

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

School Food Authority: New Lisbon School District

Agency Code: 29-3948

School(s) Reviewed: New Lisbon Elementary School

Review Date(s): 2/27-28/19

Date of Exit Conference: 2/28/19

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:

1. Determine whether the SFA meets program regulations,
2. Provide technical assistance,
3. Secure needed corrective action,
4. 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 New Lisbon School District 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 the 354 students eligible for free or reduced price meals in January, a sample of 212 students was pulled for review and all were determined correctly. Kudos for a job well done!

Verification

Commendations/Comments/Technical Assistance/Compliance Reminders

- 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.
- When a benefit eligibility status increases, the change must take place within 3 days. When a benefit eligibility decreases, the change cannot take place before 10 calendar days and a notice of adverse action is sent in writing with appeal rights procedures.

Findings and Corrective Action Needed: Verification

- ❑ **Finding #1:** The verified application was only given 9 days before eligibility status changed (October 30 to November 8), and the letter stated that they had to request a hearing by 11/2/18 for children to continue to receive benefits. 10 days must be given before eligibility change is made and appeals may be submitted within the 10 days requiring benefits to maintain until after the appeal is complete.

Corrective Action Needed: Please submit a statement of understanding that if a verified application has a decrease in benefits, 10 days will be given with appeal rights. [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>).

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](#) to help schools offer student meals every school day. Field trip meals must be charged to the student at the time of delivery of the reimbursable meal. If students do not come to cafeteria to pick up field trip meals, they must be checked off as the student receives the meal.

Findings and Corrective Action Needed: Meal Counting and Claiming

- ❑ **Finding #1:** The Breakfast in the Classroom had the milk out in the hall for students to take before entering the classroom while all other items were in the classroom. All items must be offered in the classroom before the Point of Service. One classroom had a substitute teacher and the students were not checked off when breakfast was taken, and another classroom teacher let students touch their name on the screen to document that they were taking breakfast. An adult must be checking students off or entering them into the POS as the student receives the meal, and checking to see if the student has taken a reimbursable meal. These all constitute an inaccurate Point of Service (POS) and require fiscal recalculation from the beginning of the 18-19 school year.

Corrective Action Needed: Please correct the breakfast point of service and submit 30 days of clean counts to complete fiscal recalculation for the breakfast meals served since the beginning of the 18-19 school year through March 2019.

2. MEAL PATTERN AND NUTRITIONAL QUALITY

Commendations:

Thank you to the staff of New Lisbon School District for their time and cooperation during the Administrative Review. Thank you to the Food Service Director for providing documentation prior to the on-site review and working hard to implement the Child and Adult Care Food Program (CACFP) meal pattern for pre-K students eat meals in the classroom. The kitchen and storage areas are very clean and organized. Thank you for your hard work and dedication to your School Nutrition Programs!

Technical Assistance:

Child and Adult Care Food Program (CACFP) Meal Pattern

Because pre-K students are not co-mingled, eating in the same place at the same time as the K-5 or K-8 students, the 3-5 year old [CACFP meal pattern](https://fns-prod.azureedge.net/sites/default/files/cacfp/CACFP_childmealpattern.pdf) must be followed for both breakfast and lunch (https://fns-prod.azureedge.net/sites/default/files/cacfp/CACFP_childmealpattern.pdf). For more information about serving pre-K students, the [Infants and Preschool in NSLP and SBP](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/infants-and-preschool) webpage contains many resources (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/infants-and-preschool>). Please pay special attention to the Resources and Handouts section of the webpage for more information on cereal and yogurt sugar limits and how to determine if your product is compliant.

USDA Food Buying Guide

The [USDA Food Buying Guide for Child Nutrition Programs](https://www.fns.usda.gov/tn/food-buying-guide-for-child-nutrition-programs) contains yield and crediting information for foods with a standard of identity (in large part, unprocessed foods) (<https://www.fns.usda.gov/tn/food-buying-guide-for-child-nutrition-programs>). Fruits, vegetables, and unprocessed grains, meat/meat alternates, and dairy can be credited using the Food Buying Guide (FBG). After logging into the Web-based Interactive FBG, click on “food items search” and type in a specific food in the “keywords” search box. Many different options may appear. Find the one that exactly matches your product and click on it for more information (e.g. *Peaches, canned, diced, light syrup pack*). After clicking, you will be able to view the purchase unit, servings per purchase unit of the Edible Portion (EP), serving size per meal contribution, purchase units for 100 servings, and any additional information about the product.

