval (<https://dpi.wi.gov/sites/default/files/imce/forms/pdf/f1464.pdf>).

- Finding S:** The point of service (POS) counts for the Wisconsin School Day Milk Program (WSDMP) do not constitute an acceptable, reliable POS. The processes teachers utilize to count milks served vary by teacher and, based on observation of two classrooms, are conducted prior to the actual service of the milk. An acceptable, reliable POS is defined as the point when it can be reliably determined that an eligible child received a reimbursable milk or meal. For this reason, the POS process should be modified so that all milks are counted at the time it can be confirmed they are actually served to an eligible child—not prior to service time. One simple way to revise the POS would be to have teachers check off each student selecting a milk at the time the students grab their milks from the crate in the classroom at break time.

Corrective Action: Develop and implement a modified POS process for WSDMP so that all milk counts are recorded by all teachers at the time that students are actually served—not prior to service. Submit a written description of the new POS processes.

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



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