

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

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<b>School Food Authority: St John Evangelical Lutheran School</b>	<b>Agency Code: 667520</b>
<b>School(s) Reviewed: Review Date(s): Feb 18-19, 2019</b>	<b>Date of Exit Conference: Feb 18, 2019</b>

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State agencies (SA) are required to conduct administrative reviews to assess School Food Authority (SFA)'s administration of the National School Lunch Program (NSLP), School Breakfast Program (SBP), and other school nutrition programs. The objectives of the Administrative Reviews are to:

- Determine whether the SFA meets program regulations,
- Provide technical assistance,
- Secure needed corrective action,
- Assess fiscal action, and when applicable, recover improperly paid funds.

**General Program Reminders/Updates:**

- The Department of Public Instruction (DPI) School Nutrition Team (SNT) conducts School Nutrition Skills Development Courses (SNSDC) each summer in various locations around the state at no charge. Courses cover many areas of the school nutrition programs including administrative responsibilities, program basics, meal pattern requirements and menu planning, financial management, professional standards, 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](http://dpi.wi.gov/school-nutrition/training)).
- SFA staff are encouraged to pursue GOALS Certification. GOALS stands for Goal Oriented Achievement Learning Skills. This is a certificate endorsed by the DPI and is obtained by completing training in nutrition, program administration and operations, and communications and marketing. For more information go to the Wisconsin DPI [School Nutrition Training](http://dpi.wi.gov/school-nutrition/training/goal-oriented-achievement-learning-skills) webpage ([dpi.wi.gov/school-nutrition/training/goal-oriented-achievement-learning-skills](http://dpi.wi.gov/school-nutrition/training/goal-oriented-achievement-learning-skills)).
- The US Department of Agriculture has a toolkit of resources to assist schools in meeting the nutrition standards on their [Healthier School Day: The School Day Just Got Healthier](http://www.fns.USDA.gov/healthierschoolday) webpage. The topics covered include Smart Snacks, offering fruits and vegetables, reducing sodium, and serving whole grain-rich products (<http://www.fns.USDA.gov/healthierschoolday>).
- [The Smarter Lunchrooms Movement](http://smarterlunchrooms.org) encourages schools to implement low-cost and no-cost lunchroom solutions to help students' select healthier meal options (<http://smarterlunchrooms.org>). Smarter Lunchroom techniques are easy to begin implementing and do help encourage student consumption of fruits, vegetables, legumes, non-flavored milk, and other healthful choices. These strategies are effective and

research-based. Consider trying the Smarter Lunchroom techniques for [increasing consumption of white milk](https://www.smarterlunchrooms.org/scorecard-tools/smarter-lunchrooms-strategies#Milk) (<https://www.smarterlunchrooms.org/scorecard-tools/smarter-lunchrooms-strategies#Milk>).

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

Thank you to the staff at St John's Evangelical Lutheran School for the courtesies extended to us during the on-site review. Thank you for being available when answering questions and providing additional information. All were very receptive to recommendations and guidance. In addition, thank you for taking the time to respond to the off-site questions and requests, as well as pulling records for the on-site portion of the review.

## **REVIEW AREAS**

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

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

##### **Free and Reduced Price Meal Applications**

- Applications must be reviewed in a timely manner. An eligibility determination must be made, the family notified of its status, and the status implemented within 10 operating days of the receipt of the application.
- Children are eligible for free or reduced price meal benefits on the date their eligibility is determined by the Determining Official.
- When an application only has one frequency of payment indicated for all of their reported incomes on the application, the income should not be converted to annual, but using the [Income Eligibility Guidelines](#) one would look at the amount of their income under the column indicating that frequency (i.e., weekly, twice monthly, every two weeks, monthly, annually) Technical assistance was provided to director.
- When a household has income in addition to a loss from a business, that income must be included on the free and reduced application in full and is not offset by the business loss. A business loss (negative dollar amount) would become \$0 for the income on the application.

