



Module 9—Offer versus Serve, Special Dietary Needs, Administrative Review, and Professional Standards

Target Audience

- Child nutrition director/executive director
- Nutritionist or registered dietitian (if applicable)
- Food production staff

Estimated Time Required: 45 minutes

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Learning Objectives

- Explain the difference between the OVS requirement for **food components** for lunch and **food items** for breakfast
- Understand when required to make a dietary accommodation
- Describe milk substitution requirements
- Identify criteria to determine if eligible to participate in the at-risk afterschool meals program
- Explain the benefits of serving vegetarian plant-based meals
- Understand the organization of the AR and the role of the off-site and on-site risk assessments
- Know how to apply the professional standards rules on hiring and annual training

1. Offer versus Serve

OVS is a concept that applies to menu planning and the meal service. OVS allows students to decline some of the food offered in a reimbursable lunch or breakfast. The goals of OVS are to reduce food waste and to permit students to choose the foods they want to eat. Under OVS, schools must **offer** all the required food components in the required quantities for lunch and all of the required food components and food items in the required quantities for breakfast. Students are required to **select** at least three components in the National School Lunch Program (NSLP) and at least three food items in the School Breakfast Program (SBP) and one of those components/food items must be ½ cup fruit and/or vegetable.

Students, servers, and cashiers must be able to identify what constitutes a reimbursable meal. The NSLP SBP regulation at Title 7, *Code of Federal Regulations (7 CFR)*, sections 210.10(a)(2) and 220.9(a)(2) requires that schools identify, near or at the beginning of serving lines, what foods constitute unit priced reimbursable meals. Schools using OVS must also identify what a student must select in order to have a reimbursable meal under OVS.

If choices within components are offered, the menu planner must indicate what choices or combination of choices the student may select in order to have a reimbursable meal. For example, for grades ninth–twelfth (9–12) at least one cup of fruit must be offered in a reimbursable lunch. Additionally, the menu planner may **choose** to offer a variety of fruit. If ½ cup portions of three different fruits are offered, the menu planner would indicate that the student may select **up to** two-½ cup servings. This provides a variety of food choices to the student and shows the student how to select a reimbursable lunch. OVS is utilized in this example since the student may choose to take no fruit (as long as ½ cup of vegetables is selected), one-½ cup serving or two-½ cup servings from any of the three fruit choices offered.

Overview of OVS at Lunch

Function	Requirement
Implementation of OVS	Mandatory at the senior high level (grades 9–12) Optional below senior high school level
Reimbursable Meals	Offer the five food components in the minimum required quantity
Number of Food Components/Food Items Offered	Number of food components offered varies but must offer all required components
Required number of selections for OVS	At all grade levels, student must select at least three components, one of which must be ½ cup of fruits or vegetables or combination
OVS and fruit and vegetable food components/food items	Fruits and vegetables are two separate components. Student must select at least a ½ cup of fruits or vegetables or a combined total of ½ cup of both
Extra foods offered	Not credited for OVS but must include in the dietary specifications

Lunch Definitions

A **food component** is one of five food groups that comprise reimbursable lunches. These are meat/meat alternates (M/MA), grains, fruits, vegetables, and fluid milk. Schools must always offer all five food components in at least the minimum required quantities.

Under OVS for lunch, a student must take at least three food components in the required quantities. One selection must be at least $\frac{1}{2}$ cup (total) from either the fruit or vegetable component or combination of fruit/vegetable. Depending on the planned menu, the student may need to select more than one menu item to have the minimum quantity needed for a component to be credited. Students must select the other food components (grains, M/MAs, and milk) in the minimum daily quantity for the grade group. For example, for kindergarten–eighth (K–8), the M/MA and grains minimum daily quantity is 1 ounce (oz.) equivalent (eq.) The students in K–8 must take a minimum of 1 oz. eq. of M/MAs or grains to count the food component as selected for OVS. For 9–12 students, the minimum is 2 oz. eq. of M/MAs and grains. The 9–12 students must take a minimum of 2 oz. eq. of M/MAs and grains to count the food component as selected for OVS.