Most fruits and vegetables credit by volume served (e.g., ½ cup peaches, drained will credit ½ cup fruit) and the FBG will note if the crediting is different based on volume served (e.g. one medium banana credits ½ cup fruit). Most meat/meat alternates and grains credit by weight (e.g. 2.00 ounces of cooked, plain chicken breast credit 2.00 ounce equivalent (oz eq) meat/meat alternate; 1 ounce brown rice credits 1.0 oz eq grain). If the product is not listed in the FBG, additional crediting documentation is required.

Child Nutrition (CN) Labels

A complete CN label includes the following: CN logo, product name, ingredient statement, and inspection legend. It is important to save actual CN labels from product packaging that includes these four things. Currently, only the CN logo is being kept for documentation. Moving forward, please ensure a complete CN label is kept on file.

CN labels with the watermark, "COPY NOT FOR DOCUMENTING FEDERAL MEAL REQUIREMENTS" are not considered valid crediting documentation. Moving forward, please keep a copy of the actual, complete CN label on file.

Standardized Recipes

Standardized recipes are required for all menu items that have more than one ingredient. A standardized recipe is also required for any menu items in which the recipe is listed on the packaging. All standardized recipes must include detailed information about the specific ingredients, equipment, and procedures used to prepare the recipes. A standardized recipe has been tried, tested, evaluated, and adapted for use by your foodservice operation. It produces a consistent quality and yield every time when the exact procedures, equipment, and ingredients are used, which is crucial for crediting school food service recipes. Recipes should be standardized in each production kitchen to reflect the products and practices that are used in that kitchen.

This same process must be done to standardize quantity recipes from cookbooks, websites, etc., especially when substitutions are made. Instructions for standardizing recipes and recipe templates can be found on the [Standardized Recipes](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/recipes) webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/recipes>).

Dietary Specifications

For the grab and go breakfast, the maximum oz eq of weekly grain (including meat/meat alternate contributing to the grain component) offered exceeded the maximum guidelines for the week of review, January 7-11, 2019. The maximum amount of grain offered was 20.75 oz eq and the minimum amount of grain offered was 19.75 oz eq. The weekly maximum guideline is 10.00 oz eq grain and the weekly minimum amount of grain required is 9.00 oz eq grain for the K-12 breakfast meal pattern. While maximums are not currently being enforced, the maximums are in place as a guideline for dietary specifications. If schools meet the minimum weekly requirements for grain and do not exceed the maximum requirements, dietary specifications should be within the guidelines for K-12 students provided on the [Breakfast Meal Pattern Table](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/breakfast-meal-pattern-table.pdf) (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/breakfast-meal-pattern-table.pdf>).

Breakfast Signage

Under OVS for the breakfast meal pattern, four food items must be offered, but only three food items, one of which is ½ cup fruit, vegetable, or combination, must be selected in order for the meal to be reimbursable. A food item is defined as 8 fluid ounces (fl oz) of milk; ½ cup of fruit (or ½ cup of vegetable can be substituted for fruit) and 1.00 oz eq of grain (or 1.00 oz eq of meat/meat alternate can be substituted for grain, after 1.00 oz eq of grain has been offered for the day).

All items offered as part of the reimbursable meal should be included on breakfast signage. Breakfast signage is an excellent way to communicate to students what they are able to select as part of the reimbursable meal. Technical assistance was provided onsite to the Food Service Director of how to properly fill in breakfast signage.

While breakfast signage is not required for breakfast in the classroom, it is recommended. Printable OVS breakfast signage can be found on the DPI SNT [Signage](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/signage) webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/signage>).

Garden Bar Signage

New Lisbon School District offers a colorful, fresh garden bar to students daily. However, students do not know what the planned portion size is for certain foods on the garden bar due to lack of portioning utensils. Tongs are used for all items on the garden bar. If a portioning utensil cannot be used to serve certain garden bar items, signage indicating the planned portion size can be helpful.

