

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

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**School Food Authority: Wisconsin School for the Deaf**

**Agency Code: 756770**

**School Reviewed: (7301) Wisconsin School for the Deaf**

**Review Date(s): 11/19/18-11/20/18**

**Date of Exit Conference: 11/20/18**

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State agencies (SA) are required to conduct administrative reviews to assess School Food Authority's (SFA) 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:**

- SFA staff are encouraged to pursue GOALS Certification. GOALS stands for Goal Oriented Achievement Learning Skills. This is a certificate endorsed by the Department of Public Instruction (DPI) and is obtained by completing training in nutrition, program administration and operations, and communications and marketing. For more information go to the 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 U.S. 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.

**Appreciation/Commendations/Noteworthy Initiatives:**

Thank you to the staff involved in the review process. The National School Lunch Program (NSLP) and School Breakfast Program (SBP) have high participation rates, which is reflective of your dedication to the program and the SFA's commitment to offering all students a free reimbursable breakfast and lunch. The preparation, storage, and service areas are very clean and tidy, which helps makes the dining experience pleasant. Thank you for all you do to serve students!

A special thank you to the acting food service director for taking the time to prepare for the offsite review and for answering additional questions onsite. We recognize that you are filling dual roles with the department and appreciate your dedication to the success of the food service program. You have a wealth of knowledge that can be passed along to a future food service director.

## REVIEW AREAS

### 1. MEAL ACCESS AND REIMBURSEMENT: PROVISION 2 (P2) BASE YEAR

#### Certification and Benefit Issuance

#### Technical Assistance (TA)/Compliance Reminders

##### Eligibility Determination Errors

50 eligibility determinations were reviewed, 4 errors were identified. Two of the errors will result in fiscal action. All errors must be corrected. September and October claims need to be amended. November can be fixed prior to submission online.

##### Notification Letters

All Provision 2 base year certification, benefit issuance templates should be obtained from the [DPI Provision 2](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/provision-2) website (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/provision-2>). Materials are updated in June for the upcoming base year review. Do not distribute until after July 1.

##### Direct Certification

Full enrollment runs are completed as required. Consider running direct certification more often during the base year to pick up additional matches and maximize future non-base year claiming percentages.

#### Findings and Corrective Action Needed: Certification and Benefit Issuance

- ❑ **Finding #1:** The agency did not retain copies of letters sent to households communicating application or direct certification approval. Even though parents will not be charged for meals, regulations require the school to notify all households of their eligibility determination. A denial or direct certification match must be notified in writing. An application approval can be done verbally or in writing. All vital records must be retained for three years plus the current school year.

**Corrective Action Needed:** Submit a statement of understanding and intent to complete this requirement during the next base year. Templates are modified to align with P2 base year guidance. The most current templates should be used and are found on the [DPI Provision 2](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/provision-2) website (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/provision-2>) under Base Year.

- ❑ **Finding #2:** Four student certification and benefit issuance errors were found and documented on the SFA-1 form. A copy of this form was provided to the SFA.
  - ✓ Student errors A and B were corrected onsite. No further action required.

- For Student C, obtain the missing information and submit a copy of the application to the DPI consultant. The information can be taken over the phone. Make sure to date and initial the communication on the application.
- For Student D, if the source documentation cannot be located, send a letter of adverse action. Provide 10 calendar days to appeal prior to changing the status on the benefit issuance list. Day one is the day the letter is sent. On the 11<sup>th</sup> day, if the household has not appealed, change the benefit to paid. Communicate in the letter that regardless of outcome, the student will still receive free meals because the agency participates in Provision 2. Submit a copy of the adverse action letter to the DPI consultant.

*Note: Emailing copies of applications and notification letters must be exchanged through a secure server like Accellion since the documents contain student identifying information.*

## **Verification**

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

- Per 7 CFR 245.6a(e)(1), the role of the confirming official is to review only the applications selected for the verification and to assure the original eligibility determination was made correctly. The confirming official cannot be involved with the initial determination. The confirmation review is a required part of the Verification process.
- All P2 Base Year verification templates should be obtained from the [DPI Provision 2 website](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/provision-2) (https://dpi.wi.gov/school-nutrition/national-school-lunch-program/provision-2). Materials are updated in June for the upcoming base year review. Do not distribute until after July 1.
- DPI SNT provides a useful [template](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/verification-tracker-form-1819.docx) (https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/verification-tracker-form-1819.docx) to track the Verification Process. The agency should consider using this during a base year.

