

Welcome to the “2014-15 Preparing for the Administrative Review” Webinar. As we go through this process this year, there may be changes made. We will keep you informed and work with you through this review process.

All SFAs that are scheduled to be reviewed this year will receive a comprehensive review checklist with the written notification of review.

More detailed information about program requirements and the review process can be accessed on our Child Nutrition Program website.

This webinar will last approximately an hour and a half, and has been divided into six sections. Participants will have the opportunity to ask any questions that they may have pertaining to the topics covered during the slides that are designated for Q & A. To ask a question, please use the chat feature to type your question and a Child Nutrition Program representative will provide a response to your question during the designated Q & A. There will be five minutes allotted for Q & A between sections and an additional 15-20 minutes available at the end of the webinar.

It is strongly encouraged that you stay for the full webinar to gather a greater sense of the entire Administrative Review process. You will receive an email with a link to a short survey requesting your feedback, once the survey is completed a certificate of training will be available for you to print for your records.

Regulatory Authority

•7 CFR

- Part 210– National School Lunch Program
- Part 215– Special Milk Program
- Part 220– School Breakfast Program
- Part 235– State Administrative Expense
- Part 245– Free and Reduced Price Eligibility
- Part 3016- Procurement for Public & Charter Schools
- Part 3019- Procurement for Non-Public Schools
- Part 3052- Audit Requirements

•Public Law 111-296 (Healthy, Hunger-Free Kids Act of 2010)

•2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225, and 230- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule

- Supersedes and streamlines requirements from OMB CIRCULARS A-87; A-122

•All United States Department of Agriculture (USDA) and New York State Education Department (SED) guidance, memos, and instructions

These are program regulations that are important for you to be aware of and familiar with. Regulatory Authority for the Administrative Review can be found in 7 CFR 210 and 220, the Richard B. Russell National School Lunch Act, the Child Nutrition Act of 1966 , and Section 201 of the Healthy, Hunger-Free Kids Act of 2010 (Pub. L. 111-296, HHFKA).

It is important for you to keep current on Federal and state regulations, policies, instructions and memos.

Administrative Review Frequency & Notification

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| <ul style="list-style-type: none"> • Review Frequency <ul style="list-style-type: none"> ○ Every School Food Authority (SFA) must be reviewed every 3 years ○ Cycle 1, Year 2 began July 1, 2014 • Pre-Visit Procedures <ul style="list-style-type: none"> ○ Six Cent Certification ○ Offsite Assessment Tool (due October 17) ○ Additional Off-site Monitoring <ul style="list-style-type: none"> ▪ SFA-wide benefit issuance list ▪ Meal Compliance Assessment (if applicable) ▪ Dietary Specifications Assessment Tool | <ul style="list-style-type: none"> • Notification of Review <ul style="list-style-type: none"> ○ Letter and Checklist <ul style="list-style-type: none"> ▪ Resource Management Comprehensive Review Notification, if applicable ▪ Review Period: Month of most recent submitted claim ▪ Day of scheduled on-site observation • Day of Review <ul style="list-style-type: none"> ○ Entrance conference ○ Meal service observation ○ Administrative Review Components ○ Exit conference • Technical Assistance & Corrective Action Letter <ul style="list-style-type: none"> ○ Corrective Action Plan: 30 days to respond • Fiscal Action Letter, if applicable |
|--|--|

This is a general outline of the Administrative Review. The New York State Education Department Child Nutrition Program, also known as SED, will contact every School Food Authority referred to as an SFA at the beginning of the school year during their review year. Per section 201 of the HHFKA of 2010, SFAs must be reviewed every three years. Reviews are based on an SFA's participation in SBP and NSLP. The current cycle (cycle 1 year 2) began July 1, 2014.

There are pre-visit procedures that every SFA will need to complete prior to their on-site administrative review date. The pre-visit procedures are Six Cent Certification, the Offsite Assessment Tool (due October 17) and other additional off-site monitoring such as the SFA-wide benefit issuance document, Meal Compliance Assessment Tool (if applicable) and Dietary Specifications Assessment Tool. SFAs are expected to work with their Child Nutrition Program representative if they need assistance completing the pre-visit procedures. After pre-visit procedures are complete the SFAs Child Nutrition Program representative will begin scheduling the on-site portion of the Administrative Review.

SFAs will receive a formal notification of review letter which lists information about the on-site review; including selected sites, programs to be reviewed, dates of the on-site review, the review period and if a Resource Management Comprehensive Review or a Nutrient analysis is required. SFAs will also receive a checklist with their notification of review that has details about on-site review documents which will be requested during the on-site review.

On the day of review, the Child Nutrition Program representative will conduct an entrance conference with SFA administration, perform meal service observations, review documents requested of each Administrative Review Component and hold an exit conference with SFA administration to review all findings, provide technical assistance and develop the agreed upon corrective action plan required.

Following the review, SFAs will receive letter stating the agreed upon corrective action if corrective action is required as a result of the review. The letter will detail the technical assistance provided and the corrective action that is needed as a result of off-site and on-site findings. Depending upon the findings, fiscal action may be required and each SFA will receive separate notification.

These procedures will be explored more thoroughly throughout this presentation.

Administrative Review Components

- **Resource Management**
 - Maintenance of Nonprofit Child Nutrition Account
 - Paid Lunch Equity
 - Revenue from Non-Program Foods
 - Indirect Costs
- **Meal Access & Reimbursement**
 - Certification & Benefit Issuance
 - Verification
 - Meal Counting & Claiming
- **Meal Pattern & Nutritional Quality**
 - Meal Components & Quantities
 - Offer VS. Serve
 - Dietary Specifications & Nutrient Analysis
- **General Program Compliance**
 - Civil Rights
 - SFA On-site Monitoring
 - Local School Wellness Policy
 - Smart Snacks in School
 - Water
 - Food Safety
 - Reporting & Record Keeping
 - School Breakfast Program (SBP) & Summer Food Service Program (SFSP) Outreach
- **Other Federal Programs (if applicable)**
 - Afterschool Snacks
 - Fresh Fruit and Vegetable Program
 - Special Milk Program

The five main components of the Administrative Review are: resource management, meal access and reimbursement, meal pattern and nutritional quality, general program compliance, and other federal program components.

- The resource management review area encompasses Maintenance of Nonprofit Child Nutrition Account, Paid Lunch Equity, Revenue from Non-Program Foods, and Indirect Costs.
- The meal access and reimbursement review area includes certification and benefit issuance, verification and meal counting and claiming
- The meal pattern and nutritional quality review area includes Meal Components & Quantities, Offer VS. Serve and Dietary Specifications & Nutrient Analysis
- The general program compliance review area pertains to Civil Rights, SFA On-site Monitoring, Local School Wellness Policy, Smart Snacks in School, Water, Food Safety, Reporting & Record Keeping, School Breakfast Program or SBP & Summer Food Service Program or SFSP Outreach
- The other federal program review area focuses on Afterschool Snacks, Fresh Fruit and Vegetable Program and Special Milk Program if applicable.

Number of Sites to Review

Number of Sites in the School Food Authority	Minimum Number of Sites to Review for NSLP	Number of Sites in the School Food Authority	Minimum Number of Sites to Review for NSLP
1 to 5	1	41 to 60.....	6
6 to 10.....	2	61 to 80.....	8
11 to 20.....	3	81 to 100.....	10
21 to 40.....	4	101 or More.....	12*

*** 12 plus 5 percent of the number of sites over 100. Fractions must be rounded to the nearest whole number.**

*** Breakfast will be reviewed in 50% of the sites selected for review**

This chart shows the minimum number of SFA sites that must be reviewed.

For example, if the SFA has 25 sites, this table indicates that at least 4 National School Lunch Program (NSLP) sites must be reviewed.

SED will identify and notify each SFA which sites will be reviewed. School Breakfast Program reviews will be conducted at 50% of the sites selected for review. As a reminder, the breakfast review is just as important as the NSLP review and findings may also be subject to corrective action and fiscal action if necessary.

SED reserves the right to conduct reviews of your program operations, which may include announced or unannounced on-site visits.

