



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

SFA Name: Reserve Independent Schools
 Administrative Review Conducted on: 11/8/2016
 Sites Selected for Review: Reserve Elementary

Date Corrective Action Plan was provided to SFA: 20-Dec-16

Due Date for Corrective Action Plan: 19-Jan-16

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 week of menu review, the K-8 lunch menu did not meet the minimum daily requirement of 1 ounce equivalent meat/meat alternate. A meat/meat alternate 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 oz. equivalent meat/meat alternate.
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 #3

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

Technical Assistance Provided

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

Regulation / Citation and Summary

210.10(c) Meal pattern for school lunches. Schools must offer the food components and quantities required in the lunch meal pattern established: K-8: minimum of 7 oz. equivalent of meat/meat alternate for a four day week.

SFA Suggested Guidance for Compliance

To come into compliance with meal pattern requirements, the SFA must provide 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 #4

410. For the week of menu review, the K-8 lunch menu did not meet the minimum daily requirement of 1/2 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

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.

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

111. The SFA does not have a procedure for extending free school meal eligibility to all children who are members of a household in which one person in that household is receiving SNAP, TANF, or FDIPIR benefits, as the SFA is not making the required effort to the extent possible to identify additional children in these households.

Technical Assistance Provided

During the review, documenting extended eligibility was discussed with the SFA. Per USDA the SFA must make an effort, to the extent possible, to identify additional children in the same household of those certified for assistance program benefits. The SFA must base extended eligibility on allowable records as outlined in USDA memo SP 25-2010. The SFA must maintain documentation for extended eligibility, the SFA may use a variety of methods to maintain this documentation. Some SFAs, write the name of the student that the benefits are extended to next to the student from the same household on the direct certification list. In this case the SFA should document the date added, the SFA representative's signature or initials with the name of the added student. Other SFAs maintain a consolidated list of students that have been extended eligibility, in this case the list includes: the name of the student, the name of the student that eligibility is extended through, and the date added. The list should have the name of the SFA representative that determined the extended eligibility.

Regulation / Citation and Summary

SP 25-2010: LEAs must have some record of the basis of eligibility in order to properly apply this

policy in the event that a child moves to a new household and for review purposes. It is up to the LEA to determine identifiers for locating additional household members, but parents' names, home addresses, and other specific household indicators, if available, may be the most useful. Acceptable documentation includes school meal applications indicating at least one case number, school district enrollment records identifying all children in the household, custody agreements, information that may be provided by the SNAP, FDPIR or TANF agencies, or information from school officials such as principals or teachers. LEAs also may request that an adult member attest to the household composition as discussed in Q and A 17.

SFA Suggested Guidance for Compliance

To come into compliance with requirements for extending eligibility, the SFA must provide the State Agency with a written statement 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 statement and plan to the State Agency.

SFA Response

Finding #6

806. The SFA did not provide the yearly civil rights training for the appropriate staff.

Technical Assistance Provided

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

Regulation / Citation and Summary

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

SFA Suggested Guidance for Compliance

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

SFA Response

Finding #7

1001. The Local School Wellness Policy has not been made available to the public.

Technical Assistance Provided

During the review, Local Wellness Policies were discussed with the SFA. The Local Wellness Policy is required to be made available to the public. The easiest method would be to post the wellness policy on the SFAs website. They can also send it out in a newsletter.

Regulation / Citation and Summary

210.30 Local School Wellness Policy (d) Public involvement and public notification. Each local educational agency must: (1) Permit parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the general public to participate in the development, implementation, and periodic review and update of the local school wellness policy; (2) Inform the public about the content and implementation of the local school wellness policy, and make the policy and any updates to the policy available to the public on an annual basis; (3) Inform the public about progress toward meeting the goals of the local school wellness policy and compliance with the local school wellness policy by making the triennial assessment, as required in paragraph (e)(2) of this section, available to the public in an accessible and easily understood manner.

SFA Suggested Guidance for Compliance

To be in compliance the SFA must provide a statement that the wellness policy has been made public. In addition please submit documentation to support the statement, if the policy was posted to the website please provide the link, if it was sent out in a newsletter please provide a copy of the newsletter.