### **Findings and Corrective Action Needed: Verification**

- ✓ **Finding:** The confirmation review was not conducted.

**Corrective Action Needed:** By signing off on this report the agency agrees to conduct and document the confirmation review for the next base year. **No further action required.**

## **Meal Counting and Claiming**

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

During a base year, consolidating the claim requires more time and attention to ensure accuracy because meals must be claimed by individual student eligibility categories. The SFA has implemented internal controls to improve accuracy and is using the correct edit check form. The acting food service director has taken over the claim submission process until a permanent food service director is hired.

Moving forward, if the agency only offers a reimbursable breakfast and lunch, a manual system is adequate. However, if an á la carte program (funded by households) is implemented, manually tracking sales at the point of service in addition to adult meals and adult seconds is inefficient and prone to error. Consider investing in an electronic point of sale software with basic functionality to track all program and nonprogram food sales. This way, a monthly report can be run to track

total sales and assist in separating nonprogram revenues and costs from program revenues and costs within the food service ledger and on the Annual Financial Report (AFR).

### Visiting Students

It was mentioned that the SFA has visiting students. The [Provision 2 Guidance](https://fns-prod.azureedge.net/sites/default/files/Prov2Guidance.pdf) (https://fns-prod.azureedge.net/sites/default/files/Prov2Guidance.pdf) on pg. 38, outlines how to count and claim school-aged visiting student meals.

- Non-Base Year (student(s) from a non-provision school attend Wisconsin School for the Deaf): The school would *not* take payment from the visiting students and meals served to the visiting students would be included as part of the total count of meals served in the Provision 2 School.

- Base Year (student(s) from a non-provision school attend Wisconsin School for the Deaf): Visiting students can be claimed in the paid category or in a higher individual meal eligibility category if documentation is provided by the visiting student's home school. The food service account can be used to cover the value of any reduced or paid meals of visiting students.

### **Findings and Corrective Action Needed: Meal Counting and Claiming**

#### **❑ Finding #1:**

- a) Non-systemic claim consolidation error resulting in a breakfast underclaim of one reduced meal.
- b) Provision 2 base year adjustments are necessary due to certification, benefit issuance, and verification errors noted on the SFA-1 and SFA-2 forms. In a base year, regulations require accurate claims for all claiming months in order to set claiming percentages in the next three non-base years.

**Corrective Action Needed:** Submit paper claim adjustments for September, October, and November to correct all errors outlined above to the DPI consultant. Include a current benefit issuance list, daily meal count sheets, and the monthly edit check. Once the consultant has reviewed the records, we will work with the agency to submit electronic site-based claim adjustment files to the DPI accountant.

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

### **Commendations**

Many thanks to the interim Food Service Director for working hard to provide healthy, well balanced meals to the students at the Wisconsin School for the Deaf. The interim Food Service Director also worked closely with the DPI Public Health Nutritionist (PHN) and provided all documentation, answered all questions in a timely manner, and was a pleasure to work with. The nutrition professionals working in the kitchen were also very pleasant and interacted well with the students.

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

#### **Training**

Anyone involved with the USDA School Meal Programs is encouraged to attend Wisconsin Department of Public Instruction (DPI) training classes. These are offered primarily in the summer and other select times throughout the year. The classes provide an overview of all areas of the

National School Lunch Program (NSLP) and School Breakfast Program (SBP) requirements, including verification, free/reduced meal applications, meal pattern, and record keeping requirements. Travel/meal expenses are allowable food service expenses. Information on upcoming trainings can be found on DPI's School Nutrition Team (SNT) [Training](#) webpage, under Upcoming Trainings (<https://dpi.wi.gov/school-nutrition/training#up>). Numerous webcasts are also available, which cover a wide array of topics. These can be found on DPI's [SNT Webcasts](#) webpage (<https://dpi.wi.gov/school-nutrition/training/webcasts>). SNT staff are available for technical assistance any time throughout the year. A complete list can be found on the SNT [Staff Directory](#) website (<https://dpi.wi.gov/school-nutrition/directory>).