##### **Annual Income**

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

### Household Size Box

- The total household member size box (Step 3G) includes all children and adults in the household and must match the number of names on the application for the application to be considered complete.

### Incomplete Applications

- Any application that is missing required information, contains inconsistent information, or is unclear is considered an incomplete application and may not be determined until clarified. The SFA may return the application to the household or contact the child's parent or guardian either by phone or in writing/email. The determining official should document the details of the conversation plus date and initial. Applications missing signatures must be returned to the parent to obtain. Reasonable effort should be made to obtain the missing information prior to denying the application.

### Limited English Proficiency (LEP)

- Application materials and other communications with households concerning eligibility determinations must be provided in a language that parents or guardians can understand in order to diminish any language barriers to participation for individuals with limited English proficiency.
- The USDA Food and Nutrition Service (FNS) website offers many other [foreign language translations of the Application for Free and Reduced Price School Meals](https://www.fns.usda.gov/school-meals/translated-applications) (<https://www.fns.usda.gov/school-meals/translated-applications>).
- The nonprofit food service account may be used to pay for translation services if there is a need to translate materials in a language that is not currently available.

### Other Source Categorical

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

### Direct Certification

- As a reminder, you are required to run direct certification a minimum of three times a year: at or near the beginning of the school year, three months after the initial run and six months after the initial run.
- The effective eligibility date for a DC eligible student is the date of the original output file.
- Thank you for running the Direct Certification matches in the required time frames, when you receive a new student and other times to pick up any newly eligible students.

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

## Verification

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

- When applications are chosen for verification, the person designated as the Confirming Official must review the application(s) to ensure the initial determination is correct prior to contacting the family. There is a place for the Confirming Official to sign and date on the back of the application.

### Findings and Corrective Action Needed: Verification

**Finding:** The finding was that a confirmation review did not take place. There was no signature on the application chosen for verification.

**Corrective Action Needed:** Please review the verification webcast on the DPI website and submit a statement on when a conformation review takes place and the role of the confirming official.

**Finding:** The finding was that income document the household supplied for the verifying official did not verify the verified application correctly. The net income was used versus the gross income. The family no longer qualifies for a meal benefit.

**Corrective Action Needed:** Please use the template letter provided to alert households of the change in benefit status. Technical assistance was provided to the verifying official regarding net versus gross income.

## 2. MEAL PATTERN AND NUTRITIONAL QUALITY

Sincere thanks to the Authorized Representative, school nutrition professional, volunteers, and students of St. John Evangelical Lutheran School. We appreciate your time and efforts spent preparing for and participating in the onsite review. Open communication revealed School Meals Program strengths and areas of opportunity. The school food authority (SFA) is considering exciting changes in upcoming school years, such as remodeling the kitchen and purchasing a salad bar. Maintain communication with the West Bend School District, where the Food Service Director is a great resource.

### Technical Assistance and Program Requirement Reminders

#### **Signage**

The National School Lunch Program (NSLP) regulation at 7 CFR 210.10(a)(2) requires that schools identify, near or at the beginning of serving lines, what constitutes the unit priced reimbursable meals at breakfast and lunch. Samples of signage that can be printed or updated and posted in your school can be found on the [Signage webpage](https://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).

#### **Transport Sheets**

Portion charts provided to St. John Evangelical Lutheran School do not meet the requirements for transport sheets. At a minimum, transport sheets must include menu items, planned serving sizes, planned/actual # of servings prepared, planned/actual quantity prepared (in purchase units),

crediting, and number of meals ordered. Transport sheets must also provide space for the receiving school to record number of meals served and leftovers.

A transport sheet template is available on the [Production Records webpage](#) as a Microsoft Excel file and as a PDF (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/production-records>).

