



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

SFA Name: Tatum Municipal Schools  
 Administrative Review Conducted on: 11/9/2016  
 Sites Selected for Review: Tatum Jr. High

**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<br>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 6-8 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. <a href="http://healthymeals.nal.usda.gov/">http://healthymeals.nal.usda.gov/</a> |

| <b>Regulation / Citation and Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 210.10(c) Meal pattern for school lunches. Schools must offer the food components and quantities required in the lunch meal pattern established: 6-8: 1 oz. equivalent meat/meat alternate.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>SFA Suggested Guidance for Compliance</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 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. |
| <b>SFA Response</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

| <b>Finding #2</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 410. For the week of menu review, the 6-8 lunch menu did not meet the minimum weekly requirement of 9 ounce equivalent meat/meat alternate.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Technical Assistance Provided</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 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. <a href="http://healthymeals.nal.usda.gov/">http://healthymeals.nal.usda.gov/</a> |
| <b>Regulation / Citation and Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 210.10(c) Meal pattern for school lunches. Schools must offer the food components and quantities required in the lunch meal pattern established: 6-8: minimum of 9 oz. equivalent of meat/meat alternate per week.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>SFA Suggested Guidance for Compliance</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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 and meat/meat alternates 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 #3**

410. For the week of menu review, the 6-8 lunch menu did not meet the minimum daily requirement of 1 ounce equivalent grain. A grain was provided, however not all grains served were whole grain rich and creditable grains.

#### **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 and creditable grains are served. 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: 6-8: 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 #4**

410. For the week of menu review, the 6-8 lunch menu did not meet the minimum weekly requirement of 8 ounce equivalent grain.

#### **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: 6-8: minimum of 8 oz. equivalent of grains per 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 and meat/meat alternates 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 #5**

410. For the week of menu review, the 6-8 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**

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 #6

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

#### Technical Assistance Provided

The Paid Lunch Equity Tool was completed incorrectly for both the review year and the current year. The tool must be completed annually to determine the need to raise paid lunch prices or supplement with non-federal funds. On both tools, the previous year's unrounded price requirement was incorrectly input into Step 1. The SFA input \$1.73, but this is the current weighted price, not the requirement price from the previous year. The tools were corrected by the reviewer and sent to the SFA with additional technical assistance. Both the incorrectly completed tools showed a price increase was required for SY 15-16 and SY 16-17, but prices were not raised. The corrected tools confirmed a price increase of \$.10 was required for both SY 15-16 & SY 16-17.

#### Regulation / Citation and Summary

7 CFR 210.14 Resource management. (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 #7

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

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. 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 #8**

Resource Management Comprehensive Review: Adult Meals  
The SFA served free meals to nonprogram adults at the cost of the program.

#### **Technical Assistance Provided**



The SFA's policy of serving free meals to "lunch duty" staff does not meet the USDA guidelines in FNS Instruction 782-5 or PED guidelines per the Program Adult Meals memo dated October 1, 2015. Only program adults such as food service directors and kitchen staff may eat for free at the cost of the program. "Lunch duty" staff do not work for the school food service program for at least 50% of their time, and therefore do not qualify as program adults. A school district can choose to pay for adult meals. The general fund would need to make a transfer into the food service account for every free adult meal served. This transfer can be done on a weekly, monthly or other timely basis.

#### **Regulation / Citation and Summary**

FNS Instruction 782-5: Pricing of Adult Meals in the National School Lunch And School Breakfast Programs "Breakfasts and lunches served to teachers, administrators, custodians and other adults must be priced so that the adult payment in combination with any per-lunch revenues from other sources designated specifically for the support of adult meals (such as State or local fringe benefit or payroll funds, or funding from voluntary agencies) is sufficient to cover the overall cost of the lunch. Including the value of any USDA entitlement and bonus donated foods used to prepare the meal. If cost data are not available, the minimum adult payment should reflect the price charged to Students paying the school's designated full price, plus the current value of Federal cash and donated food assistance (entitlement and bonus) for full price meals. In nonpricing programs, the adult charge should be at least the amount of reimbursement received for a free lunch under Section 4 and 11 of the National School Lunch Act, plus the per-meal value of both entitlement and bonus donated foods, or for breakfasts, the rate established for free meals under Section 4 of the Child Nutrition Act, plus the value of bonus commodities."

