



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

SFA Name: Animas Public School  
 Administrative Review Conducted on: 5/4/2017  
 Site(s) Selected for Review: Animas Elementary School

**Date Corrective Action Plan was provided to SFA:** 5/26/2017  
**Due Date for Corrective Action Plan:** 6/26/2017

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*
- The Code of Federal Regulations citation number or alternate resource citation*
- A summary of the regulation / requirement*
- 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 space provided.**

<b>Finding #1</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 week. The menu met 5 ounce equivalents grain for the week.
<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 for a four day week. 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 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 the following documentation to support the changes: updated production records to show that at least 1.5 oz. equivalent of grains or meat/meat alternate (approved substitute once the daily grains requirement is met) will be added to the menu throughout the week to meet the minimum grain requirements. Please provide pertaining nutrition facts labels for any added products.

#### **SFA Response**

#### **Finding #2**

410. For the week of menu review, the K-8 breakfast menu did not meet the minimum daily requirement for milk. Milk was provided, however 1% chocolate milk was served daily which is not allowed in school meal programs.

#### **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 served meet the correct portion sizes. For all grade groups 8 ounces of milk must be offered to every student. Low-fat unflavored and Fat-Free flavored or unflavored milk may be offered. A minimum of two different types of milk must be provided. If the sites opts to participate in Offer vs Serve they still must be able to provide a milk to every student that elects to take a milk as one of their components. 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**

220.8(c) Meal pattern for school breakfasts. A school must offer the food components and quantities required in the breakfast meal pattern established. All age/grade groups: 1 cup of milk daily.

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

To come into compliance with meal pattern requirements, the SFA must provide a written plan that will be implemented to ensure future compliance. The plan should include; a statement that low-fat white and/or Fat- Free white or flavored milk will be available to all students throughout the meal service, a statement that at a minimum there will be two different varieties of milk available, a process for sites to reference when they do not have two or more types of milk or if they run out of milk during meal service, 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.

#### **SFA Response**

#### **Finding #3**

410. For the week of menu review, the K-8 lunch menu did not meet the minimum weekly requirement of 7 ounce equivalent meat/meat alternate for a four day week. The menu met 5.5 ounce equivalents meat/meat alternate for the week.

#### **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 meat/meat alternates 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 7 oz. equivalent of meat/meat alternate for a four day week.

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

To come into compliance with meal pattern requirements, the SFA must provide 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 meat/meat alternate 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 the following documentation to support the changes: updated production records to show that at least 1.5 ounce equivalent of meat/meat alternate will be added to the menu this week. Provide pertaining recipes and nutrition facts labels/CN labels for any added products or recipes.

#### **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 week. The menu met 5.75 ounce equivalent grain for the week.

#### **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. 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. <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 for a four day week.

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

To come into compliance with meal pattern requirements, the SFA must provide 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 the following documentation to support the changes: updated production records to show that at least 0.75 ounce equivalent grain will be added to the menu this week. Provide pertaining recipes and nutrition facts labels for any added products or recipes.

#### **SFA Response**

#### **Finding #5**

410. For the week of menu review, the K-8 lunch 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 on Tuesday and Wednesday.

#### **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. 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. <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: 1 oz. equivalent daily grain.

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

To come into compliance with meal pattern requirements, the SFA must provide 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 the following documentation to support the changes: updated production records to show that at least 1 oz. equivalent of whole grain rich grain products will be offered with each meal choice daily. Please provide pertaining nutrition facts labels for any added products.

#### SFA Response

#### Finding #6

410. For the week of menu review, the K-8 lunch menu did not meet the minimum daily requirement of 3/4 cup vegetable. Vegetables were provided, however the minimum required portion size was not met on Tuesday and Thursday.

#### 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. 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. <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: 3/4 cup of vegetable.

#### SFA Suggested Guidance for Compliance

To come into compliance with meal pattern requirements, the SFA must provide 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 the following documentation to support the changes: updated production records showing that at least 3/4 cup of creditable vegetables will be offered daily.

#### **SFA Response**

#### **Finding #7**

410. For the week of menu review, the K-8 lunch menu did not meet the requirement of no more than 50% of the fruit or vegetable offerings may be in the form of juice. This menu met 80% of the fruit offerings in the form of juice.