### **Milk Types**

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) milk, flavored (e.g. chocolate, strawberry, etc.) or unflavored, and low-fat (1%) milk, flavored or unflavored. Milk types may also be lactose-reduced or lactose-free. **Available milk types and actual usage by type must be recorded on production records or transport sheets.**

### **Offer Versus Serve (OVS)**

OVS is not required for students in grades kindergarten through 8, although it is encouraged in order to reduce food waste and develop skills in making healthy meal choices. Without OVS in place, each student must be served  $\frac{3}{4}$  cup vegetable and 1 cup of milk as part of his or her reimbursable meal. If OVS is implemented, then students can choose three of the five components offered, including  $\frac{1}{2}$  cup fruit, vegetable, or combination, to create reimbursable meals.

The [Offer Versus Serve Guidance manual](#) and the [Offer Versus Serve webcast](#) may be used as training resources (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/offer-versus-serve-guidance-manual.pdf>, <https://dpi.wi.gov/school-nutrition/training/webcasts>). Additionally, [Meal or No Meal](#), a training resource created by the SNT, may be used for staff determining reimbursable meals (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/ovs-meal-or-no-meal-2018.pptx>).

### **Portioning and Crediting Fruits and Vegetables**

Most fruits and vegetables credit by volume served (e.g.  $\frac{1}{2}$  cup peaches, drained will credit  $\frac{1}{2}$  cup fruit) and the FBG will note if the crediting is different based on volume served (e.g. one medium banana credits  $\frac{1}{2}$  cup fruit). Reference the School Nutrition Team (SNT) [Half-Cup Crediting of Fruits and Vegetables Handout](#) for amounts required to credit as  $\frac{1}{2}$  cup as well as suggested serving sizes (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/half-cup-fruit-veg.pdf>). If the product is not listed in the FBG, additional crediting documentation is required.

Using tools correctly is an important aspect of portion control. The correct way to portion food is to use a level scoop, which means the item is served as planned. Heaping scoops provide excess calories and nutrients and increase food cost, as more food is required to serve the same number of students. Food shortages may result. Conversely, scant scoops provide component shortages per portion and inadequate calories and nutrients. Excessive leftovers or food waste may result.

A [portion control eLearning course](#), focusing on the benefits of portion control when serving food, is available from the Institute of Child Nutrition (<https://theicn.docebos.com/learn/course/external/view/elearning/16/portion-control>).

According to [The School Day Just Got Healthier Fact Sheet: Calories in School Meals](#) (<https://fns-prod.azureedge.net/sites/default/files/HHFKAfactsheet-calories.pdf>), there are not specific maximums on fruits or vegetables. Schools may allow greater amounts than the required

minimums by offering self-service or allowing seconds servings of these components. Additional offerings do count towards the weekly calories limits, but because fruits and vegetables are generally lower in calories, they can be excellent sources for satisfying meals and sustained energy.

## **Child and Adult Care Food Program (CACFP)**

### *Meal Pattern*

The updated Child and Adult Care Food Program (CACFP) meal pattern was implemented on October 1, 2017, replacing the previous meal pattern options for SFAs serving infants and children aged 1-5 and not yet in kindergarten. The meal pattern requirements were updated to better align with the Dietary Guidelines for Americans, as required by the Healthy, Hunger-Free Kids Act of 2010. The changes were also based on scientific recommendations from the National Academy of Medicine and stakeholder input. Meals served under the updated CACFP meal pattern include a greater variety of vegetables and fruits, more whole grains, and less added sugar.

### *Allowable Milk Types*

Only unflavored milk is allowable under the updated CACFP meal pattern. Flavored milk may not be served. Children one year old should be served unflavored whole milk. **Children 2-5 years old and not yet in kindergarten should be served unflavored low-fat (1%) or unflavored fat-free (skim) milk.** The Smarter Lunchrooms Movement has strategies to [encourage the consumption of unflavored milk](https://www.smarterlunchrooms.org/scorecard-tools/smarter-lunchrooms-strategies#Milk) (<https://www.smarterlunchrooms.org/scorecard-tools/smarter-lunchrooms-strategies#Milk>).

