



**New Mexico Public Education Department  
Coordinated School Health & Wellness Bureau  
Administrative Review Corrective Action Plan**

SFA Name: Floyd Municipal Schools  
 Administrative Review Conducted on: 11/8/2016  
 Sites Selected for Review: Floyd Elementary  
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**Date Corrective Action Plan was provided to SFA:** 19-Dec-16

**Due Date for Corrective Action Plan:** 18-Jan-17

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

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

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

<b>Finding #1</b>
410. For the week of menu review, the K-8 breakfast menu did not meet the minimum daily requirement of 1 ounce equivalent grain. A grain was provided, however the minimum required portion size was not met.
<b>Technical Assistance Provided</b>
During the review, the portion sizes required by the meal patterns were discussed with the SFA. The SFA must ensure that all meals counted for reimbursement contain the required components in the minimum portion size required for the specific grade group. The SFA should review all menus to ensure that at least the minimum portion size is planned for the specific grade group. The SFA should also provide additional training to the kitchen staff on the requirements of a reimbursable meal. The training should include what to do if a certain planned menu item is not available or if the item runs out during service. The USDA FNS website can be used for training materials, resources and guidance on the meal pattern. <a href="http://healthymeals.nal.usda.gov/">http://healthymeals.nal.usda.gov/</a>

<b>Regulation / Citation and Summary</b>
220.8(c) Meal pattern for school breakfasts. A school must offer the food components and quantities required in the breakfast meal pattern established. K-12: 1 oz. equivalent of grains daily.
<b>SFA Suggested Guidance for Compliance</b>
To come into compliance with meal pattern requirements, the SFA must provide the State Agency with a written plan that will be implemented to ensure future compliance. The plan should include; a statement that all menus will be reviewed to ensure that all portion sizes planned meet at least the minimum required amount for the specific grade group, a process for sites to reference when they do not have one of the planned menu items or there is insufficient quantities, a statement that the serving line will be visually reviewed prior to service to confirm that all required components are available and that additional menu training for all SFA staff will be provided. Provide the outline and dates for the trainings that will be completed. In addition please submit the name(s) and title(s) of the SFA representative(s) that will oversee this area and ensure future compliance. Submit the menu from the week of review with the corrections that were made to the menu to bring it into compliance moving forward. Provide any needed documentation to support the changes such as labels, recipes, production records, etc.
<b>SFA Response</b>

<b>Finding #2</b>
410. For the week of menu review, the K-8 breakfast menu did not meet the minimum weekly requirement of 6.5 ounce equivalent grain for a four day school.
<b>Technical Assistance Provided</b>
During the review, the portion sizes required by the meal patterns were discussed with the SFA. The SFA must ensure that all meals counted for reimbursement meet the weekly requirements as well as the daily requirements for grains required for the specific grade group. The SFA should review all menus to ensure that at least the minimum daily and weekly requirement is planned for the specific grade group. The SFA should also provide additional training to the kitchen staff on the requirements of a reimbursable meal. The training should include how to determine the total number of weekly servings if there are multiple menu items each day. The USDA FNS website can be used for training materials, resources and guidance on the meal pattern. <a href="http://healthymeals.nal.usda.gov/">http://healthymeals.nal.usda.gov/</a>
<b>Regulation / Citation and Summary</b>
220.8(c) Meal pattern for school breakfasts. A school must offer the food components and quantities required in the breakfast meal pattern established. K-8: minimum 6.5 oz. equivalents of grain weekly for a four day school.
<b>SFA Suggested Guidance for Compliance</b>

To come into compliance with meal pattern requirements, the SFA must provide the State Agency with a written plan that will be implemented to ensure future compliance. The plan should include; a statement that all menus will be reviewed to ensure that all weekly requirements for grains and meat/meat alternates are met for the specific grade group, a process for sites to reference when they do not have one of the planned menu items or there is insufficient quantities, a statement that the serving line will be visually reviewed prior to service to confirm that all required components are available and that additional menu training for all SFA staff will be provided. Provide the outline and dates for the trainings that will be completed. In addition please submit the name(s) and title(s) of the SFA representative(s) that will oversee this area and ensure future compliance. Submit the menu from the week of review with the corrections that were made to the menu to bring it into compliance moving forward. Provide any needed documentation to support the changes such as labels, recipes, production records, etc.

