



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

SFA Name: Grady Municipal Schools
 Administrative Review Conducted on: 11/9/2016
 Sites Selected for Review: Grady Elementary

Date Corrective Action Plan was provided to SFA: 19-Dec-16

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

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

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

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

Finding #1
410. For the week of menu review, the K-8 breakfast menu did not meet the minimum daily requirement of 1 ounce equivalent grain. A grain was provided, however the minimum required portion size was not met.
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
220.8(c) Meal pattern for school breakfasts. A school must offer the food components and quantities required in the breakfast meal pattern established. K-12: 1 oz. equivalent of grains daily.
SFA Suggested Guidance for Compliance
To come into compliance with meal pattern requirements, the SFA must provide the State Agency with a written plan that will be implemented to ensure future compliance. The plan should include; a statement that all menus will be reviewed to ensure that all 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 #2
410. For the menu review week, the K-8 breakfast menu did not meet the 100% Whole Grain Rich requirement. Not all grains provided were Whole Grain Rich.
Technical Assistance Provided
During the review requirements for the meal pattern were reviewed with the SFA. All grains provided as part of the reimbursable meal must be Whole Grain Rich. To be considered Whole Grain Rich the item it must be comprised of at least 50% whole grain ingredients. An easy way to determine if a pre-purchased item is whole grain is to look at the ingredient list. If the first ingredient is whole grain, it is a Whole Grain Rich product. If the first ingredient is water, but the second is a whole grain it is also a Whole Grain Rich product. If the SFA is using a recipe as long as the whole grain ingredient is the largest by weight of all of the grain ingredients combined it is a Whole Grain Rich product. For additional information on whole grains visit the USDA FNS website. http://healthymeals.nal.usda.gov/menu-planning/whole-grains
Regulation / Citation and Summary
220.8(c)(2)(iv) Grains component. (A) Enriched and whole grains. All grains must be made with

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

SFA Suggested Guidance for Compliance

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

SFA Response

Finding #3

410. For the week of menu review, the K-8 breakfast menu did not meet the minimum daily requirement of 1 cup fruit. Fruit was provided, however the minimum required portion size was not met.

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

220.8(c) Meal pattern for school breakfasts. A school must offer the food components and quantities required in the breakfast meal pattern established. K-12: 1 C of fruit daily.

SFA Suggested Guidance for Compliance

To come into compliance with meal pattern requirements, the SFA must provide the State Agency with a written plan that will be implemented to ensure future compliance. The plan should include; a statement that all menus will be reviewed to ensure that all 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 #4

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 two of the grain choices offered were not Whole Grain Rich and therefore not creditable grain choices.

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

SFA Response

Finding #5

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.

Technical Assistance Provided

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

Regulation / Citation and Summary

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

SFA Suggested Guidance for Compliance

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

SFA Response

Finding #6

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

Technical Assistance Provided

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

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

Regulation / Citation and Summary

210.10(c)(2)(iv) Grains component. (A) Enriched and whole grains. All grains must be made with enriched and whole grain meal or flour, in accordance with the most recent grains FNS guidance. Whole grain-rich products must contain at least 50 percent whole grains and the remaining grains in the product must be enriched.

SFA Suggested Guidance for Compliance

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

SFA Response

Finding #7

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.

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

SFA Response

Finding #8

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

Technical Assistance Provided

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

Regulation / Citation and Summary

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

SFA Suggested Guidance for Compliance

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

SFA Response

Finding #9

706. The SFA did not correctly complete the Paid Lunch Equity Tool to evaluate the need to raise paid lunch prices.

Technical Assistance Provided

For the SY 15-16, the Paid Lunch Equity Tool was not completed correctly; the Unrounded Requirement tab was not completed and therefore the requirement price was not calculated. The tool was corrected by the reviewer and sent to the SFA, along with additional technical assistance. The tool showed a price increase of \$.10 was required. The reviewer was not able to obtain the SY 10-11 paid lunch prices from the SFA, since the SFA does not have to retain records for more than 3 years. The reviewer had to rely on the SFA's SY 10-11 weighted average price listed on the PLE Tool without further verification.