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

As the corrective action response, please explain the process that will be put into place to ensure that an adult meal pricing policy is established and reviewed annually. This pricing policy should establish guidelines for determining the cost of adult meals and document any sources of revenue designated specifically for the support of adult meals if the adults will not be charged directly. Additionally, explain how all non-program adults will be charged the full price of their meal going forward, or explain how the SFA will use non-federal funds to make up for the adult meal price deficiency.

#### **SFA Response**

#### **Finding #9**

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 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 would have needed and additional \$3,254 in adult meal sales to be in compliance. The SFA’s adult meal price is sufficient, but “lunch duty” staff should not be served meals for free.

**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 #10**

318. The point of service did not provide an accurate meal count by eligibility status. This is a systemic error. During the on-site review, it was observed that the students were being scanned for a reimbursable meal at the beginning of the line before ever taking a reimbursable meal. No non-reimbursable meal were observed. Meals cannot be counted as reimbursable until verified as reimbursable at the POS.

**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 #11**

406. The lunch meal service is not structured to comply with the required age/grade group meal pattern requirements when serving multiple menus and/or age/grade groups.

**Technical Assistance Provided**

During the review, serving multiple age/grade groups was discussed with the SFA. The SFA must ensure, if multiple age/grade groups are served, that menus are planned to meet the requirements of the meal pattern for each age/grade group that is served. If there are different menus served to the different grade groups with the same meal service the SFA must determine the changes that need to be made and how to determine which student receive which menu. For example if the K-5 student come through first and then the 6-8 students come through the serving line then the kitchen staff can make adjustments to portions between the different grade groups. Using different serving spoons or measuring cups may be all that is needed to meet the requirements depending on the menu offered.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Regulation / Citation and Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 210.10(c)(1) Age/grade groups. Schools must plan menus for students using the following age/grade groups: Grades K-5 (ages 5-10), grades 6-8 (ages 11-13), and grades 9-12 (ages 14-18). If an unusual grade configuration in a school prevents the use of these established age/grade groups, students in grades K-5 and grades 6-8 may be offered the same food quantities at lunch provided that the calorie and sodium standards for each age/grade group are met. No customization of the established age/grade groups is allowed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>SFA Suggested Guidance for Compliance</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 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 required components are planned in the minimum portion size required for the 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. |
| <b>SFA Response</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Finding #12</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 501. The cafeteria staff has not been trained on Offer versus Serve.                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Technical Assistance Provided</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| If the SFA is going to implement Offer vs. Serve, they should annually train their staff and train new staff as needed. On going training should be provided depending on needs to staff in order to be in compliance with Offer vs. Serve procedures. It was determined during the review that the SFA is not offering training on Offer vs. Serve to the cafeteria staff. Offer vs. Serve training found in the School Nutrition Toolbox was discussed with the SFA and completing the training was recommended. |
| <b>Regulation / Citation and Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Offer vs. Serve Guidance Manual (Page 4) Schools are expected to conduct training for cashiers and serving line staff so they can help students select the required food components/food items in the quantities needed for reimbursable lunches and breakfasts. Annual training is required to meet the professional standards requirements.                                                                                                                                                                      |
| <b>SFA Suggested Guidance for Compliance</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

To come into compliance with the requirements of Offer vs. Serve, the SFA must submit a written statement that training for all kitchen staff will be provided.. In addition the SFA must also provide the name and title of the SFA representative that will ensure compliance with this finding moving forward, an outline of the training that was provided to staff to inform them of the requirements and the date the training was completed.

