

W I S C O N S I N   D E P A R T M E N T   O F  
P U B L I C   I N S T R U C T I O N

SFA Name: Flambeau School District

Administrative Review Conducted on: 3/28/2017

Sites Selected for Review: Flambeau High School

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Date Corrective Action Plan was provided to SFA: 4/21/2017

**Due Date for Corrective Action Plan:** 5/19/2017

**Commendations & Suggestions**

Outstanding job meeting all of the requirements for breakfast and lunch. All daily and weekly meal component and food quantity requirements were met for the week of menu review.

Thank you for being so organized for the review. The documentation was all gathered together and easy to review. Cpngratulations on zero application errors.

Your kind accommodations during the review was appreciated.

The kitchen staff was friendly and helpful with each student. In addition, the food was fresh and looked delicious.

**Other areas of Technical Assistance (NOT requiring Corrective Action)**

Resource Management – A La Carte Sales

The SFA collected a la carte cash sales separately from program sales, but did not have a way to track the number a la carte item sold. In order to complete the NonProgram Food Revenue Tool, the SFA must have revenue and expense information for the a la carte items sold. The SFA should implement a system of tracking a la carte items purchased, such as tracking the sales in PowerSchool.

Resource Management – Catering Revenues

The SFA is currently crediting Headstart and catering payments to the food expense account 50-800-415-257000, which offsets the expenses incurred for these catering services rather than recording the receipts as revenue. It would be better to record the catering payments to a food service revenue account as “catering revenue,” as it makes the nonprogram revenues easier to track, and ensures the food expense account stays true to the actual food expense incurred. Since the food service program charges for more than just the food purchased for the Headstart meals, and includes a labor factor when invoicing for catering when applicable, recording the payments as a credit to the food expense account results in the food expense being reduced by more than just the food purchased.

<p><b>Resource Management – Adult Meal Revenues</b>                  It was suggested that the SFA separates the deposits received for adult meals from reimbursable meal sales. Adult meals are considered nonprogram foods, and should be tracked separately from program sales. Ideally the SFA should have a separate revenue account in Fund 50 to easily track nonprogram and program sales.</p>
<p><b>Wellness Policy</b> - The wellness policy is currently being assessed. SFA was reminded to post the assessment to the website, once it is approved by the school board.</p>
<p><b>Civil Rights Poster</b> - The civil rights poster was posted inside one of the doors into the cafeteria. TA provided to move the poster to a more central location. The poster was immediately moved. No further CA is required.</p>

The following pages address the findings that were identified during your Administrative Review.  
 For each finding you will be presented with the following:

<p>The finding, and details specific to the SFA regarding the finding</p>	<p>A summary of the regulation / requirement</p>
<p>The Code of Federal Regulations citation number or alternate resource citation</p>	<p>Suggested guidance for the SFA in order to achieve compliance</p>
	<p>SFA area for reply to state how, when and by whom corrections will be made</p>

**Please provide a detailed response to each finding in the spaces provided.**

<b>Finding #1</b>
<p><b>Resource Management – Nonprogram Food Revenue Tool</b>                  Prior to the review, the SFA the SFA had not determined compliance with nonprogram food requirements using the Nonprogram Food Revenue Tool or the DPI Nonprogram Price Calculator Tool.</p>
<b>Technical Assistance Provided</b>
<p>The NonProgram Food Revenue Tool (or DPI's NonProgram Price Calculator Tool) should be completed every year. The SFA completed the tool during the review and submitted it to the reviewer, but the tool was only partially completed. The SFA did not fill out the program food section, therefore the tool did not calculate compliance. The SFA should revise the tool and resubmit a completed copy as part of this review. If the tool shows you are out of compliance, you need to increase nonprogram food prices (even if you are meeting the USDA adult meal pricing guidelines). "Nonprogram foods" include all nonreimbursable foods purchased using food service funds, including adult meals, extra entrees/sides, extra milks (including unreimbursed Wisconsin School Day milk), concessions food, catering, and vending machines.</p>
<b>Regulation / Citation and Summary</b>
<p>7 CFR 210.14 (f) Revenue from non-program foods. Beginning July 1, 2011, school food authorities</p>

shall ensure that the revenue generated from the sale of non-program foods complies with the requirements in this paragraph.

(1) Definition of non-program foods. For the purposes of this paragraph, non-program foods are those foods and beverages; (i) Sold in a participating school other than reimbursable meals and meal supplements; and (ii) Purchased using funds from the nonprofit school food service account.

(2) Revenue from non-program foods. The proportion of total revenue from the sale of non-program foods to total revenue of the school food service account shall be equal to or greater than: (i) The proportion of total food costs associated with obtaining non-program foods (ii) The total costs associated with obtaining program and non-program foods from the account.