Regulation / Citation and Summary

7 CFR 210.14 (e)

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

SFA Suggested Guidance for Compliance
As the corrective action response, explain how the Paid Lunch Equity Tool will be completed annually to determine if a paid lunch price increase is necessary. Include the person by position who will be responsible for completing the tool. Additionally, explain the error made on the tool, and the internal controls you have put in place to ensure the tool will be correctly completed in the future.
SFA Response

Finding #10
709. The SFA is not charging enough for paid lunches, or has not identified enough non-federal funds to make up for a paid lunch price deficiency.
Technical Assistance Provided
During the review, it was determined that the SFA did not raise paid lunch prices as required for the review year or the current school year. A \$.10 price increase was required for both years, but the SFA only increased prices by \$.05. The SFA should complete the Paid Lunch Equity Tool annually and, if the tool shows you have a price requirement increase, you need to do one of the following: 1) Raise paid lunch prices as required (no more than \$.10 per year), or 2) Use non-federal funds to supplement paid lunches. The general fund would need to transfer funds to Fund 21000 specifically to support paid lunch prices. If the nonfederal fund option is selected, you must complete the NonFederal Calculator tab on the PLE Tool to determine the exact amount needed to transfer into the food service account. In-kind transactions do not qualify as non-federal funds; if the district wants to pay for food service expenditures to supplement paid lunches, they must transfer the funds into the food service account and the food service account will pay for the expenditures.
Regulation / Citation and Summary
7 CFR 210.14 Resource management. (e) Pricing paid lunches.

(3) Average lunch price is lower than the reimbursement difference. When the average price from the prior school year is lower than the difference in reimbursement rates as determined in paragraph (e)(1)(iii) of this section, the school food authority shall establish an average price for the current school year that is not less than the average price charged in the previous school year as adjusted by a percentage equal to the sum obtained by adding: (i) 2 percent; and (ii) The percentage change in the Consumers Price Index for All Urban Consumers used to increase the Federal reimbursement rate under section 11 of the Act for the most recent school year for which data are available. The percentage to be used is found in the annual notice published in the Federal Register announcing the national average payment rates, from the prior year. (4) Price Adjustments. (i) Maximum required price increase. The maximum annual average price increase required under this paragraph shall not exceed ten cents. (ii) Rounding of paid lunch prices. Any school food authority may round the adjusted price of the paid lunches down to the nearest five cents. (iii) Optional price increases. A school food authority may increase the average price by more than ten cents. (5) Reduction in average price for paid lunches. (i) Any school food authority may reduce the average price of paid lunches as established under this paragraph if the State agency ensures that funds are added to the nonprofit school food service account in accordance with this paragraph. The minimum that must be added is the product of: (A) The number of paid lunches claimed by the school food authority in the previous school year multiplied by (B) The amount required under paragraph (e)(3) of this section, as adjusted under paragraph (e)(4) of this section, minus the average price charged.

SFA Suggested Guidance for Compliance

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

SFA Response

Finding #11

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

Technical Assistance Provided

The SFA serves nonprogram foods (adult meals, limited a la carte), but did not determine compliance using the NonProgram Food Revenue Tool. The NonProgram Food Revenue Tool should be completed every year. You can use a one-week reference period instead of gathering numbers for an entire year. This tool should include adult meals and a la carte as your nonprogram foods. If the tool shows you are out of compliance, you need to increase nonprogram food prices (even if you are meeting the USDA adult meal pricing guidelines). A copy of the tool and a link to the USDA memo was sent in an email during this review. Both documents can be found on the USDA website. The reviewer completed the tool for last year using information provided by the SFA and sent a copy to the SFA. Per the tool, the SFA was in compliance with nonprogram food requirements for the SY 15-16, due to their sufficient adult meal and a la carte pricing.