Consider adding signage with pictures of what the planned portion size of fruits and vegetables looks like. Examples of more signage and printable signage can be found on DPI SNT's [Signage](#) webpage under the Salad Bar Signage heading (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/signage>).

Findings and Corrective Action Needed for Meal Pattern and Nutritional Quality:

❑ **Finding #1:** Currently, there is not a breakfast production record for pre-K-5 breakfast in the classroom. Instead, there is a production sheet that lists the planned and served number of breakfasts. This production sheet does not contain all of the [Production Record Requirements](#) (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/production-record-requirements.pdf>).

Technical assistance was provided to the Food Service Director while onsite and the Public Health Nutritionist assisted the Food Service Director with how to fill in the [Breakfast-Two Grade Groups](#) production record for pre-K-5 breakfast in the classroom and 6-12 grab and go breakfast (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/xls/production-record-breakfast-two-grade-groups.xlsx>).

On lunch production records, leftovers were not written down. Moving forward, record the number of leftovers. Leftovers are required to be recorded. On garden bar production records, there is not a planned serving size. Please indicate the planned serving size of each garden bar item on the production record. While there is not a required garden bar production record template, there is one available on the DPI SNT [Production Record](#) webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/production-records>).

Additionally, it is important to be specific on production records. When writing in the menu item offered, be specific about the product. Instead of writing "juice" write "apple juice." For the planned serving size, be specific about the actual portion size each student will receive. Instead of writing in "1" for the planned portion size for each item, write "1 each" for pre-packaged items, the spoodle or scoop size for fruits and vegetables, etc. Fruit sizes (e.g. case count) should also be recorded.

Corrective Action Needed: Submit one week of completed breakfast production records after a service week with the updated production record for breakfast in the classroom for pre-K-5 students.

❑ **Finding #2:** Documentation provided for the week of review demonstrated a daily grain shortage on Wednesday at breakfast due to the Combo Bar offered during grab and go breakfast. The Combo Bar CN label indicates that one bar credits as 1.00 oz eq meat/meat alternate and 0.25 oz eq grain. At breakfast, 1.00 oz eq of grain must be offered before meat/meat alternate can contribute to the grain component. Therefore, the Combo Bar is unable to be credited because 1.00 oz eq of grain was not offered with it.

Corrective Action Needed: Submit a statement explaining how the K-12 breakfast daily 1.00 oz eq grain requirement for the week of review will be met and your plan for ensuring it will be met for future

service weeks. Please include respective portion sizes, labels, recipes, and crediting documentation, if applicable. Also submit a statement indicating understanding that 1.00 oz eq grain must be offered before meat/meat alternate can contribute to the grain component at breakfast.

Please note, repeat violations of a daily grain shortage during subsequent Administrative Reviews may result in fiscal action.

☐ **Finding #3:** Documentation provided for the week of review demonstrated a daily fruit shortage on Tuesday, Wednesday, Thursday, and Friday, which also lead to a weekly fruit shortage at breakfast for K-5 breakfast in the classroom.

On Tuesday-Thursday, a 4.00 ounce (oz) applesauce cup and another ½ cup fruit was offered to students. When packaged by weight, 4.00 oz of applesauce does not equal 4.00 fl oz, or ½ cup, fruit. Instead, it credits as 3/8 cup. Therefore, only 7/8 cup of fruit was offered at breakfast on Tuesday-Thursday. On Friday, a 2.50 oz bag of three orange slices was offered to students with ½ cup of fruit. The 2.50 oz of orange slices credit as ¼ cup fruit. Therefore, only ¾ cup of fruit was offered at breakfast on Friday. The K-5 breakfast daily fruit requirement is 1 cup. Over the course of the week, 4 3/8 cup of fruit was offered to students. The K-5 breakfast weekly fruit requirement is 5 cups.

A 4.00 oz applesauce cup must be paired with another fruit to satisfy the required ½ cup fruit and/or vegetable requirement for a reimbursable meal. If you want one applesauce cup to meet the ½ cup fruit requirement, find applesauce cups that are at least 4.50 ounces by weight, such as the 4.50 ounce applesauce cup offered by USDA. A full orange credits as ½ cup of fruit. One full orange in a 138 case count credits as ½ cup fruit.

