

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

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**School Food Authority: Spencer School District**

**Agency Code: 37-5467**

**School(s) Reviewed: Spencer Middle School/High School**

**Review Date(s): April 8 - 9, 2019**

**Date of Exit Conference: April 9, 2019**

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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. Courses cover many areas of the school nutrition programs including administrative responsibilities, program basics, meal pattern requirements and menu planning, financial management, meal benefit determination process, 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](http://dpi.wi.gov/school-nutrition/training)).
- Travel/meal expenses are allowable food service expenses. Information on upcoming trainings can be found on DPI's [Training](https://dpi.wi.gov/school-nutrition/training#up) webpage, under Upcoming Trainings (<https://dpi.wi.gov/school-nutrition/training#up>). Numerous webcasts are also available, which cover a wide array of topics. These can be found on DPI's [SNT Webcasts](https://dpi.wi.gov/school-nutrition/training/webcasts) webpage (<https://dpi.wi.gov/school-nutrition/training/webcasts>).
- The US Department of Agriculture (USDA) has a toolkit of resources to assist schools in meeting the nutrition standards on their [Healthier School Day: The School Day Just Got Healthier](http://www.fns.USDA.gov/healthierschoolday) webpage. The topics covered include Smart Snacks, offering fruits and vegetables, reducing sodium, and serving whole grain-rich products (<http://www.fns.USDA.gov/healthierschoolday>).
- [The Smarter Lunchrooms Movement](http://smarterlunchrooms.org) encourages schools to implement low-cost and no-cost lunchroom solutions to help students select healthier meal options (<http://smarterlunchrooms.org>). Smarter Lunchroom techniques are easy to begin implementing and help encourage student consumption of fruits, vegetables, legumes, non-flavored milk, and other healthful choices. These strategies are effective and research-based. Consider trying the Smarter Lunchroom techniques for increasing consumption of white milk.

**Appreciation/Commendations/Noteworthy Initiatives:**

Thank you to the staff at Spencer School District for the courtesies extended to us during the on-site review and for being available to answer questions and provide additional information. This Administrative Review was rescheduled for two months later than the original date; thank you for that

flexibility. 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 many records for the on-site portion of the review.

The DPI review team appreciates the eagerness of the staff at Spencer School District for their willingness to make changes to meet school nutrition program regulations. Elementary and Middle/High School sites are located in the same serving area and point of service cashier, so all staff are working for all students. Thank you for the professional knowledge in meal production, customer service and point of service. It appears the staff is concerned for the nutritional well-being of their students as evidenced through food safety, menu choices and signage, customer service, school nutrition training, local wellness policy and serving area/kitchen cleanliness. We were impressed during meal service that students had access to many fresh fruits and vegetables and were able to take what they chose to eat. This is a very busy kitchen creating meals and serving students in a pleasant atmosphere.

Many of the Spencer School District school nutrition staff are completing trainings towards a 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, or 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](http://dpi.wi.gov/school-nutrition/training/goal-oriented-achievement-learning-skills)). Thank you for your commitment to well-trained professionals in our schools. The entire kitchen staff is certified in ServSafe, a food safety course and exam.

The DPI review team is confident that Spencer School District will continue to improve their knowledge and operation of child nutrition programs.

## REVIEW AREAS

### 1. MEAL ACCESS AND REIMBURSEMENT

#### **CERTIFICATION AND BENEFIT ISSUANCE**

##### **Commendations/Comments/Technical Assistance (TA)/Compliance Reminders**

- One hundred fifty-four eligibility determinations were reviewed, with four errors identified.
- Thank you for using the DPI prototype letters with the current non-discrimination statement.
- Applications are reviewed in a timely manner; usually within one day. An eligibility determination must be made, the family notified of its status, and the status implemented within 10 operating days of the receipt of the application.
- Thank you for correctly processing applications with only one frequency of payment indicated for all of their reported incomes on the application, as the income should not be converted to monthly or annual.
- The determining officials writes notes on the application when they call the household for clarification.

##### **Free and Reduced Price Meal Applications**

- All free/reduced applications and the direct certification runs were available for review.
- When a household has income in addition to a loss from a business, that income must be included on the free and reduced application in full and is not offset by the business loss. A business loss (negative dollar amount) would become \$0 for the income on the application.

- (TA) To aid in processing or verifying applications which list annual income, please reference the [example Self-employment tax return forms](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/example-1040-tax-form-1819.docx) (https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/example-1040-tax-form-1819.docx). Any negative income on lines 12 or 18 of the US Tax Form 1040 is viewed as \$0 income for our Child Nutrition Programs.
- (TA) The determining official must determine, sign and date all applications as processed. The date of the parent notification letter is not a reliable date of meal eligibility. The two determining officials were found to be inconsistent in their signing.

#### Income Eligibility Guidelines

- The current [Income Eligibility Guidelines](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/income-eligibility-guidelines-1819.pdf) (IEGs) are used to determine applications, whether manually or electronically. If done through software, please check that the income levels are updated each year after July 1 (https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/income-eligibility-guidelines-1819.pdf).
- The complete IEG grid may not be sent to the households applying for meal benefits as they include the specific income amounts for free or reduced benefits. Therefore, the Public Release may not be sent to households, either. The information letter must include the reduced price guidelines and an explanation that households with incomes at or below the reduced price income limit may be eligible for free or reduced price meals. Typically, the information letter is the USDA template entitled [Letter to Parents/Frequently Asked Questions](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/free-reduced-app-parent-letter-faq-1819.docx) (https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/free-reduced-app-parent-letter-faq-1819.docx).

#### Household Size Box

- The total household member size box (Step 3G) includes all children and adults in the household and must match the number of names on the application for that application to be considered complete.

#### Public Release

- All SFAs are required to distribute a [Public Release](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/free-reduced-applications#apps) before the start of the school year (https://dpi.wi.gov/school-nutrition/national-school-lunch-program/free-reduced-applications#apps). The purpose is to inform the public that free and reduced price meals and free milk are available. SFAs must annually distribute the Public Release to:
  - Local news media
  - Grassroots organizations (local organizations providing services to populations in need)
  - Major employers contemplating or experiencing large layoffs
  - Local Unemployment Office (as applicable)
- SFAs are not required to pay to have the public release published but must maintain documentation of whom it was sent to along with the specific materials distributed.