#### **SFA Suggested Guidance for Compliance**

As the corrective action response, please explain the process that will be put into place to ensure that the USDA Nonprogram Food Revenue Tool or the DPI NonProgram Price Calculator Tool is completed each year. This should include a timeframe for when the tool will be completed, the name by position of the person responsible for completing the tool, and the steps that will be taken if the tool shows you are out of compliance. Additionally, submit a completed copy of the tool. If the tool shows you are out of compliance, include a plan to increase nonprogram food prices.

#### **SFA Response**

#### **Finding #2**

##### **Resource Management – NonProgram Food Revenue (Concession Sales)**

The SFA is participating in revenue sharing through concessions sales, where a percent of sales is deposited into the food service account and the remainder is collected by the participating school organization.

#### **Technical Assistance Provided**

All non-program food revenues must accrue to the food service program. If the SFA wishes to partner with student organizations through concessions sales, they can purchase the food supplies for the organization if they are completely reimbursed for all food and labor provided. This must be documented by actual receipts and time sheets, and the SFA should invoice the organization for food and labor. The SFA cannot continue to split the concession sales 60-40. Either the food service program needs to collect 100% of the revenues and treat the sales as nonprogram, or the organization must collect all the sales and reimburse the food service program for actual costs incurred. USDA memo 13-2014 explains this further, and additional technical assistance was sent to the SFA's bookkeeper in an email.

#### **Regulation / Citation and Summary**

7 CFR 210.14 (f) Revenue from non-program foods. Beginning July 1, 2011, school food authorities

shall ensure that the revenue generated from the sale of non-program foods complies with the requirements in this paragraph.  
 (1) Definition of non-program foods. For the purposes of this paragraph, non-program foods are those foods and beverages; (i) Sold in a participating school other than reimbursable meals and meal supplements; and (ii) Purchased using funds from the nonprofit school food service account.  
 (3) All revenue from the sale of nonprogram foods shall accrue to the nonprofit school food service account of a participating school food authority.

**SFA Suggested Guidance for Compliance**

As the corrective action response, explain how you will handle concessions sales to comply with USDA requirements. This should include an explanation of who will be responsible for collecting the cash from concession sales, and the process for invoicing the receiving organization for food and labor costs incurred.

**SFA Response**

**Finding #3**

The SFAs Local Wellness Policy does not contain all of the required components. The Wellness Policy does not include designation of one or more SFA officials in charge of school compliance oversight.

**Technical Assistance Provided**

During the review, Local Wellness Policies were discussed with the SFA. The Local Wellness Policy is required to contain the following: a designation of one or more SFA officials in charge of school compliance oversight.

**Regulation / Citation and Summary**

210.30 Local School Wellness Policy. (c) Content of the plan. At a minimum, local school wellness

policies must contain: (1) Specific goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. In developing these goals, local educational agencies must review and consider evidence-based strategies and techniques; (2) Standards for all foods and beverages provided, but not sold, to students during the school day on each participating school campus under the jurisdiction of the local educational agency; (3) Standards and nutrition guidelines for all foods and beverages sold to students during the school day on each participating school campus under the jurisdiction of the local educational agency that; (i) Are consistent with applicable requirements set forth under §§ 210.10 and 220.8 of this chapter; (ii) Are consistent with the nutrition standards set forth under § 210.11; (iii) Permit marketing on the school campus during the school day of only those foods and beverages that meet the nutrition standards under § 210.11; and (iv) Promote student health and reduce childhood obesity. **(4) Identification of the position of the LEA or school official(s) or school official(s) responsible for the implementation and oversight of the local school wellness policy to ensure each school's compliance with the policy;** (5) A description of the manner in which parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the general public are provided an opportunity to participate in the development, implementation, and periodic review and update of the local school wellness policy; and (6) A description of the plan for measuring the implementation of the local school wellness policy, and for reporting local school wellness policy content and implementation issues to the public, as required in paragraphs (d) and (e) of this section.

**SFA Suggested Guidance for Compliance**

To come into compliance with the requirements for Local School Wellness Policies, the SFA must submit a written assurance that the appropriate staff understand the requirements for the wellness policy. The SFA must also develop a Local Wellness Policy that has all of the required areas and submit this for review. Submit the name and title of the SFA representative that will oversee this process and ensure compliance.

**SFA Response**

**Finding #4**

Offer vs. Serve is not being implemented properly. The SFA was not implementing Offer versus Serve for the K-12 breakfast correctly.

**Technical Assistance Provided**

To use the offer versus serve option, the school breakfast must offer a minimum of four food items as part of the required components. The required components for breakfast include: at least 1 oz grain, 1 cup fruit, 1 cup milk. An additional item must be offered for offer vs serve.

