

**USDA Child Nutrition Programs  
Administrative Review Summary Report**

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**School Food Authority: Faith Lutheran School**

**Agency Code: 207063**

**School(s) Reviewed: Faith Lutheran School**

**Review Date(s): 11/17/17**

**Date of Exit Conference: 11/17/17**

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State agencies (SA) are required to conduct administrative reviews to assess School Food Authority (SFA)'s administration of the National School Lunch Program (NSLP), School Breakfast Program (SBP), and other school nutrition programs. The objectives of the Administrative Reviews are to:

- Determine whether the SFA meets program regulations,
- Provide technical assistance,
- Secure needed corrective action,
- Assess fiscal action, and when applicable, recover improperly paid funds.

**General Program Reminders/Updates:**

- The Department of Public Instruction (DPI) School Nutrition Team (SNT) conducts School Nutrition Skills Development Courses (SNSDC) each summer in various locations around the state at no charge. Courses cover many areas of the school nutrition programs including administrative responsibilities, program basics, meal pattern requirements and menu planning, financial management, professional standards, procurement, and many other topics. More information along with other upcoming trainings and webinars can be found on the Wisconsin DPI [School Nutrition Training](http://dpi.wi.gov/school-nutrition/training) webpage (dpi.wi.gov/school-nutrition/training).
- SFA staff are encouraged to pursue GOALS Certification. GOALS stands for Goal Oriented Achievement Learning Skills. This is a certificate endorsed by the DPI and is obtained by completing training in nutrition, program administration and operations, and communications and marketing. For more information go to the Wisconsin DPI [School Nutrition Training](http://dpi.wi.gov/school-nutrition/training/goal-oriented-achievement-learning-skills) webpage (dpi.wi.gov/school-nutrition/training/goal-oriented-achievement-learning-skills).

**Appreciation/Commendations/Noteworthy Initiatives:**

Thank you to the staff at Faith Lutheran for the courtesies extended to us during the on-site review. Thank you for being available when answering questions and providing additional information. All were very receptive to recommendations and guidance. In addition, thank you for taking the time to respond to the off-site questions and requests, as well as pulling records for the on-site portion of the review.

**REVIEW AREAS**

**1. MEAL ACCESS AND REIMBURSEMENT**

**Certification and Benefit Issuance**

**Commendations/Comments/Technical Assistance/Compliance Reminders**

- Of those students eligible for free/reduced price meals in October, all were determined correctly, and direct certification had been run in the appropriate timeframes. Kudos for a job well done!
- Free school meal benefits must be extended to all children who are members of a household in which one person in that household is receiving FoodShare, W-2 Cash Benefits, or FDPIR benefits.

### **Findings and Corrective Action Needed: Certification and Benefit Issuance**

- ❑ **Finding #1:** Two applications were missing social security numbers.  
**Corrective Action Needed:** Please contact the households to retrieve this information and add it to the applications. Record date that corrective action is taken on the **SFA-1** form and send completed copy as corrective action.

### **Verification**

### **Commendations/Comments/Technical Assistance/Compliance Reminders**

- When applications are chosen for verification, the person designated as the Confirming Official must review the application(s) to ensure the initial determination is correct prior to contacting the family. There is a place for the Confirming Official to sign and date on the back of the application.
- The LEA has a regulatory obligation to verify “for cause” all approved applications that may be questionable. For more information, refer to the current Eligibility Manual.

### **Findings and Corrective Action Needed: Verification**

- ❑ **Finding #1:** No Confirmation Reviews were conducted on the applications selected for Verification, and the Verifying official did not sign the verified application,  
**Corrective Action Needed:** Please submit a statement of understanding to do a confirmation review for Verification going forward. [Information on the verification process](http://dpi.wi.gov/school-nutrition/national-school-lunch-program/verification) can be found on our website (<http://dpi.wi.gov/school-nutrition/national-school-lunch-program/verification>).
- ❑ **Finding #2:** On the VCR, the SFA indicated that they used Standard Sample, when it actually completed Alternate 1, as Standard Sample utilizes error prone applications and no error prone applications were recorded on the VCR.  
**Corrective Action Needed:** Please provide a statement of understanding that correct option will be selected in the future.
- ❑ **Finding #3:** The number of DC students reported on the VCR was incorrect as it included 2 students that were not certified until November 15, 2017 and the number recorded should be the number certified as of October 1, 2017 when the sample is pulled.  
**Corrective Action Needed:** Please make correction to the VCR and resubmit.