#### Limited English Proficiency (LEP)

- Application materials and other communications with households concerning eligibility determinations must be provided in a language that parents or guardians can understand in order to diminish any language barriers to participation for individuals with limited English proficiency.
- SFAs must make reasonable efforts to provide household letters and application forms to families in the appropriate languages.
- To assist SFAs in reaching households with limited English proficiency, the SNT provides the Wisconsinized version of the USDA Free and Reduced Price Meal application materials in English, Spanish, and Hmong.

- The USDA Food and Nutrition Service (FNS) website offers many other [foreign language translations of the Application for Free and Reduced Price School Meals](https://www.fns.usda.gov/school-meals/translated-applications) (https://www.fns.usda.gov/school-meals/translated-applications).
- The nonprofit food service account may be used to pay for translation services if there is a need to translate materials in a language that is not currently available.

#### Direct Certification

- Thank you for running direct certification the required minimum three times a year: at or near the beginning of the school year, three months after the initial run and six months after the initial run.
- (TA) It is recommended to run DC more often to attempt matching newly enrolled students and other times to pick up any newly eligible students.
- The effective eligibility date for a DC eligible student is the date of the original output file.

#### Transferring Students

- Transferring the eligibility determination between LEAs ensures that qualifying students continue to receive school meal benefits as they transition to new schools, and avoids the possibility of unpaid meal charges. FNS strongly encourages LEAs to immediately accept the eligibility determinations made at a student's previous LEA (if they participated in NSLP) when a student transfers between LEAs during the school year, over the summer, or at the start of the next school year. Wisconsin DPI requires source documentation of the student's previous eligibility. The transfer of eligibility between LEAs for students attending CEP schools will be required by July 1, 2019.

#### Disclosure

- The information provided by the family on the free and reduced price application is to be used only for determining eligibility for meal or milk benefits.
- The LEA must seek written consent from the parent or guardian to use the information provided on the application or through direct certification for non-program purposes, such as athletic or testing fee waivers, registration fee waiver, school fees, etc. Consent must be obtained each school year. Find the [Sharing Information with Other Programs](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/sharing-info-other-programs.doc) template on the Free and Reduced Meal Applications and Eligibility webpage (https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/sharing-info-other-programs.doc).
- For anyone receiving eligibility information to approve students for non-food service program benefits after parental consent is received, the *Disclosure Agreement* form should be signed and on file at the district. A template [Disclosure of Free and Reduced Price Information](http://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/disclosure-agreement.docx) form is located on the SNT website (http://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/disclosure-agreement.docx).

### **VERIFICATION**

#### **Commendations/Comments/Technical Assistance (TA)/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 or complete the verification tracker form.
- 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.

## **MEAL COUNTING AND CLAIMING**

### **Commendations/Comments/Technical Assistance (TA)/Compliance Reminders**

- Thank you for using the Edit Check for your reimbursable meals by site for claim submission.
- The meal counting and claim for the Review Month was conducted perfectly.
- Meals must be offered to all students each day school is in session a full day, so 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 (https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning).
- Please note that SFAs may claim visiting students in the paid category or the individual's category with documentation, unless they are from a CEP school.
- REMINDER: Meal benefits apply only to the reimbursable meal. The reimbursable meal includes milk as one of the required components, and must be priced as a unit. If the student decides to take only milk, this is not a reimbursable meal and will be charged for the milk as an a la carte item.

## **2. MEAL PATTERN AND NUTRITIONAL QUALITY**

### **Commendations:**

Thank you to the staff of Spencer School District for their flexibility, time, cooperation, and warm welcome during the Administrative Review. Thank you to the Food Service Director for providing documentation prior to the on-site review and answering all questions. The school nutrition professionals are friendly and work well together and with the students. There is a great variety of fruits and vegetables available to students daily. Spencer School District tries to implement farm to school practices as much as possible, which is an excellent addition to the programs. The Food Service Director incorporates nutrition education into the Afterschool Snack Program, which is another great practice. Thank you for your hard work and dedication to your School Nutrition Programs!

### **Technical Assistance:**

#### *Age/Grade Groups*

The age/grade groups served at Spencer Middle High School are 6-12. The portion sizes served to 6-12 students for grain and meat/meat alternate are the same. However, it is evident that a 6-8 and 9-12 meal pattern are trying to be followed due to the differences in portion sizes for hot vegetables. As a reminder, there is no overlap in dietary specifications (calories, saturated fat, and sodium) for students in grades 6-8 and those in grades 9-12. This means 6-8 and 9-12 menus should differ.

For example, on chicken nugget day, the chicken nuggets credit as 2.00 oz equivalent (oz eq) meat/meat alternate and 1.00 oz eq grain and the slice of bread credits as 1.00 oz eq grain. This meets daily requirements for 6-8 students, so 6-8 students do not need the slice of bread in order to be compliant with the daily meal pattern requirements. However, 9-12 students need the slice of bread in order to meet their daily grain requirement. Therefore, the bread slice could be menued only for 9-12 students, instead of 6-12 students. Making small changes, such as this one, can help the dietary specifications not be exceeded for 6-8 students. Please ensure the daily and weekly requirements are met for each age/grade group.

#### *Menu Planning Worksheets*

Menus must be planned to meet meal pattern requirements. To assist with this process, use menu planning worksheets for the appropriate age/grade group are located on [NSLP Menu Planning](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning#menuplanningtools) webpage under Menu Planning Worksheets (https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning#menuplanningtools). Instructions for using this tool and the link to breakfast menu planning worksheets are also available on this webpage.

### *Weight versus Volume*

As a reminder, there is a difference between weight (ounces) and volume (fluid ounces). The fact that spoodles, which are used to measure volume, are often referred to as a “4 oz spoodle” for example, makes this somewhat confusing. A 4 ounce (oz) or ½ cup spoodle is actually 4 fluid ounces (fl oz) rather than 4 oz by weight. This is an important distinction as the weight of the contents of the spoodle can vary significantly.

Meat/meat alternate and grain are credited by weight, not by fluid ounces. Spoodles measure fluid ounces, not ounces by weight, so it is not appropriate to use a 4 fluid ounce spoodle for an intended 4 ounce (by weight) serving of meat/meat alternate or grain. To ensure that students are receiving the adequate amount of meat/meat alternate or grain, weigh the meat/meat alternate or grain, then determine which scoop will hold that weight.