Regulation / Citation and Summary

7 CFR 210.14 (f) Revenue from non-program foods. Beginning July 1, 2011, school food authorities shall ensure that the revenue generated from the sale of non-program foods complies with the requirements in this paragraph.
 (1) Definition of non-program foods. For the purposes of this paragraph, non-program foods are those foods and beverages; (i) Sold in a participating school other than reimbursable meals and meal supplements; and (ii) Purchased using funds from the nonprofit school food service account.
 (2) Revenue from non-program foods. The proportion of total revenue from the sale of non-program foods to total revenue of the school food service account shall be equal to or greater than: (i) The proportion of total food costs associated with obtaining non-program foods (ii) The total costs associated with obtaining program and non-program foods from the account.

SFA Suggested Guidance for Compliance

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

SFA Response

Finding #12

810. The SFA is using the incorrect civil rights statement on the Verification letter, Direct Certification letter and the Civil Rights training. They are using an outdated version of the statement.

Technical Assistance Provided

During the review the requirement for the civil rights statement to appear on all Program material was discussed with the SFA. The SFA must use the statement on all Program material.

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 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.

SFA Response

Finding #13

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

Technical Assistance Provided

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

Regulation / Citation and Summary

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

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

SFA Suggested Guidance for Compliance

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

SFA Response

Finding #14

208a. The SFA does not have documentation demonstrating that a confirmation review took place.

Technical Assistance Provided

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.

Regulation / Citation and Summary

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.

SFA Suggested Guidance for Compliance

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

SFA Response

Finding #15

1204. The School Nutrition Program Director, the School Nutrition Program Manager and the school nutrition staff did not meet the training requirements, and did not have scheduled/planned trainings for the remainder of the school year to meet annual training requirements.

Technical Assistance Provided

During the on-site review, annual training hour requirements were discussed with the SFA. To be in compliance, the SFA must ensure that the School Nutrition Program Director, Manager and school nutrition staff completes the required amount of training annually. For further information, please see the USDA's Guide to Professional Standards for School Nutrition Programs.

Regulation / Citation and Summary

210.30(b)(3) Continuing education/training standards for all school nutrition program directors. Each school year, the school food authority must ensure that all school nutrition program directors, (including acting directors, at the discretion of the State agency) complete annual continuing education/training. For the school year beginning July 1, 2015, program directors must complete eight hours of annual training. Beginning July 1, 2016, twelve hours of annual training are required. Program Managers must complete ten hours of annual training. School Nutrition Staff must complete six hours of annual training. The annual training must include, but is not limited to, administrative practices (including training in application, certification, verification, meal counting, and meal claiming procedures), as applicable, and any other specific topics identified by FNS, as needed, to address Program integrity or other critical issues. Continuing education/training required under this paragraph is in addition to the food safety training required in the first year of employment under paragraph (b)(1)(v) of this section.

SFA Suggested Guidance for Compliance

To come into compliance with the requirements for Professional Standards, the SFA must provide the State Agency with 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 to the State Agency, indicating how the SFA will ensure that the appropriate training is completed and the dates of all future trainings.

SFA Response

Finding #16

1904. The Fresh Fruit and Vegetable Program is offered during the National School Lunch Program or the School Breakfast Program.

Technical Assistance Provided

During the review, program hours were discussed with the SFA. To be in compliance, the school participating in the FFVP must ensure that the program is not offered during normal SBP or NSLP meal times. The SFA was informed to review the current year's FFVP Handbook for additional guidance.

Regulation / Citation and Summary

RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT SEC. 19. [42 U.S.C. 1769a] FRESH FRUIT AND VEGETABLE PROGRAM (g) LIMITATION.—To the maximum extent practicable, each State agency shall ensure that in making the fruits and vegetables provided under this section available to students, schools offer the fruits and vegetables separately from meals otherwise provided at the school under this Act or the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

SFA Suggested Guidance for Compliance

To come into compliance with the requirements for the FFVP, the SFA must provide the State Agency with an assurance that staff administering the FFVP 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, indicating how the SFA is now ensuring that the program is offered during normal school hours. Include the person who will oversee the FFVP and the date in which the time of the program was changed. The plan must include the new service times and locations.