### **Meal Counting and Claiming**

### **Commendations/Comments/Technical Assistance/Compliance Reminders**

- Meals may only be charged to a student at the time of receipt of a reimbursable meal to assure proper benefits issuance.
- DPI has created [Field Trip meal resources](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning) to help schools offer student meals every school day (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning>).

### **Findings and Corrective Action Needed: Meal Counting and Claiming**

- ❑ **Finding #1:** Students are checked off in the morning on the check-off sheets and no mark is made on sheet when student actually receives the meal. For the teachers that use electronic systems,

they would physically have to uncheck a box that was already checked if a student did not actually take the lunch. This is considered a back-out by the USDA and constitutes an unreliable Point of Service.

**Corrective Action Needed:** Please correct this counting system and submit 30 days of counts after correction is made so fiscal action may be applied to meal counts via recalculation. These counts will be recalculated from the beginning of the 17-18 school year, but there is a \$600.00 disregard before reclaim is necessary.

- ❑ **Finding #2:** The contract does not have the pre-kindergarten grade group listed.

**Corrective Action Needed:** Please update the contract with correct grade groupings.

## 2. MEAL PATTERN AND NUTRITIONAL QUALITY

### Commendations and Appreciations

Thank you to the Food Service Director and to the volunteer for providing healthy meals to students at Faith Lutheran School. The Food Service Director demonstrated a thorough understanding of program requirements, reflective of extensive training hours and professional standards. Well done! The kitchen was very clean, and food safety information is posted in many places, reminding volunteers of the importance of providing safe meals to students. Through adaptation of Offer versus Serve, students are offered two different portion sizes of fruits and vegetables, which allows them to select the amounts they are hungry for while minimizing food waste. Teachers also eat meals with students, which is great role-modeling of healthy behaviors.

### Technical Assistance and Program Requirement Reminders

- **Production Records**

Production records must be accurate. At Faith Lutheran School, the menu and the production records indicated 138 count apples were served. According to the USDA Food Buying Guide, one 138 count apple credits as one cup of fruit. Apples observed in storage at the Fond du Lac School District, which vends food to Faith Lutheran School, were 163 count apples, crediting as 3/4 cup of fruit. The entrée salads were offered during the review period. The roll accompanying the salad was listed on the production records as a 2.5 ounce weight, crediting as 2 ounce equivalents of grain. Rolls observed in storage at the Fond du Lac School District were 1.25 ounces by weight, crediting as 1 ounce equivalent of grain based on crediting documentation from the Fond du Lac School District Food Service Director. These two examples illustrate the importance of checking production records against products received and served.

- **Crediting Documentation**

Current nutrition facts labels, Child Nutrition (CN) labels, and/or manufacturer's product formulation statements (PFS) clearly outlining dietary specifications (calories, saturated fat, sodium) and crediting information must be available onsite where meals are served, even if meals are prepared offsite. Crediting documentation should be updated at least twice per year and as new products are purchased or substituted. This is especially important when substitutions impact crediting and subsequently daily and weekly meal pattern requirements.

This requirement is outlined in the joint agreement template, #12: "The seller shall comply with all other requirements of their DPI agreement/application as it produces and makes available meals to the Purchaser, including providing the Purchaser with daily production/transport sheets indicating how menu items contribute to meal pattern requirements and supporting documentation for contribution." This was discussed onsite, and the Food Service Director will begin requesting and maintaining documentation onsite.