Pre-Visit Procedures

Six Cent Certification

- School Food Authorities (SFAs) not previously certified are expected to complete the process prior to the review
- Certified SFAs receive an additional \$0.06 per reimbursable lunch served
- SFAs must annually attest to ongoing compliance with meal patterns

Six Cent Website

- Attestation Statement
- Menu(s), one full week from the current, previous or following month
- USDA menu worksheets for each age/grade groups
- Simplified Nutrient Assessment or Nutrient Analysis for each age/grade group
- Submit documents via <http://nymenureview.com>

6 cent certification is part of the pre-visit procedures that SFAs must complete prior to the on-site portion of their Administrative Review. Most SFAs have already completed this process and will annually attest to ongoing compliance with meal patterns during submission of the SFA's September claim for reimbursement. Once 6 cent certification is complete, SFAs will receive an additional \$0.06 per reimbursable lunch served.

The documents required for completing the SFA Six Cent Certification are:

- An Attestation Statement
- Menu(s): one full week from the current, previous, or following month
- USDA menu worksheets for each age/grade group
- Simplified Nutrient Assessment or Nutrient Analysis for each age/grade group

These documents should be submitted to the online 6 cent certification website, available at: <http://nymenureview.com>.

If your SFA is not 6 cent certified or if you have questions about 6 cent certification, please contact your Child Nutrition Program representative for user name and password information. If you have not begun the 6 cent certification process prior to the on-site review you will be subject to a full nutrient analysis of breakfast and lunch for each age/grade group you are serving.

Pre-Visit Procedures

Offsite Assessment Tool

Due October 17

- **Meal Access & Reimbursement**
 - Certification & Benefit Issuance
 - Verification
 - Meal Counting & Claiming
- **Nutritional Quality & Meal Pattern**
 - Dietary Specifications & Nutrient Analysis
- **Resource Management**
 - Reporting data from 2013-14 school year
 1. Maintenance of Nonprofit School Food Service Account
 2. Paid Lunch Equity
 3. Revenue from Non-program Foods
 4. Indirect Costs
- **General Program Compliance**
 - Civil Rights
 - SFA On-site Monitoring
 - Local School Wellness Policy
 - Smart Snacks
 - School Breakfast and Summer Food Service Program Outreach
- **Special Provisions (if applicable)**

www.nysed.gov/cn/cnms.htm

Another pre-visit procedure of the Administrative review is the Offsite Assessment tool. This tool has been mailed to all SFAs that are due for an Administrative Review this year. For ease of completing this process there is a fillable off-site assessment tool available on our the Child Nutrition Program website (the web address is listed at the bottom of this slide). The Offsite Assessment Tool contains questions pertaining to the five areas noted on this slide. SFAs should note that the Resource Management section of this tool requires answers from prior school year operations while the other sections will use data from the current school year. The completion of the tool might require collaboration with other SFA staff, such as Food Service Director, Fiscal Contact and Business Official. The tool allows SED to gain a better understanding of SFA operations prior to the on-site review, thus providing for a more robust review while decreasing SED's on-site review time. SFAs will be required to answer and submit Offsite Assessment tool responses by October 17, 2014.

Resource Management Comprehensive Review

A Comprehensive Review (conducted on-site or off-site) may be required of the following documents:

1. Maintenance of the nonprofit School Food Service Account

- 2013-14 school year-end statement of revenues and expenses
- General Ledgers
- Other documentation showing revenues and expenditures

2. Paid Lunch Equity

- Paid Lunch Equity Tool school year 2013-14
- or
- Alternative Method documentation
- or
- Exemption request resources

The responses to the off-site assessment form will determine if your SFA will require a resource management comprehensive review.

The first section of the resource management comprehensive review is the maintenance of the nonprofit School Food Service Account. In this section, the documents required are:

SFAs operating statement of revenues and expenses or Statement of Activities from the most recently completed fiscal year
General Ledgers

Other documentation showing revenue and expenses to/from the nonprofit food service account (e.g., invoices, receipts, bank statements, cancelled checks)

SED has rights to review fiscal documents including balance sheets, invoices, receipts, labor records, etc.

The second section is paid lunch equity. SED will ensure that paid lunch prices are evaluated and priced according to paid lunch equity rules. In this section, the documents required are:

- Completed Paid Lunch Equity Tool for school year 2013-14

or

- Alternative Method documentation

or

- Exemption request resources

If the SFA does not charge paid lunch prices (i.e. if the SFA participates in Community Eligibility Provision district wide, Provision II, or is a Residential Child Care Institutions with no day students) the Paid Lunch Equity section would not apply. If the SFA is “non-pricing”, but charges the cost of meals in tuition, then the SFA would still be required to complete the Paid Lunch Equity portion.

Resource Management Comprehensive Review

A Comprehensive Review (conducted on-site or off-site) may be required of the following documents:

3. Revenue from Non-program Foods 2013-14

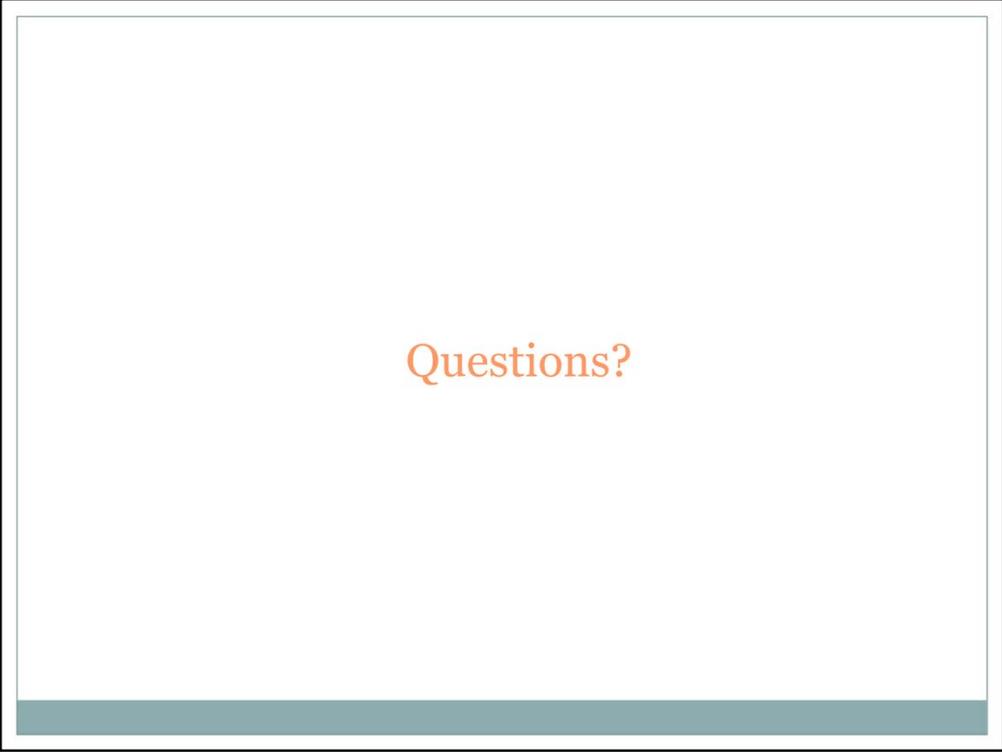
- Non-program Food Tool
 - Food costs of reimbursable meals
 - Food costs of non-program foods
 - Revenue from non-program foods
 - Total revenue

4. Indirect Costs

- 2013-14 Indirect cost rate agreement
 - Correct rate/base is being charged to the nonprofit school food service account
- Proper Classification of Costs (Direct/Indirect)
 - Documentation for indirect cost billing
 - Accounting Consistency
 - Prior Year's Retroactive Billing

The third section of the resource management comprehensive review focuses on the revenue from non-program foods. SFAs must have their completed 2013-14 Non-Program Food Tool on file. This section does not apply for SFAs that do not offer any non-program foods. A non-program food is a food (including beverages) that is sold in a participating school other than a reimbursable meal and is purchased using funds from the school food service account. This can include a la carte food items, foods sold in vending machines, adult meals, second meals, etc. The purpose of assessing the revenue from non-program foods is to ensure sales of non-program foods generate at least the same proportion of SFA revenues as they contribute to SFA food costs.