#### **SFA Response**

#### **Finding #3**

410. For the menu review week, the K-8 breakfast menu did not meet the 100% Whole Grain Rich requirement. Not all grains provided were Whole Grain Rich.

#### **Technical Assistance Provided**

During the review requirements for the meal pattern were reviewed with the SFA. All grains provided as part of the reimbursable meal must be Whole Grain Rich. To be considered Whole Grain Rich the item it must be comprised of at least 50% whole grain ingredients. An easy way to determine if a pre-purchased item is whole grain is to look at the ingredient list. If the first ingredient is whole grain, it is a Whole Grain Rich product. If the first ingredient is water, but the second is a whole grain it is also a Whole Grain Rich product. If the SFA is using a recipe as long as the whole grain ingredient is the largest by weight of all of the grain ingredients combined it is a Whole Grain Rich product. For additional information on whole grains visit the USDA FNS website.

<http://healthymeals.nal.usda.gov/menu-planning/whole-grains>

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

220.8(c)(2)(iv) Grains component. (A) Enriched and whole grains. All grains must be made with enriched and whole grain meal or flour, in accordance with the most recent FNS guidance on grains. Whole grain-rich products must contain at least 50 percent whole grains and the remaining grains in the product must be enriched. Effective July 1, 2013 (SY 2013-2014), schools may substitute meats/meat alternates for grains, after the daily grains requirement is met, to meet the weekly grains requirement. One ounce equivalent of meat/meat alternate is equivalent to one ounce equivalent of grains.

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

To come into compliance with meal pattern requirements, the SFA must provide the State Agency with a written plan that will be implemented to ensure future compliance with the Whole Grain Rich requirements. The plan should include; a statement that only Whole Grain Rich grain products will be used as part of the reimbursable meal, a statement that all labels/recipes/manufacturer statements will be kept on file to document the Whole Grain Rich compliance, and a statement that additional menu training will be provided to SFA staff. Provide the outline for the training and the dates that the training(s) will be completed. In the plan include the name(s) and title(s) of the SFA representative(s) that will oversee this area and ensure future compliance. In addition to the plan please submit a revised menu from the week of review that clearly identifies the products that have been changed to bring the menu into compliance, submit any needed supporting documentation such as labels, recipes, and/or manufacturer statements.

#### **SFA Response**

#### **Finding #4**

410. For the week of menu review, the K-8 lunch menu did not meet the minimum weekly requirement of 6.5 ounce equivalent grain for a four day school.

#### **Technical Assistance Provided**

During the review, the portion sizes required by the meal patterns were discussed with the SFA. The SFA must ensure that all meals counted for reimbursement meet the weekly requirements as well as the daily requirements for grains required for the specific grade group. The SFA should review all menus to ensure that at least the minimum daily and weekly requirement is planned for the specific grade group. The SFA should also provide additional training to the kitchen staff on the requirements of a reimbursable meal. The training should include how to determine the total number of weekly servings if there are multiple menu items each day. The USDA FNS website can be used for training materials, resources and guidance on the meal pattern. <http://healthymeals.nal.usda.gov/>

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

210.10(c) Meal pattern for school lunches. Schools must offer the food components and quantities required in the lunch meal pattern established: K-8: minimum of 6.5 oz. equivalent of grains per week for a four day school.

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

To come into compliance with meal pattern requirements, the SFA must provide the State Agency with a written plan that will be implemented to ensure future compliance. The plan should include; a statement that all menus will be reviewed to ensure that all weekly requirements for grains are met for the specific grade group, a process for sites to reference when they do not have one of the planned menu items or there is insufficient quantities, a statement that the serving line will be visually reviewed prior to service to confirm that all required components are available and that additional menu training for all SFA staff will be provided. Provide the outline and dates for the trainings that will be completed. In addition please submit the name(s) and title(s) of the SFA representative(s) that will oversee this area and ensure future compliance. Submit the menu from the week of review with the corrections that were made to the menu to bring it into compliance moving forward. Provide any needed documentation to support the changes such as labels, recipes, production records, etc.

#### **SFA Response**

#### **Finding #5**

410. For the week of menu review, the K-8 lunch menu did not meet the minimum weekly requirement of 1/2 cup beans/legumes vegetable subgroup.

