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

SFA Name:	Jemez Day School	
Administrative Review Conducted on:	4/27/2017	
Site(s) Selected for Review:	Jemez Day School	
Date Corrective Action Plan was provided to SFA:	5/15/2017	
Due Date for Corrective Action Plan:	6/14/2017	
01 0	at were identified during your Administrative Review. Il be presented with the following:	
\Box The finding, and details specific to the SFA r	regarding the finding	
\Box The Code of Federal Regulations citation nu	ımber or alternate resource citation	
\Box A summary of the regulation / requirement		
\square Suggested guidance for the SFA in order to α	achieve compliance	
\Box SFA area for reply to state how, when and b	y whom corrections will be made	

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

Finding #1

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 daily. Only 1/2 cup of fruit was planned and offered daily.

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

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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 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 updated production records showing that a total of 1 cup of fruit will be offered daily. If any new juice products are added to the menu, please provide nutrition facts labels to confirm the products are 100% fruit juice.

SFA Response

Finding #2

318. The point of service did not provide an accurate meal count by eligibility status. This is a systemic error. The SFA is using a "tray count" for meals instead of marking the students off as they receive a meal. A recalculation for breakfast is required. This is a repeat finding. Fiscal Action may apply.

Technical Assistance Provided

During the review, an accurate point of service was discussed with the SFA. The point of service does not provide an accurate meal count by eligibility status. This is a systemic error. To be in compliance, the SFA must ensure that meal counts taken at the point of service correctly identify the number of free breakfast meals served. Tracking students accurately at the point of service was reviewed with the SFA. The SFA acknowledged the finding and will implement needed changes immediately.

Regulation / Citation and Summary

210.7(c)(1) Lunch/breakfast count system. To ensure that the Claim for Reimbursement accurately reflects the number of lunches/breakfasts and meal supplements served to eligible children, the school food authority shall, at a minimum:(iii) Base Claims for Reimbursement on lunch counts, taken daily at the point of service, which correctly identify the number of free, reduced price and paid lunches served to eligible children; (iv) Correctly record, consolidate and report those lunch and supplement counts on the Claim for Reimbursement.

To come into compliance with the requirements for counting and claiming, the SFA must provide written assurance that the appropriate staff understand these requirements, and the SFA must put a plan in place to ensure future compliance. Please submit the assurance and plan. The plan must include: an indication that the systemic error has been corrected, and a description of the new process that has been implemented. Submit a copy of the meal counts from April 28-May 26th.

SFA Response

Finding #3

325. The SFA has claimed meals in error based on inaccurate counting and/or claiming procedures for the months of September, October and February. These months are outside the scope of the review, however as part of the training, all months were reviewed. The errors resulted in underclaims for each of the months.

Technical Assistance Provided

During the review, counting and claiming were discussed with the SFA. The SFA has claimed meals in error based on inaccurate counting and/or claiming procedures. To be in compliance, the SFA must ensure that meal counts are being recorded accurately and that claims are being filed correctly. Proper counting and claiming procedures were reviewed with the SFA. The SFA acknowledged the finding and will implement needed changes immediately. It was explained that the SFA could use a one time exemption (every 36 months), to file a corrected claim for one of the months in error.

Regulation / Citation and Summary

210.7(c)(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:(iii) Base Claims for Reimbursement on lunch counts, taken daily at the point of service, which correctly identify the number of free, reduced price and paid lunches served to eligible children; (iv) Correctly record, consolidate and report those lunch and supplement counts on the Claim for Reimbursement.

SFA Suggested Guidance for Compliance

To come into compliance with the requirements for counting and claiming, the SFA must provide written assurance that the appropriate staff understand these requirements, and the SFA must put a plan in place to ensure future compliance. Please submit the assurance and plan. The plan must include: an indication that the SFA has corrected inaccurate counting and/or claiming procedures and a description of the new process that has been implemented.

SFA Response

Finding #4

402. On the day of review, the K-8 breakfast menu did not meet the 1 cup daily fruit requirement. Fruit was provided, however the minimum required portion size was not met. This was also a finding for the week of review.

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 a written plan that will be implemented to ensure future compliance. Include the person, by position, that is responsible for making the corrections to the menu. Also, include the person, by position, that will ensure compliance now and in the future.

SFA Response

Finding #5

402. On the day of review, the K-8 lunch menu did not meet the 1/2 cup daily fruit requirement. A 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

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: 1/2 cup of fruit.