Corrective Action Needed: Submit a statement explaining how the K-5 breakfast daily and weekly fruit requirement for the week of review will be met and your plan for ensuring the minimum fruit requirement is met for future service weeks. Please include respective portion sizes, labels, recipes, and crediting documentation, if applicable.

Please note, repeat violations of a daily and/or weekly fruit shortage during subsequent Administrative Reviews may result in fiscal action.

☐ **Finding #4:** The Food Service Director indicated that the planned portion size for fruits and vegetables that are **not** on the Harvest Bar are ½ cup or ¼ cup. Prior to lunch service on the day of review, the Food Service Director explained that 3 oz spoodles are used to serve these fruits and vegetables because there were complaints that a 4 oz spoodle is too much.

On the day of review, the Public Health Nutritionist suggested adjusting the spoodles to 4 oz spoodles for peaches and corn and a 2 oz spoodle for refried beans because these are the planned portion sizes and what the menu planner intended. Additionally, if a student did not select fruit or vegetables from the Harvest Bar, ½ cup of fruit, vegetable, or combination would need to be selected in order for the meal to be reimbursable. If a student only wanted to select one of the fruit or vegetable options with a 3 oz spoodle, the ½ cup requirement would not be fulfilled and the meal would not be reimbursable.

During lunch service, many students did not select fruit or vegetable from the Harvest Bar and only selected one of the fruit or vegetable options from the service line. If 3 oz spoodles had been used during service, all of the students who selected only one fruit or vegetable option from the service line would not have had a reimbursable meal.

Based on this misunderstanding, there appears to be confusion about Offer versus Serve (OVS) and OVS requirements. It is evident that students have not been selecting reimbursable meals. Even though technical assistance was provided onsite, additional OVS training is required. The [Offer Versus Serve Guidance Manual](#) and [Offer Versus Serve webcasts](#) (Offer versus Serve and Offer versus Serve - Meal or No Meal Lesson and Game) can be used as training resources (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/offer-versus-serve-guidance-manual.pdf>, <https://dpi.wi.gov/school-nutrition/training/webcasts#ovs>).

Corrective Action Needed: Submit a statement explaining how OVS training plans to be conducted for school nutrition professionals and point of service staff. Submit a signed training roster after training has been completed.

❑ **Finding #5:** As explained in **Finding #1** in the **Counting and Claiming** section of this Administrative Review report, there was not an accurate point of service for breakfast in the classroom. Based on this finding, breakfast OVS training is required for all teachers and substitute teachers conducting breakfast in the classroom. Please see **Finding #4** for OVS training resources that can be used.

Corrective Action Needed: Submit a statement explaining how OVS training plans to be conducted for teachers and substitute teachers conducting breakfast in the classroom. Submit a signed training roster after the training has been completed.

❑ **Finding #6:** Prior to the on-site review, it was determined that pre-K students are not co-mingled with K-5 or K-8 students at breakfast and lunch. Technical assistance was provided to the Food Service Director on the CACFP meal pattern. The Food Service Director implemented the CACFP meal pattern prior to the on-site review. The CACFP meal pattern is being implemented properly. Please see the **Technical Assistance** section for more CACFP meal pattern resources.

Corrective Action Needed: *Corrected prior to the on-site review. No further corrective action needed.*

3. RESOURCE MANAGEMENT

Nonprofit School Food Service Account

Commendations/Comments/Technical Assistance/Compliance Reminders

Annual Financial Report (AFR):

- All revenues and expenses including food, labor, equipment, purchased services, and other need to be entered into the program to which they belong. The [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>).

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](#) may be found our Financial Management webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/financial>).