The fourth section focuses on how the SFA charges indirect costs. SFAs must have their 2013-14 indirect cost rate agreement on file and the proper classification of costs.



Questions?

Now we are going to answer questions of the topic area that we just covered which includes the Off-site Assessment tool and Resource Management Component of the Administrative Review. If you have other questions there will be time at the end of the presentation to answer those questions as well. Type questions that you have into the chat box located on the left hand side of your screen. We will answer questions for the next 5 minutes and then proceed to the next topic.

Additional Off-site Monitoring Required Documents

Due prior to on-site review

1. SFA-wide benefit issuance list
2. Meal Compliance Assessment Tool (if applicable)
3. Dietary Specifications Assessment Tool

These are other pre-visit procedures that SFAs will need to complete prior to their on-site administrative review date. Additional Off-Site Monitoring Documents include: submission of the SFA-wide benefit issuance list to SED, submission of the completed Meal Compliance Assessment tool, and submission of the dietary specification assessment tool. SFAs are expected to work with their Child Nutrition Program representative if they need assistance completing these documents.

Pre-Visit Procedures

SFA-wide benefit issuance list

Due prior to on-site review

- SFA-wide benefit issuance list must include:
 - Only free and reduced price eligible students
 - Student name
 - School name
 - Method of Certification method (i.e. DCMP, income app, etc),
 - Date of Certification
 - Total number of eligible students
 - Verification (if selected)
- SED selects student certifications for review from the benefit issuance list. NYSED may elect to review either:
 - All free and reduced-price students; or
 - A statistically valid sample

SED will ask you to submit the benefit issuance document or documents for each school under the SFA (not just for the schools selected for review)

The list has some specific requirements:

- The list must only include all free and reduced price students- no paid or denied students;
- The list must be coded by benefit status and SED must be supplied with the code separately to prevent overt identification (separate e-mail, fax, etc. from the benefit issuance document)
- The list should not be grouped by free and reduced price student names
- The list must have the student name, school name, method of certification (i.e. application, direct cert, etc.) and list whether the student was selected for verification
- The list should not have any duplicate names
- The benefit issuance document may be from any day in the review period and must be available on the day of review.
- An excel document is the preferred method, although, it is not required.
- This section is not applicable for CEP and provision 2 schools that are in non-base years since this data has already been reviewed at the beginning of their provisions; or RCCI's with no day students and jails.

Application Sample Size Chart

Total # students certified for F or R benefits	Sample Size 99%	Total # students certified for F or R benefits	Sample Size 99%
1-100	ALL	1251-1500	450
101-250	75%	1501-1750	475
251-500	60%	1751-2000	490
501-750	50%	2001-3000	525
751-1000	380	3001-4000	560
1001-1250	420	4001-5000	580
		5000+	590

After SED receives the benefit issuance list, the sample size reviewed will be determined. SED will contact the SFA with the exact names and number of students to be reviewed on-site. This will allow the SFA time to prepare and organize the certification documents prior to SED arrival. SED would like to see that on-site documents are organized by free applications, reduced applications, direct certification list (with the selected students highlighted), eligibility letters, and students that are certified as foster, homeless, etc...

Pre-Visit Procedures

Meal Compliance Risk Assessment Tool Due prior to on-site review

- SED reviewer will work with SFA to determine Questions 600-602 of the Off-site Assessment Tool
 - SFA's with more than reviewed site must complete the Meal Compliance Risk Assessment Tool

Dietary Specification Assessment Tool Due prior to on-site review

- One site will be selected for a targeted menu review
 - For breakfast and lunch
 - SED validates on site
- Site may be subject to an in-depth nutrient analysis

Prior to the on-site review, SED will ask every SFA with more than one reviewed site to complete the Meal Compliance Risk Assessment Tool (this is typical for large SFAs). Smaller SFAs (i.e. that only have one site selected for review) will be required to complete the Dietary Specification Assessment Tool only. The SFA must answer the questions on the tool and submit the results to SED. SED will validate the dietary specification assessment tool on-site. If SED has concerns about the SFA's food service practices, SED has the discretion to conduct a nutrient analysis.

The nutrient analysis would then need to be completed in order for SED to close the Administrative Review. We will review the dietary specification and nutrient analysis section in more detail in the Administrative Review Component Meal Pattern and Nutritional Quality section of the webinar.

Questions?

Now we are going to answer questions on the topic area that we've just covered, which included the pre-visit procedures of completing the Benefit Issuance document, Meal Compliance Assessment Tool and Dietary Specification Assessment Tool. If you have additional questions, there will be time at the end of the presentation to answer those questions as well. Type questions that you have into the chat box located on the left hand side of your screen. We will answer questions for the next 5 minutes and then proceed to the next topic.

Administrative Review Components

We have just reviewed the pre-visit procedures, various tools, benefit issuance document, and resource management comprehensive review. We will now discuss the remaining sections of the Administrative Review Components.

Meal Access & Reimbursement

CERTIFICATION & BENEFIT ISSUANCE
VERIFICATION
MEAL COUNTING & CLAIMING

The topic area is the Meal Access and Reimbursement Section

For Certification of Eligibility (i.e. Benefit Issuance, Eligibility Determination, Direct Certification, and Verification), the scope of the administrative review will **focus on the SFA level**. Ultimately, this will allow certification and benefit issuance systems to be assessed SFA wide and errors applied across the SFA.

The administrative review encompasses the entire SFA's process for reviewing certifications, verification, and updating applications. The Meal Counting and Claiming process looks at meal consolidations at both the site and SFA level. However, validation of meal counts is assessed at the site level.

Certification and Benefits Issuance

- Review of SFA systems
- Determining eligibility
- Direct Certification
- Denied applications
- Issuing benefits
- Updating benefits
- Transferring benefits
- Backup system

We will be reviewing your systems for determining eligibility including direct certification, issuing, updating and transferring benefits; and what your back up system is to ensure eligibility information is maintained even if your primary system breaks down.

We will review a sample of SFA wide denied applications, including the denial letter.

All free, reduced-price, and paid meals claimed for reimbursement are served only to children eligible for free, reduced-price, and paid meals, respectively; and that they are counted, recorded, consolidated and reported through a system that consistently yields correct claims.

Sample Certification Documents

- **Certification document**
 - Household application
 - Direct Certification Matching List
 - ✦ SNAP, TANF, Medicaid (if applicable)
 - Eligibility Letter (former direct cert letter)
 - Homeless, migrant, runaway documentation
 - Foster Child documentation
 - Head Start enrollment records
 - Extension of benefits

- **Any verification documentation, if applicable**

For each student selected for review, SED must examine the following:

- The eligibility determination (by reviewing the free and reduced-price application), or other categorical eligibility determinations to ensure the SFA certification was completed properly.
- Documentation to establish whether households were notified of benefit eligibility, in accordance with regulatory timeframes.
- Any verification activity related to the selected student to ensure the verification was properly conducted and any changes in the eligibility status were properly made in accordance with regulatory requirements.
- Documentation to establish whether households were notified of changes in eligibility status due to verification within required timeframes.

Special Situations

- **RCCIs/Jails**
 - With Day students- Benefit issuance documents
 - Resident students – Resident eligibility list including name, dob, admission/discharge time and date
- **Provision 2/CEP**
 - Base year- Benefit issuance documents required
 - Non base year- Not applicable

This slide lists the certification documents that are needed for SFAs with special situations.

Benefit issuance documents are required for SFAs that are Residential Child Care Institutions or RCCIs with day students. RCCIs with no day students and jails must maintain a resident eligibility list that includes student name and date of birth, admission/discharge time and date.

Benefit issuance documents are required during the base year for SFAs operating Provision II or Community Eligibility Provision. This not does apply to SFAs operating in their non base year.