To come into compliance with meal pattern requirements, the SFA must provide a written plan that will be implemented to ensure future compliance. The plan should include; a statement that all menus will be reviewed to ensure that all portion sizes planned meet at least the minimum required amount for the specific grade group. Include the person, by position, responsible to make the changes and the person, by position, who will provide oversite to ensure requirements are met each day.

SFA Response

Finding #6

402. On the day of review, the K-8 lunch menu did not meet the 3/4 cup daily vegetable requirement. The sack lunches prepared on the day of review included a 2 oz packet of carrots that equals only 3/8 cup of vegetable.

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 written assurance that all lunches, including sack lunches will contain all the required components in the required portion sizes. Include the person, by position, who will make the change to the menu and the change that will be made, such as including two bags of carrots or including additional vegetables. Also include the person, by position, that will provide oversight to ensure all meal pattern requirements are met each day.

SFA Response

Finding #7

800. The SFA is using the incorrect civil rights statement. They are using an outdated version of the statement. This is a repeat finding.

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 sub recipients 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 written assurance that the current non-discrimination statement will be added to all program materials. Also and assurance, that the SFA will use the most current programs forms for the state website.

SFA Response

Finding #8

801. The SFA did not have a copy of the public release that was submitted. There was no way to verify this requirement was met.

Technical Assistance Provided

During the review the requirement for a public release to be submitted for publishing was discussed with the SFA. At or near the beginning of each year, the SFA must submit a public release to the local media, the unemployment office and any major employers who are contemplating large layoffs in the attendance area of the school.

Regulation / Citation and Summary

§245.5(a)(1) After the State agency, or FNSRO where applicable, notifies the local educational agency (as defined in §245.2) that its criteria for determining the eligibility of children for free and reduced price meals and for free milk have been approved, the local educational agency (as defined in §245.2) shall publicly announce such criteria: Provided however, that no such public announcement shall be required for boarding schools, residential child care institutions (see §210.2 of this chapter, definition of Schools), or a school which includes food service fees in its tuition, where all attending children are provided the same meals or milk. Such announcements shall be made at the beginning of each school year or, if notice of approval is given thereafter, within 10 days after the notice is received. The public announcement of such criteria, as a minimum, shall include the following: "In the operation of child feeding programs, no child will be discriminated against because of race, sex, color, national origin, age or disability."

SFA Suggested Guidance for Compliance

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To come into compliance with civil rights requirements, the SFA must indicate that the public release will be sent to the local media at the beginning of the school year. Additionally, the SFA must identify the name(s) and title(s) of the person(s) who will be responsible for submitting the public release for publishing. Please submit the assurance and plan as corrective action.

SFA Response

Finding #9

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

Technical Assistance Provided

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

Regulation / Citation and Summary

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

SFA Suggested Guidance for Compliance

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

SFA Response

Finding #10

1201/1204. The School Nutrition Program Director 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

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During the on-site review, training requirements were discussed with the SFA. To be in compliance, the SFA must ensure that the School Nutrition Program Director 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. Beginning July 1, 2016, twelve hours of annual training are required. 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 written assurance that the appropriate staff understand these requirements, and the SFA must put a plan in place to ensure future compliance. Please submit the assurance and plan, indicating how the SFA will ensure that the appropriate training is completed.

SFA Response

Finding #11

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

Technical Assistance Provided

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

Regulation / Citation and Summary

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

To come into compliance with the requirements for food safety, the SFA must provide written assurance that the appropriate staff understand the requirements for food safety documentation. The assurance should include; a statement that the food safety plan will be implemented at each site, a statement that proper documentation practices will be established at each site and a statement that all temperature documents will be maintained for a minimum of 6 months.

SFA Response

Finding #12

1408. Storage violations were observed on-site. The SFA had food that was not stored 6 inches off the floor. This is a repeat finding.

Technical Assistance Provided

During the review, storage requirements were discussed with the SFA. The SFA must ensure that all food is stored at least 6 inches off the floor.

Regulation / Citation and Summary

210.13(a) Health standards. The school food authority shall ensure that food storage, preparation and service is in accordance with the sanitation and health standards established under State and local law and regulations.

210.13(d) (d) Storage. The school food authority shall ensure that the necessary facilities for storage, preparation and service of food are maintained. Facilities for the handling, storage, and distribution of purchased and donated foods shall be such as to properly safeguard against theft, spoilage and other loss.