### Production Records

Be specific on production records about the identity, brand, description, and quantity of the items served. Recording "fresh fruit" is not a complete description. Production records should indicate exactly what was offered as part of a reimbursable meal. Include fruit sizes (e.g. case count) and type (e.g. canned, frozen).

Production records are required to document that food meeting the meal pattern was served in the appropriate serving sizes. Continue to work with staff to record planned usage, actual usage, and leftovers. Thorough, accurate production records aid the menu planner with forecasting, ordering, menu planning, and reducing food waste. Technical assistance was provided on using volume measures (such as cups) to record portion sizes of fruits and vegetables, and using weight measures (such as ounces) to record portion sizes of meat/meat alternates and grains.

While there is no required production record template, there are some examples that may be used on DPI's [Production Records](#) webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/production-records>). A copy of the production record requirements "[Must Haves and Nice to Haves](#)" list can also be found at the above link. Be specific on production records about the identity, brand, and description of the items served. Instead of "fruit cup", list both the applesauce cup and peach cup separately. List the specific type of granola bar or cereal bar offered, and list both when two types are offered, rather than just listing "cereal bar" or "granola bar" as these do not indicate exactly what was served. There is a wide variation in formulation of the many products that fall into these categories. Fruit sizes (e.g. case count) should also be recorded. It is helpful to include not just portion size, but also crediting, on the production records.

### Dietary Specifications

The meal pattern is intended to meet the needs of an average student and to provide an appropriate amount of calories, saturated fat, and sodium at each meal. Although students remain at school Sunday evening through Friday afternoons weekly, they are not exempt from the nutrient standards that all other Wisconsin school children are limited to. The menu planner has planned a menu that is in compliance with the meal pattern, however, students and faculty were observed on the day of review taking double portions and seconds of entrees. All the seconds must be counted towards the dietary specifications.

At the time of Wisconsin School for the Deaf last administrative review, January 2015, the USDA required all School Food Authorities (SFA) participating in Child Nutrition Programs have current menus certified through the 6-cents menu certification process. The certification process is to ensure that current meal pattern and dietary specifications are being met. Additional

reimbursement of 6 cents per lunch is offered to certified schools to help meet these nutrition standards.

During the review the SFA clearly indicated its position of continuing to allow students to take unlimited portions. All food, including second servings, offered to students through the NSLP and SBP, regardless of the funding source, must be included in the dietary specification of the reimbursable meal per [SP 10-2012 \(v8\)](#) (<https://www.ode.state.or.us/wma/nutrition/snp/memos/sp-10-2012v8.pdf>):

**“6. May a school serve second servings of a food item by allowing students who have purchased their reimbursable meal go back to the serving line for more food (food is not claimed, just given)?** Yes. If second helpings or second meals are sold ala carte, they do not contribute towards the components or dietary specifications for reimbursable meals. However, if a school elects to offer second servings of any part of a reimbursable meal without any additional charge, these foods must be counted toward the weekly dietary specifications.”

If Wisconsin School for the Deaf chooses, seconds and a la carte items may be sold to students. All ala carte items must meet the Smart Snacks regulations, with the exception of an entree the day of and the day after it is served, which are exempt. More information can be found on DPI's [Smart Snacks](#) webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks>).

According to [The School Day Just Got Healthier Fact Sheet: Calories in School Meals](#), there are no specific maximums for fruits or vegetables (<https://fns-prod.azureedge.net/sites/default/files/HHFKAfactsheet-calories.pdf>). Schools may allow greater serving amounts than the required minimums by offering self-service or allowing seconds of fruits and vegetables. Additional offerings do count toward the weekly calories limits, but because fruits and vegetables are generally lower in calories, they can be excellent sources for satisfying meals and sustaining energy. USDA policy memorandum [SP 41-2014](#) states that with time-limited lunch periods and increased amount of fruits and vegetables offered as part of the meals, some students may be inclined to save some items for consumption at a later time (<https://fns-prod.azureedge.net/sites/default/files/cn/SP41-2014os.pdf>). There is no federal prohibition of this practice, and Food and Nutrition Services (FNS) encourages it as a means of reducing potential food waste and encouraging consumption of healthy school meals. For food safety concerns, this practice should be limited to only food items that do not require cooling or heating, such whole fruit, cereal, or packaged crackers.