### *Offer Versus Serve (OVS)*

OVS is not an appropriate service style for preschool or pre-K students. It may interfere with the nutrition goals of the updated CACFP meal pattern, as well as the goal of introducing new foods to children while they are still developing food preferences. Instead, preschool and pre-K students should be served all the required components in at least the minimum amounts at each meal or the SFA may implement family style meal service.

More information regarding the updated CACFP meal pattern is available on the [Infants and Preschool in NSLP and SBP](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/infants-and-preschool) webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/infants-and-preschool>). For questions, please contact our specialists: Tanya Kirtz at [Tanya.Kirtz@dpi.wi.gov](mailto:Tanya.Kirtz@dpi.wi.gov) or Erin Opgenorth at [Erin.Opgenorth@dpi.wi.gov](mailto:Erin.Opgenorth@dpi.wi.gov).

## **School Breakfast Program**

St. John Evangelical Lutheran School does not currently participate in the School Breakfast Program (SBP). Participation in the program is encouraged, as ensuring students have access to breakfast is beneficial for their health and academic success. Specifically, students who eat breakfast at school, closer to class and test taking time, perform better on standardized tests than those who skip breakfast or eat breakfast at home. Furthermore, providing students with breakfast in the classroom is associated with lower tardy rates and fewer disciplinary referrals. Our [breakfast resources webpage](https://dpi.wi.gov/school-nutrition/school-breakfast-program/resources) (<https://dpi.wi.gov/school-nutrition/school-breakfast-program/resources>) contains a wealth of information about the different breakfast service and financial models. For questions on breakfast models or starting a program, contact the [School Breakfast Program Specialists](mailto:DPISBP@dpi.wi.gov) (DPISBP@dpi.wi.gov).

## **Salad Bar**

According to USDA policy memorandum [SP 31-2013 “Salad Bars in the National School Lunch Program.”](#) USDA encourages the use of salad bars in the school meal programs (<https://fns-prod.azureedge.net/sites/default/files/cn/SP31-2013os.pdf>). Salad bars have the potential to improve nutrition and encourage the consumption of fruits, vegetables and legumes. There are many ways that salad bars can be incorporated into the reimbursable meal. Salad bars can feature a special fruit and vegetable theme, a baked potato bar, or a side salad. Salad bars can be set-up in a variety of ways, including pre-portioned and prepackaged foods to emulate the grab-and-go concept to accommodate a high volume of students in a short period of time. For more information, please reference the Questions & Answers (Q&As) of the memorandum, [“Safe Use of Salad Bars in Schools”](#) (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/salad-bars-in-schools.pdf>), or [contact a Public Health Nutritionist](#) (<https://dpi.wi.gov/school-nutrition/directory>).

## **Corrective Action**

**Meal Pattern Finding:** Signage was not posted at lunch to show students what constitutes a reimbursable meal.

**Required Corrective Action:** Submit a photo of signage posted and completed at lunch, which includes the required 1/2 cup fruit, vegetable, or fruit vegetable combination statement.

**Meal Pattern Finding:** Portion charts provided to St. John Evangelical Lutheran School do not meet the requirements for transport sheets.

**Required Corrective Action:** Submit one week of completed transport sheets for lunch. Select transport sheets you are confident are filled in accurately and completely.

## **3. RESOURCE MANAGEMENT**

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

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

- 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 non-program food compliance which is highly recommended.
- 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.
- The school food service fund may not have an ending fund balance in excess of 3 month operating expenses, as this is considered “Excess Cash Balance”.
- -These categories of the AFR that should be addressed when tracking revenues and expenditures include:
  - Expenses for paper supplies, chemicals, thermometers, etc., should be reported under “Other”. Only expenses for edible food items and beverages should be reported under “Food”.

- “Equipment” should reflect major purchases of equipment. Utensils, pans, smaller equipment such as a cart, etc., should be reported under “Other”.
- Under “Purchases Services” report any time you pay someone for services provides such as equipment repair and health inspections.
- Under “non-program foods”, 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, a la carte, and caterings 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 an NSLP food expenditure for private schools and a purchased service for public schools.