Unpaid Meal Charge Policy

- USDA Policy Memorandum SP 46-2016 requires all SFAs operating federal school meal programs, by July 1, 2017, to have a written and clearly communicated policy that addresses unpaid meal charges. For a snap-shot on what the policy must include, see the [Unpaid Meal Charges In a](#)

["Nutshell"](http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/unpaid-meal-charges-nutshell.pdf) (<http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/unpaid-meal-charges-nutshell.pdf>). For a more comprehensive overview, see SP 23-2017: [Unpaid Meal Charges Guidance](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>

Findings and Corrective Action Needed: Nonprofit School Food Service Account

- ❑ **Finding #1:** The district's written unpaid meal charge policy states an alternate meal will be given at no charge if the balance falls below -\$35.00. These meals are not being tracked and transfer made from nonfederal funds to cover the cost of these meals.

Corrective Action Needed: Submit a tracking form with process to reimburse food service for these unpaid meal charges. **Completed on site, no further action required.**

Revenue from Nonprogram Foods

Commendations/Comments/Technical Assistance/Compliance Reminders

- Nonprogram foods include: Adult Meals, A la Carte, Extra Entrees, Extra Milk (for cold lunch or milk break), Vended Meals (meals sold to other agencies), Catered Meals, and Food Service operated Vending Machines.
- All nonprogram food costs including food, labor, equipment, and purchased services must be covered by revenues received from the sale of those foods. Nonprogram foods may not be supported by reimbursable meals or have a nonprogram foods loss absorbed by the food service account. Thus nonprogram foods may never run in the negative unless non-federal funds are transferred into the food service fund to cover the deficit.
- The USDA Nonprogram Revenue Tool must be completed yearly, at a minimum. The [DPI Nonprogram Food Revenue Tool/Calculator](#) located on our website feeds into the USDA tool and aids in calculating prices of nonprogram foods and meeting the USDA nonprogram food regulation (<http://dpi.wi.gov/sites/default/files/imce/school-nutrition/xls/non-program-food-price-calculator.xlsx>).

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.

Processes for complaints

- All SFAs should have procedures in place for handling civil rights complaints in regards to discrimination in the National School Lunch Program and School Breakfast Program. A SFA may always attempt to resolve a situation that is occurring in real time. However, if an individual states that they wish to file a civil rights complaint, the SFA must provide them with the information necessary to do so and not impede an individual's right to file. Please refer to the [USDA Program](#)

[Discrimination Complaint Form](https://www.ocio.usda.gov/sites/default/files/docs/2012/Complain_combined_6_8_12.pdf) for assistance in filing these complaints
https://www.ocio.usda.gov/sites/default/files/docs/2012/Complain_combined_6_8_12.pdf.

- All verbal or written civil rights complaints regarding the school nutrition programs that are filed with the district must be forwarded to DPI Food and Nutrition Service within 5 days. You will want to make sure that this is included in the district procedures to ensure compliance.

Findings and Corrective Action Needed: Civil Rights

- ❑ **Finding #2:** The USDA nondiscrimination statement on menu is the incorrect statement.
Corrective Action Needed: Please update the nondiscrimination statement on the menu and submit the March menu as corrective action.

Local Wellness Policy

Comments/Technical Assistance/Compliance Reminders

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). Wisconsin Team Nutrition has several [wellness policy resources](#) available, including a toolkit, a wellness policy builder, and wellness policy report card (<http://dpi.wi.gov/school-nutrition/wellness-policy>).

Findings and Corrective Action Needed: Wellness Policy

- Finding #1:** SFA LWP does not identify the official responsible for oversight of the LWP to ensure school compliance.

Corrective Action Required: Please provide a timeline for updating the above items in your policy to become compliant with the final rule.

Smart Snacks

Compliance Reminders:

Final Rule

The Smart Snacks Final Rule, published in the Federal Register on July 29, 2016, finalized science-based nutrition guidelines for competitive foods sold on the school campus during the school day. Foods and beverages sold in schools must meet both the general standards and nutrient standards unless the sales qualify for an exemption. The school day is defined as midnight until 30 minutes after the instructional day. More information can be found on the DPI SNT [Smart Snacks](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks) webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks>).