#### Juice Limit

No more than half (50 percent) of the fruit offered over the course of a week can be in the form of juice. If ½ cup of juice and ½ cup of fruit are offered daily at breakfast, this is allowable. However, if set up this way, a student is *not* allowed to take two juices otherwise they would exceed the 50% limit.

#### Signage

The 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 and implemented in your school can be found on SNT's

[signage](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/signage) webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/signage>).

Because the vegetables on the garden bar are being used to meet the weekly vegetable requirements, portion sizes of at least  $\frac{1}{8}$  cup each should be communicated to students with signage. [Salad Bar Signage Template](#) can be found on SNT's [Signage](#) webpage, under the heading Additional Signage Resources (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/salad-bar-signage-template.docx>; <https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/signage>).

Signage must be posted visible to students that indicates the offered components in each meal and tells students what they must select in order for their meal to count as reimbursable. The breakfast signage must list the three components and the four items offered, and must communicate to students that under Offer versus Serve (OVS), they must select at least three food items, one of which must be at least  $\frac{1}{2}$  cup of fruit and/or vegetable, or a combination. The lunch signage should list the five components and inform students that under OVS, they must select at least three full components, one of which must be at least  $\frac{1}{2}$  cup fruit and/or vegetable, or a combination.

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

#### **Production Records**

❑ **Finding #1:** Production records are intended to be useful tools to record information prior to production, during production, and after production. The production record template currently in use is out of date. The current production records are missing information, such as:

- Serving site
- Grade groups
- Menu items with recipes name/reference number or production name/description
- Planned serving size for each grade group unclear
- Planned/actual serving quantity prepared in purchase units

**Corrective Action Needed:** Provide the PHN a week of completed production records for both breakfast and lunch showing all required information.

#### **Dietary Specifications**

❑ **Finding #2:** When the planned menu is prepared, extra servings are included to accommodate unlimited portions. The practice of allowing students to take multiple entrees and unlimited portions is a contributing factor to the dietary specifications exceeding weekly limits.

K-8th Grade	Regulations for Daily amounts based on averages for a 5-day week	WSD Breakfast	Regulations for Daily amounts based on averages for a 5-day week	WSD Lunch
Calories (kcal)	400-500 kcal	<u>Kcal</u> : 1312.48 Over 912.48 - 812.48 kcal	600-650 kcal	<u>Kcal</u> : 1208.54 Over 625.34 - 575.34
Sodium (mg)	≤540mg	<u>Sodium</u> : 1110.63mg over 540mg	≤1230mg	<u>Sodium</u> : 1727.79mg over 553.77mg
Saturated Fat (%)	<10%	<u>Sat Fat</u> : 12% over 2%	<10%	<u>Sat Fat</u> : 10%

9th -12th Grade	Regulations for Daily amounts based on averages for a 5-day week	WSD Breakfast	Regulations for Daily amounts based on averages for a 5-day week	WSD Lunch
Calories (kcal)	450-600 kcal	<u>Kcal</u> : 1312.48 Over 862.48 - 712.48	750-850 Kcal	<u>Kcal</u> : 1205.01 Over 502.72 - 402.72
Sodium (mg)	≤640mg	<u>Sodium</u> : 1110.63mg over 470.63mg	≤1420mg	<u>Sodium</u> : 1695.57mg over 275.57mg
Saturated Fat (%)	<10%	<u>Sat Fat</u> : 12% over 2%	<10%	<u>Sat Fat</u> : 11% over 1%

**Corrective Action Needed:** Submit a detailed statement indicating how the Wisconsin School for the Deaf will come into compliance limiting students to meal averages within the required dietary specifications.