### Allowable Costs

- The nonprofit school food service account is to be used for the operation of the school meal program including food, supplies, equipment and personnel.
- The nonprofit school food service account may not be used to purchase land and/or buildings unless approved by FNS.
- Allowable costs are defined in 2 CFR 200 Subpart E and should be necessary, reasonable and allocable. More information on allowable costs can be found within the [Indirect Costs guidance](http://dpi.wi.gov/school-nutrition/national-school-lunch-program/financial) (<http://dpi.wi.gov/school-nutrition/national-school-lunch-program/financial>).
- Bad debt is an unallowable expense to the food service program. A transfer must be made from non-federal funds to cover student account write-offs. [SP23-2017 Unpaid Meal Charges guidance Q & A](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/financial) may be found our Financial Management webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/financial>).

### Unpaid Meal Charge Policy

- USDA Policy Memorandum SP 46-2016 requires all SFAs operating federal school meal programs to have a written and clearly communicated policy that addresses unpaid meal charges. For a snap-shot on what the policy must include, see the [Unpaid Meal Charges In a “Nutshell”](http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/unpaid-meal-charges-nutshell.pdf) (<http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/unpaid-meal-charges-nutshell.pdf>). For a more comprehensive overview, see SP 23-2017: [Unpaid Meal Charges Guidance](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sp-23-2017.pdf) <https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sp-23-2017.pdf>
  - Best Practices
  - Local meal charge policy checklist
  - Sample outstanding balance letter
  - Sample robo-call script
- Funds in student meal accounts are considered a liability until a meal is purchased. When the funds are left “unclaimed”, they cannot be used to offset another student’s negative account, unless *paid* households have *chosen to donate* those funds to the school food service account. All funds left in any student meal account which cannot be contacted must be turned over to the Wisconsin Department of Revenue (DOR) as unclaimed property. The DOR has rules concerning [unclaimed property](https://www.revenue.wi.gov/DOR%20Publications/pb82.pdf) that must be followed (<https://www.revenue.wi.gov/DOR%20Publications/pb82.pdf>).

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

❑ **Finding:** The finding was that there was an unpaid meal balance procedure in place but it was minimal in that the collection procedure was not clearly defined.

**Corrective Action Needed:** Please submit a statement on what the collection policy will be and how families will be made aware of the procedure/policy.

## Revenue from Non-program Foods

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

- Non-program 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 non-program foods, including food, labor, equipment, and purchased services must be covered by revenues received from the sale of those foods. Non-program foods may not be supported by reimbursable meals or have a non-program foods loss absorbed by the food service account. Thus, non-program foods may never run in the negative unless non-federal funds are transferred into the food service fund to cover the deficit.
- Non-program Food costs and revenues must be separated from Program food costs and revenues.
- Since non-program foods include Adult Meals and extra milk, these expenses and revenues must be separated from Program foods.
- The USDA Non-program Revenue Tool must be completed yearly, at a minimum. The [DPI Nonprogram Food Revenue Tool/Calculator](#) located on our website feeds into the USDA tool and aids in calculating prices of non-program foods and meeting the USDA non-program food regulation (<http://dpi.wi.gov/sites/default/files/imce/school-nutrition/xls/non-program-food-price-calculator.xlsx>).

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

- SFAs that sell only non-program milk and adult meals as non-program foods are [exempt](#) from completing the USDA Non-program Food Revenue tool (<http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/exceptions-nonprogram-revenue.pdf>).

### Adult Meals

- Adult meals are considered non-program foods. Food service programs must price adult meals above the overall cost of the meals. Since adult meal costs can be difficult to calculate, SFAs must, at a minimum, follow the **minimum** pricing guidelines in Food Nutrition Services Instruction 782-5.
- A [Wisconsin Adult Meal Pricing Worksheet](#) has been developed to assist the SFA in pricing adult meals (<http://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/wisconsin-adult-meal-pricing-guide.doc>).
- Districts need to assess adult meal prices annually prior to contract submission to ensure

student reimbursements are not being used to subsidize adult meals. The current reimbursement rates (2017-18 SY) should be used to determine adult prices.