#### **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 may contain no more than 50% of the fruit or vegetable offerings in the form of juice. 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**

220.8(c) Meal pattern for school lunches. A school must offer the food components and quantities required in the lunch meal pattern established. K-12: No more than 50% of the fruit or vegetable offering may be in the form of juice.

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

To come into compliance with meal pattern requirements, the SFA must provide 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.

#### **SFA Response**

#### **Finding #8**

410. For the week of menu review, the K-8 lunch menu did not meet the minimum weekly requirement of 1/2 cup starchy vegetable subgroup. Only 1/4 cup of starchy vegetables were offered this week.

#### **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 starchy.

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



To come into compliance with meal pattern requirements, the SFA must provide 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 the following documentation to support the changes: updated production records showing that at least 1/4 cup starchy vegetables were added to the menu this week as well as pertaining labels/recipes for the added product (s).

#### **SFA Response**

#### **Finding #9**

410. For the week of menu review, the K-8 lunch menu did not meet the minimum daily requirement for milk. Milk was provided, however 1% chocolate milk was served daily which is not allowed in school meal programs.

#### **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 served meet the correct portion sizes. For all grade groups 8 ounces of milk must be offered to every student. Low-fat unflavored and Fat-Free flavored or unflavored milk may be offered. A minimum of two different types of milk must be provided. If the sites opts to participate in Offer vs Serve they still must be able to provide a milk to every student that elects to take a milk as one of their components. 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**

220.8(c) Meal pattern for school lunches. A school must offer the food components and quantities required in the lunch meal pattern established. All age/grade groups: 1 cup of milk daily.

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

To come into compliance with meal pattern requirements, the SFA must provide a written plan that will be implemented to ensure future compliance. The plan should include; a statement that low-fat white and/or Fat- Free white or flavored milk will be available to all students throughout the meal service, a statement that at a minimum there will be two different varieties of milk available, a process for sites to reference when they do not have two or more types of milk or if they run out of milk during meal service, 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.

**SFA Response**

**Finding #10**

137. The eligibility status on the benefit issuance list does not match the eligibility documents on file. One child was listed as free on the benefit issuance list but did not have an application on file nor were they included on the Direct Cert list.

**Technical Assistance Provided**

During the review, accurately transferring eligibility status from the eligibility documents to the benefit issuance list was discussed with the SFA. In order to ensure accurate counting and claiming, it is critical that this status is transferred accurately. The SFA should develop a system to check to ensure that eligibility on the benefit issuance document are accurate based on the eligibility documents on file.

**Regulation / Citation and Summary**

210.8(a) Internal controls. The school food authority shall establish internal controls which ensure the accuracy of lunch counts prior to the submission of the monthly Claim for Reimbursement.

**SFA Suggested Guidance for Compliance**

To come into compliance with accurately counting and claiming meals by each respective eligibility status, the SFA must provide 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. Eligibility statuses found to be incorrectly listed during the review must be corrected, and the date of the correction must be submitted.

**SFA Response**

**Finding #11**

208. 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>
To come into compliance with the requirements for documenting confirmation reviews, the SFA must provide 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.
<b>SFA Response</b>

<b>Finding #12</b>
215. The SFA did not complete verification by November 15.
<b>Technical Assistance Provided</b>
During the review, completing verification on time was discussed with the SFA. The SFA must complete verification by November 15.
<b>Regulation / Citation and Summary</b>
245.6a(b) Deadline and extensions for local educational agencies—(1) Deadline. The local education agency must complete the verification efforts specified in paragraph (c) of this section not later than November 15 of each school year.
<b>SFA Suggested Guidance for Compliance</b>
To come into compliance with the due date of verification, the SFA must provide an assurance that staff conducting verification understand this requirement, and the SFA must put a plan in place to ensure future compliance. Please submit the assurance. This plan should include, but is not limited to include the person(s) by position(s) who will be involved, specific tasks to be completed, and dates for completion.
<b>SFA Response</b>

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**Finding #13**

209. The applications subject to verification were not properly selected in accordance with the Eligibility Manual. Applications were not selected from the error-prone applications first.