- **Child and Adult Care Food Program Meal Pattern for Pre-Kindergarten Students**

Preschool students are allowed to be served the K-8 menu if they are served at the same time and in the same place as the other age/grade groups, under the co-mingling flexibility from the USDA.

This flexibility may be used in situations in which it would be a challenge for staff to determine during meal service if a child is in preschool or K-5. Children who are not yet in kindergarten must be served the updated CACFP meal pattern if not co-mingled with other age/grade groups at meals. Training and additional resources can be found on the [Infants and Preschool in NSLP and SBP webpage](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/infants-and-preschool) (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/infants-and-preschool>).

- **Substitutions**

Any changes to the planned menu must be documented on the production record. A substitution should be a food that credits comparably to the original planned item, have a similar nutrition profile, and belong to the same vegetable subgroup (when applicable) to the extent practicable. However, it is always better to substitute something creditable, rather than have a missing component. Per the Food Service Director at Faith Lutheran School, communication is well-established with Woodworth Middle School to prevent component shortages or missing components.

As noted in **Production Records**, entrée salads during the review period were offered with a roll weighing 2.5 ounces, crediting as 2 ounce equivalents of grain. The Food Service Director confirmed these rolls were received and served during the review period. On the day of review, entrée salads were offered with breadsticks weighing 1.25 ounces, crediting as 1 ounce equivalent of grain. This substitution was not written on the production record. Offering grains, crediting as 1 ounce equivalent each, daily totals to 5 ounce equivalents offered weekly. However, this results in a weekly shortage of 3 ounce equivalents if no other grains are offered with entrée salads.

### 3. RESOURCE MANAGEMENT

#### Nonprofit School Food Service Account

#### Commendations/Comments/Technical Assistance/Compliance Reminders

##### Annual Financial Report (AFR):

- All revenues including reimbursements and student payments, and expenses including food, labor, equipment, purchased services, and other need to be entered into the program to which they belong, and this will aid the school in calculating its “yearly” reference period for nonprogram food compliance which is highly recommended. The new [16-17 Annual Financial Report instructions](#) are located on our website (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/annual-financial-report-instructions.pdf>).
- When a student deposits funds in their lunch account which will be used for meal purchases, the amount received is not treated as revenue until the meal has actually been served to the student. The amount of funds on hand in student accounts is treated as a deposit or liability account in either the foodservice fund or the general fund until the meal is served at which point the deposit account is converted to revenue. This amount should not be recorded as revenue, or part of the fund balance on your Annual Financial Report.
- The ending balance on June 30 from the previous year needs to be the beginning balance on July 1 for the current year.
- The ending balance, on June 30, can never be a negative balance. A transfer must be made from the non-federal funds to bring the ending balance to \$0.00.
  - When revenues are recorded from the federal reimbursement payments, you want to make sure that you are recording the full reimbursement based on the printed claim form and not what is actually deposited into your account. As you will note on the claim, there may be money deducted for shipping, handling and processing fees for USDA Foods. The amount deducted from your revenue should be reported as a food expenditure.

### Allowable Costs

- Bad debt is an unallowable expense to the food service program. A transfer must be made from non-federal funds to cover student account write-offs. [SP23-2017 Unpaid Meal Charges guidance Q & A](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sp-23-2017.pdf) (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sp-23-2017.pdf>) may be found on our [Financial Management](#) webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/financial>).

### Findings and Corrective Action Needed: Nonprofit School Food Service Account

- ❑ **Finding #1:** Annual Financial Report has student lunch accounts included in revenues.  
**Corrective Action Needed:** Please provide a statement going forward that student payments will only be recorded as revenues after the meal is sold to the student.

### Revenue from Nonprogram Foods

#### Commendations/Comments/Technical Assistance/Compliance Reminders

- Nonprogram Food costs and revenues must be separated from Program food costs and revenues.
- Since nonprogram foods include Adult Meals, and extra milk these expenses and revenues must be separated from Program foods.