#### Resources

- [Nonprogram Foods Revenue Rule SP-20-2016](http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sp-20-2016.pdf) (http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sp-20-2016.pdf)
- [Nonprogram Foods In a "Nutshell"](http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/nonprogram-foods-in-a-nutshell.pdf) (http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/nonprogram-foods-in-a-nutshell.pdf)

#### **Findings and Corrective Action Needed: Revenue from Non-program Foods**

❑ **Finding:** The Non-program Foods Revenue Tool had not been completed for the current school year. Technical assistance was provided.

**Corrective Action Needed:** Please complete either the DPI non-program revenue tool or the USDA non-program food revenue tool. **Tool was completed on-site and no further action is needed.**

#### **4. GENERAL PROGRAM COMPLIANCE**

##### **Civil Rights**

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

##### **Nondiscrimination Statement**

- When including the [non-discrimination statement](#) on letters, menus, website, and other documents used to convey program information, it is necessary to use the current statement which was updated in 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.

##### **And Justice for All Poster**

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

##### **Civil Rights Training**

- Civil rights training must be conducted on a yearly basis for all staff and volunteers who administer any portion of a school nutrition program.
- Civil rights training had been attended by all staff in the schools and documentation was available for review.

##### **Civil Rights Self-Compliance Form**

- The [Civil Rights Self-Evaluation Compliance](https://dpi.wi.gov/sites/default/files/imce/forms/doc/f1441.doc) form is required to be completed by October 31 annually (https://dpi.wi.gov/sites/default/files/imce/forms/doc/f1441.doc). Technical assistance was required, as the form had not been completed by October 1.

## 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 may not be substituted for fluid milk unless juice is specified as a substitution on a medical statement signed by a licensed medical practitioner. Water is available to all students, but an SFA may choose to offer lactose free milk or provide a fluid milk substitute that meets the nutritional requirements set forth by USDA. 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>).

## Overt Identification

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

## 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 within five days. You will want to make sure that this is 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. A SFA may always attempt to resolve a situation that is occurring in real time. However, if an individual states that they wish to file a civil rights complaint, the SFA must provide them with the information necessary to do so and not impede an individual's right to file. Please refer to the [USDA Program Discrimination Complaint Form](#) for assistance in filing these complaints ([https://www.ocio.usda.gov/sites/default/files/docs/2012/Complain\\_combined\\_6\\_8\\_12.pdf](https://www.ocio.usda.gov/sites/default/files/docs/2012/Complain_combined_6_8_12.pdf)).

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

❑ **Finding:** The finding was that civil rights training had not been completed for this current school year for those involved in the food service program.

**Corrective Action Needed:** Please have those persons involved in the food service program review the civil rights power point and sign the training roster. Please submit the signed training roster.

## **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.

At a minimum, SFAs must permit participation by the 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) (<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:** SFA LWP meets some but not all requirements as stipulated above. The SFA also did not have a wellness committee and was not notifying the public about the ability to participate on the committee.

**Corrective Action Required:** Please provide a statement on how you will address forming a committee and notifying the public of the opportunity to participate on the committee. Please provide a timeline for updating your policy to become compliant with the final rule. In addition, provide a statement of understanding that the SFA is aware of the triennial assessment to evaluate compliance and notify the public.

**Corrective Action Needed:**

**Smart Snacks**

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

1. If they are selling foods or beverages that **meet** the Smart Snacks standards:
  - a. These foods or beverages may be sold at any time and in any location.
  - b. The organization must keep documentation on file that proves the compliance of the items. This may include nutrition facts labels for purchased foods or beverages, or recipes for anything that is made from scratch. It is also helpful to keep printouts of the results page from the Smart Snacks calculator.
2. If they are selling foods or beverages that **do not meet** the Smart Snacks standards:

- a. These are considered exempt fundraisers. Each student organization may hold two exempt fundraisers per school per school year. Each exempt fundraiser may be no longer than two consecutive weeks in length.
- b. Exempt fundraisers cannot occur in the meal service area during meal times.