Meal Access & Reimbursement

Corrective Action Plan	Fiscal Action
<ul style="list-style-type: none">• Required for Findings/Errors• Must be applied SFA-system wide• Formal corrective action plan response required from SFA	<ul style="list-style-type: none">• When is Fiscal Action taken?<ul style="list-style-type: none">▪ Applications missing information▪ Incorrectly categorized certifications▪ Benefit Issuance Errors▪ Failure to update verified applications

Corrective action must be applied system-wide for benefit issuance and certification errors, including at non-reviewed schools, if applicable.

Fiscal action may be taken for errors resulting from the following:

- Applications with missing information as these applications are considered incomplete
- Miscategorized certifications
- Benefit issuance errors
- Failure to update a change in status resulting from verification

Independent Review of Applications

SY 2014-15

- SFAs that have an Administrative Review in SY 2014-15 will be notified by June 30, 2015

Second Review

- The second review must be conducted by an entity that did not make the original eligibility determination
- A second review of application must be done before the household is notified of eligibility
- SFAs are required to notify households of the child's eligibility determination within 10 operating days of receiving the application

SFAs with 10% or more certification/benefit issuance errors found during an administrative review will be required to conduct the Independent Review of Application process.

The SFA will be required to submit an annual report (FNS 742a) to SED, detailing the number of free and reduced price applications subject to a second review, the number and percentage of reviewed applications for which the eligibility determination was changed, and a summary of the type of changes that were made.

Selected SFAs must conduct a second review of all applications annually until the SFA provides documentation that demonstrates to the satisfaction of SED that no more than 5 percent of the reviewed applications required a change in eligibility determinations.

Verification

- Review of SFA process
- Sample size
- Procedures
- Proper reporting
- Verification Summary Report
(FNS 742 Report)

Now let's go over the verification portion of the Access and Reimbursement section.

Verification is a significant area of review for the purpose of ensuring the SFA's are appropriately implementing the verification process and properly reporting to SED. For SFAs that use an electronic system for certifying and verifying applications, the system must be able to demonstrate the proper sampling has occurred and correct application type were chosen for verification.

SFA's most recent verification summary report (also known as the FNS 742 report) will be evaluated to determine if verification is in compliance with FNS requirements including:

- The SFA verification sample size
- Whether the SFA selected the correct sample size based on their non-response rates, and
- SFA accuracy in reporting verification to the State agency
- Any applications verified for cause must be reviewed

Verification

- Review conducted prior to Verification Summary Report submission:
 - Prior and current verification documents reviewed
- Review conducted after the Verification Summary Report submitted:
 - Current year verification documents reviewed
- Confirmation review documentation, if applicable

The verification documentation that will be reviewed will depend on the date of the On-site Review. If the review is conducted prior to verification summary report submission then prior and current verification documents must be reviewed.

If the review is conducted after the verification summary report is submitted then current year verification documents must be reviewed.

If the SFA does not have an electronic point of service system to conduct the confirmation review, the SFA must have an individual other than the original reviewing official, review each approved application selected for verification to ensure that the initial determination was accurate, prior to any verification activity being conducted.

Verification

- Corrective Action Plan
 - Required for Findings/Errors
 - Formal corrective action plan response required from SFA

Technical assistance may be provided before, during, and after the review- whatever best meets the needs of SFA and the review staff.

If errors are found during the evaluation of the SFA's verification process, SED will require corrective action to be taken by the SFA. SED will assist the SFA in determining the appropriate corrective action needed in order to improve their verification process.

Meal Counting & Claiming

Day of Review	Review Period
<ul style="list-style-type: none">• Each site selected for review• Accurate Point of Service system• Meals recorded correctly• Point of Service prevents overt identification	<ul style="list-style-type: none">• SFA and RA level• Most recent month for which claim was submitted• Accuracy of meals claimed for reimbursement

The purpose of the review for this area is to ensure that:

- the meal counting and claiming system(s) provides accurate meal counts by category (free, reduced, and paid) at the point of service.
- meal counts are correctly counted, consolidated and recorded; and
- the meal counting and claiming system yields accurate claims for reimbursement. At a minimum, the review period must include the most recent month for which a claim was submitted, as long as it contains **at least 10** operating days.

All meal counting and claiming systems must: Provide an accurate daily count of reimbursable meals at the point of service by eligibility category without overt identification. Jails, RCCIs with no day students, Community Eligibility Provision, and Provision 2 schools do not require collection by category but still must have accurate POS meal counts.

Meal Counting & Claiming

Meal counts from each school within the SFA must be consolidated and claimed correctly

- Non-systemic
- Systemic
 - Previous review periods

Complete edit checks for potential over-claims

- Federally required
- Conducted on a **daily** basis at the school/site level
- Conducted on a monthly basis at the SFA level
- Resolve discrepancies before filing claim for reimbursement

NYSED will ensure that daily meal counts are consolidated into a monthly count by eligibility status for each school site. These school monthly counts are reported on the claim for reimbursement. A second party review of all meal count consolidations helps prevent and identify meal count/claim errors. Non-systemic and systemic errors are subject to fiscal action. If systemic errors are found, previous review period documentation will be reviewed and will also be subject to fiscal action.

Federally-required edit checks bar potential overclaims and is the process used by the SFA to compare each school's daily counts of free, reduced-price and paid lunches against the number of children currently eligible for free, reduced-price and paid lunches, respectively, times an attendance factor. Discrepancies should be investigated and resolved before filing a claim. Document any discrepancies, as well as the corrective action implemented, and keep on file for no less than 3 years plus the current year.

<h2>Meal Counting & Claiming</h2>	
Corrective Action Plan	Fiscal Action
<ul style="list-style-type: none"> • Required for Findings/Errors • Formal corrective action plan response required from SFA 	<ul style="list-style-type: none"> • Meal Count Combining Errors <ul style="list-style-type: none"> ○ Fiscal Action for difference between incorrect and correct meals • Counting Errors <ul style="list-style-type: none"> ○ Meal counts do not equal number of meals served to eligible students ○ Meal counts exceed number of eligible students by category ○ Second and/or ineligible meals were counted

Corrective action must result if:

- The SFA's system does not properly count students' eligibility by category;
- The SFA does not have a backup system for counting and claiming, or the backup system cannot render accurate meal counts for eligible meals;
- The SFA's system does not have appropriate edit checks;
- The SFA's policies for incomplete meals, second meals, visiting student meals, adult and non-student meals, student worker meals, a la carte items, field trip meals, or pre-paid meals are not in line with policy and regulations or require additional information to be appropriate;
- The SFA's alternate point of service does not yield accurate counts
- The cashiers are not appropriately trained

Specific areas that will require fiscal action are:

A common error requiring fiscal action is **meal count combining errors**. These are mathematical mistakes that result in the school reporting incorrect meal counts to the SFA. Fiscal action is taken on the difference between the incorrect and the correct meal counts.