### *Garden Bar Signage*

Spencer School District offers a wide variety of fresh fruits and vegetables to students daily on the garden bar and service line. However, students do not know what the planned portion size is for choices due to lack of portioning utensils. Tongs are used for most items. If a portioning utensil cannot be used to serve certain fruits and vegetables, 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 the DPI SNT [Signage](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/signage) webpage under the Salad Bar Signage heading (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/signage>).

## **3. RESOURCE MANAGEMENT**

### **NONPROFIT SCHOOL FOOD SERVICE ACCOUNT**

#### **Commendations/Comments/Technical Assistance (TA)/Compliance Reminders**

- The consultant addressed financial topics with the School Nutrition Director including Child Nutrition Program report, Annual Financial Report, PLE and Non-Program Food Revenue Tool.

#### **Annual Financial Report (AFR)**

- 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 (Fund 50) or the general fund (Fund 10) 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 school food service fund may not have an ending fund balance in excess of 3 month operating expenses, as this is considered “Excess Cash Balance”.
- (TA) Equipment broken out on the AFR is considered major purchases of equipment according to your purchasing threshold. Utensils, pans, smaller equipment such as a cart, etc., should be reported under “Other”.
- (TA) These categories of the AFR that should be addressed when tracking revenues and expenditures include:



- Expenses for paper supplies, chemicals, thermometers, etc., should be reported under “Other”. Only expenses for edible food items and beverages should be reported under “Food”.
- “Equipment” should reflect major purchases of equipment according to your purchasing threshold. Utensils, pans, smaller equipment such as a cart, etc., should be reported under “Other”.
- Under “Purchases Services” report any time you pay someone for services provides such as equipment repair and health inspections.
- Under “nonprogram foods”, report the expenses for any food items served to students that are not claimed as part of the reimbursable meal. Revenues and expenses from adult meals, a la carte, and caterings would also be included here.
- When revenues are recorded from the federal reimbursement payments, 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 from shipping, handling and processing fees for USDA Foods. The amount deducted from your revenue should be reported as an NSLP food expenditure for private schools and a purchased service for public schools.
- (TA) At milk break, milks served to students in the paid category are treated like non-program foods in the revenue and expense lines of the Annual Financial Report. Milks served to students eligible for free or reduced price meals only, must be listed in the Wisconsin School Day Milk Program (WSDMP) line for revenue and expenses.

#### Allowable Costs

- The nonprofit school food service account is to be used for the operation of the school meal program including food, supplies, equipment and personnel.
- Allowable costs are defined in 2 CFR 200 Subpart E and should be necessary, reasonable and allocable. More information on allowable costs can be found within the [Indirect Costs guidance](http://dpi.wi.gov/school-nutrition/national-school-lunch-program/financial) (<http://dpi.wi.gov/school-nutrition/national-school-lunch-program/financial>).
- 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/school-nutrition/national-school-lunch-program/financial) may be found our Financial Management webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/financial>).

#### Unpaid Meal Charge Policy

- Spencer School District has Rule 762 – “School Meal Account Charges and Collections”.
- (TA) Include the complete Non-Discrimination Statement on the Unpaid Meal Charge Policy (762). This policy must be communicated to all families each school year.
- USDA Policy Memorandum SP 46-2016 requires all SFAs operating federal school meal programs 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>).
- Funds in student meal accounts are considered a liability until a meal is purchased. When the funds are left “unclaimed”, they cannot be used to offset another student’s negative account, unless *paid* households have *chosen to donate* those funds to the school food service account. All funds left in any student meal account which cannot be contacted must be turned over to the Wisconsin Department of Revenue (DOR) as unclaimed property. The DOR has rules concerning [unclaimed property](https://www.revenue.wi.gov/DOR%20Publications/pb82.pdf) that must be followed (<https://www.revenue.wi.gov/DOR%20Publications/pb82.pdf>).

## **PAID LUNCH EQUITY (PLE)**

### **Commendations/Comments/Technical Assistance (TA)/Compliance Reminders**

- Thank you for completing the Paid Lunch Equity in the past and receiving the exemption for SY 2018-19.

## **REVENUE FROM NONPROGRAM FOODS**

### **Commendations/Comments/Technical Assistance (TA)/Compliance Reminders**

- Nonprogram foods include: Adult Meals, A la Carte, Extra Entrees, Extra Milk (for cold lunch or milk break) and Catered events.
- (TA) All costs associated with nonprogram foods, 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.
- 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.
- (TA) 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>).

$$\frac{\textit{Nonprogram food revenue}}{\textit{Total program and nonprogram revenue}} \geq \frac{\textit{Total nonprogram food costs}}{\textit{Total program and nonprogram food costs}}$$

### **Adult Meals**

- Adult meals are considered non-program foods. Food service programs must price adult meals above the overall cost of the meals. Since adult meal costs can be difficult to calculate, SFAs must, at a minimum, follow the **minimum** pricing guidelines in Food Nutrition Services Instruction 782-5.
- A [Wisconsin Adult Meal Pricing Worksheet](#) has been developed to assist the SFA in pricing adult meals (<http://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/wisconsin-adult-meal-pricing-guide.doc>).
- Districts need to assess adult meal prices annually prior to contract submission to ensure student reimbursements are not being used to subsidize adult meals. The current reimbursement rates (2018-19 SY) should be used to determine adult prices.

### **Resources**

- [Nonprogram Foods Revenue Rule SP-20-2016](#) (<http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sp-20-2016.pdf>)
- [Nonprogram Foods In a "Nutshell"](#) (<http://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/nonprogram-foods-in-a-nutshell.pdf>)

## **INDIRECT COSTS**

### **Commendations/Comments/Technical Assistance (TA)/Compliance Reminders**

- DPI does not allow the annual assigned indirect cost rate to be applied to Fund 50 (Foodservice



account within WUFAR). For both public and private schools in Wisconsin, any costs assessed to foodservice must be based on documented and justifiable costs for each school building as they pertain to your school situation rather than an indirect cost rate. This may include utilities, rent, printing and mailing services, administrative oversight, etc.

- Allowable Expenditures assessed to the food service fund must be supported with documentation for items such as gas, electricity, waste removal, fuel, water, etc. for the school district. Examples of supporting documentation for costs assessed to food service fund could include:
  - Rent – consultation with knowledgeable resource person on appropriate charges per facility (i.e., local realty broker who has knowledge of current rates for rent of similar facilities).
  - Utility charges - separately metered or current usage study by the local utility company.
  - Labor expenditures - based on actual amount of time worked specifically for the purpose of school food service times the employee's wages and benefits.
  - Printing/publishing – documentation of actual costs or documentation to support how these costs were prorated from the district's total costs, based on volume.
  - Waste disposal services, extermination services, and laundry services - documentation of actual costs or documentation to support how these costs were prorated from the district's total.