OVS for lunch, all students, at any grade level, must select:

- At least three of the five food components

and

- One of the choices selected must be at least a $\frac{1}{2}$ cup serving of the fruit or vegetable or combination of fruit and vegetable. Under OVS, the $\frac{1}{2}$ cup portion of fruit/vegetable is only used one time. The remaining components selected by the student must be the full-required daily serving for the meal to count as reimbursable. On page four of this module, see the third bullet under Sample Lunch Nonreimbursable Meals under OVS for an example.



The lunch menu example below shows a typical menu for **grades 9–12** that allows for choices by students for a reimbursable lunch.

LUNCH MENU GRADES 9–12 EXAMPLE

- Choose 1: Hamburger on bun **or** turkey sandwich (2 oz. eq. grains and 2 oz. eq. M/MA each)
- Choose up to 2: Seasoned corn, green beans, and potato wedges (½ cup vegetables each)
- Choose up to 2: Orange slices, fruit cocktail, banana, and apple juice (½ cup fruit each)
- Choose 1: Nonfat unflavored milk **or** nonfat flavored milk (1 cup milk each)

Using the lunch menu for grades 9–12 example, below are possible reimbursable and nonreimbursable meals a student may select:

Sample Lunch Reimbursable Meals under OVS

- Turkey sandwich, orange slices (grain, M/MA, fruit = three food components including ½ cup fruit/vegetable)
- Seasoned corn, orange slices, banana, milk (vegetable, fruit, milk = three food components, including ½ cup vegetable and full quantity of fruit [1 cup] selected)
- Hamburger, apple juice, and milk (grain, M/MA, fruit, milk = four food components including ½ cup fruit/vegetable)

Sample Lunch Nonreimbursable Meals under OVS

- Oranges slices and milk (fruit, milk = only two food components)
- Turkey sandwich and milk (grain, M/MA, milk= three food components but no fruit/vegetable)
- Seasoned corn, orange slices, milk (vegetable, fruit, milk = three food components, but second fruit/vegetable selection not in the required minimum quantity [1 cup] for grades 9–12. This selection would be ok for grades K–8).

Review the OVS Fact Sheet and Quick Check with staff to help them identify reimbursable lunch meals.

http://www.calpronet-sj.org/modules16_17/OVS_Fact_Sheet_Lunch

http://www.calpronet-sj.org/modules16_17/Lunch_Quick_Check

Overview OVS at Breakfast

Function	Requirement
Implementation of OVS	Optional at all levels
Number of food components/food items offered for reimbursable meals under OVS	Three food components offered in minimum of four food items
Required number of selections for OVS	Student must select at least three food items and one selection must be at least ½ cup of fruit
OVS and the fruit food component OVS and food items for the fruit component	Vegetables may be offered to meet all or part of the fruit requirement The 1 cup required quantity may be offered as two food items as ½ cup fruit is equal to one food item One selection must be at least ½ cup of fruit (or vegetable or a combination of both)
Extra foods offered	Not credited for OVS but must be counted in dietary specifications
Double servings of components/food items	Allowed for fruit (or vegetable) and grains (or M/MAs) components

Breakfast Definitions

A **food component** is one of three food groups that comprise a reimbursable breakfast. These are fruits (or vegetables offered as a substitute for fruit), grains (or M/MA offered as a substitute for grains), and fluid milk. Schools must always offer all three food components in at least the minimum daily required quantities.

A **food item** is a specific food offered within the three food components. For the purposes of OVS, a school must offer at least four food items from the three required food components (fruits, grains, milk). If only three food items are offered, then this is not considered OVS and the student must take all that is offered.

1 oz. eq. grain = one food item

½ cup fruit = one food item

1 cup milk = one food item

Under breakfast OVS:

- At least four food items must be offered
- All students, at any grade level, must select at least three food items
- If selected, grains (or M/MA offered for this component) and milk, must meet the daily minimum required amount
- For the fruit component, the student must select at least ½ cup of fruits or vegetables

For example, the school may offer 1 oz. eq. cereal; ½ cup of juice, ½ cup of berries and 8 fluid (fl.) oz. of milk as the four food items. Under OVS, the student could select cereal, milk, and ½ cup of juice for a reimbursable breakfast.