### 3. RESOURCE MANAGEMENT

#### Nonprofit School Food Service Account

#### Technical Assistance (TA)/Compliance Reminders

[Annual Financial Report \(AFR\)](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/annual-financial-report-instructions.pdf) (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/annual-financial-report-instructions.pdf>)

- Report food service revenues and expenditures for **July 1 through June 30**, which is the school fiscal year.



- All expenses and revenues must be allocated **by program**. For your agency, this includes the National School Lunch Program (NSL), School Breakfast Program (SB), and **Non-Program Foods**.
- *School Food Revenue (excluding transfers)* must be used to report federal and local revenue.
- *Transfer from Non-food service account-operating transfer* includes all GPR funds used to support the cost of feeding free reimbursable breakfasts and lunches not fully covered by federal reimbursement. In addition, the agency chose to cover the cost of student and adult seconds, dinners, and non-ticketed adult meals.
- The cash/entitlement value of USDA donated foods is reported as a revenue and expense on the AFR. The agency received a value of \$4,044.33 during the 17-18 SY. The revenue is reported under NSLP-→ School Food Revenues excluding Transfers. The expense is reported under NSLP-→ Food Cost.
- Commodity handling, processing, and administrative fees pulled directly from the monthly reimbursement claim must be reported as a purchased service expense under the NSLP.

*\*Student second servings paid for by the agency (GPR funds) are no longer allowable. For an explanation on why this is no longer allowable, see The Meal Pattern and Nutritional Quality section of this report. This is in response to a change in USDA guidance since the 14-15 SY AR. If the agency would like to continue offering student seconds, this expense must be funded through an a la carte program paid for by the households. Offering unlimited student seconds paid for by the SFA directly conflicts with the health and wellness goals of the USDA Child Nutrition Programs. Although there is not a regulation disallowing the use of GPR funds from covering adult seconds, this is poor practice and does not set a good example for students. From a financial standpoint, anything sold outside of the reimbursable meal must be tracked in order to show compliance with non-program food revenue ratio regulations under 7 CFR 210.14(f). Regardless of the shift in regulatory guidance, the agency has not been tracking non-program food sales, especially seconds, as outlined in the 14-15 SY Administrative Review (AR) report.*

## Revenue

Record when measurable and available. Federal reimbursement is recorded in the month that reimbursement is earned. For example, October reimbursable meals claimed are recorded as revenue for October. By the end of the school year (June 30), all federal reimbursement must be accrued and recorded as revenue for that year. Also, any revenue from students and adults for lunch, breakfast, or non-program food sales are not measurable until the meal or item is sold.

## Expenses

Expenses are recognized when an obligation is *incurred*, providing that goods and services are received. The food service accounting system records only *direct* costs. Direct costs are those expenditures relating to the food service operation. Such costs are readily identified; food, labor, equipment, purchased services, and other supplies. A general fund may pay for food service costs, but the food service fund cannot pay costs of other programs.

An accurate break down of expenditures for labor/benefits, food, equipment, purchased service, and other costs by program (breakfast, lunch, and nonprogram foods) is necessary for good management. A value must be placed on the food, labor, and other costs at the time of service.

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

**Finding #1:** The Annual Financial Report is not completed correctly.

**Corrective Action Needed:** Continue to work with the School Nutrition Team and DPI office to improve reporting. Review the technical assistance above (link to the AFR manual) and watch the [Annual Financial Report webcast](https://dpi.wi.gov/school-nutrition/training/webcasts#afr) (https://dpi.wi.gov/school-nutrition/training/webcasts#afr). Discontinue the use of historical percentage without basis to allocate expenses.

Submit:

- An updated 17-18 SY AFR
- A copy of the confirmation email or quiz questions from the webcast

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

**Finding #1:** The Nonprogram Foods Revenue Tool has not been completed.

**Corrective Action Needed:** If the agency switches to a household funded a la carte program, watch the [Nonprogram Foods Revenue Tool webinar](#) and provide a copy of the completed quiz questions and tool for the Wisconsin School for the Deaf using a minimum of a 5-day reference period (https://media.dpi.wi.gov/school-nutrition/nonprogram-food-revenues/story\_html5.html). If student seconds are no longer offered, the Nonprogram Foods Revenue Tool does not need to be completed because the agency will only offer adult meals and caterings.