Someone in the school must keep track of the exempt fundraisers. Tracking exempt fundraisers is crucial to ensuring that each student organization holding fundraisers that comply with the rule. The process of tracking fundraisers simply means keeping a list of each student organization that has had a fundraiser, noting the length of time and location of the fundraiser, and ensuring that no organization has more than two fundraisers and that each fundraiser is not more than two consecutive weeks. Templates, such as the Exempt Fundraiser Tracking Tool, are available on the [Smart Snacks webpage](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks), under the resources heading (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks>).

**Finding :** Marco’s pizza is non-compliant with Smart Snacks general standards; compliance documentation was not submitted. Furthermore, weekly pizza sales do not comply with the state-defined limit of two fundraiser exemptions per student organization per school per school year, not to exceed two consecutive weeks each.

**Required Corrective Action:** Submit two to three sentences describing how St. John Evangelical Lutheran School will bring all food and beverage fundraisers into compliance. Include who will be responsible for tracking exempt fundraisers and how documentation will be maintained.

## Professional Standards

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

- The Professional Standards regulations in 7 CFR 210.30 established hiring standards for new school nutrition program directors, hired on or after July 1, 2015, that manage and operate the National School Lunch and School Breakfast Programs. In addition, the regulations established annual training standards for all school nutrition program directors, managers, and staff which must be tracked.
- Each SFA must designate at least one staff member as a program “director”. A program “director” is the person designated to perform or oversee the majority of the program duties such as sanitation, food safety, nutrition and menu planning, food production, procurement, financial management, record keeping, customer service, nutrition education, and general day-to-day program management.
- The [hiring standards for SFA directors](http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/professional-standards-hiring-chart-by-district-size.pdf) are based on the size of the SFA and includes education, school nutrition experience and food safety training requirements (<http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/professional-standards-hiring-chart-by-district-size.pdf>).
- Per SP 38-2016, any School Food Service Director hired after July 1, 2015 that does not meet the minimum education requirements cannot use the nonprofit school food service account to pay their salary; this would be an unallowable cost and the SFA’s general fund may be used to pay the salary of a new director who is actively pursuing the minimum education requirements.

[Professional Standards: New Food Service Director Hiring Requirements](#)

### Professional Standards: Training Requirements

- Annual training must be job-specific and intended to help employees perform their duties well. The required annual training hours vary according to the employee's role in the management and operation of the school nutrition program.
- Trainings can be provided in a variety of formats (online, in person, webinars) and through various providers (DPI, USDA, in-house, etc.).
- SFAs should clearly document all required training information and maintain that file including the name of staff person, date hired, title/position, brief list of core duties/responsibilities, status (full, part-time, 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:** The finding was that training is not being tracked for all those involved in the food service program. This includes adult and student volunteers. Technical assistance was provided.

**Corrective Action Needed:** Please provide a copy of the tracking mechanism that the school will use moving forward to capture current trainings for those involved in food service. Please include any current trainings taken in the tracking mechanism. Please also provide a statement on what trainings the SFA will provide to student workers.

### **Water**

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

Water is required to be available at no charge to students during the lunch and breakfast meal services. Schools can provide free water in a variety of ways, such as water pitchers and cups on lunch tables, a water fountain, or a faucet that allows students to fill their own bottles or cups.

For more information and resources on the water requirement, see our [Water Availability webpage](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/water-availability) (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/water-availability>).

### **Food Safety and Buy American**

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

If no country of origin is identified on label, and country of origin cannot be located on the distributor's online catalog or website, then the SFA must get certification from distributor or supplier stating, "We certify that (insert product name) was processed in the U.S. and contains over 51% of its agricultural food component, by weight or volume, from the U.S." This can be accepted within an email. Alternatively, consider the [Buy American Provision Attestation for Agricultural Product\(s\) Purchased Between School and Contractor](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/buy-american-attestation.docx) (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/buy-american-attestation.docx>). By signing this Attestation, the Contractor is attesting that the agricultural product(s) listed are compliant with the Buy American Provision as defined in 7 CFR Part 210.21(d).