Again, if choices of food items within the components are offered, the menu planner must indicate what choices or combination of choices the student may select including any minimum or maximum number that may be taken. For example, if four-½ cup servings are offered for the fruit component, the menu planner must allow the student to select a full cup, but must also indicate that at least one-½ cup of fruit is required for a reimbursable meal. Let us go through some examples of breakfast menus and how to utilize OVS.

Example 1:

Oatmeal (½ cup/1 oz. eq. grain)	= one food item
Apple slices (½ cup)	= one food item
Orange juice (½ cup)	= one food item
Milk (1 cup)	= one food item

(This is a four food item menu)

This menu (example 1) shows how a menu planner can offer 1 cup of fruit but split into ½-cup servings to count as two food items. Therefore, in this example there are four food items being offered: ½ cup oatmeal, ½ cup apple slices, ½ cup orange juice, and 1 cup milk. The student must select at least three of the four food items or they can select all items offered and one of those items must be ½ cup fruit.

So, students can select:

- Oatmeal, apple, and milk, **or**
- Oatmeal, orange juice, and milk, **or**
- Apple, orange juice, and milk, **or**
- Oatmeal, apple, orange juice, milk

Although this menu meets the requirements for OVS, if this menu was offered every day, it would not meet the weekly minimum of 9 oz. eq. grains requirement for kindergarten–twelfth (K–12) students. It would only meet 5 oz. eq. grains over the week.

To meet the weekly minimum grain requirements for K–12 students you would need to offer 2 oz. eq. grains four days a week and 1 oz. eq. grains one day a week at breakfast.

In this example (2), the muffin is a 2 oz. eq. grain, so the menu planner has the discretion to count it as one or two food items. In our example, the menu planner counted the muffin as two food items.

Therefore, five food items are being offered to students under OVS. When five food items are offered, the student may take all five food items or four, or any three food items. There are four combinations for the student to walk away with three food items. Remember that students must take $\frac{1}{2}$ cup fruit for a reimbursable meal. Therefore, students can take:

- All food items, **or**
- Muffin and banana, **or**
- Muffin and apple juice, **or**
- Banana, apple juice, and milk

Example 2:

4 oz. muffin (= 2 oz. eq. grains)	= two food items
$\frac{1}{2}$ cup banana	= one food item
$\frac{1}{2}$ cup apple juice	= one food item
1 cup milk	= one food item

(This is a five food item menu)

In this example (3), the menu planner is offering two different 1 oz. eq. grain items at breakfast and students are allowed to take multiple 1 oz. eq. grains including two of the same grain.

It is at the discretion of the menu planner to allow duplicates for the grains or duplicates of M/MA when substituted for grains. You may also offer duplicates of fruit. However, you may **not** offer duplicates of milk.

Example 3:

Cereal (1 oz. eq.)	= one food item
Toast (1 oz. eq.)	= <u>one</u> food item
Fruit ($\frac{1}{2}$ cup)	= one food item
Fruit ($\frac{1}{2}$ cup)	= one food item
Milk	= one food item

(This is a five item menu)

- The student can select:
- Two toasts, $\frac{1}{2}$ fruit, **or**
 - Two cereal, two fruit (1 cup), **or**
 - Cereal, fruit, milk

In this example (4), the school sets up the breakfast as a choice of entrée, fruit, and milk. The entrée includes 2 oz. eq. grains or combination of grains and M/MA to count as two food items and the student can choose to take one entrée.

Example 4:

Choice of entrée with 2 oz. eq. grains (two food items)

- Breakfast burrito
- Yogurt and graham crackers
- Cereal and graham crackers

Fruit (½ cup) three choices, may take two (two food items)

Milk (one food item)

(This is a five food item menu)

There are multiple choices of fruit, ½ cup each, and students are allowed to take up to two fruit items. Lastly, students can select milk. So, this is a five food item menu under OVS. Since students must take a minimum of three food items and one item must be fruit, they can take:

- Entrée, one fruit, milk **or**
- Entrée, two fruits **or**
- Two fruits, milk

Review the OVS Fact Sheet and Quick Check with staff to help them identify reimbursable breakfast meals.

http://www.calpronet-sj.org/modules16_17/OVS_Fact_Sheet_Breakfast

http://www.calpronet-sj.org/modules16_17/Breakfast_Quick_Check

Types of Meal Service

Besides OVS type of meal service, there are a few different systems used by schools to offer meals to students.