**Technical Assistance Provided**

During the review, verifying the correct number of applications was discussed with the SFA. The SFA must choose the number of applications to review in accord with the process outlined in the Eligibility Manual for School Meals, Chapter 4.

**Regulation / Citation and Summary**

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.

**SFA Suggested Guidance for Compliance**

To come into compliance with the requirements for verifying the correct number of applications, the SFA must provide 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 and plan.

**SFA Response**

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**Finding #14**

1220. The SFA has hired new employees between the time of completing the Off-site and On-site Assessment tools, and they have not met the training requirements.

**Technical Assistance Provided**

During the on-site review, Professional Standards requirements were discussed with the SFA. To be in compliance, the SFA must ensure that all staff are meeting the training requirements. For further information, please see the USDA's Guide to Professional Standards for School Nutrition Programs.

**Regulation / Citation and Summary**

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210.30(a) General. School food authorities that operate the National School Lunch Program, or the School Breakfast Program (7 CFR part 220), must establish and implement professional standards for school nutrition program directors, managers, and staff, including the training requirements as set forth in 210.30(b-e).

**SFA Suggested Guidance for Compliance**

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

**SFA Response**

**Finding #15**

806. The SFA did not provide the yearly civil rights training for the appropriate staff. This is a repeat finding.

**Technical Assistance Provided**

During the on-site review the requirement to provide a yearly civil rights training was discussed with the SFA. The SFA must provide civil rights training at least once a year to all frontline staff and supervisor and maintain all required documentation.

**Regulation / Citation and Summary**

FNS Instruction 113-1 Section XI Training is required so that people involved in all levels of administration of programs that receive Federal financial assistance understand civil rights related laws, regulations, procedures, and directives. Persons responsible for reviewing CR compliance must receive training to assist them in performing their review responsibilities. This training may be carried out as part of ongoing technical assistance. The FNS Regional OCR and State agencies will be responsible for training State agency staffs. State agencies are responsible for training local agencies. Local agencies are responsible for training their subrecipients, including "frontline staff." "Frontline staff" who interact with program applicants or participants, and those persons who supervise "frontline staff," must be provided civil rights training on an annual basis. Specific subject matter must include, but not be limited to: A. Collection and use of data, B. Effective public notification systems, C. Complaint procedures, D. Compliance review techniques, E. Resolution of noncompliance, F. Requirements for reasonable accommodation of persons with disabilities, G. Requirements for language assistance, H. Conflict resolution, and I. Customer service.

**SFA Suggested Guidance for Compliance**

To come into compliance with this requirement, the SFA must submit the process that will be put into place to ensure that the yearly civil rights training will be provided to all SFA staff and that the training will cover the required topics. Provide supporting documentation to demonstrate that the required topics will be covered, such as an agenda or a copy of the training.

**SFA Response**



### Finding #16

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. 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 #17**

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**

To come into compliance with the requirements for food safety, the SFA must provide 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**

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<b>Finding #18</b>
403. On the day of review, fluid milk was offered at breakfast and lunch that was not 1% white nor nonfat white/flavored.
<b>Technical Assistance Provided</b>
During the on-site review, the fluid milk requirements were discussed with the SFA. The SFA must ensure that fluid milk is offered that is 1% unflavored or nonfat unflavored or flavored. Milk that is above 1% fat content is not allowable for a reimbursable meal. The SFA must provide at least 2 different varieties of milk throughout the meal service.
<b>Regulation / Citation and Summary</b>
220.8(d) Fluid milk requirement. A serving of fluid milk as a beverage or on cereal or used in part for each purpose must be offered for breakfasts. Schools must offer students a variety (at least two different options) of fluid milk. Effective July 1, 2012 (SY 2012-2013), all milk must be fat-free or low-fat. Milk with higher fat content is not allowed. Fat-free fluid milk may be flavored or unflavored, and low-fat fluid milk must be unflavored. Low fat or fat-free lactose-free and reduced-lactose fluid milk may also be offered.
<b>SFA Suggested Guidance for Compliance</b>
To come into compliance with the fluid milk requirements, the SFA must provide a written assurance that staff administering the 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, along with an indication that corrections have been made at this site, as well as system-wide, in order to bring the menus into compliance. Submit a copy of documentation (milk receipts, labels, menus, or production records) to demonstrate compliance.
<b>SFA Response</b>

