



# New Mexico Public Education Department

Coordinated School Health & Wellness Bureau

Administrative Review Corrective Action Plan

Name of School Food Authority:	<b>Espanola Public Schools</b>
School Sites reviewed:	Eutimio "Tim" School Carlos Vigil Middle James Rodriguez Elementary
Date of On-Site Review:	<b>October 18, 2017</b>
Date Corrective Action Plan Was provided to SFA:	<b>November 8, 2017</b>
<b>Date your Corrective Action Plan Response is due to NMPED:</b>	<b>December 8, 2017</b>

## COMMENDATIONS

PERFORMANCE STANDARD 1
Edit checks performed
Claims correctly consolidated

  

PERFORMANCE STANDARD 2
Production Records were kept on the meals produced
Signage posted on reimbursable tray
Two types of milk offered at each meal

  

GENERAL AREAS
Potable water available in service area
HACCP plan available at the selected school sites
On-Site Monitoring performed for each school prior SY 16-17

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

- A summary of the regulation / requirement
- The finding, and details specific to the SFA regarding the finding
- 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
- The Code of Federal Regulations citation number or alternate resource citation



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

Finding #1			
James Rodriguez Elementary didn't serve the minimum amount of fruit for breakfast on the yogurt parfait, only served ¼ c. requirement is to serve minimum of ½ c. of fruit to comply with the meal pattern.			
Regulation / Citation Summary			
§210.10 Meal requirements for lunches and requirements for afterschool snacks.			
(c) Meal pattern for school lunches. Schools must offer the food components and quantities required in the lunch meal pattern established in the following table:			
Meal pattern	Lunch meal pattern		
	Grades K-5	Grades 6-8	Grades 9-12
	Amount of food <sup>a</sup> per week (minimum per day)		
Fruits (cups) <sup>b</sup>	2½ (½)	2½ (½)	5 (1)
Vegetables (cups) <sup>b</sup>	3¼ (¼)	3¼ (¼)	5 (1)
Dark green <sup>c</sup>	½	½	½
Red/Orange <sup>c</sup>	¼	¼	1¼
Beans and peas (legumes) <sup>c</sup>	½	½	½
Starchy <sup>c</sup>	½	½	½
Other <sup>c,d</sup>	½	½	¼
Additional Veg to Reach Total <sup>c</sup>	1 <sup>e</sup>	1 <sup>e</sup>	1½ <sup>e</sup>
Grains (oz eq) <sup>f</sup>	8-9 (1)	8-10 (1)	10-12 (2)
Meats/Meat Alternates (oz eq)	8-10 (1)	9-10 (1)	10-12 (2)
Fluid milk (cups) <sup>g</sup>	5 (1)	5 (1)	5 (1)
SFA Suggested Guidance for Compliance			
In order for the SFA to come into compliance the SFA to ensure regulation is being met by:			
<ul style="list-style-type: none"> <li>Describe preventative measures to avoid this occurrence in the future.</li> <li>List the person and title that is responsible for ensuring meal pattern is being followed at the school site.</li> </ul>			
SFA Response			



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**Finding #2**

James Rodriguez Elementary school had a vending machine with flavored carbonated drinks for sale. Eutimio "Tim" Salazar Elementary served food that was not Smart Snack compliant.

**Regulation / Citation Summary**

**§210.11 Competitive food service and standards.**

**(m) Beverages. (1) Elementary schools. Allowable beverages for elementary school-aged students are limited to:**

**(i) Plain water or plain carbonated water (no size limit);**

**SFA Suggested Guidance for Compliance**

In order for the SFA to come into compliance the SFA to ensure regulation is being met by:

- Describe preventative measures to avoid this occurrence in the future.
- List the person and title that is responsible for ensuring that vending machines and smart snacks will be compliant with 7 CFR 210.11

**SFA Response**

**Finding #3**

Direct Certification used to determine Community Eligibility Provision was not being updated to include the correct codes for the students on the Benefit Issuance list.

**Regulation / Citation Summary**

**§210.7 Reimbursement for school food authorities.**

**(c) Reimbursement limitations. To be entitled to reimbursement under this part, each school food authority shall ensure that Claims for Reimbursement are limited to the number of free, reduced price and paid lunches and meal supplements that are served to children eligible for free, reduced price and paid lunches and meal supplements, respectively, for each day of operation.**

**(1) Lunch count system. To ensure that the Claim for Reimbursement accurately reflects the number of lunches and meal supplements served to eligible children, the school food authority shall, at a minimum:**

**(ii) Maintain a system to issue benefits and to update the eligibility of children approved for free or reduced price lunches and meal supplements. The system shall:**



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**(A) Accurately reflect eligibility status as well as changes in eligibility made after the initial approval process due to verification findings, transfers, reported changes in income or household size, etc.; and**

**(B) Make the appropriate changes in eligibility after the initial approval process on a timely basis so that the mechanism the school food authority uses to identify currently eligible children provides a current and accurate representation of eligible children. Changes in eligibility which result in increased benefit levels shall be made as soon as possible but no later than 3 operating days of the date the school food authority makes the final decision on a child's eligibility status. Changes in eligibility which result in decreased benefit levels shall be made as soon as possible but no later than 10 operating days of the date the school food authority makes the final decision on the child's eligibility status.**

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

In order for the SFA to come into compliance the SFA to ensure regulation is being met by:

- Describe preventative measures to avoid this occurrence in the future.
- List the person and title that is responsible for ensuring the initial Direct Certification is retained.

### **SFA Response**

### **Finding #4**

No indication that the Wellness policy was not assessed.

### **Regulation / Citation Summary**

**7 CFR 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**



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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 understands the requirements for the Wellness Policy.
- Provide the information that the Wellness Policy was or plans to be assessed.
- Submit the name and title of the SFA representative that will oversee this process and ensure compliance.

### SFA Response

### Finding #5

The correct Civil Rights, non-discrimination statement were not being used on all program materials or on the website

### Regulation / Citation 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 to the State Agency 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 to the State Agency.





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**SFA Response**

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**Finding #6**

At JHR there was no indication that the thermometer was being calibrated in accordance with HACCP on file. Storage violations were observed at JHR to include no dates on food items for cut fruit, carrots, cheese, tortillas; meat stored on the top rack, food was found on the floor; ice on the floor in the freezer; majority of food in storage not dated on oats, granola bars etc.

**Regulation / Citation 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 the State Agency with an assurance that the appropriate staff understand the requirements for a food safety plan to include documenting calibration of thermometer and dating of all foods.
  - training will be/to be completed for all appropriate SFA staff.

**SFA Response**

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**Technical Assistance Provided**

- Ensure that the Point of Service is at the end of the service line to ensure that the students take a reimbursable tray.
- Ensure that the chocolate mile is displayed so there are two options that the students can select from for each meal.
- Oversight on vendors to Buy American

Signature of Reviewer:  Date: 4/8/17

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

**If you have any questions, feel free to contact me at your convenience. Thank you.**

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Please insert your detailed responses, save, print, sign, and scan/email or mail the signed copy to your Reviewer at the address above by the due date indicated. Thank you.