✓ **Finding #2:** Food service is billing at food cost for caterings. The current charge does not include labor (ordering, receiving, prepping) and supplies.

**Corrective Action Needed:** Begin charging enough to cover the full cost of nonprogram food sales. **By signing off on this report, the agency agrees to modify the process. No further action required.**

**Finding #3:** The sale of free teacher meals, adult seconds, and dinner are not being tracked.

**Corrective Action Needed:** Begin tracking these items. Assign a value/price to each item to cover all cost (food, labor, supplies). Submit a statement to the DPI consultant explaining the tracking system and who or which fund will pay for the items.

## **4. GENERAL PROGRAM COMPLIANCE**

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

#### **Civil Rights**

##### **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, 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 placed in a location that allows program participants to read the text of the poster without obstruction.

### Processes for complaints

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 5 days.

### Public Release

It is a requirement to distribute the [Public Release](#) before the start of the school year (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/free-reduced-applications#apps>). The purpose is to inform the public that free breakfast and lunch is offered at your SFA. The agency must annually distribute the Public Release to:

- Local news media (*completed by DPI*)
- **Grassroots organizations (local organizations providing services to populations in need)**
- **Major employers contemplating or experiencing large layoffs**
- **Local Unemployment Office (as applicable)**

*The last three bullet points in bold must be completed by the school. They are not completed by DPI on Wisconsin School for the Deaf's behalf.*

- SFAs are not required to pay to have the public release published but must maintain documentation of whom it was sent to along with the specific materials distributed.
- In a base year, the full [Provision 2 Public Release](#) (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/p2-base-year-public-release.docx>) with income eligibility guidelines must be distributed. This template removes reference to charging households for meals. In non-base years, a simplified public release *without* income eligibility guidelines may be used.

### Local Wellness Policy

#### Technical Assistance (TA)/Compliance Reminders

The local wellness policy requirement was established by the Child Nutrition and Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Reauthorization Act of 2004 and further strengthened by the Healthy, Hunger-Free Kids Act (HHFKA) of 2010. The final rule requires School Food Authorities (SFAs) to begin developing a revised local school wellness policy during School Year 2016-17 with full compliance of the final rule by June 30, 2017.

#### Content of the Wellness Policy

The final *Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010* rule requires the SFA to retain basic records demonstrating compliance with the local school wellness (LWP) requirements. If no LWP has been developed, the SFA must establish a written policy. For assistance in the creation of a LWP, SFAs are encouraged to utilize the [Wisconsin Wellness: Putting Policy into Practice - School Wellness Policy Toolkit](#) (<http://dpi.wi.gov/school-nutrition/wellness-policy/toolkit>).

At a minimum the wellness policy must include:

- Nutrition education (Recommended goals related to nutrition education include integrating into other core subjects or offering as a stand-alone course for all grade levels.)
- Nutrition promotion (At a minimum SFAs must review smarter lunchroom tools and strategies. Additional promotional activities include contests, surveys, food demonstrations, taste testing, and farm to school programming.)
- Physical activity (Recommended that SFAs offer time for students to meet the 60 minute goal, this could include recess, classroom physical activity breaks, and opportunities for physical activity before and after school.)
- Guidelines for all foods and beverages sold on the school campus during the school day (The LWP must contain guidelines for Federal school meal requirements and competitive food standards [Smart Snacks]).
- Guidelines for all foods and beverages provided on the school campus during the school day (SFAs must develop standards for foods provided to students, this includes classroom parties, schools celebrations, food offered as rewards/incentives.)
- Guidelines for food and beverage marketing (At a minimum, SFAs must restrict marketing to food and beverages that meet competitive food standards on the school campus during the school day.)
- Public involvement and committee leadership (SFAs must invite and allow for a diverse group of stakeholders to participate in the development, implantation, review, and updating of the LWP. SFAs must also identify the official responsible for oversight of the LWP to ensure school compliance.)
- Implementation, assessment and update of policy (At a minimum, SFAs must notify the public about the content, implementation of, and updates to the LWP. SFAs must complete a triennial assessment to evaluate compliance with the LWP, how the LWP compares to model wellness policies, and progress made in attaining the goals of the LWP).