<b>Finding #19</b>
800. The SFA must use the current civil rights statement on all Program materials. The SFA is not using the civil rights statement on all Program materials. This is a repeat finding.
<b>Technical Assistance Provided</b>
During the review the requirement for the most current civil rights statement to appear on all Program material was discussed with the SFA. The SFA must use the most current statement on all Program material. Per USDA requirements the new Non-discrimination statement must be on all program materials no later than September 30, 2016. The SFA was provided with the USDA link to the new non-discrimination statement. <a href="http://www.fns.usda.gov/fns-nondiscrimination-statement">http://www.fns.usda.gov/fns-nondiscrimination-statement</a>
<b>Regulation / Citation and Summary</b>



FNS Instruction 113-1 IX A 3 Nondiscrimination Statement. All information materials and sources, including Web sites, used by FNS, State agencies, local agencies, or other subrecipients to inform the public about FNS programs must contain a nondiscrimination statement. It is not required that the nondiscrimination statement be included on every page of the program information Web site. At the minimum, the nondiscrimination statement, or a link to it, must be included on the homepage of the program information.

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

To come into compliance with civil rights requirements, the SFA must submit an assurance that the current non-discrimination statement has been added to all program materials. In addition, the SFA must submit a sample of program materials, such as a menu or letter to households with the statement added.

#### **SFA Response**

### **Finding #20**

803. The SFA does not have a procedure in place for handling civil rights complaints.

#### **Technical Assistance Provided**

During the review the requirement for the SFA to have a complaint procedure was discussed. The procedure must indicate: that any person or representative alleging discrimination based on a prohibited basis has the right to file a complaint; all complaints, written or verbal, must be forwarded to the appropriate Regional or FNS OCR Director, unless an approved State complaint procedure is in place; in the event a complainant makes the allegations verbally or in person and refuses or is not inclined to place such allegations in writing, the person to whom the allegations are made must write up the elements of the complaint for the complainant. The procedure must also identify the outside agency to which the complaints are forwarded.

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

FNS Instruction 113-1 Section XV All complaints, written or verbal, must be forwarded to the appropriate Regional or FNS OCR Director, unless an approved State complaint procedure is in place. Anonymous complaints will be handled as any other complaints, to the extent feasible, based on available information.

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

To come into compliance with civil rights requirements, the SFA must develop a procedure that will be put into place to handle any discrimination complaints and to forward them to an appropriate agency. The process must outline the steps that will be taken when a complaint is received, the name and contact information of the agency that the complaint will be forwarded to, and the name(s) and title(s) of the person(s) who will be responsible for forwarding complaints to the appropriate agency. Please submit the procedure.

#### **SFA Response**

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<b>Finding #21</b>
501. The cafeteria staff has not been trained on Offer versus Serve.
<b>Technical Assistance Provided</b>
If the SFA is going to implement Offer vs. Serve, they should annually train their staff and train new staff as needed. On going training should be provided depending on needs to staff in order to be in compliance with Offer vs. Serve procedures. It was determined during the review that the SFA is not offering training on Offer vs. Serve to the cafeteria staff. Offer vs. Serve training found in the School Nutrition Toolbox was discussed with the SFA and completing the training was recommended.
<b>Regulation / Citation and Summary</b>
Offer vs. Serve Guidance Manual (Page 4) Schools are expected to conduct training for cashiers and serving line staff so they can help students select the required food components/food items in the quantities needed for reimbursable lunches and breakfasts. Annual training is required to meet the professional standards requirements.
<b>SFA Suggested Guidance for Compliance</b>
To come into compliance with the requirements of Offer vs. Serve, the SFA must submit a written statement that training for all kitchen staff will be provided.. In addition the SFA must also provide the name and title of the SFA representative that will ensure compliance with this finding moving forward, an outline of the training that was provided to staff to inform them of the requirements and the date the training was completed.
<b>SFA Response</b>