SFA Suggested Guidance for Compliance

To come into compliance with this finding the SFA must submit an assurance that the SFA is aware of the requirements for food storage and holding within the food safety guidelines. The assurance must include: a statement that all food and chemicals will be kept separately; a statement that all food items will be dated with the delivery date as well as the date the product was opened; a statement that all food will be stored at least 6 inches off of the floor; and a statement that all storage areas including coolers, freezers and storage rooms will be kept within the allowable temperature ranges.

SFA Response

Finding #13

1410. The site had products in storage that violated the Buy American provision and no documentation was available to show domestic alternatives were considered. Additionally, the SFA was not sure if the Buy American clause is part of the product specification language.

Technical Assistance Provided

The USDA requires that a SFA purchase, to the maximum extent practicable, domestic commodities or products. Using food products from local sources supports small local farmers and provides healthy choices for children in the school meal programs. Purchasing from these entities also supports the local economy. The Buy American provision is required whether food products are purchased by SFAs or entities that are purchasing on their behalf.

The Buy American provision should be included in solicitations, contracts, and product specifications. A reply offer to comply with Buy American terms in a solicitation ensures contractors are aware of Buy American requirements. Further, bidder assurance of the Buy American provision ensures that the bidder is responsive and responsible to the solicitation.

Regulation / Citation and Summary

There are limited exceptions to the Buy American provision which allow for the purchase of products not meeting the "domestic" standard as described above ("non-domestic") in circumstances when use of domestic products is truly not practicable. Refer to SP 24-2016 for more information on the Buy American provision and limited exceptions.

SFA Suggested Guidance for Compliance

To come into compliance with the Buy American requirement the SFA must provide a statement that they will ensure language is included in procurement documentation, ensure they are aware of and utilizing the procurement manual when communicating with distributors.

SFA Response

Finding #14

1601. The SFA has not performed SFSP outreach.

Technical Assistance Provided

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 and parent newsletters were discussed with the SFA.

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.

To come into compliance with this requirement, the SFA must submit written 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 #15

1210. The SFA has additional employees outside of the school nutrition program whose responsibilities include duties related to the operation of the school nutrition program who have not received applicable training. The custodian helps serve lunch.

Technical Assistance Provided

During the on-site review, training requirements were discussed with the SFA. To be in compliance, the SFA must ensure that employees outside of the School Nutrition programs (whose responsibilities include duties related to the operation of the School Nutrition program) receive adequate training specific to the task they perform. For further information, please see the USDA's Guide to Professional Standards for School Nutrition Programs.

Regulation / Citation and Summary

SP 39-2015: Question 29: Do the professional standards apply to a staff such as a secretary or an office assistant who processes free and reduced-price meal applications during the fall months only? No. Office staff members that process free and reduced-price meal applications or that provide other support for the school nutrition program for a short period of time during the school year are not required to meet the annual training standards. However, these individual should receive adequate training specific to the task they will perform.

SFA Suggested Guidance for Compliance

To come into compliance with the requirements for Professional Standards, the SFA must provide written assurance that the appropriate staff understand these requirements, and the SFA must put a plan in place to ensure future compliance. Please submit the assurance and plan as corrective action.

SFA Response

Finding #16

1206. 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, training requirements were discussed with the SFA. To be in compliance, the SFA must ensure that the School Nutrition staff complete 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(d) Continuing education/training standards for all staff with responsibility for school nutrition programs.

Each school year, the school food authority must ensure that all staff with responsibility for school nutrition programs that work an average of at least 20 hours per week, other than school nutrition program directors and managers, completes annual training in areas applicable to their job. For the school year beginning July 1, 2015, staff must complete four hours of annual training. Beginning July 1, 2016, six hours of annual training are required. Part-time staff working an average of less than 20 hours per week must complete four hours of annual training beginning July 1, 2015. The annual training must include, but is not limited to, the following topics, as applicable to their position and responsibilities: (1) Free and reduced price eligibility; (2) Application, certification, and verification procedures; (3) The identification of reimbursable meals at the point of service; (4) Nutrition; (5) Health and safety standards; and (6) Any specific topics identified by FNS, as needed, to address

SFA Suggested Guidance for Compliance

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

SFA Response

Finding #17

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

Technical Assistance Provided

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

Regulation / Citation and Summary

210.13(c) Food safety program. The school food authority must develop a written food safety

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

SFA Suggested Guidance for Compliance

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

SFA Response

Signature of Reviewer: Debbie Hawkins	Date: April 28, 2017

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



Signature of SFA Representative:

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