**Regulation / Citation and Summary**

220.8 ( e) Offer versus serve for grades K through 12. School breakfast must offer daily at least the

three food components required in the meal pattern in paragraph ( c ) of this section. To exercise the offer versus serve option at breakfast, a school food authority or school must offer a minimum of four food items daily as part of the required components. Under offer versus serve, students are allowed to decline one of the four food item's, provided that students select at least 1/2 cup of the fruit component for a reimbursable meal. If only three food items are offered at breakfast, school food authorities or schools may not exercise the offer versus serve option.

#### **SFA Suggested Guidance for Compliance**

To come into compliance with the requirements of Offer vs. Serve, the SFA must submit a written process that has been put in to place to ensure Offer vs Serve is now being implemented correctly at the senior high school(s). In addition to the new process the SFA must also provide the name and title of the SFA representative that will ensure compliance with this finding moving forward, an outline of the training that was provided to staff to inform them of the requirements and the new process and the date the training was completed.

#### **SFA Response**

#### **Finding #5**

The SFA has additional employees outside of the school nutrition program whose responsibilities include duties related to the operation of the school nutrition program who have not received applicable training.

#### **Technical Assistance Provided**

During the on-site review, training requirements were discussed with the SFA. To be in compliance, the SFA must ensure that employees outside of the School Nutrition programs (whose responsibilities include duties related to the operation of the School Nutrition program) receive adequate training specific to the task they perform. For further information, please see the USDA's Guide to Professional Standards for School Nutrition Programs.

#### **Regulation / Citation and Summary**

SP 39-2015: Question 29: Do the professional standards apply to a staff such as a secretary or an office assistant who processes free and reduced-price meal applications during the fall months only? No. Office staff members that process free and reduced-price meal applications or that provide other support for the school nutrition program for a short period of time during the school year are not required to meet the annual training standards. However, these individual should receive adequate training specific to the task they will perform.

#### **SFA Suggested Guidance for Compliance**

To come into compliance with the requirements for Professional Standards, the SFA must provide the State Agency with an assurance that the appropriate staff understand these requirements, and the SFA must put a plan in place to ensure future compliance. Please submit the assurance and plan, indicating how the SFA will ensure that the appropriate training is completed.

<b>SFA Response</b>

<b>Finding #6</b>
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The site had products in storage that violated the Buy American provision and no documentation was available to show domestic alternatives were considered. Additionally, the SFA was not sure if the Buy American clause is part of the product specification language.

<b>Technical Assistance Provided</b>
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The USDA requires that a SFA purchase, to the maximum extent practicable, domestic commodities or products. Using food products from local sources supports small local farmers and provides healthy choices for children in the school meal programs. Purchasing from these entities also supports the local economy. 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. Further, bidder assurance of the Buy American provision ensures that the bidder is responsive and responsible to the solicitation.

**More information on this new requirement can be found on the SNT website at <http://dpi.wi.gov/school-nutrition/procurement/buy-american> including a tool to assist with tracking noncompliance products.**

<b>Regulation / Citation and Summary</b>
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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.

<b>SFA Suggested Guidance for Compliance</b>
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To come into compliance with the Buy American requirement the SFA must provide a statement that they will ensure language is included in procurement documentation, ensure they are aware of and utilizing the procurement manual and, if appropriate, will use the tracking template to use to communicate with distributors.

<b>SFA Response</b>

<b>Finding #7</b>
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An assessment of the Local School Wellness Policy has not been completed.

#### **Technical Assistance Provided**

During the review, Local Wellness Policies were discussed with the SFA. The SFA is required to perform an assessment of the Local Wellness Policy at a minimum once every three years. The results of the assessment need to be made available to the public. The SFA should use the results of the assessment to determine any changes or updates that need to be made to the wellness policy.

#### **Regulation / Citation and Summary**

210.30 Local School Wellness Policy (e) Implementation assessments and updates. Each local educational agency must: (1) Designate one or more local educational agency officials or school officials to ensure that each participating school complies with the local school wellness policy; (2) At least once every three years, assess schools' compliance with the local school wellness policy, and make assessment results available to the public. The assessment must measure the implementation of the local school wellness policy, and include: (i) The extent to which schools under the jurisdiction of the local educational agency are in compliance with the local school wellness policy; (ii) The extent to which the local educational agency's local school wellness policy compares to model local school wellness policies; and (iii) A description of the progress made in attaining the goals of the local school wellness policy.

(3) Make appropriate updates or modifications to the local school wellness policy, based on the triennial assessment.

#### **SFA Suggested Guidance for Compliance**

To come into compliance with this requirement the SFA must submit a statement that an assessment of the wellness policy will be completed by the wellness committee. In addition to the statement the SFA must submit the minutes from the meeting that was held to complete the assessment. If the assessment has been updated by the corrective action due date, submit a copy of the assessment report. If the due date is prior to the completion of the assessment, submit a detailed timeline for the completion of the assessment. Once it is completed copy of the assessment should be submitted for review.

#### **SFA Response**