- Pre-plated meals must include all components in at least the daily minimum quantities under the applicable meal pattern. For senior high schools, if this is the only system available for the NSLP, OVS for all or some components must be implemented. For example, offering a choice of milk and/or a bowl of fruit/vegetable that may be selected or declined.

- Family style service allows students to serve themselves. Over the week, offered meals must meet all of the daily and weekly food component/food item requirements and the weekly dietary specifications. The initial serving of a food component/food item may be less than the full required minimum quantity. The supervising adult should encourage additional portions and selections to meet the full required minimum serving size provided dietary specifications are not exceeded. The adult supervisor must ensure that each student selects at least ½ cup of fruit or vegetable or a combination of both.
- Food bars are encouraged as a way to offer a wider variety of vegetables and fruits and to decrease plate waste. Menu planners must clearly identify the food components/food items provided and the minimum serving size for each food component/food item and indicate which foods and combinations the student may choose to select a reimbursable meal under OVS.

Offer versus Serve Activity

Access the San Jose State University (SJSU) California Professional Nutrition Education and Training (Cal-Pro-NET) Center OVS Activity Web page below to view the lunch **and** breakfast OVS activity. Identify if the meal is reimbursable, and if not, list suggestions to make it reimbursable. The answer key is located at the end of this module.

http://www.calpronet-sj.org/modules16_17/Breakfast_OVS_Activity

http://www.calpronet-sj.org/modules16_17/Lunch_OVS_Activity

Train your staff to identify a reimbursable meal with this interactive activity. The answer key is located at the end of this module.

http://www.calpronet-sj.org/modules16_17/K-8_OVS_Lunch_Speed_Round_Activity

http://www.calpronet-sj.org/modules16_17/K-8_OVS_Lunch_Speed_Round_Form

Archived Webinars on OVS with breakfast and lunch are available on the Cal-Pro-NET Center University of California, Davis (UC Davis) Web page at

<http://cns.ucdavis.edu/resources/webinars/ovs.html>.

Access the U.S. Department of Agriculture (USDA) updated OVS training manual Web document at http://www.fns.usda.gov/sites/default/files/cn/SP41_2015a.pdf.

In addition, the USDA has issued new Questions and Answers (Q&A) on breakfast for 2014–15, including information on OVS, located on the USDA Web document at

<http://www.fns.usda.gov/sites/default/files/SP43-2014os.pdf>.

2. Children with Special Dietary Needs

Definition of a Recognized Medical Authority

The USDA has expanded the list of acceptable medical professionals who may sign a medical statement for meal accommodations in the child nutrition programs (CNP) and recommend alternate foods for children whose disability restricts their diets. At the discretion of the state agency, a state licensed health care professional who is authorized to write medical prescriptions under state law may be permitted to complete and sign the medical statement.

When are School Food Authorities Required to Make Dietary Accommodations?

School food authorities (SFA) are required to make dietary accommodations for students who have a medically certified disability that is verified by a written medical statement. **A licensed physician, a physician assistant, or a nurse practitioner must sign the written medical statement.** California does not recognize other medical authorities as authorized to sign a written medical statement to determine a child's diet.

Definition of Disability:

Under Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA) of 1990, a **person with a disability** means any person with a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment.

See pages 3 and 4 in the USDA Guidance for Accommodating Children with Special Needs for a partial list of diseases or conditions, which fit physical or mental impairment, located on the USDA Web document at http://www.fns.usda.gov/cnd/guidance/special_dietary_needs.pdf.

Note: If a child has a food allergy or intolerance but does not have a disability as defined under Section 504, the school food service may, but is not required, to make a food substitution.

However, food allergies listed in a licensed physician's assessment, that result in severe, life-threatening (anaphylactic) reactions, would meet the definition of **disability**, and the substitutions prescribed by the licensed physician must be provided.