SFA Response

Finding #8

1005. An assessment of the Local School Wellness Policy has not been completed.

Technical Assistance Provided

<p>During the review, Local Wellness Policies were discussed with the SFA. The SFA is required to perform an assessment of the Local Wellness Policy at a minimum once every three years. The results of the assessment need to be made available to the public. The SFA should use the results of the assessment to determine any changes or updates that need to be made to the wellness policy.</p>
<p>Regulation / Citation and Summary</p>
<p>210.30 Local School Wellness Policy (e) Implementation assessments and updates. Each local educational agency must: (1) Designate one or more local educational agency officials or school officials to ensure that each participating school complies with the local school wellness policy; (2) At least once every three years, assess schools' compliance with the local school wellness policy, and make assessment results available to the public. The assessment must measure the implementation of the local school wellness policy, and include: (i) The extent to which schools under the jurisdiction of the local educational agency are in compliance with the local school wellness policy; (ii) The extent to which the local educational agency's local school wellness policy compares to model local school wellness policies; and (iii) A description of the progress made in attaining the goals of the local school wellness policy. (3) Make appropriate updates or modifications to the local school wellness policy, based on the triennial assessment.</p>
<p>SFA Suggested Guidance for Compliance</p>
<p>To come into compliance with this requirement the SFA must submit a statement that an assessment of the wellness policy will be completed by the wellness committee. In addition to the statement the SFA must submit the minutes from the meeting that was held to complete the assessment. If the assessment has been updated by the corrective action due date, submit a copy of the assessment report. If the due date is prior to the completion of the assessment, submit a detailed timeline for the completion of the assessment. Once it is completed copy of the assessment should be submitted to the state agency for review.</p>
<p>SFA Response</p>

<p>Finding #9</p>
<p>128. The SFA annualized income when it should have been determined at its stated frequency.</p>
<p>Technical Assistance Provided</p>
<p>During the review, making determinations based on the stated frequency was discussed with the SFA. When determining eligibility, the SFA may not annualize income unless income sources are listed at different frequencies. If there are multiple income sources with more than one frequency, the LEA must annualize, that is, calculate all income as for an entire year, by multiplying: Weekly income by 52; or Bi-weekly income (received every two weeks) by 26; or Semi-monthly income (received twice a month) by 24; or Monthly income by 12.</p>
<p>Regulation / Citation and Summary</p>
<p>245.6(c)(4) Calculating income. The local educational agency must use the income information</p>

provided by the household on the application to calculate the household's total current income. Eligibility Manual, Chapter 3: If there is only one source of income, or if all sources are received in the same frequency, the LEA totals all sources and compares the total to the IEGs.

SFA Suggested Guidance for Compliance

To come into compliance with the requirements for determining applications, the SFA must provide written assurance that the SFA will determine applications based on the frequency of pay provided on the application when only one frequency is listed and that the SFA will use the correct conversions factors when multiple pay frequencies are provided to determine the annual income.

SFA Response

Finding #10

1400. A copy of the food safety plan was not available at each site.

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 the State Agency with 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

Finding #11

318. The point of service did not provide an accurate meal count by eligibility status. This is a systemic error. The SFA does not have a POS. The SFA counts students with trays seated in the cafeteria.

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, reduced priced and paid lunches 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 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 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. The plan must include: an indication that the SFA will advise the State Agency that the systemic error has been corrected, a description of the new process that has been implemented, a description of the training that was provided to staff to inform them of the new process, the date the training was completed and the name and title of the SFA representative that will ensure compliance moving forward. Additionally, SFA staff will need to complete the Meal Counting and Claiming training found in the School Nutrition Toolbox at <http://www.schoolnutritiontoolbox.org/snt-v3/index.php>.

SFA Response

--

Finding #12

401. On the day of review, meals counted for reimbursement did not contain all of the required components. Six breakfasts counted for reimbursement did not contain a full cup of fruit. This finding may result in fiscal action due to incomplete meals being counted for reimbursement.
Technical Assistance Provided
During the review, the components of 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 provide additional training to the kitchen staff on the requirements of a reimbursable meal. 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)(2)(ii) Fruits component. Effective July 1, 2014 (SY 2014-2015), schools must offer daily the fruit quantities specified in the breakfast meal pattern in paragraph (c) of this section.
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 SFA staff will be provided training on the meal pattern and what constitutes a reimbursable meal for breakfast for serve only. Provide the outline and dates for the trainings that will be completed. In addition please submit the name(s) and title(s) of the SFA representative(s) that will oversee this area and ensure future compliance.
SFA Response

Finding #13
401. On the day of review, meals counted for reimbursement did not contain all of the required components. Five meals counted for reimbursement did not contain a milk. This finding may result in fiscal action due to incomplete meals being counted for reimbursement.
Technical Assistance Provided
During the review, the components of the meal patterns were discussed with the SFA. The SFA must ensure that all meals counted for reimbursement contain the required components including milk. Milk must be provided with every meal. The SFA should also provide additional training to the kitchen staff on the requirements of a reimbursable meal. 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(d) Fluid milk requirement. A serving of fluid milk as a beverage or on cereal or used in part for each purpose must be offered for breakfasts.
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 SFA staff will be provided training on the meal pattern and what constitutes a reimbursable meal for breakfast for serve only. Provide the outline and dates for the trainings that will be completed. In addition please submit the name(s) and title(s) of the SFA representative(s) that will oversee this area and ensure future compliance.