SFA Response

Finding #17

1905. The school is not widely publicizing the Fresh Fruit and Vegetable Program.

Technical Assistance Provided
During the review, program publicity was discussed with the SFA. To be in compliance, the school participating in the FFVP must ensure that the program is widely publicized so that students and their families are aware of this opportunity. The SFA was informed to review the current year's FFVP Handbook for additional guidance.
Regulation / Citation and Summary
RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT SEC. 19. [42 U.S.C. 1769a] FRESH FRUIT AND VEGETABLE PROGRAM (e) NOTICE OF AVAILABILITY.—If selected to participate in the program, a school shall widely publicize within the school the availability of free fresh fruits and vegetables under the program.
SFA Suggested Guidance for Compliance
To come into compliance with the requirements for the FFVP, the SFA must provide the State Agency with an assurance that staff administering the FFVP 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. The SFA must also submit to the State Agency a description of the efforts it has taken thus far since the Administrative Review to publicize the program. Include the person by position who will oversee publicizing the program.
SFA Response

Finding #18
126. Not all selected applications were approved correctly. The SFA did not base its determination on all sources of income listed on the application.
Technical Assistance Provided
During the review, determining applications was discussed with the SFA. When determining eligibility, the SFA must ensure that the household has listed the amounts, source, and frequency of current income for each household member; otherwise, the application is incomplete. For more information, see the Eligibility Manual for School Meals, Chapter 3.
Regulation / Citation and Summary
245.6(c)(4) Calculating income. The local educational agency must use the income information provided by the household on the application to calculate the household's total current income. When a household submits an application containing complete documentation, as defined in §245.2, and the household's total current income is at or below the eligibility limits specified in the Income Eligibility Guidelines as defined in §245.2, the children in that household must be approved for free or reduced price benefits, as applicable.
SFA Suggested Guidance for Compliance

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

SFA Response

Finding #19

126. At the beginning of the year, the SFA does not properly handle the status of children who have not submitted an application for the current school year. The SFA has been giving meal benefits to these students when there is no documentation to support a "free" or "reduced price" status. These students were not on carry-over status.

Technical Assistance Provided

During the review, documentation to support each student's eligibility was discussed. The sponsor must have source documentation in the form of an application, match on a certification list or eligibility documentation from the Homeless, Migrant, Runaway liaison or foster student documentation from the appropriate state agency for each student on the benefit issuance document.

Regulation / Citation and Summary

245.6(c) Determination of eligibility—(1) Duration of eligibility. The local educational agency must determine household eligibility for free or reduced price meals either through direct certification or the application process at or about the beginning of the school year. The local educational agency must determine eligibility for free or reduced price meals when a household submits an application or, if feasible, through direct certification, at any time during the school year.

SFA Suggested Guidance for Compliance

To come into compliance with requirements for the start date of eligibility, the SFA must put a plan in place to ensure future compliance. Please submit the plan to the State Agency. The plan should include a statement that the staff administering the free and reduced lunch program understand these requirements, a process that will be implemented to ensure that benefits are correctly applied to all students at the beginning of the school year, and the name and title of the SFA representative that will oversee the implementation of the process and ensure compliance.

SFA Response

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Finding #20
126. Not all selected applications were approved correctly. Not all income based applications included the last four digits of the social security number of an adult household member, or an indication of none.
Technical Assistance Provided
During the review, determining applications was discussed with the SFA. When determining eligibility, the SFA must ensure that the household has included the last four digits of the social security number of an adult household member (or an indication of none); otherwise, the application is incomplete. For more information, see the Eligibility Manual for School Meals, Chapter 3.
Regulation / Citation and Summary
245.6(a)(6) Household members and social security numbers. The application must require applicants to provide the names of all household members. In addition, the last four digits of the social security number of the adult household member who signs the application must be provided. If the adult member signing the application does not possess a social security number, the household must so indicate.
SFA Suggested Guidance for Compliance
To come into compliance with the requirements for determining applications, the SFA must provide the State Agency with an assurance that staff administering the free and reduced lunch program understand these requirements, and the SFA must put a plan in place to ensure future compliance. Please submit the assurance and plan to the State Agency. Applications found to be incorrectly determined during the review must be corrected, and the corrected application and date of the correction must be submitted to the State Agency. If the SFA is unable to correct the error because of missing/incomplete information from the household, after allowing the household an adequate amount of time to respond, the SFA must send a letter of adverse action and advise the State Agency of the date that this letter was sent.
SFA Response

