



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

SFA Name: Carrizozo Municipal Schools
 Administrative Review Conducted on: 4/27/2017
 Site(s) Selected for Review: Carrizozo Elementary School

Date Corrective Action Plan was provided to SFA: 5/15/2017
Due Date for Corrective Action Plan: 6/14/2017

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.

Finding #1
Resource Management Comprehensive Review: NonProgram Food Compliance The SFA incorrectly completed the USDA Nonprogram Food Revenue Tool.
Technical Assistance Provided
The NonProgram Food Revenue Tool should be completed every year. The SFA input the same number for nonprogram food costs as nonprogram food revenues, which is incorrect. You can use a one-week reference period instead of gathering numbers for an entire year. This tool should include adult meals, extra milks, and extra entrees 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, along with additional technical assistance on how to complete the tool. Both documents can be found on the USDA website.
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 each year. This should include a timeframe for when the tool will be completed, the name by position of the person responsible for completing the tool, and the steps that will be taken if the tool shows you are out of compliance.

SFA Response

Finding #2

The SFA is attempting to resolve complaints alleging discrimination within the FNS School Meal Programs.

Technical Assistance Provided

During the review the process for receiving and processing complaints alleging discrimination was discussed with the SFA. The SFA should not attempt to resolve complaints in-house and should forward all complaints to the appropriate outside agency.

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 to the State Agency.

SFA Response

Finding #3
The SFA did not provide the yearly civil rights training for the appropriate staff.
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 #4
The appropriate people were not given the option to be involved in the development, implementation, periodic review, and update of the Local School Wellness Policy. Students have not been included in wellness policy activities

Technical Assistance Provided
<p>During the review, Local Wellness Policies were discussed with the SFA. The SFA is required to allow certain parties - parents, students, representatives of the school food authority, teachers of physical education, school health professions, the school board, school administrators, and the general public - to participate in the development, implementation, periodic review, and update of the Local Wellness Policy.</p>
Regulation / Citation and Summary
<p>210.30 Local School Wellness Policy (d) Public involvement and public notification. Each local educational agency must: (1) Permit parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the general public to participate in the development, implementation, and periodic review and update of the local school wellness policy; (2) Inform the public about the content and implementation of the local school wellness policy, and make the policy and any updates to the policy available to the public on an annual basis; (3) Inform the public about progress toward meeting the goals of the local school wellness policy and compliance with the local school wellness policy by making the triennial assessment, as required in paragraph (e)(2) of this section, available to the public in an accessible and easily understood manner.</p>
SFA Suggested Guidance for Compliance
<p>To come into compliance with this requirement the SFA must submit a statement that moving forward the SFA will advertise the ability to participate in the development and updating of the school wellness policy. The SFA should submit supporting documentation such as a flyer, or a website link that informs students of the ability to participate.</p>
SFA Response

Finding #5
<p>The SFA has not performed SFSP outreach.</p>
Technical Assistance Provided
<p>It was determined during the review that the SFA has not performed SFSP outreach. The SFA must perform SFSP outreach before the end of the school year. Methods of outreach such as posting SFSP information on the SFA's website, parent newsletters and district-wide emails were discussed with the SFA.</p> <p>Schools may fulfill this requirement through Robo calls, flyers or other methods that notify the community of locations of summer meal sites.</p> <p>Methods to locate sites that serve free meals to children during the summer include the following:</p> <ul style="list-style-type: none"> •Call 211 •Call 1.866.3Hungry or 1.877.8Hambre •Visit the website: www.fns.usda.gov/summerfoodrocks (note, this replaces the whyhunger.org website) •Use the site locator for smartphones - Rangeapp.org

Regulation / Citation and Summary
210.12(d)(2) School food authorities must cooperate with Summer Food Service Program sponsors to distribute materials to inform families of the availability and location of free Summer Food Service Program meals for students when school is not in session.
SFA Suggested Guidance for Compliance
To come into compliance with this requirement, the SFA must submit an assurance that the SFA will cooperate with Summer Food Service Program sponsors to conduct outreach on the availability of the Summer Food Service Program. Additionally, please state the name and position of the person who will oversee compliance in this area.
SFA Response