SFA Response

Finding #14

404. Signage is not posted near or at the beginning of the serving line identifying what constitutes a reimbursable meal for breakfast.

Technical Assistance Provided

During the review, the importance of signage was discussed with the SFA. The SFA must ensure that signage is posted near or at the beginning of the serving line identifying what constitutes a reimbursable meal.

Regulation / Citation and Summary

220.8(a)(2) Unit pricing. Schools must price each meal as a unit. The price of a reimbursable lunch does not change if the student does not take a food item or requests smaller portions. Schools must identify, near or at the beginning of the serving line(s), the food items that constitute the unit-priced reimbursable school meal(s).

SFA Suggested Guidance for Compliance

To come into compliance with the meal signage requirements the SFA must state that the proper signage has been posted. Please submit a copy of the signage used and indicate where in the serving line it was posted. Also please note the date that the signage was posted. Include the person by position that will oversee that the signage has been posted and how this person will keep all staff informed that signage is required.

SFA Response

Finding #15

404. Signage is not posted near or at the beginning of the serving line identifying what constitutes a reimbursable meal for lunch.

Technical Assistance Provided

During the review, the importance of signage was discussed with the SFA. The SFA must ensure that signage is posted near or at the beginning of the serving line identifying what constitutes a reimbursable meal.

Regulation / Citation and Summary
210.10(a)(2) Unit pricing. Schools must price each meal as a unit. Schools need to consider participation trends in an effort to provide one reimbursable lunch and, if applicable, one reimbursable afterschool snack for each child every school day. If there are leftover meals, schools may offer them to the students but cannot get Federal reimbursement for them. Schools must identify, near or at the beginning of the serving line(s), the food items that constitute the unit-priced reimbursable school meal(s). The price of a reimbursable lunch does not change if the student does not take a food item or requests smaller portions.
SFA Suggested Guidance for Compliance
To come into compliance with the meal signage requirements the SFA must state that the proper signage has been posted. Please submit a copy of the signage used and indicate where in the serving line it was posted. Also please note the date that the signage was posted. Include the person by position that will oversee that the signage has been posted and how this person will keep all staff informed that signage is required.
SFA Response

Finding #16
502. Offer versus Serve reimbursable meal signage is not posted, including the requirement for students to select at least 1/2 cup fruit or vegetable.
Technical Assistance Provided
Requirements under Offer vs. Serve include identifying, near or at the beginning of the serving line(s), the food items that constitute a reimbursable meal, including the requirement that students must take at least 1/2 cup of the fruit or vegetable component. It was determined during the review that the SFA did not have meal signage posted that identifies the food items that constitute a reimbursable meal. The SFA acknowledged the finding and will implement needed changes.
Regulation / Citation and Summary
210.10 (a)(2) Schools must identify, near or at the beginning of the serving line(s), the food items that constitute the unit-priced reimbursable school meal(s).
SFA Suggested Guidance for Compliance
To come into compliance with the requirements of Offer vs. Serve, the SFA must state that reimbursable meal signage is now posted for the students and provide the location where it was posted.
SFA Response

Finding #17
1105. The SFA is selling items that do not meet the Smart Snacks nutrition standards for beverages sold to elementary school students during the school day.
Technical Assistance Provided
During the review, beverage rules under Smart Snacks were discussed with the SFA. The SFA must ensure that all beverages meet the requirements, based on the level of the school (elementary, middle, high) where they are sold. The SFA should review Smart Snack requirements online at: http://www.fns.usda.gov/healthierschoolday/tools-schools-focusing-smart-snacks
Regulation / Citation and Summary
Smart Snacks interim final rule: Elementary School: Plain water or plain carbonated water (no size limit); Low fat milk, unflavored (\leq fl oz.); Non fat milk, flavored or unflavored (\leq fl oz.), including nutritionally equivalent milk alternatives as permitted by the school meal requirements; 100% fruit/vegetable juice (\leq fl oz.); and 100% fruit/vegetable juice diluted with water (with or without carbonation), and no added sweeteners (\leq fl oz.).
SFA Suggested Guidance for Compliance
To come into compliance with the requirements for Smart Snacks, 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, which must indicate that all competitive items sold are now in compliance with Smart Snacks rules. Please include the date in which all non approved items were removed and the person by position who will oversee that these items are not sold.
SFA Response

Finding #18
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).
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 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, a statement that all temperature documents will be maintained for a minimum of 6 months, and that training will be completed for all appropriate SFA staff. Provide the agenda and sign-in sheets from the trainings.