Required Documentation for a Disability:

The CDE Medical Statement form or a written medical statement (i.e. prescription) is required for each child that has a disability and must be completed and signed by a licensed physician, a physician assistant, or a nurse practitioner. This written medical statement must clearly identify the child's:

- Disability

- Major life activity or bodily function affected by the disability
- Diet prescription
- Food or foods to be omitted from his or her diet
- Food or choice of foods that must be substituted in his or her meals

A child with a disability must be provided the food substitutes noted in the written medical statement. The USDA does **not** require meals for a child with a disability that involves dietary restrictions documented in the written medical statement to meet the current meal pattern.

When do SFAs have the Discretion to Make Dietary Accommodations?

At their discretion, SFAs may make dietary accommodations for students who are medically certified as having a special dietary need that do not rise to the level of a disability. Such determinations are made on a case-by-case basis. This provision covers children who have food intolerances or allergies, but do not have life-threatening reactions (anaphylactic reactions) when exposed to food(s) in which they have problems.

When the school food service chooses to make accommodations for a special dietary need, a written medical statement explaining the food substitution is required. A recognized medical authority is defined as a **licensed physician**, a **physician assistant**, or a **nurse practitioner**.

Submitted medical statements must clearly identify the child's:

- Medical or other special dietary condition
- Diet accommodation requested
- Food(s) to be omitted from his or her diet
- Food or choice of foods that must be substituted in his or her meals

The Medical Statement form is available on the CDE Web page at <http://www.cde.ca.gov/ls/nu/cr/documents/medstat.doc>.

Optional accommodations for children with special dietary needs must be consistent with the new meal pattern and dietary specifications.

Schools may not charge children with disabilities or with certified special dietary needs who require food substitutions or modifications more than they charge other children for CNP meals or snacks. An agency's cafeteria fund, general fund, and other funding sources may be used to cover additional costs. Refer to pages 11–14 in the USDA Accommodating Children with Special Dietary Needs in the School Nutrition Program (SNP) guidance manual.

Management Bulletin (MB) CNP-10-2015 is located on the CDE Web page at <http://www.cde.ca.gov/ls/nu/sn/mbcnp102015.asp>.

3. Milk Substitutions (Not a Disability)

In September of 2008, the USDA issued a final rule providing SFAs the **option** to offer a fluid milk substitution, such as soymilk, for students who have medical or special dietary needs that do **not** rise to the level of a disability.

If you want to offer soymilk to students with special dietary needs, please access MB USDA-CNP-04-2010 Final Rule: Fluid Milk Substitutions located on the CDE Web page at <http://www.cde.ca.gov/ls/nu/sn/mbusdacnp042010.asp>.

A reimbursable meal does not have to include milk if the SFA implements OVS.

4. Lactose Intolerance

Lactose-free milk is allowed as part of the reimbursable school meal and SFAs may offer it to children who have lactose intolerance without requiring documentation.

A statement signed by a recognized medical authority or parent is **not** required for lactose intolerance since lactose-free milk is an approved milk alternate.

5. At-risk Afterschool Meals Program

In order to serve suppers in an afterschool care program, NSLP sponsors must apply and be approved for the Child and Adult Care Food Program (CACFP). Under the CACFP At-risk Afterschool Meals Program, you can claim up to one meal and one snack. The CACFP application process currently requires sponsors to submit information to the Nutrition Services Division (NSD) to assess for financial viability, administrative capability, and program accountability (VCA). LEAs are not required to meet the VCA criteria. Therefore, NSD has streamlined the application process for LEAs who are successful in operating the NSLP.

LEAs that want to participate in the CACFP At-risk Afterschool Meals Program to serve a snack and/or a supper **must**:

- Be located in a geographic area served by a school in which 50 percent or more of the participants enrolled are eligible for free or reduced-priced meals
- Operate their program during after school hours, which may include weekends, and school holidays during the regular school year
- Include enrichment activities or an educational component
- Provide regularly scheduled activities in an organized, structured, and supervised environment
- Meet the CACFP or NSLP meal pattern requirements
- Maintain separate resource management

Are you interested in serving meals to after school students, but are unsure where to start? Watch this 10 minute online video to learn how to apply for the at-risk afterschool meal component of the CACFP. Whether you are with a school district or a community organization, this short video will walk you through the application process for the after school meal component of the CACFP. Watch it now on the California AfterSchool Network (CAN) How to Apply to Serve Meals Web page at <http://www.afterschoolnetwork.org/how-apply-serve-meals>.