## 4. GENERAL PROGRAM COMPLIANCE

### Civil Rights

#### Commendations/Comments/Technical Assistance/Compliance Reminders

##### Nondiscrimination Statement

- When including the [non-discrimination statement](#) on letters, menus, website, and other documents used to convey program information, it is necessary to use the current statement which was updated in October 2015 (<http://dpi.wi.gov/school-nutrition/national-school-lunch-program/civil-rights>).  
However, when space is very limited, such as on the printed menus, the abbreviated statement may be used, “**This institution is an equal opportunity provider.**” Both statements should be in the same size font as the other text in the document.

##### Special Dietary Needs

- All food substitutions made outside of the meal pattern requirements must be supported by a signed medical statement from a licensed medical professional. You may use the [prototype Medical Statement](#) for Special Dietary Needs posted on our website, which is also available in Spanish and Hmong (<http://dpi.wi.gov/school-nutrition/national-school-lunch-program/special-dietary-needs>).
- SFAs must accommodate dietary requests that are supported by a signed medical statement from a licensed medical practitioner. Meals served to students with special dietary needs who have a signed medical statement from a licensed medical practitioner do not need to meet meal pattern requirements. Additional information on [special dietary needs](#) can be found on the DPI School Nutrition Team website (<http://dpi.wi.gov/school-nutrition/national-school-lunch-program/special-dietary-needs>).

### Findings and Corrective Action Needed:

- **Finding 1:** The USDA Nondiscrimination Statement on the school website is not the current USDA statement.

**Corrective Action Required:** Please update the school website with the current USDA statement.

## Local Wellness Policy

### Commendations/Comments/Technical Assistance/Compliance Reminders

- The local wellness policy requirement was established by the Child Nutrition and Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Reauthorization Act of 2004 and further strengthened by the Healthy, Hunger-Free Kids Act (HHFKA) of 2010. The final rule requires School Food Authorities (SFAs) to begin developing a revised local school wellness policy during School Year 2016-2017 and full compliance with the requirements of the final rule by June 30, 2017.
- At a minimum, SFAs must permit participation by the general public and the school community including parents, students, and representatives of the school food authority, teachers of physical education, school health professionals, the school board, and school administrators in the wellness policy process. In addition, SFAs must designate one or more school officials to ensure each school complies with the policy.

### Content of the Wellness Policy

- The final *Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010* rule requires the SFA to retain basic records demonstrating compliance with the local school wellness (LWP) requirements. If no LWP has been developed, the SFA must establish a written policy. For assistance in the creation of a LWP, SFAs are encouraged to utilize the [Wisconsin Wellness: Putting Policy into Practice - School Wellness Policy Toolkit](http://dpi.wi.gov/school-nutrition/wellness-policy/toolkit) (<http://dpi.wi.gov/school-nutrition/wellness-policy/toolkit>). At a minimum the wellness policy must include:
  - Nutrition education (Recommended goals related to nutrition education include integrating into other core subjects or offering as a stand-alone course for all grade levels.)
  - Nutrition promotion (At a minimum SFAs must review smarter lunchroom tools and strategies. Additional promotional activities include contests, surveys, food demonstrations, taste testing, and farm to school programming.)
  - Physical activity (Recommended that SFAs offer time for students to meet the 60 minute goal, this could include recess, classroom physical activity breaks, and opportunities for physical activity before and after school.)
  - Guidelines for all foods and beverages sold on the school campus during the school day (The LWP must contain guidelines for Federal school meal requirements and competitive food standards [Smart Snacks]).
  - Guidelines for all foods and beverages provided on the school campus during the school day (SFAs must develop standards for foods provided to students, this includes classroom parties, schools celebrations, food offered as rewards/incentives.)
  - Guidelines for food and beverage marketing (At a minimum, SFAs must restrict marketing to food and beverages that meet competitive food standards on the school campus during the school day.)
  - **Public involvement and committee leadership (SFAs must invite and allow for a diverse group of stakeholders to participate in the development, implantation, review, and updating of the LWP. SFAs must also identify the official responsible for oversight of the LWP to ensure school compliance.)**