#### 4. GENERAL PROGRAM COMPLIANCE

##### CIVIL RIGHTS

##### Commendations/Comments/Technical Assistance (TA)/Compliance Reminders

- “And Justice for All” posters were posted in public view where the program is offered.
- Civil rights training had been attended by all staff in the schools and documentation was available for review.
- The [Civil Rights Self-Evaluation Compliance](#) form (PI-1441) was completed, as annually required, by October 31 (<https://dpi.wi.gov/sites/default/files/imce/forms/doc/f1441.doc>).

##### Non-discrimination 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 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 or low balance notices, the abbreviated statement may be used, “**This institution is an equal opportunity provider.**” Either of these statements must be in the same size font as the other text in the document.
- (TA) Spencer School District school nutrition documents included the correct non-discrimination statement, except the district's Meal Charge Policy 762.

##### 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. SFAs may use the [prototype Medical Statement](#) for Special Dietary Needs posted on the DPI website, which is also available in Spanish and Hmong (<http://dpi.wi.gov/school-nutrition/national-school-lunch-program/special-dietary-needs>). Meals served to students with special dietary needs with the signed medical statement do not need to meet meal pattern requirements. Additional information on [special dietary needs](#) can be found on the DPI School Nutrition Team website ([9](http://dpi.wi.gov/school-nutrition/national-school-lunch-</a></li></ul></div><div data-bbox=)

program/special-dietary-needs). This [flow chart](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sdn-flowchart.pdf) gives guidance on special dietary needs, as well (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sdn-flowchart.pdf>)

- The school food service director may make food substitutions, at their discretion, to accommodate children without a signed medical statement from a licensed medical practitioner. It is highly recommended that the SFA have a completed medical statement on file from a medical authority (which could be the school nurse) to support the request. These accommodations made for students must meet the USDA meal pattern requirements in order for the meals to be reimbursable. It is recommended that the SFA develop a policy for handling these types of accommodations to ensure that requests are equitable for everyone.
- Fluid milk substitution rules apply to all federal school nutrition programs, including the National School Lunch Program, School Breakfast, and After School Snack Program, but do not apply to the Wisconsin School Day Milk Program. WSDMP allows juice as a milk substitution and is reimbursable. SFAs may offer lactose-free milk to children who have lactose intolerance without requiring DPI pre-approval for use.

#### Processes for complaints

- All verbal or written civil rights complaints alleging discrimination within the school nutrition programs that are filed with the district must be forwarded to the Civil Rights Division of USDA Food and Nutrition Service or the State Agency (DPI School Nutrition Team) within 5 days, per FNS Instruction 113-1 (Section XVII Section C, paragraph 2). You will want to make sure that this is included in the district procedures to ensure compliance.
- Additionally, per FNS Instruction 113-1, if an individual makes allegations of discrimination *orally* and “is not inclined to place such allegations in writing, the person to whom the allegations are made must write up the elements” of the allegation for said individual. (Note: The items which should be included in the write up are listed in FNS Instruction 113-1.) Such complaints should then be forwarded to the State or Regional office, as appropriate, within the established timeframes.
- All SFAs should have procedures (written procedures preferred) in place for handling civil rights complaints in regards to discrimination in the National School Lunch Program and School Breakfast Program. An 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](https://www.ocio.usda.gov/sites/default/files/docs/2012/Complain_combined_6_8_12.pdf)).

### **LOCAL WELLNESS POLICY**

#### **Commendations/Comments/Technical Assistance (TA)/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 2016-17 with full compliance of the final rule by June 30, 2017.
- (TA) 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 the SFA 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. 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>).
- (TA) 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).

### Resources:

- 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)).
- USDA Food and Nutrition Service has information on the [local school wellness policy](https://healthymeals.nal.usda.gov/school-wellness-resources) process and wellness policy elements (<https://healthymeals.nal.usda.gov/school-wellness-resources>).
- 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>).

### **SMART SNACKS IN SCHOOLS**

#### **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 6-12 graders, beverages must meet Smart Snacks standards for middle school students; therefore, items like caffeinated beverages, low-calorie ( $\leq 5$  kcal/fl oz) flat or carbonated beverages, or no-calorie ( $< 5$  kcal/8 fl oz;  $\leq 10$  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).

#### *Fundraisers*

During the on-site review, it was reported that the only fundraisers that occur are fundraisers where food is ordered and not to be consumed on the school campus. The Public Health Nutritionist spoke with the middle high school principal, elementary school principal, the Authorized Representative, and the Food Service Director about fundraisers.

The Wisconsin Department of Public Instruction (DPI) allows two fundraiser exemptions per student organization per school per school year, not to exceed two consecutive weeks each. An exempt fundraiser may sell foods and beverages that are not allowable under the Smart Snacks rule, but sales may not occur in the meal service area during meal service times. All exempt fundraisers must be documented. Templates, such as the Exempt Fundraiser Tracking Tool, are available on the [Smart Snacks](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks) webpage, under the resources heading (https://dpi.wi.gov/school-nutrition/national-school-lunch-program/smart-snacks).

The Smart Snacks Standards represent the minimum standards and the exemption policy represents the maximum exemptions allowed; school food authorities have the discretion to establish additional restrictions on competitive foods and further limit fundraiser exemptions through their Local School Wellness Policy if they are consistent with federal requirements.

## **PROFESSIONAL STANDARDS**

### **Commendations/Comments/Technical Assistance (TA)/Compliance Reminders**

- The Professional Standards regulations in 7 CFR 210.30 established hiring standards for new school nutrition program directors, hired on or after July 1, 2015, that manage and operate the National School Lunch and School Breakfast Programs. In addition, the regulations established annual training standards for all school nutrition program directors, managers, and staff which must be tracked.

### **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, substitute, 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](http://dpi.wi.gov/school-nutrition/training/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
- If hired January 1 or later, only half of the training hours are required during the first school year of employment.

#### **FOOD SAFETY AND STORAGE**

##### **Commendations/Comments/Technical Assistance (TA)/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)). The [Office of Food Safety](#) website ([www.fns.usda.gov/ofs/food-safety](http://www.fns.usda.gov/ofs/food-safety)) includes food safety resources.