The label should indicate if the product is grown, processed, and packed in the continental U.S. and any U.S. Territories. If the label indicates that product is distributed or packed in the U.S, but the country of origin is not listed, this product requires the distributor's certification as mentioned above.

For more information, visit the [Buy American Provision webpage](https://dpi.wi.gov/school-nutrition/procurement/buy-american) (<https://dpi.wi.gov/school-nutrition/procurement/buy-american>).

[A Flash of Food Safety](http://www.fns.usda.gov/ofs/food-safety-flashes) is a video series designed to help school nutrition professionals understand and apply safe food practices ([www.fns.usda.gov/ofs/food-safety-flashes](http://www.fns.usda.gov/ofs/food-safety-flashes)). The [Office of Food Safety](http://www.fns.usda.gov/ofs/food-safety) website ([www.fns.usda.gov/ofs/food-safety](http://www.fns.usda.gov/ofs/food-safety)) includes food safety resources.

#### Food Safety Inspections

- Every school operating USDA School Child Nutrition Programs must have two food safety inspections during each school year: including food safety inspection and a review of the site's Food Safety Plan.
- Food safety inspection reports must be posted in public view. Posting the food safety inspection report in the same location as the "And Justice For All" poster can be a convenient way to have both items publicly visible.

#### Temperatures

- All cooling equipment must have internal temperatures taken and recorded daily on temperature logs. Posting them directly on the equipment makes recording convenient and a regular part of daily routines.

#### Food Safety Plans

- All schools must have a comprehensive, site-specific food safety plan on-site which includes all process 1, 2, and 3 items, all applicable standard operating procedures (SOP), all equipment, and 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.

Technical assistance was provided regarding the process 1,2 and 3 items.

### Food Employee Reporting Agreements

- All food service employees must have a signed [Food Employee Reporting Agreement](https://datcp.wi.gov/Documents/foodemployee-reporting-agreements-supplement.pdf) on file (https://datcp.wi.gov/Documents/foodemployee-reporting-agreements-supplement.pdf).
- Employees must sign a new Food Employee Reporting Agreement form if changes are made to the document. While there are no requirements as to how frequently food service employees must sign a Food Employee Reporting Agreement form, it is the best practice for each food service employee to annually review and sign an agreement to reinforce the information contained in the document.

### **Findings and Corrective Action Needed: Food Safety and Buy American**

**❑ Finding:** The finding was that employee reporting agreements had not been reviewed and signed.

**Corrective Action Needed:** Please submit a copy of the cook's employee reporting agreement. Please submit a signed roster of adult and student volunteers who have reviewed this document.

**❑ Finding:** The finding was that the HAACP 1, 2 and 3 summary form was not completed.

**Corrective Action Needed:** Please complete the form and submit back to reviewer.

**❑ Finding:** The following products were identified in vending SFA's storage area as non-domestic and not listed on the SFA's Buy American Non-Compliant Product List:

- Canned apricots from China
- Frozen California blend vegetables from Mexico
- Frozen broccoli cuts from Mexico

**Corrective Action Needed:** Update the SFA's Non-Compliant Product List to include any noncompliant products listed above. Provide copies of the updated forms.

### **Summer Food Service Program (SFSP) Outreach**

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

A goal of USDA Child Nutrition Programs is to ensure all students have access to healthy and nutritious meals year-round. 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)

Technical assistance was provided for the school to provide information at the end of the school year.

## 5. OTHER FEDERAL PROGRAMS REVIEWS

Carolyn Stanford Taylor the State Superintendent of the Wisconsin Department of Public Instruction shares a vision that every student will graduate prepared for college and career. Her 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>).”