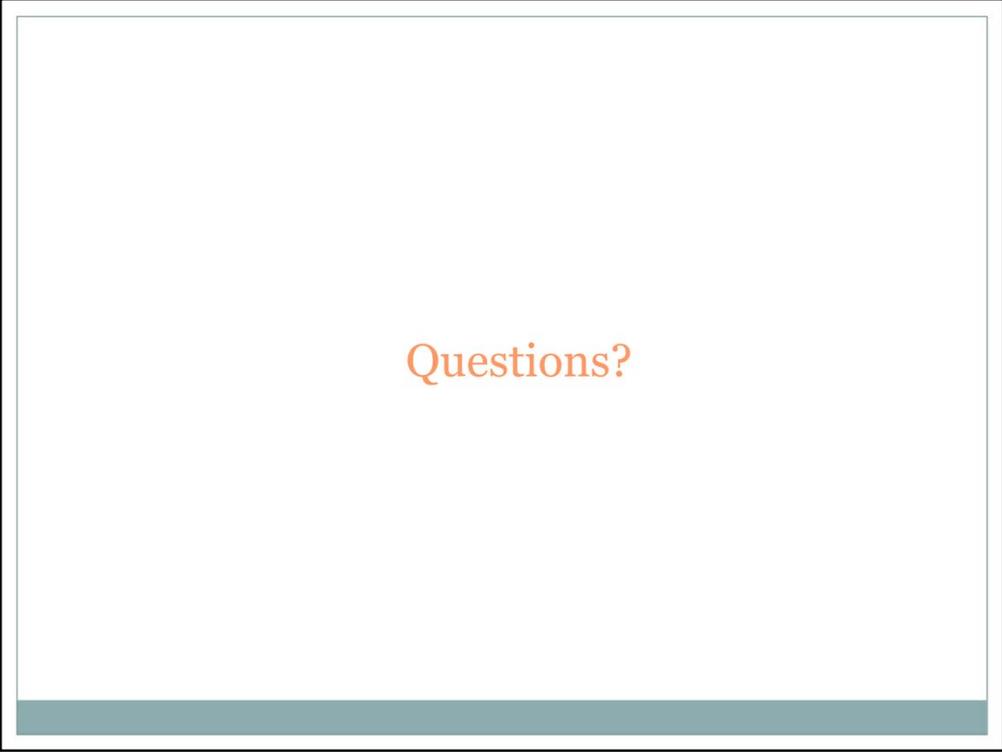
Counting Errors-

The meal counting errors include but are not limited to:

- When meal counts do not equal the number of reimbursable meals served to

eligible children;

- When meal counts exceed the number of eligible students by category (i.e., free, reduced-price or paid); or
- When second and/or other ineligible meals (e.g., adult meals or a la carte) were counted.



Questions?

Now we are going to answer questions of the topic area that we just covered which includes the Meal Access and Reimbursement Component of the Administrative Review. If you have other questions there will be time at the end of the presentation to answer those questions as well. Type questions that you have into the chat box located on the left hand side of your screen. We will answer questions for the next 5 minutes and then proceed to the next topic.



Now we're moving into the Meal Pattern & Nutritional Quality area of the review. In this area there are three sections:

- (1) Meal Components & Quantities
- (2) Offer vs. Serve, and
- (3) Dietary Specifications & Nutrient Analysis.

On-site Procedures

NYSED must review the following documents:

- Menus
- Production records
- Standardized recipes
- Product formulation statements, CN labels, Nutrition fact labels, etc.
- A Nutrient Analysis (conducted on-site or off-site) may be required.

SED will conduct an on-site assessment of the SFA's meal service for breakfast and lunch to determine whether meals claimed for reimbursement contain the required components and quantities. SED will:

- Conduct a visual observation of meal service lines and review menu documentation on the day of review;
- Ensure that signage is posted and students know how to select a reimbursable meal
- Review menus, production records, standardized recipes, product formulation statements, CN labels, Nutrition Facts labels, etc. for the review month and day of review for breakfast and lunch.
 - SED will notify you prior to the on-site review of what the review month will be. Please have all documents organized by week for the month.
- A nutrient analysis may be required (which can be conducted on-site or off-site)

Meal Components & Quantities

Corrective Action Plan	Fiscal Action
<ul style="list-style-type: none">• Vegetable Subgroup• Milk Type• Food Quantities• Whole-grain Rich• Incomplete Production Records	<ul style="list-style-type: none">• Missing Meal Component• Missing Production Records• Repeat Violations• 6 cents

Based on a review of the previous slides documents, technical Assistance and corrective action will be determined based on the following:

The weekly menu not meeting the vegetable subgroup requirements for all age/grade groups being served,

At least two choices of fluid milk in allowable varieties are not offered,

Food quantities not offered in sufficient amounts based on the age/group being served (for example, SFA must be offering at least a 2 oz equivalent of a meat/meat alternate daily for 9-12 age/grade group).

All of the grains offered as part of the reimbursable meal are not whole grain rich and/or, Production records missing required information such as serving size or menu item.

SED must require immediate corrective action for any missing meal components found during an on-site observation on the day of review. The SFA must immediately add the missing meal components before any additional meals are claimed for reimbursement on: 1) the day of review, 2) on future days on which the deficient menu is offered.

Missing a meal component, for example: if a grain is not offered AT ALL

If a milk type, vegetable subgroup, or whole-grain rich violation is found on an initial review and then again in a subsequent review, this would be considered a repeat violation and fiscal action will be assessed.

If the Administrative Review finds that significant noncompliance exists, requiring the SFA to develop and implement a Corrective Action Plan over an extended period of time (i.e., problems cannot be

fixed immediately), SED must use their best judgment to assess the longevity and severity of the problems. If SED determines that the performance-based reimbursement should be terminated, it should be terminated beginning the month following the on-site Administrative Review and, at SED discretion, for the month of review.

Performance-based reimbursement may resume beginning in the first full month the SFA demonstrates to the satisfaction of SED that corrective action has taken place.

Offer vs. Serve

- Recipient Agency level review
- All components sufficiently offered
- Signage posted
- Students select adequate components
- Trained staff

Offer versus serve is a provision in the National School Lunch and School Breakfast Programs that allows students to decline some of the food offered. The ultimate goal is to reduce food waste in the school meals programs. Offer vs. serve will be referred to OVS throughout this presentation.

The key areas reviewed in regard to OVS:

Enough food needs to be offered for students to select reimbursable meals

It is required to identify reimbursable meals to students through the use of appropriate signage.

Menu information should be placed in an area that allows students to be able to identify **at or near the beginning of the serving line the food items that contribute to the unit-priced reimbursable meal.**

May want to also post reimbursable meal guidelines and/or nutrition messages.

Meal-specific signage is required for both breakfast and lunch.

Students exiting the POS must select enough components in the proper quantities to make a reimbursable meal. **All reimbursable meals must contain at least ½ cup of fruits or vegetables at breakfast and lunch under OVS.**

Food service staff members at the point of service are trained and can accurately recognize a reimbursable meal, including appropriate quantities

Offer vs. Serve

Corrective Action Plan	Fiscal Action
<ul style="list-style-type: none">• Required for Findings/Errors• Formal corrective action plan response required from SFA	<ul style="list-style-type: none">• Missing Meal Components at POS• Students select less than ½ cup fruit/vegetable

A corrective action plan is required of all SFAs in the event of OVS violations. All corrective actions plan documentation, whether taken immediately or at a later date, must be submitted to SED.

Fiscal action is required when a meal component is missing. If the fruit or vegetable is offered in a quantity that is less than ½ cup, it is considered a non-reimbursable meal and subject to fiscal action.

[7 CFR 210.18 (g)(2)]

Dietary Specifications & Nutrient Analysis

- SED assesses SFA and completes the on-site portion of the Dietary Specifications Assessment Tool
- Site may be subject to an in-depth nutrient analysis

Based on information collected from the Dietary Specification Assessment tool off-site and SED review on-site, one of your sites selected will be subject to a targeted menu review for breakfast and lunch.

We will review all menu documentation information including Food labels and PFS, standardized recipes, production records, menus.

If SED has concerns about the SFA's food service practices SED has the discretion to conduct a nutrient analysis.

The nutrient analysis would then need to be completed in order for SED to close the Administrative Review. The nutrient analysis must be conducted on each offered menu type for each age/grade group for a week from the review period.