Technical Assistance:

Beverages

If multiple grades have access to vending machines with beverages, products must meet Smart Snacks standards for the youngest age/grade group. For example, if a vending machine with beverages is available to K-12th graders, beverages must meet Smart Snacks standards for elementary students; therefore, items like caffeinated beverages, low-calorie (≤ 5 kcal/fl oz) flat or carbonated beverages, or no-calorie (< 5 kcal/8 fl oz; ≤ 10 kcal/20 fl oz) flat or carbonated beverages are not allowable. More information on beverage and food standards can be found in the DPI SNT [Smart Snacks in a Nutshell](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/smart-snacks-in-a-nutshell.pdf) handout (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/smart-snacks-in-a-nutshell.pdf>).

Findings and Corrective Action Needed for Smart Snacks:

- Finding #1:** At New Lisbon Elementary School, it was reported that ICEEs are sold two times in winter months and Homecoming and Valentine's Day cookies are sold one day and given out later. The ICEEs and cookies may be considered exempt fundraisers, since they do not meet the Smart Snacks standards and meet the exempt fundraiser guidelines.

The state of Wisconsin allows two fundraiser exemptions per student organization per school per school year, not to exceed two **consecutive** weeks each. All exempt fundraisers are required to be documented. Templates, such as the Exempt Fundraiser Tracking Tool, are available on the [Smart Snacks](#) webpage, under the resources heading.

Corrective Action Needed: Submit a statement indicating what position will be in charge of keeping track of fundraisers and how they will be tracked.

- Finding #2:** New Lisbon School District has a pre-K-12 building. There are different areas of the building for different grade levels. In the elementary area of the school, there is a beverage vending

machine that is available during the school day that contains plain and flavored water. Flavored water is not an allowable beverage for elementary students because it is a no-calorie beverage. The only beverages that are allowable for elementary students are plain water (all sizes, low-fat or fat-free flavored or unflavored milk (≤ 8 fl oz), or 100 percent juice that can be diluted with water, flat or carbonated (≤ 8 fl oz).

Corrective Action Needed: Submit a statement detailing New Lisbon Elementary School's action plan and timeline for bringing this beverage vending machine into compliance with the Smart Snacks regulations.

□ **Finding #3:** There are beverage vending machines in the common area of New Lisbon High School that are available during the school day. It was reported that these vending machines are able to be accessed by students who are not in high school when they go to the band room during the school day.

All flavors of the 20 fl oz Gatorades and all flavors of the 18.5 fl oz Pure Leaf Brewed Teas are non-compliant with Smart Snacks standards because they are greater than five calories per fl oz. However, all beverages, except for plain water, are considered non-compliant in the vending machines, if the vending machines can be accessed by students who are not in high school during the school day.

Corrective Action Needed: Submit a statement detailing New Lisbon School District's action plan and timeline for regulating the vending machines and only allowing them to be accessed by high school students. Or submit a statement detailing the action plan and timeline for bringing these beverage vending machines into compliance with the Smart Snacks regulations for the youngest grades that have access.

Professional Standards

Commendations/Comments/Technical Assistance/Compliance Reminders

- Training is well monitored on a tracking tool.

Food Safety, Storage and Buy American

Commendations/Comments/Technical Assistance/Compliance Reminders

Time/Temperature Control for Safety (TCS) Food

- Milk and dairy products
- Shell eggs
- Meat (beef, pork, and lamb)
- Poultry
- Fish
- Shellfish and crustaceans
- Baked potatoes
- Heat-treated plant food, such as cooked rice, beans, and vegetables
- Tofu or other soy protein
- Sprouts and seed sprouts
- Sliced melons
- Cut tomatoes
- Cut leafy greens

- Untreated garlic-and-oil mixtures
- Synthetic ingredients, such as textured soy protein in meat alternatives

Time as Public Health Control

- When using “Time as a Public Health Control:”
 - The internal temperature must be at or below 41 degrees Fahrenheit (°F) at the beginning of the holding period for cold time/temperature control for safety (TCS) food.
 - TCS food can be held up to 6 hours at an internal temperature between 41°F and 70°F under monitored conditions. Provisions must be made to discard product if the 6 hour time limit is exceeded, the temperature of the cold TCS food rises above 70°F, or the food is removed from service.
 - Hot TCS foods can be held up to 4 hours at an internal temperature greater than 70°F. Provisions must be made to discard product if the 4 hour time limit is exceeded, the temperature of the hot TCS food falls to 70°F, or the food is removed from service.
 - **There can be no leftovers and no reuse of the items covered under this plan.** Thus, if any TCS food is held without mechanical refrigeration or heat during service, including TCS foods on garden bars, all leftover TCS food must be discarded.