SFA Response

Finding #19

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 #20

126. Not all selected applications were approved correctly. Not all applications included the names of all household members.

Technical Assistance Provided

Complete applications must include the appropriate documentation. 245.2 Documentation means: (1) The completion of a free and reduced price school meal or free milk application which includes: (i) For households applying on the basis of income and household size, names of all household members; income received by each household member, identified by source of the income (such as earnings, wages, welfare, pensions, support payments, unemployment compensation, and social security and other cash income); the signature of an adult household member; and the last four digits of the social security number of the adult household member who signs the application or an indication that the adult does not possess a social security number.

Regulation / Citation and Summary

Eligibility Manual, Chapter 3: A complete application must provide: Names of all household members; Amount, source, and frequency of current income for each household member.

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

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

Technical Assistance Provided

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 extra milks 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.

Regulation / Citation and Summary

7 CFR 210.14 (f) Revenue from non-program foods. Beginning July 1, 2011, school food authorities

shall ensure that the revenue generated from the sale of non-program foods complies with the requirements in this paragraph.

(1) Definition of non-program foods. For the purposes of this paragraph, non-program foods are those foods and beverages; (i) Sold in a participating school other than reimbursable meals and meal supplements; and (ii) Purchased using funds from the nonprofit school food service account.

(2) Revenue from non-program foods. The proportion of total revenue from the sale of non-program foods to total revenue of the school food service account shall be equal to or greater than: (i) The proportion of total food costs associated with obtaining non-program foods (ii) The total costs associated with obtaining program and non-program foods from the account.

SFA Suggested Guidance for Compliance

As the corrective action response, please explain the process that will be put into place to ensure that the USDA Nonprogram Food Revenue Tool is completed each year. This should include a timeframe for when the tool will be completed, and the steps that will be taken if the tool shows you are out of compliance.

SFA Response

Finding #22

1404. The SFA did not request two health inspections for each school year.

Technical Assistance Provided

During the review, health inspections were discussed with the SFA. The SFA must request two health inspections for each site for each school year and must maintain documentation of this request.

Regulation / Citation and Summary

210.13(b) Food safety inspections. Schools shall obtain a minimum of two food safety inspections during each school year conducted by a State or local governmental agency responsible for food safety inspections. Sites participating in more than one child nutrition program shall only be required to obtain two food safety inspections per school year if the nutrition programs offered use the same facilities for the production and service of meals.

SFA Suggested Guidance for Compliance

To come into compliance with the requirements for food safety, the SFA must provide the State Agency with an assurance that the appropriate staff understand these requirements, and that moving forward the SFA will annually request that two inspections be completed. Please submit the assurance and plan to the State Agency. Additionally, the SFA must request to the local health agency for two inspections and must submit a copy of this request to the State Agency.

SFA Response

Finding #23

1002. The SFAs Local School Wellness Policy has not been reviewed or updated.
Technical Assistance Provided
During the on-site review, Local Wellness Policies were discussed with the SFA. The Local Wellness Policy is required to be reviewed and updated on a periodic basis to ensure that the policy reflects current requirements and SFA practices.
Regulation / Citation and Summary
210.30 Local School Wellness Policy (e) Implementation assessments and updates. Each local educational agency must: (1) Designate one or more local educational agency officials or school officials to ensure that each participating school complies with the local school wellness policy; (2) At least once every three years, assess schools' compliance with the local school wellness policy, and make assessment results available to the public. The assessment must measure the implementation of the local school wellness policy, and include: (i) The extent to which schools under the jurisdiction of the local educational agency are in compliance with the local school wellness policy; (ii) The extent to which the local educational agency's local school wellness policy compares to model local school wellness policies; and (iii) A description of the progress made in attaining the goals of the local school wellness policy. (3) Make appropriate updates or modifications to the local school wellness policy, based on the triennial assessment.
SFA Suggested Guidance for Compliance
To come into compliance with this requirement the SFA must submit a statement that the wellness policy will be reviewed and updated by the wellness committee. In addition to the statement the SFA must submit the minutes from the meeting that was held to determine the needed updates. If the policy has been updated by the corrective action due date, submit a copy of the revised wellness policy. If the due date is prior to the completion of the updates, submit a detailed timeline for the implementation of the changes. Once the revisions have been made a copy of the wellness policy should be submitted to the state agency for review.
SFA Response