Dietary Specifications & Nutrient Analysis

Corrective Action Plan

- Required for Findings/Errors
- Formal corrective action plan response required from SFA

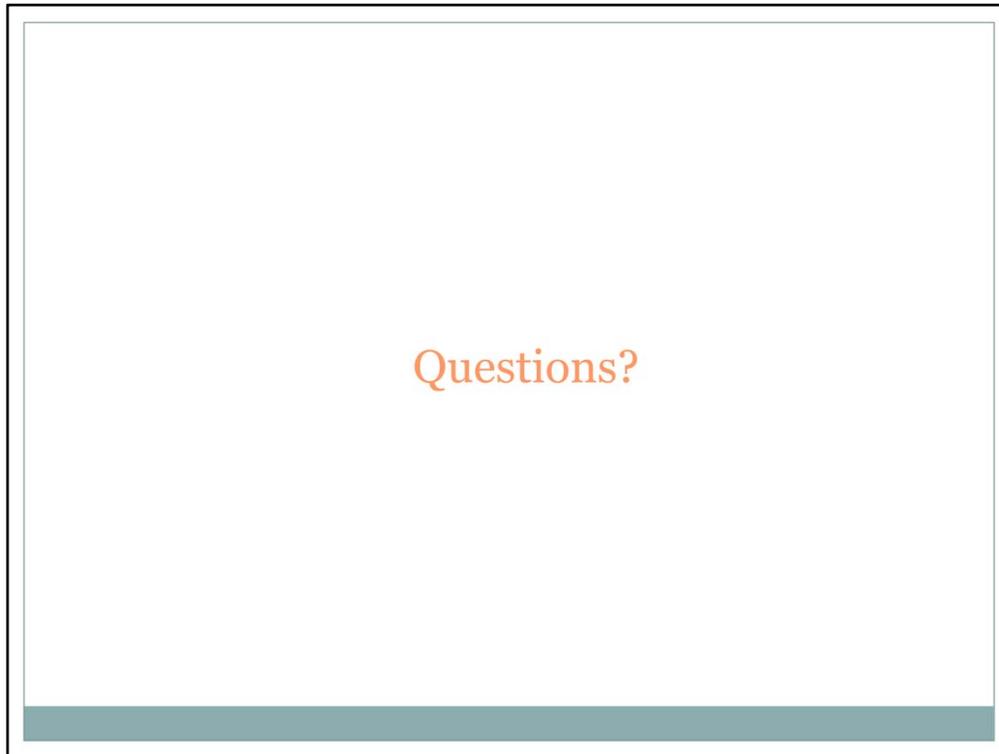
Fiscal Action

- Fiscal action is limited to the review site where the violation is found
- Even if the same cycle menu is being served at other sites
- SED may expand fiscal action to the entire review week, review month, or back to beginning of school year

Fiscal action is limited to the review site where the violation is found
Even if the same cycle menu is being served at other sites

SED has the discretion to expand FA to the entire review week, review month, or back to beginning of school

All violations will require a Corrective Action Plan



Now we are going to answer questions of the topic area that we just covered which includes the Meal Pattern & Nutritional Quality Component of the Administrative Review. If you have other questions there will be time at the end of the presentation to answer those questions as well. Type questions that you have into the chat box located on the left hand side of your screen. We will answer questions for the next 5 minutes and then proceed to the next topic.

General Program Compliance



**CIVIL RIGHTS
SFA ON-SITE SELF REVIEWS
LOCAL SCHOOL WELLNESS POLICY
SMART SNACKS IN SCHOOL
WATER
FOOD SAFETY
REPORTING & RECORD KEEPING
SCHOOL BREAKFAST PROGRAM (SBP)
AND SUMMER FOOD SERVICE PROGRAM
(SFSP) OUTREACH**

The next topic area is the General Program Compliance

Which includes Civil Rights, SFA On-site reviews, Local School Wellness Policy, Smart Snacks in School, Water, Food Safety, Reporting and Record Keeping, SBP and SFSP outreach

Civil Rights

- “And Justice for All” poster placed in visible location
- Children are receiving equal benefits without discrimination at each school during each meal service reviewed
- Program materials contain the correct non-discrimination statement
- Required Annual Civil Rights Training
- SFA collection of racial/ethnic data

www.nysed.gov/cn/cnms.htm

During the Administrative review, SED will evaluate civil rights compliance through offsite questions and on-site observation at each site chosen for review.

For example, SED will confirm that the “And Justice for All” poster is visible in the meal service area and that students can read the information. SFAs are allowed to print off and use the 8 X 11 poster from the Child Nutrition Knowledge Center

All program materials must contain the full United States Department of Agriculture or USDA non-discrimination statement. This statement was updated in 2013 and previous versions are outdated. Include the disclaimer on all Child Nutrition Program related materials including menus, public release, on the school website, correspondence with families, etc...Some flexibility exists with menus and SFAs can use the shortened version as long as it is in the same size font of the document. The shortened version is “This institution is an equal opportunity provider and employer.”

SED will observe if students are receiving equal benefits without discrimination during the lunch and breakfast meal observation and will also determine compliance with required Annual Civil Rights Training. All documentation of the training such as agenda, sign-in sheets, etc. will be reviewed. There is a Civil Rights Training PowerPoint available on our website for your reference.

SED will determine if the Civil Rights Compliance Report is completed and maintained on

file with annual program records (this is applicable only if data is not collected by another department within SED).

On-site Self Review Monitoring

For SFA's with more than 1 building:

- Copy of the SFA's On-Site Review forms
- Written documentation of follow-up SFA reviews
- Written documentation to verify Corrective Action has occurred for any findings in the initial SFA review

www.nysed.gov/cn/cnms.htm

SFAs with more than one school must perform a minimum of **one on-site self-review per building prior to February 1 of each school year** to evaluate the school's procedures for counting and claiming meals for reimbursement.

SED will determine if the SFA has conducted the on-site self review and ensure that the on-site self review has occurred no later than Feb. 1st. For any findings that require follow-up, the SFA is required to conduct a second self review of the site within 45 days to confirm the corrective action taken resolved the problems. Further, SED will determine if the monitoring form has been used to conduct the on-site self review. SED recommends using the monitoring forms that are available on the Child Nutrition Program website in the Forms tab under Annual Self Review.

Local School Wellness Policy

- Copy of Local School Wellness Policy
- Documentation of policy made public
- Documentation of review and update
- A copy of most recent assessment

The Local School Wellness Policy, is evaluated during an administrative review. SED will ask for this documentation in the off-site assessment tool.

The Healthy, Hunger-Free Kids Act of 2010 strengthened local school wellness policy requirements by adding provisions regarding content, public input, implementation, evaluation and transparency.

Each SFA should have a Local School Wellness Policy committee which should periodically assess your SFAs compliance with the policy to determine if you are making progress toward attaining goals or if changes or additions are necessary. This assessment should be made public as well.

Smart Snacks in Schools (All foods and beverages sold in school)

- Smart Snacks standards became effective July 1, 2014 and are codified at 7 CFR 210.11.
- Off-site Assessment Tool
 - Questions regarding Smart Snacks
- During the on-site review, SED will observe
 - Nutrition documentation
 - Interview school food service staff & administration
 - Leftover NSLP/SBP entrees

SED is required to review SFA compliance with Smart Snacks in Schools (which pertains to All Foods and Beverages sold in school).

There are questions pertaining to Smart Snacks in Schools in the off-site assessment tool.

During the on-site review SED will observe the following:

- If nutrition documentation is consistent with the foods and beverages offered to students for sale, including foods sold a la carte during meal services
- if school food service staff and administration are familiar with requirements and if
- Leftover nslp/sbp entrees (exempt from standards) are only sold to students the same day, or the day after, initially offered in the NSLP/SBP.

A SFA's Local School Wellness Policy may include information about the schools regulations for all foods and beverages sold during the school day.

Water Availability

- The Healthy Hunger Free Kids Act of 2010 required that potable water be available where breakfast and lunch is served
- Water is in addition to milk – it is not in competition with milk or a beverage choice
- SFA cannot charge for water
- Drinking fountain outside café may be used as long as students have free access
- Observed on-site

The Healthy Hunger Free Kids Act of 2010 requires that water be made available to all students with lunch and breakfast when breakfast is served in the cafeteria. If a school is serving breakfast in an alternate location, such as in classrooms, free potable water is not required, although it is strongly encouraged.

The water is not in competition with milk and is not considered a beverage choice, because no beverage can compete with milk. Water availability is in addition to milk.

The SFA cannot charge for water and is not required to serve bottled water. Potable tap water is adequate to fulfill this requirement.

A drinking fountain located right outside of the cafeteria can be used to fulfill this mandate if students have free access to the fountain.