- Implementation, assessment and update of policy (At a minimum, SFAs must notify the public about the content, implementation of, and updates to the LWP. SFAs must complete a triennial assessment to evaluate compliance with the LWP, how the LWP compares to model wellness policies, and progress made in attaining the goals of the LWP).
- Please refer to the USDA [summary of the requirements](http://www.fns.usda.gov/sites/default/files/tn/LWPsummary_finalrule.pdf) for local school wellness policies ([http://www.fns.usda.gov/sites/default/files/tn/LWPsummary\\_finalrule.pdf](http://www.fns.usda.gov/sites/default/files/tn/LWPsummary_finalrule.pdf)). Wisconsin Team Nutrition has several [wellness policy resources](http://dpi.wi.gov/school-nutrition/wellness-policy) available, including a toolkit, a wellness policy builder, and wellness policy report card (<http://dpi.wi.gov/school-nutrition/wellness-policy>).
- **SFA is required to have a committee of diverse stakeholders and/or a roster of those involved (1003) Technical Assistance:** The final *Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010* rule requires the SFA to allow **parents, students**, physical education teachers, school health professionals, school administrators, the school board, representatives of the SFA, and **the general public** to be involved in the development, implementation, periodic review, and update of the LWP. SFA wellness committees should include a diverse team of committed school and community stakeholders. The SFA must retain documentation on stakeholders who participated in the review and update of the LWP. on forming a wellness committee, review pages 5-6 of the [Wisconsin Wellness: Putting Policy into Practice - School Wellness Policy Toolkit](http://dpi.wi.gov/school-nutrition/wellness-policy/toolkit) (<http://dpi.wi.gov/school-nutrition/wellness-policy/toolkit>).
- **SFA is required to complete an assessment of the Local Wellness Policy (1005) Technical Assistance:** The final *Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010* rule requires the SFA to assess the local school wellness policy (LWP) every three years, at a minimum. The first assessment should be completed within three years of your SFA's policy being updated, but no later than June 30, 2020 to be in compliance with this rule. The triennial assessment must evaluate compliance with the LWP, how the LWP compares to model wellness policies, and progress made in attaining the goals of the LWP. SFAs must retain documentation of the results of the triennial assessment and when it took place. To assist SFAs with evaluating compliance with their LWP, a report card has been developed and is available at [School Nutrition Team's Wellness Policy webpage](https://dpi.wi.gov/school-nutrition/wellness-policy) (<https://dpi.wi.gov/school-nutrition/wellness-policy>). A sample model wellness policy is available at the [USDA Wellness Policy webpage](http://www.fns.usda.gov/tn/implementation-tools-and-resources) (<http://www.fns.usda.gov/tn/implementation-tools-and-resources>). Public School Districts that participated in the Wisconsin Obesity Prevention's Wellness Policy project, in SY16-17, have received a copy of a report comparing their policy to a model policy (reports were sent in August, 2017). Additional information about interpreting your schools report is available at the [Wisconsin Health Atlas webpage](https://www.wihealthatlas.org/lwp/) (<https://www.wihealthatlas.org/lwp/>). Schools are encouraged to establish an account with the Rudd Center for Food Policy and Obesity to access the Wellness School Assessment Tool ([WellSAT](http://wellsat.org)) for assistance in assessing the LWP (<http://wellsat.org>).
- **Technical Assistance for 1006, if do have a policy:** The final *Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010* rule requires the SFA to inform and update the public about the assessment of the implementation of LWP. The notification should include the extent to which SFAs are in compliance with their LWP; the progress made toward attaining the goals of the LWP; and the extent to which the SFA's LWP compares to a model policy. SFAs are required to retain a copy of the assessment and documentation regarding the public notification. SFAs may use a variety of methods to notify the public about the assessment. This may include mailing flyers, newsletters, emails, website postings, and newspaper articles. It is recommended SFAs include a plan to improve upon the results of the assessment.