Finding #6
Household notification of denied benefits is not consistent with FNS requirements, as it is not provided to the household in writing.
Technical Assistance Provided
During the review, household notification of denied benefits was discussed with the SFA. The SFA must notify the household of denied benefits in writing, the notification must be provided within 10 days of receipt of a completed application. At a minimum the notification letter must include The reason for the denial of benefits, e.g. income in excess of allowable limits or incomplete application, notification of the right to appeal, instructions on how to appeal, and a statement reminding parents that they may reapply for free or reduced price benefits at any time during the school year. For additional information on the notification letter the SFA should review the Eligibility Manual for School Meals, Chapter 3.
Regulation / Citation and Summary
245.6(c)(7) Denied applications and the notice of denial. When the application furnished by a family is not complete or does not meet the eligibility criteria for free or reduced price benefits, the local educational agency must document and retain the reasons for ineligibility and must retain the denied application. In addition, the local educational agency must promptly provide written notice to each family denied benefits. At a minimum, this notice shall include: (i) The reason for the denial of benefits, e.g. income in excess of allowable limits or incomplete application; (ii) Notification of the right to appeal; (iii) Instructions on how to appeal; and (iv) A statement reminding parents that they may reapply for free or reduced price benefits at any time during the school year.
SFA Suggested Guidance for Compliance

To come into compliance with the requirements for household notification, the SFA must provide a written assurance that staff administering the free and reduced lunch program understand these requirements. The assurance should include a statement that the notification letter will be provided to households in writing and that the letter will be provided within 10 days of receipt of the completed application. Please submit a copy of the notification of denied benefits letter with the corrective action response.

SFA Response

Finding #7

Not all applications selected for review were verified correctly. The SFA did not determine the correct eligibility based on household income. Net income was used instead of gross income.

Technical Assistance Provided

During the review, using gross income to determine household income was discussed.

Regulation / Citation and Summary

Eligibility Manual Chapter 2: Indicating Income and Income Sources
Each household must provide the total amount of current gross income.

SFA Suggested Guidance for Compliance

To come into compliance with the requirements for determining current income, 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 to the State Agency.

SFA Response

Finding #8

The SFA did not send a verification notification letter to household selected for verification.

Technical Assistance Provided

During the review, the content of the verification notification letter was discussed with the SFA. In its notification letter, the SFA must include the information outlined in the Eligibility Manual for School Meals, Chapter 4.

Regulation / Citation and Summary

245.6a(f) Verification procedures and assistance for households—(1) Notification of selection. Other

than households verified through the direct verification process in paragraph (g) of this section, households selected for verification must be notified in writing that their applications were selected for verification. The written statement must include a telephone number for assistance as required in paragraph (f)(5) of this section. Any communications with households concerning verification must be in an understandable and uniform format and, to the maximum extent practicable, in a language that parents and guardians can understand. These households must be advised of the type of information or documents the school accepts. Households selected for verification must be informed that: (i) They are required to submit the requested information to verify eligibility for free or reduced-price meals, by the date determined by the local educational agency. (ii) They may, instead, submit proof that the children receive SNAP, FDPIR, or TANF assistance, as explained in paragraph (f)(3) of this section. (iii) They may, instead, request that the local educational agency contact the appropriate officials to confirm that their children are foster, homeless, migrant, or runaway, as defined in §245.2. (iv) Failure to cooperate with verification efforts will result in the termination of benefits.

SFA Suggested Guidance for Compliance

To come into compliance with the requirements for the verification notification letter, 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 to the State Agency, as well as the revised verification notification letter.

SFA Response

Finding #9

The SFA is not following their State Agency approved application.

Technical Assistance Provided

During the review, the State Agency approved application was discussed with the SFA. The SFA is not following their State Agency approved application. To be in compliance, the SFA must ensure that it is following the State Agency approved application. The SFA must contact the State Agency to get approval for any changes in the program since the last application was approved. The SFA acknowledged the finding and will implement needed changes immediately.

Regulation / Citation and Summary

210.7(a) General. Reimbursement payments to finance nonprofit school food service operations shall be made only to school food authorities operating under a written agreement with the State Agency.

SFA Suggested Guidance for Compliance

To come into compliance with the requirements for counting and claiming, 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. The plan must include: an indication that the SFA will contact the state agency to request approval for their current point of service. If the SFA has decided to change the point of service to be in compliance with their current state approved point of service, please describe the new point of service.

SFA Response

Finding #10

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.

Technical Assistance Provided

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. <http://www.fns.usda.gov/fns-nondiscrimination-statement>

Regulation / Citation and Summary

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 a letter to households with the statement added.

SFA Response

Finding #11

Signage is not posted near or at the beginning of the serving line identifying what constitutes a reimbursable meal for breakfast.
 Signage is not posted near or at the beginning of the serving line identifying what constitutes a reimbursable meal for lunch.
 Offer versus Serve reimbursable meal signage is not posted, including the requirement for students to select at least 1/2 cup fruit or vegetable.

Technical Assistance Provided

Requirements under Offer vs. Serve include identifying, near or at the beginning of the serving line(s), the food items that constitute a reimbursable meal, including the requirement that students must take at least 1/2 cup of the fruit or vegetable component. It was determined during the review that the SFA did not have meal signage posted that identifies the food items that constitute a reimbursable meal. The SFA acknowledged the finding and will implement needed changes immediately.