##### Food Safety Inspections

- Every school operating USDA School Child Nutrition Programs must have two food safety inspections during each school year: including food safety inspection and a review of the site's Food Safety Plan.
- The most current food safety inspection report is posted in public view on a bulletin board in the serving area.

##### Food Safety Plans

- The Food Safety Plan was available for review. It was obvious in observing the food service staff 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.
- (TA) All schools must have a comprehensive, site-specific food safety plan on-site which includes all process 1, 2, and 3 items, all applicable standard operating procedures (SOP), all equipment, and a listing of food service staff at that site. The food safety plan must be reviewed annually. A prototype food safety plan template as well as template SOPs may be found on the [SNT Food Safety](#) webpage. (<https://dpi.wi.gov/school-nutrition/food-safety>)
- (TA) The site-specific food safety plan should include SOPs for all programs and procedures utilized at the site. Spencer School District should include SOPs from our [food safety webpage](#) to include (<https://dpi.wi.gov/school-nutrition/food-safety>):
  - [Time As a Public Health Control](#) (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/sop-time-as-public-health-control.docx>),
  - [Afterschool Snack Program](#) (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/afterschool-snack-sop.doc>) and
  - [Field Trip](#) process. ([https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/fieldtrip\\_may2014.docx](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/fieldtrip_may2014.docx)).
- The procedures detailed in the SOPs included in the site-specific food safety plan should be followed by all food service staff, student workers, volunteers, and any other people involved in the implementation of Child Nutrition Programs at all times.
- SFAs are required to update food safety programs based on Hazard Analysis Critical Control Point (HACCP) principles to cover any facility where food is stored, prepared, or served for the purposes of the NSLP, SBP, or other FNS programs. This means the food safety program should contain standard

operating procedures (SOP) for safe food handling on school buses, in hallways, school courtyards, kiosks, classrooms, or other locations outside the cafeteria.

- Thank you for maintaining a food safety plan which includes all process 1, 2, and 3 items, all applicable standard operating procedures (SOP), all equipment, and food service staff.

#### Food Employee Reporting Agreements

- All food service employees must have a signed [Food Employee Reporting Agreement](https://datcp.wi.gov/Documents/foodemployee-reporting-agreements-supplement.pdf) on file (<https://datcp.wi.gov/Documents/foodemployee-reporting-agreements-supplement.pdf>).
- Employees 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.

#### Storage

- SFAs are required to ensure that facilities for the handling, storage, and distribution of purchased and donated foods are properly safeguarded against theft, spoilage, and other loss (7 CFR 210.13(d)).
- The on-site and/or off-site storage areas were reviewed, including freezers, refrigerators, dry good storage rooms and other areas.

#### 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 during service, including TCS foods on garden bars, all leftover TCS food must be discarded.

#### 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 Spencer School District's storage did not have proper labeling to identify the country of origin:

- Baking powder- distributed
- Garlic food spray and pan release- distributed
- Teriyaki sauce- produced by
- Canned salsa- distributed
- Ranch- distributed
- Cinnamon- manufactured
- Canned applesauce- distributed
- Fruitables juice- distributed
- Canned garbanzo beans- TN
- Frozen sidekicks juice- OH
- Frozen bagels- NJ
- Pizza jammer sticks- NJ
- Shredded cheddar cheese- distributed
- Whipped cream- 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).

## **REPORTING AND RECORDKEEPING**

### **Commendations/Comments/Technical Assistance (TA)/Compliance Reminders**

- Thank you for completing the required USDA and DPI reports and maintaining the paperwork in an organized manner.
- This is a link to the current [Calendar of Requirements](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/calendar-of-requirements-general.pdf) for general type schools (https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/calendar-of-requirements-general.pdf).
- All free and reduced price applications, including applications from households denied benefits must be kept on file for a minimum of three years after the final claim is submitted for the fiscal year to which they pertain.

## **SCHOOL BREAKFAST PROGRAM (SBP) AND SUMMER FOOD SERVICE PROGRAM (SFSP)**

### **OUTREACH**

#### **Commendations/Comments/Technical Assistance (TA)/Compliance Reminders**

- At the beginning of the school year, the SFA must notify families of the availability of breakfast and schools should send reminders regarding the availability of the SBP multiple times throughout the school year.

#### **Breakfast Promotion**

- Parents play an important role in School Breakfast Program participation. A video was developed to help show parents the benefits that the School Breakfast Program provides for them and their children. This video along with a brochure can be found on our [Resources for the School Breakfast Program](https://dpi.wi.gov/school-nutrition/school-breakfast-program/resources) webpage, in the Marketing Breakfast section (https://dpi.wi.gov/school-nutrition/school-breakfast-program/resources).

#### **Summer Meals**

A goal of USDA Child Nutrition Programs is to ensure all students have access to healthy and nutritious meals year-round. Even though a summer feeding program is not operated at Spencer School District, USDA requires all SFAs to inform families of where their students can receive a free meal in the summer months. SFAs can inform families of summer meals via the following methods:

- Promotion of the [summer meals locator](https://dpi.wi.gov/community-nutrition/sfsp/find-summer-meals-site) on the DPI Summer Meals webpage (https://dpi.wi.gov/community-nutrition/sfsp/find-summer-meals-site)
- Promotion of calling 211 to locate meals in the area
- Promotion of the ability to text 'food' to 877-877 to locate meals in the area
- Promotion of the USDA [Summer Food](http://www.fns.usda.gov/summerfoodrocks) website (http://www.fns.usda.gov/summerfoodrocks)

#### **Resources:**

- To access an inclusive map of all potential participating sites in your area, see the [interactive map](http://www.fns.usda.gov/capacitybuilder) on the SFSP website (http://www.fns.usda.gov/capacitybuilder).
- For more information on Summer Feeding option contact:  
Amy J. Kolano, RD, CD, Summer Food Service Program Coordinator  
Phone: 608.266.7124; e-mail: amy.kolano@dpi.wi.gov

## 5. OTHER FEDERAL PROGRAMS REVIEWS

### AFTERSCHOOL SNACKS

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

- Each site participating in the Afterschool Snack Program had the required onsite monitoring review completed within the first four weeks of operation, and a second review within the school year. The review form to complete may be found on our [Afterschool Snack Program](http://dpi.wi.gov/school-nutrition/after-school) webpage (<http://dpi.wi.gov/school-nutrition/after-school>).
- The afterschool snack location in the afterschool care area (Rookie Rockets) maintains documentation supporting that reimbursable meals were provided to students, including production records with snack items and serving size. Menus are not required, but encouraged.
- Participating students are claimed by eligibility category (free, reduced, or paid) when a reimbursable snack is selected, even though households do not pay for the snack.
- Afterschool sites must provide educational or enrichment activities in an organized, structured, and supervised environment I observed educational activities geared for different age groups; i.e., motor skills: coloring, cutting paper and reading or homework help.