### **Findings and Corrective Action Needed: Wellness Policy**

- **Finding: Your SFAs Local Wellness Policy does not contain language for all the minimum required elements stipulated above (1000)**

**Corrective Action Required:** Language must be added related to identifying an official (or officials) responsible for oversight of the local wellness policy. Please provide a timeline for updating your policy to become compliant with the final rule. The [Local Wellness Policy Checklist](#) can assist with sample language

## Professional Standards

### Commendations/Comments/Technical Assistance/Compliance Reminders

- Each SFA must designate at least one staff member as a program “director”. A program “director” is the person designated to perform or oversee the majority of the program duties such as sanitation, food safety, nutrition and menu planning, food production, procurement, financial management, record keeping, customer service, nutrition education, and general day-to-day program management.

#### Professional Standards: Training Requirements

- Annual training must be job-specific and intended to help employees perform their duties well. The required annual training hours vary according to the employee’s role in the management and operation of the school nutrition program.
- Trainings can be provided in a variety of formats (online, in person, webinars) and through various providers (DPI, USDA, in-house, etc.).
- SFAs should clearly document all required training information and maintain that file including the name of staff person, date hired, title/position, brief list of core duties/responsibilities, status (full, part-time, volunteer, etc.), professional standards position (director, manager or staff). Learning codes are not required, but encouraged. A template tracking tool is posted to our [Professional Standards](#) webpage (<http://dpi.wi.gov/school-nutrition/training/professional-standards>).

#### Annual Training Requirements for All Staff

Directors: 12 hours

Managers: 10 hours

Other Staff (20 hours or more per week): 6 hours

Part Time Staff (under 20 hours per week): 4 hours

## Food Safety, Storage and Buy American

### Commendations/Comments/Technical Assistance/Compliance Reminders

[A Flash of Food Safety](#) is a video series designed to help school nutrition professionals understand and apply safe food practices ([www.fns.usda.gov/ofs/food-safety-flashes](http://www.fns.usda.gov/ofs/food-safety-flashes)). While you’re at it, visit the [Office of Food Safety](#) website ([www.fns.usda.gov/ofs/food-safety](http://www.fns.usda.gov/ofs/food-safety)) and explore all of the great food safety resources available to USDA’s nutrition assistance program operators. Let’s grow food safety!

#### Food Safety Plans

- The Food Safety Plan was available for review. It was obvious in observing the food service manager/director at work that they are very knowledgeable about food safety practices and safe food handling. All temperature logs, calibration logs, and sanitizing solution logs were up-to-date. It was clear that the plan is reviewed and updated regularly and that the content is site-specific.
- The food service manager/director provides basic food safety training to volunteers that serve food to ensure that proper procedures are practiced and understood. Great job!



### Temperatures

- All temperature logs provided were complete, detailed, and indicated that proper temperature control is consistently practiced.

### Food Employee Reporting Agreements

- All food handlers must have a signed [Food Employee Reporting Agreement](https://datcp.wi.gov/Documents/foodemployeereportingagreementsupplement.pdf) on file (<https://datcp.wi.gov/Documents/foodemployeereportingagreementsupplement.pdf>). All volunteers that serve food had a signed agreement on file which is excellent. All food handlers must sign a new Food Employee Reporting Agreement form if changes are made to the document. While there are no requirements as to how frequently food service employees must sign a Food Employee Reporting Agreement form, it is the best practice for each food service employee to annually review and sign an agreement to reinforce the information contained in the document. via email.