<b>Finding #22</b>
1208. The SFA is not tracking training hours.
<b>Technical Assistance Provided</b>
During the on-site review, training requirements were discussed with the SFA. To be in compliance, the SFA must track the hours of training completed by all School Nutrition staff. For further information, please see the USDA's Guide to Professional Standards for School Nutrition Programs.
<b>Regulation / Citation and Summary</b>
210.30(g) School food authority oversight. Each school year, the school food authority director must document compliance with the requirements of this section for all staff with responsibility for school nutrition programs, including directors, managers, and staff. Documentation must be adequate to

nutrition programs, including directors, managers, and staff. Documentation must be adequate to establish, to the State's satisfaction during administrative reviews, that employees are meeting the minimum professional standards.

**SFA Suggested Guidance for Compliance**

To come into compliance with the requirements for Professional Standards, the SFA must provide an assurance that the appropriate staff understand these requirements, and the SFA must put a plan in place to ensure future compliance. Please submit the assurance and plan indicating how the SFA will ensure that training is now being tracked. A completed tracker must be submitted that includes all employees.

**SFA Response**

**Finding #23**

1501. Records were not retained for 3 years after the final Claim for Reimbursement for the fiscal year or until resolution of any audits.

**Technical Assistance Provided**

Records must be retained for three (3) years after the final Claim for Reimbursement for the fiscal year or until the resolution of any audits. It was determined that the SFA was not retaining records for 3 years after the final Claim for Reimbursement. The requirement for the SFA to retain records for the required time period was discussed with the SFA.

**Regulation / Citation and Summary**

210.23 (c) Retention of records. State agencies and school food authorities may retain necessary records in their original form or on microfilm. State agency records shall be retained for a period of 3 years after the date of submission of the final Financial Status Report for the fiscal year. School food authority records shall be retained for a period of 3 years after submission of the final Claim for Reimbursement for the fiscal year. In either case, if audit findings have not been resolved, the records shall be retained beyond the 3-year period as long as required for the resolution of the issues raised by the audit.

**SFA Suggested Guidance for Compliance**

To come into compliance with reporting and recordkeeping requirements, the SFA must provide written assurance that the appropriate staff understand these requirements, and the SFA must put a plan in place to ensure future compliance. Please submit the assurance and plan. The plan must include: an indication that records will now be maintained for required time period, the process that has been put into place to ensure that all required records will be maintained for 3 years after the final claim for reimbursement or until the resolution of an audit, and state the person(s) name(s)/title(s) who will oversee that all records are properly retained.

**SFA Response**

<b>Finding #24 - Professional Standards</b>
1202. The SFA has a student enrollment of less than 500, and did not receive approval from their State Agency to hire a candidate with a high school diploma or GED, with less than the required years of experience.
<b>Technical Assistance Provided</b>
During the on-site review, hiring requirements were discussed with the SFA. To be in compliance, the SFA must ensure that any new director hired meets the new Professional Standards. For further information, please see the USDA's Guide to Professional Standards for School Nutrition Programs.
<b>Regulation / Citation and Summary</b>
210.30(b) Minimum standards for all school nutrition program directors. Each school food authority must ensure that all newly hired school nutrition program directors meet minimum hiring standards and ensure that all new and existing directors have completed the minimum annual training/education requirements for school nutrition program directors, as set forth in this section.
<b>SFA Suggested Guidance for Compliance</b>
To come into compliance with the requirements for Professional Standards, the SFA must provide an assurance that the appropriate staff understand these requirements, and the SFA must put a plan in place to ensure future compliance. Please submit the assurance and plan indicating how the SFA will come into compliance with the hiring requirements. Submit any supporting documentation to show hiring requirements and training requirements are met. If training requirements have not been satisfied, a plan for how the new director will meet the training requirement must be submitted.
<b>SFA Response</b>

Signature of Reviewer: Rich Crandall

Date: 5/4/2017

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

Date: \_\_\_\_\_

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



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Please insert your detailed responses, save, print, sign, scan and upload the signed copy to [cnrsupport.com](http://cnrsupport.com) by the indicated. Thank you.













































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