Finding #21
202. The confirming official may not also be the determining or verifying official.
Technical Assistance Provided
During the review the SFA was informed that the confirming official may not also be the determining or the verifying official. The SFA should review the current Income Eligibility Manual for additional verification requirements. The SFA was also reminded that the hearing official may not be the determining, confirming, nor the verifying official.

Regulation / Citation and Summary
CFR 245.6a(e)(1)(i) Confirmation of a household's initial eligibility. 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. If the initial determination was correct, the local educational agency shall verify the approved application.
SFA Suggested Guidance for Compliance
To bring this area into compliance the SFA must provide the State Agency an assurance that the staff understands this requirement. The SFA must submit the person(s) by position(s) who will be the determining official for all applications, the confirming official for verification, and the verifying official.
SFA Response

Finding #22
1208. The SFA is not tracking training hours.
Technical Assistance Provided
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.
Regulation / Citation and Summary
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 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 the State Agency with 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 to the State Agency, indicating how the SFA will ensure that training is now being tracked.
SFA Response

Finding #23

402. On the day of review, the K-8 lunch menu did not meet the 100% Whole Grain Rich requirement for grains. Not all grains provided were Whole Grain Rich.

Technical Assistance Provided

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

Regulation / Citation and Summary

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

SFA Suggested Guidance for Compliance

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

SFA Response

Finding #24

402. On the day of review, the K-8 lunch menu did not meet the 3/4 cup daily vegetable requirement. Vegetables were provided, however the minimum required portion size was not met.

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 the State Agency with a written plan that will be implemented to ensure future compliance. The plan should include; a statement that all menus will be reviewed to ensure that all portion sizes planned meet at least the minimum required amount for the specific grade group, a process for sites to reference when they do not have one of the planned menu items or there is insufficient quantities, a statement that the serving line will be visually reviewed prior to service to confirm that all required components are available and that additional menu training for all SFA staff will be provided. Provide the outline and dates for the trainings that will be completed. In addition please submit the name(s) and title(s) of the SFA representative(s) that will oversee this area and ensure future compliance. Submit the menu from the day of review with the corrections that were made to the menu to bring it into compliance moving forward.

SFA Response

Finding #25

The SFA is not maintaining Child Nutrition labels or Product Specification Statements for processed

Technical Assistance Provided

During the on-site review, nutrition facts labels were discussed with the SFA. The SFA must ensure that nutrition facts labels are being maintained in order to document an item's compliance with the meal pattern. The SFA should have a folder or a binder to keep labels for all menu items, that way they are easy to find and can be referenced when determining menu compliance.

Regulation / Citation and Summary

210.7(d)(2) School food authorities certified to earn performance-based cash assistance must maintain documentation of compliance, including production and menu records, and other records, as specified by FNS. School food authorities must make appropriate records available to State agencies upon request.

SFA Suggested Guidance for Compliance

To bring this area into compliance the SFA must submit a written assurance that includes; a statement that labels (nutrient labels, ingredients labels, CN labels and manufacturer statements) will be maintained for all menu items, a process for maintaining labels, and a statement that additional training will be provided to the SFA staff, include the training outline and the dates that the trainings will be held. 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

Signature of Reviewer: *[Handwritten Signature]* Date: 9-Nov-16

Signature of SFA Representative: _____ Date: _____

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



Coordinated School Health & Wellness Bureau

120 S. Federal Place, Suite 207

Santa Fe, NM 87501

Phone: _____

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

ED at the