### WISCONSIN SCHOOL DAY MILK PROGRAM (WSDMP)

#### Commendations/Comments/Technical Assistance (TA)/Compliance Reminders

- Wisconsin School Day Milk Program requires the distribution of free milk to students eligible for free and reduced priced meals, but only for students in K-5<sup>th</sup> grade; Spencer serves PreK (4K) through 2<sup>nd</sup> grade in the afternoon.
- (TA) Only milks served to students eligible for free or reduced price meals may be claimed; milks served to students in the paid category are treated like non-program foods in the revenue and expense lines of the Annual Financial Report.
- (TA) Offer juice in 8 fluid ounce portions to any student who is not able to drink cow's milk. This is a different rule than with the National School Lunch Program or School Breakfast, where juice is not a substitute for milk.
- Per the Agreement for the WSDMP in the points the SFA agrees to, number 3 states that schools will serve Wisconsin-produced milk. Thank you for checking with Dean in De Pere for WI milk.

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## REVIEW AREAS

### 1. MEAL ACCESS AND REIMBURSEMENT

#### CERTIFICATION AND BENEFIT ISSUANCE

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

**Finding #01:** Two students (BIHU1 and BIJA2) in a household were listed with reduced meal benefits, but should have been receiving free meal /milk benefits. A student in the household was matched on a Direct Certification on January 14, 2019, but the determining official did not catch the increased benefit change.

**Corrective Action Required:** Correct the benefit issuance list and the point of service to provide the proper benefit to each household by sending the letter of increased benefits. **Corrected 3/28/19**

**☒ Finding #02:** Two students (GOGAYA1 and GOJA2) in a household were listed with reduced meal benefits, but should have been receiving free meal /milk benefits. A student in the household was matched on a Direct Certification on November 29, 2018, but the determining official did not catch the increased benefit change.

**Corrective Action Required:** Correct the benefit issuance list and the point of service to provide the proper benefit to each household by sending the letter of increased benefits. **Corrected 4/8/19**

## 2. MEAL PATTERN AND NUTRITIONAL QUALITY

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

**☐ Finding #1:** Breakfast and lunch production records did not have the following information filled in or were missing the following categories based on the [Production Record Requirements](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/production-record-requirements.pdf) (“Must Haves and Nice to Haves”) (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/production-record-requirements.pdf>):

- Serving size
- Planned serving size for each grade group and adults
- Planned number of servings prepared
- Planned/actual quantity prepared in purchase units (2-No 10 cans, 10 lb case, 2-96 count case)
- Planned serving size and usage for any extra menu items
- Number of reimbursable and non-reimbursable (adult) meals planned
- Substitutions made for students with special dietary needs

While there is no required production record template, there are some examples that may be used on our [Production Records](https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/production-records) webpage (<https://dpi.wi.gov/school-nutrition/national-school-lunch-program/menu-planning/production-records>). For assistance with filling out production records and determining what is expected for each requirement, the [Production Record Instructions](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/production-record-instructions.pdf) are a valuable training resource (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/production-record-instructions.pdf>).

In addition, it is important to be specific on production records about the identity, brand, and description of the items served. Instead of “cereal” or “juice,” list all types/flavors of cereal and juice separately. “Cereal” and “juice” do not indicate exactly what was served. If it becomes too time- or labor-intensive to record cereal and juice usage by type on production records, you may consider using a cereal recipe and a juice recipe that indicates how much of each type of cereal or juice are put on the service line and then the total amount leftover can be recorded on the production record. Fruit sizes (e.g. case count) should also be recorded.

**Corrective Action Needed:** Submit one week of completed production records after a service week for breakfast and lunch with all of the production record “Must Haves” listed and filled in.

**☐ Finding #2:** Recipes were provided as documentation for the week of review. The recipes provided do not appear to yield what they indicate. The portion sizes on recipes also differ from the portion sizes on production records. During the on-site review, it was determined that recipes are not being followed exactly as written.

Use of standardized recipes is an important part of USDA School Meals Programs. Any menu item that has more than one ingredient must have a standardized recipe. This is defined as one that has been tried, tested, evaluated, and adapted for use by your food service operation. It produces a consistent quality and yield every time when the exact procedures, equipment, and ingredients are used. If standardized recipes are not followed, crediting cannot be determined for daily or weekly meal pattern requirements.

This will be a continuous work in progress as you modify older recipes and update with current ingredients in stock. Continue to use the resources on the DPI SNT website regarding recipe standardization. These include a checklist for pieces of information needed to standardize a recipe, tools to help analyze the meal component contribution, and templates to organize all information once obtained. These are found on the [Standardized Recipes](https://dpi.wi.gov/schoolnutrition/national-school-lunch-program/menu-planning/recipes) webpage (<https://dpi.wi.gov/schoolnutrition/national-school-lunch-program/menu-planning/recipes>). We encourage viewing the webcast, [What's the Yield with Standardized Recipes?](https://dpi.wi.gov/school-nutrition/training/webcasts#sr), which guides the viewer through the recipe standardization process (<https://dpi.wi.gov/school-nutrition/training/webcasts#sr>).

**Corrective Action Needed:** Submit updated recipes for BBQ pork, nachos, hot beef, Italian chicken panni, and breakfast scrambler that describe and indicate the processes that are actually done during production. Please continue to update and standardize recipes for all menu items with more than one ingredient.

❑ **Finding #3:** Smoothies were served Monday-Thursday during the week of review. The recipe provided for smoothies indicates that five pounds of any kind of frozen fruit can be used. It is important to be specific about ingredients in a recipe.

When crediting smoothies, the volume of pureed fruit must be known in order to determine crediting. All pureed fruit must be credited as juice. At this time, the crediting of fruit juice in the smoothie cannot be determined, therefore, the weekly juice limit also cannot be assessed.