The USDA released Policy Memo SP-09-2012: Streamlining At-risk Meal Participation for School Food Services Authorities located on the USDA Web document at http://www.fns.usda.gov/sites/default/files/SP09_CACFP04-2013os.pdf.

The NSD MB CACFP-06-2014 is located on the CDE Web page at <http://www.cde.ca.gov/ls/nu/cc/mbsn212014cacfp062014.asp>.

The *At-risk Afterschool Handbook* is located on the USDA Web document at <http://www.fns.usda.gov/sites/default/files/atriskhandbook.pdf>.

For additional resources, please visit the CAN Afterschool Meal Program Web page at <http://www.afterschoolnetwork.org/after-school-meal-program>.

The CACFP Unit developed an at-risk checklist which is a helpful tool to ensure you are meeting the program requirements. This tool is located in the CACFP Module of the CNIPS in the Download Forms section and can be accessed at the following link http://www.calpronet-sj.org/modules16_17/CACFP_Agency_Checklist

6. Vegetarian Meals

MB NSD SNP-17-2012 provides information on Assembly Concurrent Resolution 16: Nutrition: Vegetarian School Lunches, Resolution Chapter 62, Statutes of 2003. It encourages SFAs to offer plant-centered vegetarian entrée options to meet the needs of their student population and provides information on helpful resources. The CDE recommends that all SFAs phase in plant-centered and other vegetarian entrees. The full content of this MB is available on the CDE Web page at <http://www.cde.ca.gov/ls/nu/sn/mbsn2012.asp>.

7. Seamless Summer Feeding Option

The SSFO allows SFAs to provide free summer meals in low-income areas during the traditional summer vacation periods and, for year-round schools, during school vacation periods of at least 10 school days. The SSFO is designed to encourage more SFAs to provide meals during summer and other school vacation periods.

This option combines features of the NSLP, SBP, and the Summer Food Service Program (SFSP). SFAs offering the SSFO must follow the federal meal pattern requirements in school year prior to the beginning of service of the SSFO. For example, a school operating SSFO in the summer of 2016 would follow the meal pattern requirements that became effective on July 1, 2015. With prior approval, SFAs operating the SSFO may serve a single grade group at open or restricted open sites. SFAs are expected to make every attempt to follow the grade group requirements. However, SFAs having difficulty implementing the grade group requirements may work with the NSD to make accommodations, which may include meeting the minimum meal pattern requirements for the most common grade group served. All other SSFO sites serving an identified group of students must follow the grade group requirements. However, these sites can take advantage of the K–8 grade overlap for lunch. Lunch menus for K–8 and 9–12 grades can be very similar, with slight increases in fruits, vegetables, grains and M/MAs for older students.

Certified SFAs operating the SSFO are eligible to receive the additional six cents per lunch reimbursement for SSFO lunches. When SFAs submit documentation for certification, they are attesting that what they are submitting is representative of ongoing NSLP and SBP meal service, which would include meals served under the SSFO.

For more information, see the CDE SSFO Web page at <http://www.cde.ca.gov/ls/nu/sn/ssfo.asp>.

You can also access Policy Memo SP-37-2015 edition of Q&A's for the NSLP Seamless Summer Option located on the USDA Web document at <http://www.fns.usda.gov/sites/default/files/cn/SP37-2015os.pdf>.

8. Administrative Review

In accordance with the Healthy, Hunger-Kids Act of 2010 (HHFKA), the USDA FNS has developed a new AR process. The process combines elements of the coordinated review effort (CRE) and the school meal initiative review, accounts for the transition to a three-year review cycle, and incorporates new requirements such as those for school breakfast, the fresh fruit and vegetable program, afterschool snack program, special milk program, special provisions, contracting with food service management companies (FSMC), and dietary specifications. The process ensures more effective and efficient monitoring of the complex requirements within the school meal programs and encourages collaboration between SFAs and the CDE.