### **Buy American**

- The USDA requires that an SFA purchase, to the maximum extent practicable, domestic commodities or products. Using food products from local sources supports the local economy, small local farmers and provides healthy choices for children in the school meal programs. The Buy American provision is required whether food products are purchased by SFAs or entities that are purchasing on their behalf.
- The Buy American provision should be included in solicitations, contracts, and product specifications. A reply offer to comply with Buy American terms in a solicitation ensures contractors are aware of Buy American requirements. Furthermore, bidder assurance of the Buy American provision ensures that the bidder is responsive and responsible to the solicitation.
- SFAs must monitor contractor performance as required in 2 CFR Part 200.318(b), formerly in 7 CFR Part 3016.36(b)(2), to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
  - The following products may be exceptions to Buy American provisions: pineapples, mandarin oranges, olives, tuna, bananas and coffee.
  - If no country of origin identified on label, than SFA must get certification from distributor or supplier stating: "We certify that (insert product name) was processed in the U.S. and contains over 51% of its agricultural food component, by weight or volume, from the U.S.," This can accepted within an email.
  - What is acceptable to determine compliance on a label? Label should indicate if the product is grown, processed and packed in the continental U.S. and any U.S. Territories. If label indicates that product is distributed or packed in the U.S, but the country of origin is not listed, this product requires the distributor's certification as mentioned above.
  - Any substitution of a non-domestic product for a domestic product (which was originally a part of the RFP), must be approved, in writing, by the food service director, prior to the delivery of the product to the School.
  - Any non-domestic product delivered to the school, without the prior, written approval of the Food Service Director, will be rejected. Should non-domestic substitutes that were not pre-approved in writing by the food service director be delivered to and rejected by the school, selected distributor(s) shall be held accountable for all over-claims that result from failure to meet the school's required meal pattern.
  - Agricultural products which are processed and produced outside of the U.S. may be accepted with proof from manufacturer that poor market conditions exist (weather, and/or supply availability of market); this requirement applies to private labels as well as other labels.

- The SFA should maintain [written procedures](#) to ensure product received and inventory is compliant with the Buy American procedure (<https://dpi.wi.gov/school-nutrition/procurement/contract-procedures/contract-management>).
- There are limited exceptions to the Buy American provision which allow for the purchase of products not meeting the “domestic” standard as described above ( “non-domestic”) in circumstances when use of domestic products is truly not practicable. Refer to SP 24-2016 for more information on the Buy American provision and limited exceptions.
- More information on this new requirement, including a tool to assist with tracking noncompliance products, can be found on the SNT [Procurement](#) webpage (<http://dpi.wi.gov/school-nutrition/procurement/buy-american>).

### **Findings and Corrective Action Needed: Buy American**

❑ **Finding #1:** The following products were identified in the SFA’s storage area as non-domestic and not listed on the SFA’s Buy American – Noncompliant List or SFA equivalent form or did not have proper labeling to identify the country of origin:

- Cucumbers from Mexico
- Pineapple from Thailand
- Trio gravy from Canada

**Corrective Action:** The identified noncompliant food item(s) qualify to be on the non-compliant product list, but the SFA does not have a noncompliant list/process in place for tracking. Begin using a Noncompliant Product List for tracking nondomestic products. Provide a copy of the form that will be used and include any noncompliant products currently in the SFAs food storage areas. Provide the completed list as corrective action. A [template form](#) is located on the procurement webpage (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/buy-american-noncompliant-list.docx>).

- **Label does not identify country of origin:**  
In USDA Memo SP 38 -2017, any product that does not identify the country of origin now requires certification from the manufacturer or distributor. See the TA notes above for sample certification language. This will be treated as TA for the 2017-18 school year, but work with your distributor/supplier to move toward compliance.

Dr. Tony Evers, State Superintendent of Wisconsin Department of Public Instruction, shares a vision that every student will graduate prepared for college and career. His goals are for students to have the knowledge, skills, and habits that will allow them to succeed in life after high school. Access to quality nutrition plays a major role in developing those life-long habits.

The School Nutrition Team believes that what school nutrition programs do every day plays a very important part in the success of every child being able to graduate. We all know that well-nourished children are ready to learn. Thank you for all you do to ensure your students’ success.

For more information on this initiative, please visit the [Wisconsin DPI Every Child a Graduate](#) webpage ([dpi.wi.gov/statesupt/agenda-2017](http://dpi.wi.gov/statesupt/agenda-2017)).