#### **Technical Assistance Provided**

During the review, the portion sizes required by the meal patterns were discussed with the SFA. The SFA must ensure that all meals counted for reimbursement contain the required components in the minimum portion size required for the specific grade group. This includes meeting the weekly requirements for the vegetables sub-groups. Over the course of the standard school week the SFA must at a minimum meet the required servings for each sub-group. The SFA should review all menus to ensure that at least the minimum serving for each sub-group is planned for the specific grade group. The SFA should also provide additional training to the kitchen staff on the requirements of a reimbursable meal. The training should include what to do if a certain planned menu item is not available or if the item runs out during service. The USDA FNS website can be used for training materials, resources and guidance on the meal pattern. <http://healthymeals.nal.usda.gov/>

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

210.10(c)(iii) Vegetables component. Vegetable offerings at lunch over the course of the week must include the vegetable subgroups, as defined in this section in the quantities specified in the meal pattern in paragraph (c) of this section: K-12: 1/2 C bean/peas/legumes.

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

To come into compliance with meal pattern requirements, the SFA must provide the State Agency with a written plan that will be implemented to ensure future compliance. The plan should include; a statement that all menus will be reviewed to ensure that all weekly requirements for vegetable subgroups are met for the specific grade group, a process for sites to reference when they do not have one of the planned menu items or there is insufficient quantities, a statement that the serving line will be visually reviewed prior to service to confirm that all required components are available and that additional menu training for all SFA staff will be provided. Provide the outline and dates for the trainings that will be completed. In addition please submit the name(s) and title(s) of the SFA representative(s) that will oversee this area and ensure future compliance. Submit the menu from the week of review with the corrections that were made to the menu to bring it into compliance moving forward. Provide any needed documentation to support the changes such as labels, recipes, production records, etc.

#### **SFA Response**

#### **Finding #6**

706. The SFA did not sufficiently increase paid lunch prices for the current school year.

#### **Technical Assistance Provided**

During the review, it was determined that the SFA did not raise paid lunch prices as required for the current school year. The noncompliance occurred because of an incorrectly completed Paid Lunch Equity Tool; the weighted average price requirement was not input into "Step 1" correctly. Technical assistance was provided in an email sent to the business manager, administrative assistant, and food service director. The tool was corrected by the reviewer and sent to the SFA. The corrected tool showed a minimum requirement price of \$2.02 for the SY 15-16 (after the \$.10 cap is applied). The current weighted lunch price of \$1.92 is not sufficient.

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

7 CFR 210.14 (e)

Pricing paid lunches. For each school year beginning July 1, 2011, school food authorities shall establish prices for paid lunches in accordance with this paragraph. (1) Calculation procedures. Each school food authority shall: (i) Determine the average price of paid lunches. The average shall be determined based on the total number of paid lunches claimed for the month of October in the previous school year, at each different price charged by the school food authority. (ii) Calculate the difference between the per meal Federal reimbursement for paid and free lunches received by the school food authority in the previous school year (i.e., the reimbursement difference); (iii) Compare the average price of a paid lunch under paragraph (e)(1)(i) of this section to the difference between reimbursement rates under paragraph (e)(1)(ii) of this section.

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

As the corrective action response, please explain the process that will be put into place to ensure that the Paid Lunch Equity Tool will be correctly completed before each school year to ensure the minimum required paid lunch price is charged or sufficient non-federal funding will be transferred to the food service account to support paid lunch prices. Additionally, explain your plan for raising paid lunch prices.

**SFA Response**

**Finding #7**

Resource Management Comprehensive Review: NonProgram Food Compliance  
The SFA did not correctly complete the USDA Nonprogram Food Revenue Tool.

**Technical Assistance Provided**

The SFA submitted an incomplete copy of the NonProgram Food Revenue Tool to PED. The NonProgram Food Revenue Tool should be completed every year. You can use a one-week reference period instead of gathering numbers for an entire year. This tool should include adult meals as your nonprogram foods. If the tool shows you are out of compliance, you need to increase nonprogram food prices (even if you are meeting the USDA adult meal pricing guidelines). A copy of the tool and a link to the USDA memo was sent in an email during this review. Both documents can be found on the USDA website. The reviewer completed the tool for last year using information provided by the SFA and sent a copy to the SFA. Per the tool, the SFA was in compliance with nonprogram food requirements for the SY 15-16.