Resources:

- Please refer to the USDA [summary of the requirements](http://www.fns.usda.gov/sites/default/files/tn/LWPsummary_finalrule.pdf) for local school wellness policies (http://www.fns.usda.gov/sites/default/files/tn/LWPsummary\_finalrule.pdf).
- USDA Food and Nutrition Service has information on the [local school wellness policy](https://healthymeals.nal.usda.gov/school-wellness-resources) process and wellness policy elements (https://healthymeals.nal.usda.gov/school-wellness-resources).
- Wisconsin Team Nutrition has several [wellness policy resources](http://dpi.wi.gov/school-nutrition/wellness-policy) available, including a toolkit, a wellness policy builder, a minimum standards checklist, and a wellness policy report card (http://dpi.wi.gov/school-nutrition/wellness-policy).

### **Findings and Corrective Action Needed: Local Wellness Policy (LWP)**

**Finding:** SFA does not have a LWP.

**Corrective Action Required:** Provide a timeline for compliance with this rule. Work in collaboration with your wellness department to ensure minimum policy standards are met. If there are multiple wellness policies within the agency, consider merging them to ensure consistent health messages and compliance with federal regulations.

### **Smart Snacks in Schools**

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

The Smart Snacks Final Rule, published in the Federal Register on July 29, 2016, finalized science-based nutrition guidelines for competitive foods sold on the school campus during the school day. Foods and beverages sold in schools must meet both the general standards and nutrient standards unless the sales qualify for an exemption. You can find more information on DPI's [Smart Snacks](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks) webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks>).

### **Fundraisers/School Store**

A school store may sell non-compliant foods or beverages in which the profits go to multiple student organizations. You must keep documentation showing that different student organizations receive the funding from this fundraiser for no more than two consecutive weeks at a time, no more than twice per school, per school year. This fundraiser cannot occur in the meal service area during meal times. Templates, such as the Exempt Fundraiser Tracking Tool, are available on the [Smart Snacks](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks) webpage, under the resources heading (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks>). Keeping records of school fundraisers, both compliant and noncompliant, using DPI-provided tracking tools, is a great way to make sure schools are meeting Smart Snacks regulations. However, this type of ongoing unhealthy food and/or beverage fundraiser in schools is discouraged, as it does not align with the intentions of Smart Snacks standards and the Healthy Hunger-Free Kids Act. Constant unhealthy food and/or beverage fundraisers undermine progress made as a school nutrition department and district, to provide healthy, balanced meals to students. Whenever possible, your school is strongly encouraged to help student organizations find ways to fundraise that promote a healthy lifestyle.

The Smart Snacks Standards represent the minimum standards and the exemption policy represents the maximum exemptions allowed; SFAs have the discretion to establish additional restrictions on competitive foods and further limit fundraiser exemptions through their Local School Wellness Policy if they are consistent with federal requirements. We recommend using the [Alliance for a Healthier Generation Smart Snacks Product Calculator](https://foodplanner.healthiergeneration.org/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.

*Because schools agree to comply with the regulations set forth by USDA when they choose to participate in the USDA School Meals Programs, willful noncompliance of regulations can result in the loss of federal funding.*

### **Professional Standards**

#### **Training Requirements**

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 SNT's

Professional Standards webpage (<http://dpi.wi.gov/school-nutrition/training/professional-standards>).

### **Water**

The agency is in compliance.

### **Food Safety and Storage**

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

##### 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: Food Safety**

**Finding #1:** Missing Food Employee Reporting Agreements for new staff.

**Corrective Action Needed:** Complete all missing agreements. Submit copies of completed agreements as an attachment to the DPI consultant via email.

- ✓ **Finding #2:** Most recent food safety inspection report is not posted in a publicly visible location.

