

Date: April 4, 2019

To: Authorized Representatives (ARs) and Food Service Directors (FSDs) of School Food Authorities (SFAs) participating in the U.S. Department of Agriculture (USDA) Child Nutrition Programs and Contracting with a Food Service Management Company

From: Jessica Sharkus, RDN, CD
Director, School Nutrition Team (SNT)

Subject: Professional Standards requirements for SFAs that contract with a Food Service Management Company (FSMC)

Please share this information with your Business Manager and the Human Resources Department.

The final rule "[Professional Standard for State and Local School Nutrition Programs Personnel as Required by the Healthy, Hunger-Free Kids Act of 2010](#)" established minimum hiring requirements for FSDs hired after July 1, 2015, and annual training requirements for all school food service staff effective July 1, 2015. The professional standards are intended to ensure that school nutrition program personnel working in the National School Lunch and School Breakfast Programs have the knowledge and skills to manage and operate the programs effectively and efficiently. Please note that the "[Hiring Flexibility Under Professional Standards](#)" final rule effective April 30, 2019, provides some flexibilities to the original rule.

This memorandum is intended to provide clarification and guidance on how the professional standards requirements apply to SFAs that contract with a FSMC to manage the school meal programs.

The [USDA Memorandum SP 38-2016 Questions & Answers on the Final Rule "Professional Standards for State and Local School Nutrition Programs Personnel as Required by the Healthy, Hunger-Free Kids Act of 2010](#) addresses how professional standards requirements apply to FSMC staff who perform the duties of a FSD for participating schools under the jurisdiction of the SFA. Memorandum SP 38-2016 clearly states that the SFA maintains oversight and responsibility of the school food service operations. Therefore, it is important that the SFA has knowledge and understanding of how the program(s) work.

The SNT currently allows a FSMC employee in the FSD position to meet the professional standards hiring and training requirements for FSDs. After further review of SP 38-2016, the following hiring and training requirements will apply beginning school year 2019-20.

The person designated as the FSD, and who is directly responsible for the management of the day-to-day operations of school nutrition programs, is required to meet the hiring, annual

training, and annual 8 hours of food safety training requirements. This person can be a FSMC employee or SFA employee.

The Authorized Representative (AR) listed on the school nutrition contract must be a SFA employee. The AR does not need to meet the hiring requirements or the 8 hours of food safety training, **but does need to meet the annual training requirements for a FSD of 12 hours per year.**

The AR should be the person who is the Contract Manager or Contract Administrator depending on how someone defines these terms. The duties of the AR include the responsibility for oversight of the FSMC contract. The SFA cannot delegate this duty to the FSMC or contractor. These responsibilities include monitoring the performance of the contractor, financial monitoring, approval of contractor invoicing, making sure all parties to the contract adhere to the terms, conditions, and obligations of the contract, and ensuring employee and student health, safety, environmental and quality of food service are maintained by the contractor. In order to fulfill the duties, the AR needs to possess the right technical and operational skills, and these skills must be maintained throughout the life of the contract. The professional development requirement ensures the AR has these skills.

Professional development training can be on a variety of topics including: sanitation, food safety, and employee safety; nutrition and menu planning; food production; facility layout and design and equipment selection; procurement; financial management and recordkeeping; program accountability; marketing; customer service; nutrition education; general management; personnel management; and computer technology.

There are many training opportunities to assist staff in meeting the 12 hours of annual training requirement, including:

- [SNT webcasts and in-person trainings](#);
- Annual required [civil rights training](#);
- Wisconsin Association of School Boards State Education Convention school nutrition trainings;
- Visit the [GOALS training resources](#) webpage for additional training opportunities;
- [USDA database of professional standards trainings](#).

All professional development trainings completed need to be tracked on the [DPI tracking tool](#) or [USDA tracking tool](#). The tracking tool will be requested during the Administrative Review to monitor compliance with this requirement.

Further information on the professional standard hiring and training requirements can be found on the [SNT Professional Standards](#) webpage.

If you have questions, please contact the School Nutrition Team at dpifns@dpi.wi.gov or 608-267-9228.