**SFA Response**

**Finding #13**

803. The SFA has a procedure in place for handling civil rights complaints, but the procedure does not identify the outside agency to which complaints are forwarded (i.e., SA, FNSRO, FNS Office of Civil Rights, or USDA Office of Civil Rights)

**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 to the State Agency.

**SFA Response**

| <b>Finding #14</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 807. The SFA has not collected racial/ethnic data on an annual basis.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Technical Assistance Provided</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| During the review the requirement to collected racial/ethnic data was discussed with the SFA. The SFA must collect racial/ethnic on an annual basis through the mechanism of their choosing.                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Regulation / Citation and Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| FNS Instruction 113-1 Appendix B Section F The collection and reporting of data on the actual number of children applying for free and reduced-price meals or free milk, by ethnic/racial group, is required by DOJ Regulations, 28 CFR Part 42, and 9 AR. (a) The SFA or other program recipient agency will: (1) Develop a method for data collection. Methods include determination of the information by a school official through observation, personal knowledge, or voluntary self-identification by an applicant on the free and reduced-price meal or free milk application. |
| <b>SFA Suggested Guidance for Compliance</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| To come into compliance with this requirement, the SFA must provide the State Agency with an assurance that the SFA will complete all racial/ethnic data collection and that the SFA will put plan in place to ensure future compliance. Please submit the assurance and plan to the State Agency.                                                                                                                                                                                                                                                                                    |
| <b>SFA Response</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

| <b>Finding #15</b>                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1221. Finding 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.                                                                                                                                                                                                                           |
| <b>Technical Assistance Provided</b>                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 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. |
| <b>Regulation / Citation and Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 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 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.

**SFA Response**

**Finding #16**

1404. The SFA does not have documentation to show that they requested the two required health inspections from the applicable agency per 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**

| <b>Finding #17</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1407. Temperature logs are not being maintained for all food storage areas.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Technical Assistance Provided</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 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.                                                                                                                                                                                                                                                                                                                             |
| <b>Regulation / Citation and Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 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).                                                                                                                                                                                                                                                                                                                                   |
| <b>SFA Suggested Guidance for Compliance</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 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. |
| <b>SFA Response</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

| <b>Finding #18</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1407. Storage violations were observed on-site. The SFA had food that was not dated upon delivery.                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Technical Assistance Provided</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| During the review, storage requirements were discussed with the SFA. The SFA must ensure that all food is dated upon delivery.                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Regulation / Citation and Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 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.<br>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. |



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>SFA Suggested Guidance for Compliance</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 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. The assurance should also include a statement that temperature logs will be maintained for all storage areas. Submit copies of completed temperature logs with the corrective action response. |
| <b>SFA Response</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Finding #19</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 322. There are days when the free, reduced price, or paid meal counts exceeded the number of free, reduced price, or paid eligible students, and there is not an acceptable explanation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Technical Assistance Provided</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| During the review, edit checks were discussed with the SFA. There are days when the free, reduced price, or paid meal counts exceeded the number of free, reduced price, or paid eligible students, and there is not an acceptable explanation. To be in compliance, the SFA must ensure that edit checks are completed accurately. Maintaining an accurate edit check was reviewed with the SFA. The SFA acknowledged the finding and will implement needed changes immediately.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Regulation / Citation and Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 210.7(c) Reimbursement limitations. To be entitled to reimbursement under this part, each school food authority shall ensure that Claims for Reimbursement are limited to the number of free, reduced price and paid lunches and meal supplements that are served to children eligible for free, reduced price and paid lunches and meal supplements, respectively, for each day of operation. 210.8(a) Internal controls. The school food authority shall establish internal controls which ensure the accuracy of lunch counts prior to the submission of the monthly Claim for Reimbursement. At a minimum, these internal controls shall include: an on-site review of the lunch counting and claiming system employed by each school within the jurisdiction of the school food authority; comparisons of daily free, reduced price and paid lunch counts against data which will assist in the identification of lunch counts in excess of the number of free, reduced price and paid lunches served each day to children eligible for such lunches; and a system for following up on those lunch counts which suggest the likelihood of lunch counting problems. |
| <b>SFA Suggested Guidance for Compliance</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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, along with a copy of a recently completed edit check. The plan must include: an indication that the SFA will conduct daily edit checks and document days where meal counts exceeded the number of eligible students with an acceptable explanation, 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**

  
 Signature of Reviewer: \_\_\_\_\_ Date: 11/9/2016

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 NMPE address above by the due date indicated. Thank you.







































\_\_\_\_\_  
\_\_\_\_\_

D at the