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).

210.10(a)(2) Unit pricing. Schools must price each meal as a unit. Schools need to consider participation trends in an effort to provide one reimbursable lunch and, if applicable, one reimbursable afterschool snack for each child every school day. If there are leftover meals, schools may offer them to the students but cannot get Federal reimbursement for them. 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). The price of a reimbursable lunch does not change if the student does not take a food item or requests smaller portions.

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 #12

The SFA did not request two health inspections for each school year.

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 #13
Point-of-service snack counts by student/benefit category have not been maintained.
Technical Assistance Provided
During the review, the requirements for maintaining point-of-service snack counts by student/benefit category were discussed with the SFA. The SFA must maintain documentation of point-of-service snack counts by student and benefit category. This finding may result in fiscal action.
Regulation / Citation and Summary
SP 99-4: At a minimum, school food authorities participating under this provision must maintain the following records for the time periods required in 7 CFR section 210.23(c): Meal counts (total for sites qualifying for free reimbursement for all children; meal counts by type for other sites).
SFA Suggested Guidance for Compliance
To come into compliance with the requirement to maintain point-of-service counts by student/benefit category, the SFA must provide an assurance that staff administering the Afterschool Care Snack Program understand this requirement, and the SFA must put a plan in place to ensure future compliance. Please submit the assurance and plan. Additionally, submit point of service meal count sheets for the month of May for Carrizozo Elementary School.
SFA Response

Finding #14
The program is not monitored twice per year.
Technical Assistance Provided
During the review, program monitoring was discussed with the SFA. The SFA must monitor the program twice per year. The first review must take place within the first 4 weeks of operation.
Regulation / Citation and Summary
210.9(c) Afterschool care requirements. Those school food authorities with eligible schools (as defined in §210.10(n)(1)) that elect to serve meal supplements during afterschool care programs, shall agree to: (7) Review each afterschool care program two times a year; the first review shall be made during the first four weeks that the school is in operation each school year, except that an afterschool care program operating year round shall be reviewed during the first four weeks of its initial year of operation, once more during its first year of operation, and twice each school year thereafter.
SFA Suggested Guidance for Compliance
To come into compliance with monitoring requirements, the SFA must provide an assurance that staff administering the Afterschool Care Snack Program understand these requirements, and the SFA must put a plan in place to ensure future compliance. Please submit the assurance and plan. The SFA must also complete the monitoring reviews and submit them or, if early in the year, must provide the date when monitoring will occur. Once these reviews are completed, they should be submitted to the State Agency at that point. Include the person by position will be in charge of completing the snack program monitoring reviews.
SFA Response

Finding #15
The USDA/FNS approved non-discrimination poster is not prominently displayed and visible to program participants in the area where the snack meal service is held.
Technical Assistance Provided
During the review, civil rights requirements were discussed with the SFA. The USDA/FNS approved non-discrimination poster must be prominently displayed and visible to program participants in the area where the snack meal service is held.
Regulation / Citation and Summary
FNS Instruction 113-1: Methods of Public Notification. Each local agency or other subrecipient serving the public must take the actions below to inform the general public, potentially eligible populations, community leaders, grassroots organizations, and referral sources about FNS programs and applicable CR requirements: Prominently display the USDA nondiscrimination poster "And Justice for All," or an FNS approved substitute,
SFA Suggested Guidance for Compliance

<p>To come into compliance with requirements for the USDA/FNS approved non-discrimination poster, the SFA must provide an assurance that staff administering the Afterschool Care Snack Program understand these requirements, and the SFA must put a plan in place to ensure future compliance. Please submit the assurance and plan, along with a statement ensuring that the poster has been prominently displayed. Include the date this was completed.</p>
<p>SFA Response</p>
Empty space for SFA response

<p>Finding #16</p>
<p>The SFA is attempting to resolve complaints alleging discrimination within the FNS School Meal Programs.</p>
<p>Technical Assistance Provided</p>
<p>During the review the process for receiving and processing complaints alleging discrimination was discussed with the SFA. The SFA should not attempt to resolve complaints in-house and should forward all complaints to the appropriate outside agency.</p>
<p>Regulation / Citation and Summary</p>
<p>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.</p>
<p>SFA Suggested Guidance for Compliance</p>
<p>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.</p>
<p>SFA Response</p>
Empty space for SFA response

Signature of Reviewer: Danielle Reidy

Date: 4/27/2017

Signature of SFA Representative: _____

Date: _____

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



Administrative Review Team

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Please insert your detailed responses, save, print, sign, scan and upload the signed copy to cnrsupport.com by the indicated. Thank you.

due date