**Corrective Action Needed:** Post most recent food safety inspection report in location visible to public.

**Completed onsite. No further action required.**

### **Buy American**

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

The Buy American provision requires SFAs to purchase, to the maximum extent practicable, domestic commodity or product. A “Domestic Commodity or Product” is defined as an agricultural commodity or product that is produced or processed in the United States using substantial agricultural commodities that are produced in the United States (products from Guam, American Samoa, Virgin Islands, Puerto Rico, and the Northern Mariana Islands are allowable under this provision as territories of the United States).

“Substantial” means that over 51 percent of the final processed product consists of agricultural commodities that were grown domestically. The Buy American provision (7 CFR Part 210.21(d)) is one of the procurement standards SFAs must comply with when purchasing commercial food products served in the school meals programs.

For domestic products without country of origin labeling (COOL), 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). For more information, visit the [Buy American Provision](https://dpi.wi.gov/school-nutrition/procurement/buy-american) webpage (<https://dpi.wi.gov/school-nutrition/procurement/buy-american>).

### **Findings and Corrective Action: Buy American**

❑ **Finding:** The following products were identified in SFA’s storage area as non-domestic and not listed on the SFA’s “Buy American – Noncompliant List” or did not have proper labeling to identify the country of origin:

- Trio Cheese Sauce – Product of Canada
- Canned Pumpkin – Product of Canada
- Canned Sweet and Condensed Milk – Product of Chili

**Corrective Action Needed:** Submit to the PHN the following information. The information must be recorded on a Buy American Non-Compliant Product List of your choosing:

*Note:* In reference to the competitive procurement process, this form may be valid up to the full duration of the contract. DPI allows for a max-term of 5 years with all contracts.

1. Date
2. Name of product
3. Country of origin
4. Reason
  - a. **Cost analysis** – SFA determined the cost of the domestic product, when compared to the non-domestic product, was above the predetermined allowable cost difference established by the SFA. *Ex. If domestic product costs 20% more than non-domestic product, and no domestic option/alternative is available, then the SFA will purchase non-domestic product.*
  - b. **Seasonality**- Product(s) is/are not available domestically during certain times of the year. *(SFA is required to record or list the months that the domestic product is not available.)Ex. Blueberries are not available domestically during the months of December – June.*
  - c. **Availability** – Product(s) is/are not available to purchase domestically. *Ex. pineapples, bananas, mandarin oranges, and black Pepper/other spices.*
  - d. **Substitution** - In the event a domestic product is unavailable due to a distributors’ inability to provide, a substitution of product(s) may occur. *(The SFA is required to record the reason the distributor substituted the product.) Ex. At the time of ordering/shipping domestic products was unavailable/damaged at distributor site and domestic options could not be substituted and as a result non-domestic products was substituted in its place.*

- e. **Distribution**- the SFA’s contracted distributor is unable to source domestic products and as a result, distributor does not carry the domestic product(s). (The SFA is required to record the reason the distributor carries the non-domestic product.) *Ex. Due to supply, chain constraints, recall of domestic product by processor, SFA contracted distributor was unable to source domestic product leaving only non-domestic option available for order fulfillment.*
- f. **Other** - Please provide a written explanation. *Ex. The SFA received a donation of non-domestic oranges. Ex. The SFA did not use School’s Nonprofit Food Service Account to purchase the non-domestic products.*

You may record additional information if you find it beneficial. A suggested [Buy American - Non Compliant Product List template](#) can be found on the [Buy American webpage](#) (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/buy-american-noncompliant-list.docx>; <https://dpi.wi.gov/school-nutrition/procurement/buy-american>). For more information on Buy American exceptions, visit the [Buy American Provision Memos](#) webpage (<https://dpi.wi.gov/school-nutrition/procurement/buy-american/provision-memos>).

**Reporting and Recordkeeping**

Direct Certification and application approval letters communicating benefit eligibility to households were not retained. These are vital records that must be kept for three years plus the current school year. Provision 2 Base Year SFAs must follow this requirement. **The finding is noted under the Certification and Benefit Issuance portion of this report. A similar finding was documented in 14-15 SY.**

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

The agency is in compliance.

“The Wisconsin Department of Public Instruction has a vision that every student will graduate prepared for college and career. 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](#) webpage (<https://dpi.wi.gov/statesupt/every-child-graduate>).”