Finding #24
1204. The School Nutrition Program Director 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 #25

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 #26

121. Changes are not being made to the point of service benefit issuance document in a correct manner to reflect the expiration of 30 days of carryover eligibility. The SFA is not allowing students a full 30 operating days of carryover eligibility before the SFA is changing the eligibility.

Technical Assistance Provided

During the review, updating the point of service and expiring carryover eligibility at the appropriate time was discussed with the SFA. When a new eligibility is established (either through direct certification or a meal benefit application), the new status takes precedence over the status of the prior year's eligibility. The SFA must then make the appropriate updates at the point of service.

Regulation / Citation and Summary

Eligibility Manual, Chapter 3: If the LEA has an application on file and any change is made after the initial approval for the current school year, the determining officials must: Note the change; Write the date of the change on the application; and Implement the change by updating rosters or other methods used at point of sale, if necessary.

SFA Suggested Guidance for Compliance

To come into compliance with the requirements for carryover benefits and for updating eligibility at the point of service, the SFA must put a plan in place to ensure future compliance. The plan should include: a statement that the SFA understands the requirements for 30 day carryover benefits and updating eligibility status, a process that will be implemented to ensure that all students eligibility for carryover status are provided that benefit, a statement that the 30 day carryover period will not be less than or exceed 30 days, a statement that once a new determination has been made for the student the new eligibility will take precedence over the carryover status, a statement that the benefit issuance list and the point of service documents will be updated as needed to reflect accurate eligibility determinations. In addition the plan should include the name and title of the SFA representative that will ensure compliance with this area. The SFA also needs to provide additional training to all applicable staff. Please submit the plan to the State Agency. Eligibility statuses found to be incorrectly listed during the review must be corrected, and the date of the correction must be submitted to the State Agency.

SFA Response

--

Finding #27

103. Changes are not being made to the point of service benefit issuance document in a correct manner to reflect the expiration of 30 days of carryover eligibility. The SFA is not allowing students a full 30 operating days of carryover eligibility before the SFA is changing the eligibility.

Technical Assistance Provided

--

During the review, updating the point of service and allowing a full 30 days of prior eligibility was discussed with the SFA. Students must be allowed a full 30 operating days of prior eligibility, and when this expires, the SFA must make the appropriate updates at the point of service.

Regulation / Citation and Summary

245.6(c)(2) Applications and documentation of direct certification from the preceding year shall be used only to determine eligibility for the first 30 operating days following the first operating day at the beginning of the school year, or until a new eligibility determination is made in the current school year, whichever comes first.

SFA Suggested Guidance for Compliance

To come into compliance with the requirements for carryover benefits and for updating eligibility at the point of service, the SFA must put a plan in place to ensure future compliance. The plan should include: a statement that the SFA understands the requirements for 30 day carryover benefits and updating eligibility status, a process that will be implemented to ensure that all students eligibility for carryover status are provided that benefit, a statement that the 30 day carryover period will not be less than or exceed 30 days, a statement that once a new determination has been made for the student the new eligibility will take precedence over the carryover status, a statement that the benefit issuance list and the point of service documents will be updated as needed to reflect accurate eligibility determinations. In addition the plan should include the name and title of the SFA representative that will ensure compliance with this area. The SFA also needs to provide additional training to all applicable staff. Please submit the plan to the State Agency. Eligibility statuses found to be incorrectly listed during the review must be corrected, and the date of the correction must be submitted to the State Agency.

SFA Response

Finding #28

211. The SFA’s verification notification letter does not include all of the required information.

Technical Assistance Provided

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

Regulation / Citation and Summary

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

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

SFA Suggested Guidance for Compliance

To come into compliance with the requirements for the verification notification letter, the SFA must provide 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 and plan to the State Agency, as well as the revised verification notification letter.

SFA Response

Signature of Reviewer: *Ranellison Ruby*

Date: 11/8/2016

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: 505-827-1829

email: Laura.Henry@state.nm.us

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

in at the

.U at ure