The review process is structured to include both prereview (off-site) and on-site review components. Various risk assessment tools were developed by USDA to facilitate the prereview (off-site) portion of the SNP AR. Prereview (off-site) activities provide flexibility for the SFA to gather documentation and for the state agencies to review documentation prior to the on-site review. The prereview (off-site) component also provides SFAs with more time to formulate written responses to questions and allows time for the food service director (FSD) to consult with others within the SFA with other areas of expertise. The USDA mandates that the resource management portion of the off-site assessment tool questionnaire be submitted to the CDE at least four weeks prior to your scheduled review. Otherwise, the SFA will receive a more comprehensive review of all four areas within resource management section. The CDE asks SFAs to complete the entire off-site assessment tool at least eight weeks prior to your scheduled review, in order to allow the CDE adequate time to process and evaluate responses. It is highly recommended that the FSD work closely with the SFA staff person responsible for the financial aspects of the SNP.

Note: The USDA will continue to refine their guidance on the AR process. Therefore, there may be some changes to these sections during the next year.

Overview of the Administrative Review Structure

There are five key compliance areas of the AR process categorized as either a critical area of performance or a general area of review. The USDA requires the CDE to take regulatory fiscal action for noncompliance in the critical areas; however, the USDA grants authority to the CDE

to determine any fiscal action in the general areas. The five key compliance areas are summarized below in an accessible version of: What is an ARWeb document at <http://www.cde.ca.gov/ls/nu/ar/documents/snparidiagram.pdf>.

Meal Access and Reimbursement

This component is identified as a Critical Area, Performance Standard 1, and focuses on the following:

- Certification and Benefit Issuance (number series 100)
 - Reviews the SFA's determination of a student's eligibility for free, reduced-price, or paid meals and is the link to the SFA's meal counting and claiming system
 - Ensures that eligible children receive meals to which they are entitled and that reimbursement claims are valid
- Verification (200)
 - Reviews the mandatory process used by the SFA to confirm selected students' eligibility by verifying the income listed on the original household applications
 - Ensures that the SFA properly completes the verification process in the appropriate timeframe
- Meal Counting and Claiming (300)
 - Reviews the SFA's meal counting and claiming system that accurately counts, records, consolidates, and reports the number of reimbursable meals claimed
 - Ensures that reimbursement claims are accurate and adequate systems are in place to avoid overt identification

Meal Pattern and Nutritional Quality

This component is identified as a Critical Area, Performance Standard 2, and focuses on the following:

- Meal Components and Quantities (400)
 - Reviews the preparation, offering, and service of meals that meet the meal pattern requirements for the appropriate student grade groups on all reimbursable meal service lines
 - Ensures that every reimbursable meal service line meets the daily and weekly meal pattern requirements for the appropriate grade group served
- OVS (500)
 - Reviews the SFA's implementation of OVS, a program element that allows

students to decline some of the food items offered that they do not intend to eat, helping to reduce food waste

- Ensures that the SFA provides adequate amounts of all food components, that the student selects sufficient components, and that the meals claimed for reimbursement meet meal pattern requirements
- Dietary Specifications and Nutrient Analysis (600)
 - Reviews the amount of calories, saturated fat, trans fat, and sodium in meals offered to children through the SNPs
 - Ensures that the meals served are in compliance with dietary specification standards

Resource Management

This component is identified as a general area and addresses the maintenance of the nonprofit school food service account (cafeteria fund), paid lunch equity (PLE), revenue from nonprogram foods, and indirect costs. The risk assessment tool determines the depth of this area of review.

- Resource Management (700)
 - Reviews the following fiscal-related areas:
 - ✓ Maintenance of the nonprofit school food service account
 - ✓ PLE
 - ✓ Revenue from nonprogram foods
 - ✓ Indirect costs
 - Ensures the overall financial health of the SFA's nonprofit school food service account

General Program Compliance

This component is identified as a general area and includes the following review:

- Civil Rights (800)
 - Laws, regulations, instructions, policies, and guidance related to nondiscrimination in CNPs
 - Ensures that the SFA has a written procedure and complies with requirements
- SFA On-site Monitoring (900)
 - Reviews the SFA's completion of at least one on-site review of the lunch counting and claiming system in each school for SFAs with more than one school under its jurisdiction