Water availability is also Recommended for Snack

Food Safety

- On-site assessment at every recipient agency selected for review
- Includes: Written food safety (HACCP) plan, food safety inspections, recordkeeping, temperature logs and storage practices
- The letter requesting at least two food safety inspections each school year from the health department will be reviewed
- A copy of the most recent health inspection report must be posted in a location that is visible to the public

SED will assess if proper food safety practices **are followed at each site selected for review**

Food safety compliance is assessed in the following areas:

- Each site must have a written food safety (or HACCP) plan, for food preparation, service and storage facilities based on Hazard Analysis and Critical Control Points.
- Documentation requesting two annual food safety inspections from the health department, with the most recent inspection posted in a publicly visible location.
- Proper recordkeeping, and
- Temperature logs (included for food temperature logs, refrigerator and freezer logs)

Reporting & Record Keeping

- All reports must be accurate and submitted on time to NYSED
- Maintain records for 3 years plus the current year

All reports must be submitted to SED timely (this includes submitting annual reports such as the SFA Profile/Renewal, health inspection report, income verification report also known as attachment g, claims, analysis of cash resources, etc).

SFA's must maintain accurate records of all Child Nutrition Program (CNP) operations and documentation supporting CNP operations and participation pursuant to the Single Permanent Agreement and CNP laws, regulation and policy. These records must be maintained for a period of three (3) years after the end of the fiscal year to which they pertain and must be readily retrievable or immediately available upon request whether such request is due to an announced or unannounced CNP review.

SBP/SFSP Outreach

Requirement	Documentation
<ul style="list-style-type: none">• Materials and documentation of SBP and SFSP outreach activities will be reviewed for the current school year• Each SFA must inform eligible households of the availability of breakfasts offered under the SBP and meals offered through the SFSP	<ul style="list-style-type: none">• SFAs must send reminders regarding the availability of the SBP multiple times throughout the school year• SFAs must conduct SFSP outreach before the end of the school year

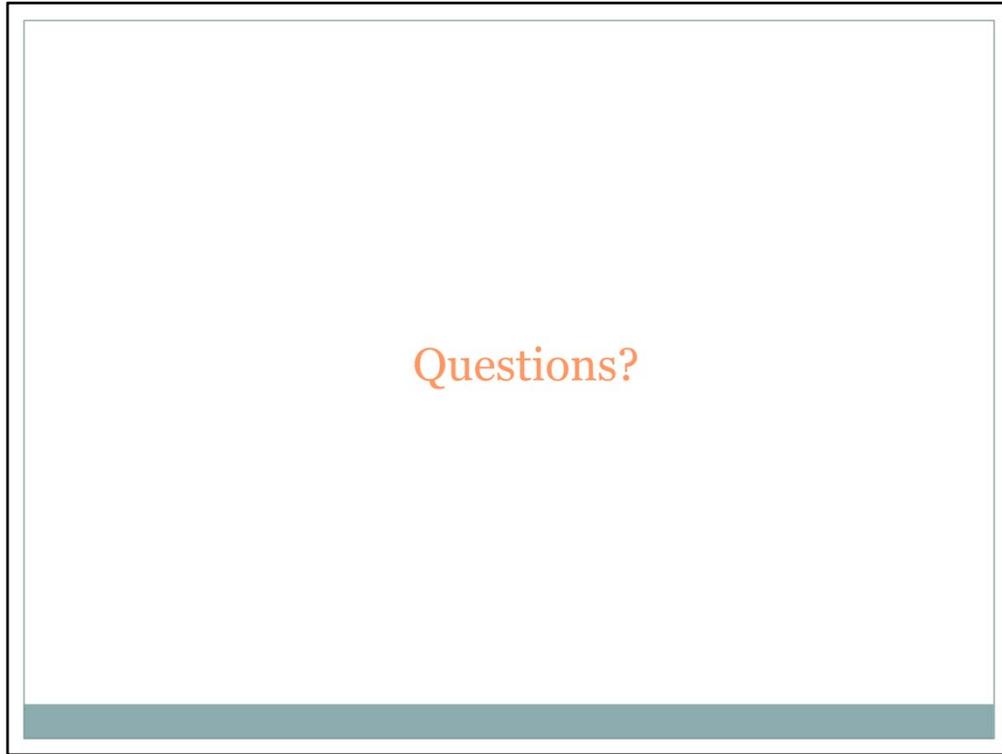
SED will evaluate how the SFA conducts required outreach activities in an effort to increase participation in both the School Breakfast Program and Summer Food Service Program. SFAs must send reminders regarding the availability of the School Breakfast Program regularly during the school year.

The reviewer must be able to validate that information about the Summer Food Service Program was provided to families prior to the end of each school year.

<h2>General Areas</h2>	
Corrective Action Plan	Fiscal Action
<ul style="list-style-type: none"> • Required for Findings/Errors • Formal corrective action plan response required from SFA 	<ul style="list-style-type: none"> • May withhold payments if corrective action plan not submitted or implemented as required

The SFA must prepare a written corrective action plan addressing any general area findings. No fiscal action will be required if the corrective action plan is submitted and approved by SED.

If an SFA either failed to submit a written corrective action plan or did not implement the corrective action as required, then SED may withhold program payments until corrective action occurs.



Now we are going to answer questions of the topic area that we just covered which includes the General Program Component of the Administrative Review. If you have other questions there will be time at the end of the presentation to answer those questions as well. Type questions that you have into the chat box located on the left hand side of your screen. We will answer questions for the next 5 minutes and then proceed to the next topic.

Other Federal Program Reviews



AFTERSCHOOL SNACKS
FRESH FRUIT & VEGETABLE PROGRAM
SPECIAL MILK PROGRAM
FOOD SERVICE MANAGEMENT COMPANIES

The next topic area is Other Federal Programs

Which includes Afterschool Snacks served in After School Care Programs, Fresh Fruit and Vegetable and the Special Milk Programs

Afterschool Snacks

- Verify school eligibility
- Ensure an accurate counting and claiming system
- Make sure snacks meet snack service and nutritional requirements
 - Menus
 - Production records
- Each snack program must be reviewed by the SFA twice per year. The SFA must conduct the first review during the first four weeks that the school is in operation each school year
- Civil rights and Food Safety

For Schools offering afterschool snacks in afterschool care programs, SED will conduct a review of afterschool snack documentation for each site selected that operates the afterschool care program.

SED will evaluate that students are served a nutritionally-balanced snack, appropriate enrichment activities are offered, site eligibility is determined accurately, and the program is well-managed.

SED will review

- Site documentation of regularly scheduled activities, including educational or enrichment activities (e.g., mentoring or tutoring programs)
- Point of service counts
- Menu and production record documentation
- Snack program on site self review documentation found on the Child Nutrition Knowledge Center in the forms tab (as a reminder, the SFA must conduct a self-review of each snack program twice per year, the first self-review must be conducted within the first weeks of operation and the second review is conducted before the prior to the program ending
- Practicing food safety and civil rights requirements

If area eligible, snack should be served free to all children and will be reimbursed at the free rate. If the site is not area eligible, snacks must be served by the approved student eligibility and claimed at the free, reduced price or paid category. SFAs cannot charge more than \$0.15 for reduced price snack.

Afterschool Snack Program

Corrective Action Plan	Fiscal Action
<ul style="list-style-type: none">• Required for Findings/Errors• Formal corrective action plan response required from SFA	<ul style="list-style-type: none">• Snack Count Errors• Missing meal components

The SFA must prepare a written corrective action plan addressing any Afterschool Snack Program findings. No fiscal action will be required if the corrective action plan is submitted and approved by SED.

If an SFA either failed to submit a written corrective action plan or did not implement the corrective action as required, then SED may withhold program payments until corrective action occurs.

Common findings that result in fiscal action would be:

If snacks are not being counted and claimed correctly

Snacks that are missing meal components on the meal service line during the day of review
or

production records showing missing snack components

Fresh Fruit and Vegetable Program

- On-site claim validation
 - Cost documentation (i.e. invoices, payroll records)
- On-site operation review
 - Available to all children, free of charge, offered during correct times
 - Outreach to families
 - Offers allowable fruits/vegetables and accompaniments
 - Food safety practices

SED will conduct a review of Fresh Fruit and Vegetable Program documentation for each site selected that operates the program.