**Regulation / Citation and Summary**

7 CFR 210.14 (f) Revenue from non-program foods.

Beginning July 1, 2011, school food authorities shall ensure that the revenue generated from the sale of non-program foods complies with the requirements in this paragraph.

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

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

**SFA Suggested Guidance for Compliance**

As the corrective action response, please explain the process that will be put into place to ensure that the USDA Nonprogram Food Revenue Tool is completed correctly each year. This should include a timeframe for when the tool will be completed, and proper training for the person responsible for completing the tool.

**SFA Response**

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<b>Finding #8</b>
On the day of review, the K-8 lunch menu did not meet the 100% Whole Grain Rich requirement for grains. Not all grains provided were Whole Grain Rich.
<b>Technical Assistance Provided</b>
During the review requirements for the meal pattern were reviewed with the SFA. All grains provided as part of the reimbursable meal must be Whole Grain Rich. The be considered Whole Grain Rich the item it must be comprised of at least 50% whole grain ingredients. An easy way to determine if a pre-purchased item is whole grain is to look at the ingredient list. If the first ingredient is whole grain, it is a Whole Grain Rich product. If the first ingredient is water, but the second is a whole grain it is also a Whole Grain Rich product. If the SFA is using a recipe as long as the whole grain ingredient is the largest by weight of all of the grain ingredients combined it is a Whole Grain Rich product. For additional information on whole grains visit the USDA FNS website. <a href="http://healthymeals.nal.usda.gov/menu-planning/whole-grains">http://healthymeals.nal.usda.gov/menu-planning/whole-grains</a>
<b>Regulation / Citation and Summary</b>
220.8 (c). (iv) Grains component. (A) Enriched and whole grains. All grains must be made with enriched and whole grain meal or flour, in accordance with the most recent FNS guidance on grains. Whole grain-rich products must contain at least 50 percent whole grains and the remaining grains in the product must be enriched. Effective July 1, 2013 (SY 2013-2014), schools may substitute meats/meat alternates for grains, after the daily grains requirement is met, to meet the weekly grains requirement. One ounce equivalent of meat/meat alternate is equivalent to one ounce equivalent of grains.
<b>SFA Suggested Guidance for Compliance</b>
To come into compliance with meal pattern requirements, the SFA must provide the State Agency with a written plan that will be implemented to ensure future compliance with the Whole Grain Rich requirements. The plan should include; a statement that only Whole Grain Rich grain products will be used as part of the reimbursable meal, a statement that all labels/recipes/manufacturer statements will be kept on file to document the Whole Grain Rich compliance, and a statement that additional menu training will be provided to SFA staff. Provide the outline for the training and the dates that the training(s) will be completed. In the plan include the name(s) and title(s) of the SFA representative(s) that will oversee this area and ensure future compliance. In addition to the plan please submit a revised menu from the week of review that clearly identifies the products that have been changed to bring the menu into compliance, submit any needed supporting documentation such as labels, recipes, and/or manufacturer statements.
<b>SFA Response</b>

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<b>Finding #9</b>
126. Not all selected applications were approved correctly. Not all income based applications included the last four digits of the social security number of an adult household member, or an indication of none.
<b>Technical Assistance Provided</b>
During the review, determining applications was discussed with the SFA. When determining eligibility, the SFA may not approve an application that is missing the social security of the household member who signs it. If the adult member does not possess a social security number, the household must check the box indicating no number. For more information, see the Eligibility Manual for School Meals.
<b>Regulation / Citation and Summary</b>
245.6(a)(6) Household members and social security numbers. The application must require applicants to provide the names of all household members. In addition, the last four digits of the social security number of the adult household member who signs the application must be provided. If the adult member signing the application does not possess a social security number, the household must so indicate.
<b>SFA Suggested Guidance for Compliance</b>
To come into compliance with the requirements for eligibility documentation, the SFA must provide the State Agency with an assurance that staff administering the free and reduced lunch program understand these requirements, and the SFA must put a plan in place to ensure future compliance. Please submit the assurance and plan to the State Agency.
<b>SFA Response</b>