Findings and Corrective Action: Food Safety

- ❑ **Finding #1:** Because cold items are held outside of mechanical refrigeration and hot items are held outside of mechanical heat, Time as a Public Health Control must be used.
Corrective Action Needed: Please develop a Time as a Public Health Control SOP <https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/sop-time-as-public-health-control.docx> and submit SOP via electronic attachment.
- ❑ **Finding #2:** Milk is not held in insulated milk bag for meals in the 4K classroom, and no temperature log is kept, which is required if milk is to be reused, and one student was served an expired milk.
Corrective Action Needed: Please develop a SOP for holding milk for classroom service and complete a temperature log for the month of March <https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/sop-milk-bag-temperature.docx>.

Buy American

Compliance Reminders:

The USDA requires that a 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, to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

Technical Assistance:

Non-Compliant Products Found Onsite

The following products identified in New Lisbon School District's storage did not have proper labeling to identify the country of origin:

- Brown rice- distributed
- Ranch dressing- manufactured
- Salad dressing- marketed
- Oregano- marketed
- Canned, diced tomatoes- made in
- Citrus cup (juice)- manufactured
- Muffins- distributed
- Tortillas- manufactured
- Shredded cheese- distributed

In USDA Memo SP 38 -2017, any product that does not identify the country of origin requires certification from the manufacturer or distributor. Work with your distributor to move toward compliance with these and similarly labeled products.

Achieving Buy American Compliance

- If no country of origin is identified on the label, the SFA must get certification from the distributor or supplier stating, "We certify that (insert product name) was processed in the U.S. and contains over 51 percent of its agricultural food component, by weight or volume, from the U.S." This can be accepted in an email.
- Labels should indicate if the product is grown, processed, and packaged in the continental U.S. or any U.S. Territory. If the label indicates that the 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 prior, written approval of the food service director, should be rejected. If non-domestic substitutes that were not pre-approved in writing by the food service director are 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 the manufacturer that poor market conditions exist (weather, and/or supply availability of market). This requirement applies to private labels.
- The SFA should maintain written procedures to ensure product received and inventory is compliant with the Buy American Provision procedures. Sample written procurement contract management procedures and Buy American monitoring procedures can be found in the Contract Management chapter of the [SNT Procurement Manual](https://dpi.wi.gov/school-nutrition/procurement/procurement-manual) (https://dpi.wi.gov/school-nutrition/procurement/procurement-manual). Additional Buy American monitoring procedures can be found on the [Buy American Provision](https://dpi.wi.gov/school-nutrition/procurement/buy-american) webpage (https://dpi.wi.gov/school-nutrition/procurement/buy-american).

Findings and Corrective Action Needed for Buy American:

❑ **Finding #1:** Granulated garlic was identified in New Lisbon School District's storage area as non-domestic from China. New Lisbon School District does not have Buy American – Non-compliant Lists or SFA equivalent form for these product.

Corrective Action Needed: Begin using Non-compliant Product List forms or SFA equivalent for tracking non-domestic products. Provide a copy of the completed form for the non-compliant granulated garlic as corrective action. The [template form](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/buy-american-noncompliantlist.docx) is located on the Buy American Provision webpage (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/buy-american-noncompliantlist.docx>).

5. OTHER FEDERAL PROGRAMS REVIEWS

Wisconsin School Day Milk Program

Commendations/Comments/Technical Assistance/Compliance Reminders

- Per the Agreement in the points, the SFA agrees to, number three states schools will serve Wisconsin-produced milk. Please check with your distributor to see if they can verify that and you may want to include that stipulation in your milk bid.

Carolyn Stanford Taylor, State Superintendent of Wisconsin Department of Public Instruction, shares a vision that every student will graduate prepared for college and career. Her 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](https://dpi.wi.gov/statesupt/agenda-2017) webpage (dpi.wi.gov/statesupt/agenda-2017).



With School Nutrition Programs!