SED will review the claim and supporting documentation on site and will observe the operation of the program to ensure

- Fresh fruit and vegetables are available to all children, free of charge, and offered during correct times
- Outreach is provided to families
- Only allowable fruits/vegetables and accompaniments are offered
- And good Food safety practices are followed

<h2 style="text-align: center;">Fresh Fruit and Vegetable Program</h2>	
Corrective Action Plan	Fiscal Action
<ul style="list-style-type: none"> • Required for Findings/Errors • Formal corrective action plan response required from SFA 	<ul style="list-style-type: none"> • Unsupported costs and/or unallowable costs • Not properly payable according to FFVP requirements

The SFA must prepare a written corrective action plan addressing any Fresh Fruit and Vegetable Program findings. No fiscal action will be required if the corrective action plan is submitted and approved by SED.

The Corrective Action prescribed must bring the site and/or SFA into compliance with Program requirements.

Common findings that result in fiscal action would be:

If the SFA could not substantiate purchases or if the SFA purchased unallowable items with Fresh Fruit and Vegetable funds

Special Milk Program

- Special Milk Program documentation will be reviewed
 - Pricing policy
 - Counting and claiming
 - Record keeping

SED will conduct a review of Special Milk Program documentation for each site selected that operates the program.

The pricing policy, counting and claiming and record keeping will be reviewed

Special Milk Program

Corrective Action Plan	Fiscal Action
<ul style="list-style-type: none">• Required for Findings/Errors• Formal corrective action plan response required from SFA	<ul style="list-style-type: none">• Certification errors• Counting and claiming errors• Not properly payable according to SMP requirements

The Corrective Action prescribed must bring the site and/or SFA into compliance with Special Milk Program requirements.

Food Service Management Company (FSMC)

- The FSMC operations will be reviewed
 - Ensure SFA retains signature authority
 - Adhering to the provisions of the FSMC contract
 - Ensure that the SFA is credited for the use of USDA Foods, discounts, rebates and credits.
 - Ensure the FSMC is maintaining applicable health certifications
 - Ensure advisory board has been established
 - Oversight by the SFA

SED will ensure that the SFA has retained signature authority on the claim for reimbursement and that the SFA is performing all tasks related to the application and verification process. The SFA must conduct a reconciliation at least annually to ensure that the FSMC has credited it for the value of all USDA foods received, discounts, rebates, and credits. The SFA must maintain the applicable health certification(s) necessary. The SFA must maintain an advisory board composed of parents, teachers and students to assist in menu planning. The SFA should be conducting periodic on-site visits to ensure that the Food Service Management Company (FSMC) is following all requirements set forth in the contract, as the SFA is ultimately responsible that all requirements are being met.

Post Review

- **Exit Conference**
 - Preliminary findings/technical assistance
 - Required corrective action
- **Formal letter**
 - Written notification of all review findings and technical assistance
 - Corrective action plan and timeframe
 - NYSED expects the SFA to provide documents requested

The intent of the exit conference is for the SED reviewer to go over the extent of the violations and provide a preliminary assessment of the actions needed to correct the violations. The exit conference is an opportunity to establish an agreed-upon Corrective Action Plan (CAP) that identifies the needed corrective action (CA) and the timeframes for those actions. To be specific, the CAP must identify...

- the violation(s) found
- the corrective action(s) required
- the timeframe(s) by which the corrective action(s) must be completed
- any documentation the SED expects the SFA to provide to demonstrate completed corrective action

Documented CA may be accepted at the time of the Administrative Review, or the SFA may submit documented corrective action as described in the Documented Corrective Action module that I will explain later in this presentation.

Documented Corrective Action

- Required for all areas of non-compliance
- Must be sustainable

In order for SED to close out the Administrative Review, SED must receive documented CA from the SFA for any degree of finding in either the Critical or General Areas that was identified during the Administrative Review.

Unless the SFA provides documented CA at the time of the Administrative Review, the SFA must send written notification to the SED certifying that it has completed the CA required for each finding, and has met the corresponding dates of completion.

SED makes the determination as to whether/when the SFA satisfactorily corrects the violation(s).

Finally, the SFA must postmark or submit documented CA to SED **no later than 30 days** after the established deadline for completion of each required CA.

SED may withhold funds if a CA P is not submitted according to mutually agreed upon time frames.

SED reserves the right to conduct additional reviews, either announced or unannounced, for any irregularities and/or to verify corrective action was completed and applied to all schools under the jurisdiction of the SFA, as appropriate. Again, failure to fully and permanently correct all findings to NYSED's satisfaction and within the allotted timeframes established will result in issuance of a Notice of Proposed Termination and funds being withheld and/or denied.

Procurement

- Purchasing goods and services
 - Governments & Public Schools
 - × 7CFR 3016.36
 - × A-87 (public)
 - × A-122 (non-public)
 - Non-profits
 - × 7CFR 3019.44
- Standards of Conduct
- NFSMI Procurement in the 21st Century
 - Available on NYSED CNKC website
www.nysed.gov/cn/cnms.htm

SFA's are required to follow procurement procedures for **ALL** purchases made with CN funds, regardless of the dollar amount, including services.

The federal small purchase threshold is \$150,000; however, the SFAs purchasing threshold determines what form the procurement process must take, i.e. formal vs. informal procurements.

Competition must be free and open to allow an and all vendors to participate in the procurement bid/quote process.

USDA is creating a separate procurement review. We will be required to review procurement procedures and related documents in the future.

Goods and services purchased with federal child nutrition funds should be acquired according to the procurement procedures in the uniform requirements listed here. Depending on your organization type, there are different procedures to follow.

All organizations should have a written procedure of how procurement is conducted and who from the organization conducts the procurement. There should be no conflict of interest. For example, the choice to purchase bread from the bakery that the uncle of a school employee owns is considered to be a conflict of interest.

All SFAs are required to have written procurement procedures and maintain documentation to support that these procedures are followed. All aspects of each procurement, including the rationale for the procurement method selected, contract type selected, and basis for contract price must be documented. Failing to maintain required records can result in audit and review

findings, cost disallowances and could prevent organizations from effectively responding to bid protests and disputes.



Minimum hiring standards are only for Food Service Directors hired after 7/1/2015. All hired prior to 7/1/2015 are grandfathered in.

The minimum standards for annual continuing education are for all Food Service Directors, Food Service Managers and Food Service Workers beginning 7/1/2015.

School nutrition program directors are those individuals directly responsible for the management of the day-to-day operations of the school food service for all participating schools under the jurisdiction of the SFA

School Nutrition Program Managers are those individuals directly responsible for the management of the day-to-day operations of school food service for a particular school or schools. This may include, for example, those individuals who prepare and serve meals, process transactions at the point of service, and review free and reduced price applications.

These definitions are applicable whether or not an SFA is self-operated, vended or operated by a Food Service Management Company.

If an individual possesses responsibilities for more than one of these positions, the higher level position requirements will apply. For instance an individual fulfilling the roles of both director and manger would be required to meet the proposed requirements for the higher level of professional standards for the school nutrition program director.

School Nutrition Program staff are those individuals without managerial responsibilities who are involved in the day-to-day operations of the school food service for a participating school or schools. The proposed rule would require each SFA to maintain a recordkeeping system that annually documents compliance with the professional standards requirements for all school nutrition program employees.

Procurement and Professional standards will be added to the Administrative Review Process after this year. We will continue to update all SFA's of new information as it becomes available.



Now we are going to answer questions of the topic area that we just covered which includes the Other Federal Program Component of the Administrative Review and any other questions that you have. Type questions that you have into the chat box located on the left hand side of your screen. We will answer questions for the next 15-20 minutes.

Contact Information

- *Child Nutrition Program Administration
89 Washington Avenue, 3rd Floor EBA
Albany, NY 12234*
- *(518) 473-8781*
- *www.nysed.gov/cn/cnms.htm*



Thank you for participating in the Administrative Review webinar. If you still have questions you can contact our program office at the phone number listed on this slide. For an archived version of this webinar check our Child Nutrition Program website listed on the slide.