For more information on crediting smoothies, please reference the [Crediting Smoothies in the SBP and NSLP](https://dpi.wi.gov/sites/default/files/imce/school-nutrition/smoothie-crediting-flow-chart.pdf) handout and the revised [Smoothies Offered in Child Nutrition Programs](https://fns-prod.azureedge.net/sites/default/files/cn/SP10_CACFP05_SFSP10-2014v3os.pdf) memo with a Q&A about smoothies (<https://dpi.wi.gov/sites/default/files/imce/school-nutrition/smoothie-crediting-flow-chart.pdf>; [https://fns-prod.azureedge.net/sites/default/files/cn/SP10\\_CACFP05\\_SFSP10-2014v3os.pdf](https://fns-prod.azureedge.net/sites/default/files/cn/SP10_CACFP05_SFSP10-2014v3os.pdf)).

**Corrective Action Needed:** Submit updated standardized recipes for smoothies indicating the amount and type of pureed fruit that will be used.

***Once the Public Health Nutritionist has the updated standardized recipes for the week of review listed in Findings #2 and #3, menus can be analyzed for compliance with the School Breakfast Program and National School Lunch Program meal pattern requirements. Until that time, the Administrative Review cannot be closed. Please be aware that the possibility to conduct a weighted nutrient analysis exists if substantial errors are found. Additional errors may require additional corrective action and may also be subject to fiscal action.***

❑ **Finding #4:** Documentation provided for the week of review demonstrated a missing grain component at breakfast on Thursday. The breakfast scrambler does not contain grain and students are not able to select grain with this option. Meat/meat alternate (M/MA) can only contribute toward the grain component if 1.00 ounce equivalent (oz eq) grain is offered with the meat/meat alternate. Therefore, the breakfast scrambler is unable to be credited toward the daily and weekly meal pattern requirements.

**Corrective Action Needed:** Submit a statement indicating understanding that 1.00 oz eq of grain must be offered before being able to offer and credit M/MA as part of the reimbursable meal. Submit a statement indicating how the 1.00 oz eq daily grain requirement will be met for this day during the week of review and for future service weeks when this menu item is served. Please include respective portion sizes, labels, recipes, and crediting documentation, if applicable.

**Additionally, fiscal action is required for any missing component violations. Therefore, fiscal action will be assessed. Per page 79-80 of the Administrative Review Manual, there will be a reclaim of meals with the missing component. When errors are found in SFAs with central/satellite kitchens and/or district-wide menus, the state agency must assess fiscal action for all sites, reviewed and non-reviewed, in which the non-reimbursable meals were served. All 185 breakfast meals served to pre-K-12 students on Thursday, March 14, 2019 will be reclaimed. The production record does not indicate the number of breakfast scrambler meals versus smoothie and granola meals that were served and production records have discrepancies between weight versus volume, so all meals will need to be reclaimed.**

❑ **Finding #5:** Documentation provided for the week of review demonstrated a weekly grain shortage at breakfast for 6-12 students. Because the breakfast scrambler could not be credited, please see **Finding #4** for more information, the weekly grain requirement was not met for the week of review. The K-12 breakfast meal pattern weekly grain requirement is 9.00 oz eq. However, the minimum amount of grain offered to students over the course of the week was 8.25 oz eq.

**Corrective Action Needed:** Please see corrective action for **Finding #4**. Once the missing grain component is corrected, the weekly grain requirement will be met.

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

❑ **Finding #6:** Documentation provided for the week of review demonstrated that 100 percent of the grains offered at breakfast and lunch were not whole grain-rich (WGR). The donut holes offered on Monday and the bread on the chicken panni offered on Friday are not WGR. It is required that 100 percent of grains offered at breakfast and lunch be WGR. Grains that are not WGR cannot be credited toward daily or weekly WGR requirements. Foods that meet the WGR criteria for the Child Nutrition Programs contain at least 50 percent whole grain. The remaining 50 percent or less of grains, if any, must be enriched. USDA has a very thorough [Whole Grain Resource](https://www.fns.usda.gov/sites/default/files/WholeGrainResource.pdf) that provides tools and tips for identifying whole grain-rich products (<https://www.fns.usda.gov/sites/default/files/WholeGrainResource.pdf>).

**Corrective Action Needed:** Submit a written statement indicating how the WGR requirement at breakfast and lunch for the week of review will be met and your plan for ensuring the requirement is met for future service weeks when these options are on the menu this school year. Please include respective portion sizes, labels, recipes, and crediting documentation, if applicable, for the replacement products that will be used.

❑ **Finding #7:** Documentation provided for the week of review demonstrated a daily grain shortage at lunch for 9-12 students on Monday and Friday. The 9-12 daily grain requirement at lunch is 2.00 oz eq grain.

On Monday, fish sticks and one slice of bread were offered to students. The fish sticks do not credit toward the grain component, according to the Child Nutrition label, and the one slice of bread credits as 1.00 oz eq grain. Therefore, 1.00 oz eq of grain was offered to 9-12 students that selected this entrée.



On Friday, chicken panni was offered to students. The only grain offered with the chicken panni is the one slice of Italian bread. The one slice of Italian bread (53 g) is non-WGR, please see **Finding #6**, and credits as 1.75 oz eq grain when using Exhibit A. Therefore, 1.75 oz eq of grain was offered to 9-12 students that selected this entrée.

**Corrective Action Needed:** Submit a statement explaining how the daily 2.00 oz eq grain requirement at lunch for the 9-12 students during the week of review will be met on Monday and Friday and your plan for ensuring the minimum grain requirement is met for future service weeks when these menu items are offered. Please include respective portion sizes, labels, recipes, and crediting documentation, if applicable. **Please note, repeat violations of a daily grain shortage during subsequent Administrative Reviews may result in fiscal action.**

❑ **Finding #8:** Documentation provided for the week of review demonstrated daily M/MA shortages at lunch for 9-12 students on Tuesday and Thursday. The 9-12 daily M/MA requirement at lunch is 2.00 oz eq.

On Tuesday, 3.00 oz of BBQ pork were offered to students. According to the Product Formulation Statement (PFS) submitted as documentation, 2.00 oz of pork credits as 1.25 oz eq M/MA. Therefore, 3.00 oz of pork credits as 1.75 oz eq M/MA, after rounding rules apply. On Thursday, 2.285 oz of hot beef were offered to students. According to the PFS submitted as documentation, 2.00 oz of beef credits as 1.25 oz eq M/MA. Therefore, 2.285 oz of beef credits as 1.25 oz eq M/MA, after rounding rules apply.