<b>Finding #10</b>
200b. The SFA did not verify the correct number of applications.
<b>Technical Assistance Provided</b>
During the review, the number of applications to be reviewed was discussed with the SFA. The SFA must verify exactly the number of applications as described in the Eligibility Manual for School Meals, Chapter 4.
<b>Regulation / Citation and Summary</b>
245.6a(c)(3) Standard sample size. Unless eligible for an alternative sample size under paragraph (d)

of this section, the sample size for each local educational agency shall equal the lesser of: (i) Three (3) percent of all applications approved by the local educational agency for the school year, as of October 1 of the school year, selected from error prone applications; or (ii) 3,000 error prone applications approved by the local educational agency for the school year, as of October 1 of the school year. (iii) Local educational agencies shall not exceed the standard sample size in paragraphs (c)(3)(i) or (c)(3)(ii) of this section, as applicable, and, unless eligible for one of the alternative sample sizes provided in paragraph (c)(4) of this section, the local educational agency shall not use a smaller sample size than those in paragraphs (c)(3)(i) or (c)(3)(ii) of this section, as applicable. (iv) If the number of error-prone applications exceeds the required sample size, the local educational agency shall select the required sample at random, i.e., each application has an equal chance of being selected, from the total number of error-prone applications.

<b>SFA Suggested Guidance for Compliance</b>
Required Corrective Action To come into compliance with the verification sample size requirement, the SFA must provide the State Agency with an assurance that staff conducting verification understand how to calculate the correct number of applications that should be verified, and the SFA must put a plan in place to ensure future compliance. Please submit the assurance and plan to the State Agency. Additionally, SFA staff will need to complete the Verification of Eligibility training found in the School Nutrition Toolbox at <a href="http://www.schoolnutritiontoolbox.org/snt-v3/index.php">http://www.schoolnutritiontoolbox.org/snt-v3/index.php</a> .
<b>SFA Response</b>

<b>Finding #11</b>
208a. Finding The SFA does not have documentation demonstrating that a confirmation review took place.
<b>Technical Assistance Provided</b>
During the review, documenting the confirmation review was discussed with the SFA. The SFA must conduct confirmation reviews and maintain documentation that these took place.
<b>Regulation / Citation and Summary</b>
245.6a(e) Activities prior to household notification—(1) Confirmation of a household's initial eligibility. (i) Prior to conducting any other verification activity, an individual, other than the individual who made the initial eligibility determination, shall review for accuracy each approved application selected for verification to ensure that the initial determination was correct. (ii) The requirements in paragraph (e)(1)(i) of this section are waived if the local educational agency is using a technology-based system that demonstrates a high level of accuracy in processing an initial eligibility determination based on the income eligibility guidelines for the National School Lunch Program.
<b>SFA Suggested Guidance for Compliance</b>

Required Corrective Action To come into compliance with the requirements for documenting confirmation reviews, the SFA must provide the State Agency with an assurance that staff conducting verification understand these requirements, and the SFA must put a plan in place to ensure future compliance. Please submit the assurance that includes the person(s) by position(s) who will be completing the confirmation reviews and plan to the State Agency.

**SFA Response**

**Finding #12**

1000. The SFA does not have a Local School Wellness Policy.

**Technical Assistance Provided**

During the review, Local Wellness Policies were discussed with the SFA. The Local Wellness Policy is required to contain the following: a designation of one or more SFA officials in charge of school compliance oversight; a plan for measuring compliance; goals for nutrition education, nutrition promotion, other school based activities to promote student wellness, and physical activity; and guidance for all foods available on school campus. The SFA should also contact the state agency to determine if there are any additional requirements from the state or if they have any state specific resources. The SFA was provided with the USDA link for Wellness Policies.  
<http://www.fns.usda.gov/tn/local-school-wellness-policy>

**Regulation / Citation and Summary**

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

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

**SFA Suggested Guidance for Compliance**

To come into compliance with the requirements for Local School Wellness Policies, the SFA must submit a written assurance that the appropriate staff understand the requirements for the wellness policy. The SFA must also develop a Local Wellness Policy that has all of the required areas and submit this to the State Agency. If the SFA needs additional time to develop the wellness policy and have it approved by the school board, the SFA must submit a detailed timeline that shows when each step will be completed. Once the policy is in place it must be submitted to the state agency for review. Submit the name and title of the SFA representative that will oversee this process and ensure compliance.

**SFA Response**

**Finding #13**

1400. The SFA does not have a food safety plan.

**Technical Assistance Provided**

During the review, the food safety plan was discussed with the SFA. The SFA must have a complete food safety plan that includes all of the required sections as specified by USDA. The SFA must have a food safety plan available at each site so that food service staff may stay in compliance with food safety requirements and procedures.

**Regulation / Citation and Summary**

210.13(c) Food safety program. The school food authority must develop a written food safety program that covers any facility or part of a facility where food is stored, prepared, or served. The food safety program must meet the requirements in paragraph (c)(1) or paragraph (c)(2) of this section, and the requirements in §210.15(b)(5). (1) A school food authority with a food safety program based on traditional hazard analysis and critical control point (HACCP) principles must: (i) Perform a hazard analysis; (ii) Decide on critical control points; (iii) Determine the critical limits; (iv) Establish procedures to monitor critical control points; (v) Establish corrective actions; (vi) Establish verification procedures; and (vii) Establish a recordkeeping system. (2) A school food authority with a food safety program based on the process approach to HACCP must ensure that its program includes: (i) Standard operating procedures to provide a food safety foundation; (ii) Menu items grouped according to process categories; (iii) Critical control points and critical limits; (iv) Monitoring procedures; (v) Corrective action procedures; (vi) Recordkeeping procedures; and (vii) Periodic program review and revision.

**SFA Suggested Guidance for Compliance**

Required Corrective Action To come into compliance with the requirements for food safety, the SFA must provide the State Agency with an assurance that the appropriate staff understand the requirements for a food safety plan. The assurance should include; a statement that the food safety plan will contain all required fields, that the food safety plan will be available at each site within the SFA, and that training will be completed for all appropriate SFA staff. In addition to the assurance an electronic copy of the food safety plan must be submitted for review.

**SFA Response**

**Finding #14**

805. The SFA is not following the requirements in the fluid milk substitution rule.

**Technical Assistance Provided**

During the review, the fluid milk substitution rule discussed with the SFA. This rule must be followed as outlined in 7 CFR 210.10(m)(2)(i).

**Regulation / Citation and Summary**

210.10(m)(2)(i) Fluid milk substitutions for non-disability reasons. Schools may make substitutions

for fluid milk for non-disabled students who cannot consume fluid milk due to medical or special dietary needs. A school that selects this option may offer the nondairy beverage(s) of its choice, provided the beverage(s) meets the nutritional standards established under paragraph (d) of this section. Expenses incurred when providing substitutions for fluid milk that exceed program reimbursements must be paid by the school food authority. (ii) Requisites for fluid milk substitutions. (A) A school food authority must inform the State agency if any of its schools choose to offer fluid milk substitutes other than for students with disabilities; and (B) A medical authority or the student's parent or legal guardian must submit a written request for a fluid milk substitute identifying the medical or other special dietary need that restricts the student's diet. (iii) Substitution approval. The approval for fluid milk substitution must remain in effect until the medical authority or the student's parent or legal guardian revokes such request in writing, or until such time as the school changes its substitution policy for non-disabled students.

**SFA Suggested Guidance for Compliance**

To come into compliance with this requirements for special dietary needs, the SFA must provide the State Agency with an assurance that appropriate staff understand the requirement, and the SFA must put a plan in place to ensure future compliance. The plan must include the SFA's process for students that have life threatening allergies and the SFA's process for student with special dietary needs that do not rise to a level of a disability. Each process should include; the type of documentation that must be maintained on file, how the sites will be informed of the child's specific needs, the process that will be used to ensure that the SFA is meeting the requirements for both groups of dietary needs, and the name and title of the SFA representative that will oversee compliance.

**SFA Response**

**Finding #15**

404. Signage is not posted near or at the beginning of the serving line identifying what constitutes a reimbursable meal for breakfast.

**Technical Assistance Provided**

During the review, the importance of signage was discussed with the SFA. The SFA must ensure that signage is posted near or at the beginning of the serving line identifying what constitutes a reimbursable meal.