**Corrective Action Needed:** Submit a statement explaining how the daily 2.00 oz eq M/MA requirement at lunch for the 9-12 students during the week of review will be met on Tuesday and Thursday and your plan for ensuring the minimum M/MA requirement is met for future service weeks when these menu items are offered. Please include respective portion sizes, labels, recipes, and crediting documentation, if applicable. **Please note, repeat violations of a daily meat/meat alternate shortage during subsequent Administrative Reviews may result in fiscal action.**

❑ **Finding #9:** Documentation provided for the week of review demonstrated weekly M/MA shortage at lunch for 9-12 students. The 9-12 weekly M/MA requirement is 10.00 oz eq. When serving multiple entrée options, the option with the least amount of M/MA each day should be evaluated for the weekly M/MA requirement. If a student selects the option with the least amount of M/MA each day, the student should be able to select the weekly requirement of M/MA.

Over the course of the week of review, the minimum amount of M/MA offered was 9.00 oz eq:

- Monday: Chicken nuggets/buffalo nuggets (2.00 oz eq M/MA)
- Tuesday: BBQ pork sandwich (1.75 oz eq M/MA)
- Wednesday: Macaroni and cheese (2.00 oz eq M/MA)
- Thursday: Hot beef sandwich (1.25 oz eq M/MA)
- Friday: Garlic cheese bread (2.00 oz eq M/MA)

**Corrective Action Needed:** Please see corrective action for **Finding #8**. Once the daily M/MA shortages are corrected, the weekly M/MA requirement will be met. **Please note, repeat violations of a weekly meat/meat alternate shortage during subsequent Administrative Reviews may result in fiscal action.**

### 3. RESOURCE MANAGEMENT

#### NONPROFIT SCHOOL FOOD SERVICE ACCOUNT

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

Note: milks served to students with a paid meal eligibility must be documented as a non-program food. Providing this milk free to the household is not allowed to be funded in the food service fund (Fund 50). This finding is under Wisconsin School Day Milk Program heading.

#### NONPROGRAM FOODS

##### Commendations and Technical Assistance: Revenue from Nonprogram Foods

- ❑ **Finding #10:** The Non-Program Food Revenue tool was started for School Year 2018-19; the consultant assisted with it while onsite but the school nutrition director is required to enter actual numbers.  
**Corrective Action Required:** Submit a completed non-program foods revenue tool and define the reference period (minimum of 5 days). The consultant will review for completion or further required action.
- ❑ **Finding #11:** The comprehensive resource management review requires a review of one month of detailed expenses from the food service account (Fund 50).  
**Corrective Action Required:** Submit one month (preferably November, January or February) of expenses charged to the food service account (Fund 50). The consultant will review for completion or further required action.

### 4. GENERAL PROGRAM COMPLIANCE

#### LOCAL WELLNESS POLICY

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

- ❑ **Finding #12:** The Spencer School District's Local Wellness Policy (LWP) meets some but not all requirements as stipulated above:
  - 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. 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.
  - SFAs must develop standards for foods provided to students, this includes classroom parties, schools celebrations, food offered as rewards/incentives.
  - At a minimum, SFAs must restrict marketing to food and beverages that meet competitive food standards on the school campus during the school day.
  - SFAs must specify at least one goal for physical activity in the LWP. Typically, there is mention of time for students to meet physical activity time requirement - this could include recess, classroom physical activity breaks, and opportunities for physical activity before and after school.
  - SFAs must include, at a minimum, one goal for Other School-Based Strategies for Wellness in the LWP. SFAs must explore the use of evidence-based strategies for these goals.

- The final *Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010* rule requires the SFA to make the local school wellness policy available to the public and inform the public about the content, implementation of, and updates to the LWP on an annual basis.
- The SFA is required to review and update the local school wellness policy on a periodic basis. It is recommended that this review occur annually. SFAs must document stakeholders invited to participate in the committee and their relationship to the SFA. SFAs are encouraged to notify key stakeholders through various methods of communication. This may include a district-wide email, the posting of flyers at community locations, or a newspaper posting. For information 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>).
- 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>).

**Corrective Action Required:** Provide a timeline with a plan for making the wellness policy available to the public and for updating your policy to become compliant with the final rule; explain how you will notify the public of the policy updates.

### **SMART SNACKS IN SCHOOLS**

#### **Findings and Corrective Action Needed for Smart Snacks:**

**□ Finding #13:** There is a beverage vending machine in the common area of the high school that is available during the school day. It was reported that this vending machine is only accessible to high school students. All flavors of the 20 fl oz Gatorades are non-compliant with Smart Snacks standards because they are greater than five calories per fl oz.

**Corrective Action Needed:** Submit a statement detailing the action plan and timeline for bringing this beverage vending machine into compliance with the Smart Snacks regulations for high school students.

### **BUY AMERICAN**

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

**□ Finding #14:** The following products were identified in Spencer School District's storage area as non-domestic.

- Canned olives- Morocco
- Frozen mango- Mexico
- Guacamole- Mexico
- Honeydew melon- Guatemala
- Grapes- Chile

Spencer School District does not have Buy American – Non-compliant Lists or SFA equivalent forms for these products, but did have forms for bananas, pineapple, and mandarin oranges.

**Corrective Action Needed:** Provide a copy of the completed forms for the non-compliant products listed above as corrective action. Please continue using Non-compliant Product List forms or SFA equivalent for tracking non-domestic products.

**WISCONSIN SCHOOL DAY MILK PROGRAM (WSDMP)**  
**Findings and Corrective Action: Wisconsin School Day Milk Program**

- ❑ **Finding #15:** It was discovered that families do not pay for the milks served to students at milk break. The grades that participate are PreKindergarten through Grade 2. Students eligible for free or reduced price meals must receive the milk at no charge and be claimed in the WSDMP annual claim; that is being done correctly. Students in the “paid” meal category may not be claimed in the WSDMP; again, that is being done correctly. The milks served to the “paid” students are considered a non-program food since there is not a program to claim them. The cost of these milks was being absorbed by the food service Fund 50; that is not allowable.

**Corrective Action Required:** Submit a statement of the process Spencer School District will adhere to in transferring money from the general fund to Fund 10 for the milks served to paid status students.

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“The Wisconsin Department of Public Instruction has a vision that every student will graduate prepared for college and career. 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/every-child-graduate) webpage (<https://dpi.wi.gov/statesupt/every-child-graduate>).”



*With School Nutrition Programs!*