**Regulation / Citation and Summary**

220.8(a)(2) Unit pricing. Schools must price each meal as a unit. The price of a reimbursable lunch does not change if the student does not take a food item or requests smaller portions. Schools must identify, near or at the beginning of the serving line(s), the food items that constitute the unit-priced reimbursable school meal(s).

**SFA Suggested Guidance for Compliance**

To come into compliance with the meal signage requirements the SFA must state that the proper signage has been posted. Please submit a copy of the signage used and indicate where in the serving line it was posted. Also please note the date that the signage was posted. Include the person by position that will oversee that the signage has been posted and how this person will keep all staff informed that signage is required.

**SFA Response**

**Finding #16**

1405. The SFA did not have the most recent food safety inspection report posted in a publicly visible location.

**Technical Assistance Provided**

During the review, health inspections were discussed with the SFA. The SFA must request two health inspections for each site for each school year and must maintain documentation of this request.

**Regulation / Citation and Summary**

210.13(b) Food safety inspections. Schools shall obtain a minimum of two food safety inspections during each school year conducted by a State or local governmental agency responsible for food safety inspections. Sites participating in more than one child nutrition program shall only be required to obtain two food safety inspections per school year if the nutrition programs offered use the same facilities for the production and service of meals.

**SFA Suggested Guidance for Compliance**

To come into compliance with the requirements for food safety, the SFA must provide the State Agency with an assurance that the appropriate staff understand these requirements, and that moving forward the SFA will annually request that two inspections be completed. Please submit the assurance and plan to the State Agency. Additionally, the SFA must request to the local health agency for two inspections and must submit a copy of this request to the State Agency.

**SFA Response**

**Finding #17**

1407. Temperature logs are not being maintained for all food storage areas.

**Technical Assistance Provided**

During the on-site review, temperature logs were discussed with the SFA. The SFA must maintain temperature logs for all food storage areas, in accordance with the requirements of the local health department. The completed temperature logs must be kept on file for a minimum of 6 months.

**Regulation / Citation and Summary**

210.15(b)(5) The SFA must maintain records from the food safety program for a period of six months following a month's temperature records to demonstrate compliance with §210.13(c), and records from the most recent food safety inspection to demonstrate compliance with §210.13(b).

**SFA Suggested Guidance for Compliance**

To come into compliance with the requirements for food safety, the SFA must provide the State Agency with an assurance that the appropriate staff understand the requirements for food safety documentation. The assurance should include; a statement that the food safety plan will be implemented at each site, a statement that proper documentation practices will be established at each site, a statement that all temperature documents will be maintained for a minimum of 6 months, and that training will be completed for all appropriate SFA staff. Provide the agenda and sign-in sheets from the trainings.

**SFA Response**

**Finding #18**

126. Not all selected applications were approved correctly. Not all applications included the signature of an adult household member.

**Technical Assistance Provided**

During the review, determining applications was discussed with the SFA. When determining eligibility, the SFA must ensure that the application includes the signature of an adult household member; otherwise, the application is incomplete. For more information, see the Eligibility Manual for School Meals, Chapter 3.

**Regulation / Citation and Summary**

245.6(a)(7) Adult member's signature. The application must be signed by an adult member of the family.

**SFA Suggested Guidance for Compliance**

To come into compliance with the requirements for determining applications, the SFA must provide the State Agency with an assurance that staff administering the free and reduced lunch program understand these requirements, and the SFA must put a plan in place to ensure future compliance. Please submit the assurance and plan to the State Agency. Applications found to be incorrectly determined during the review must be corrected, and the corrected application and date of the correction must be submitted to the State Agency. If the SFA is unable to correct the error because of missing/incomplete information from the household, after allowing the household an adequate amount of time to respond, the SFA must send a letter of adverse action and advise the State Agency of the date that this letter was sent.

<b>SFA Response</b>

Signature of Reviewer:  Date: 8-Nov-16

Signature of SFA Representative: \_\_\_\_\_ Date: \_\_\_\_\_

If you have any questions, feel free to contact CN Resource at your convenience. Thank you.



**Coordinated School Health & Wellness Bureau**  
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Please insert your detailed responses, save, print, sign, and scan/email or mail the signed copy to your NMPED at the address above by the due date indicated. Thank you.