- Reviews the SFA's completion of 50 percent of breakfast sites annually, with 100 percent being monitored bi-annually
- Local School Wellness Policy (LSWP) (1000)
 - Reviews the effectiveness of the SFA's LSWP in promoting children's health, preventing childhood obesity, and preventing diet-related chronic diseases by fostering a healthy school environment
 - Ensures that the LSWP contains all mandated components including stakeholder engagement, implementation, public notification, and reporting
- Smart Snacks in School (1100)
 - Reviews the requirements for all food and beverages sold to students, on school campus, from midnight through 30 minutes after the end of the school day, outside of the federally reimbursable meal program
 - Ensures that SFAs meet the minimum requirements for all foods and beverages sold in school to increase consumption of healthful foods during the school day and support a healthy school environment
- Professional Standards (1200)
 - Reviews compliance with USDA hiring and education requirements for FSD
 - Ensures documentation of annual training for all food service staff
- Water (1300)
 - Reviews the requirements that schools provide potable water to all students during lunch and to students served breakfast in the cafeteria
 - Ensures that children have access to water during meal service times in meal service areas
- Food Safety, Food Storage, and Buy American (1400)
 - Reviews the safe handling, storage, preparation, and service of food, as well as, the purchase of foods produced and processed in the United States. This includes the review of off-site food storage facilities for the sites selected for review.
 - Ensures that the SFA is compliant with state and federal food safety requirements and the Buy American requirement
- Reporting and Recordkeeping (1500)
 - Reviews the SFA's submission and maintenance of reports and the possession

of records according to record retention requirements

- Ensures that the SFA complies with reporting and recordkeeping requirements
- SBP and SFSP Outreach (1600)
 - Reviews the requirement of SFAs to inform eligible households of the availability of breakfast offered under the SBP and meals offered through the SFSP
 - Ensures that the SFA meets the required outreach activities to increase program participation

Other Federal Program Reviews

This component is identified as a general and critical area and focuses on the following programs, if applicable:

- Afterschool Meal Supplements (Snacks) (1700)
 - Reviews the SFA's option to serve NSLP snacks to students in structured afterschool programs that provide educational or enrichment activities
 - Ensure that participating schools serve nutritionally-balanced snacks that meet meal pattern requirements, provide appropriate activities, and count and claim snacks accurately
- SSFO (1800)
 - Reviews the SFA's option to serve meals during summer or certain other school vacation periods using the same meal service rules and claiming procedures as the NSLP
 - Ensures that the SFA complies with meal counting, claiming, menu planning, and food safety requirements
- Fresh Fruit and Vegetable Program (1900)
 - Reviews the SFA's ability to increase elementary school students' exposure to and consumption of a variety of fresh fruits and vegetables outside the NSLP
 - Ensures that participating schools are operating the program in compliance with requirements outlined by the USDA and the CDE
- Special Milk Program (2000)
 - Reviews the SFA's offering of milk to eligible children in schools, residential child care institutions (RCCI), and eligible camps that do not participate in other federal CNPs
 - Ensures that the SFA operates the program in accordance with an approved

agreement and federal regulations

Meal Components and Quantities

The CDE or the SFA must complete the menu worksheet portion of a USDA-approved **Menu Planning Tool for Certification for Six Cent Reimbursement** (referred to as Menu Worksheet from here on) for each school selected for review for a week from the review period for both breakfast and lunch. The worksheet must be completed using menu production records (MPR), menus, recipes, food receipts, and any other documentation that shows meals contained the required components or quantities.

Menus, MPRs, product formulation statements (PFS), and standardized recipes are key components to determining compliance with the meal pattern during an AR. The CDE or SFA is not required to complete the Simplified Nutrient Assessment portion of the Menu Planning Tool. The Menu Planning Worksheets are located on the USDA Web page at <http://www.fns.usda.gov/school-meals/certification-compliance>.

Fiscal Action

The CDE is required by the USDA to recover any overpayment made to an SFA for claimed meals that did not meet regulations. Please access the USDA document that provides a summary of fiscal action that can be taken during an AR at http://www.calpronet-sj.org/modules16_17/Actions_AR_First_3_Year_Cycle.pdf.

Note: The fiscal action for benefit issuance errors are now applied to **all** sites under the jurisdiction of the SFA. Previously, the benefit issuance errors required fiscal action for only the sites selected for the review.

Dietary Specifications and Nutrient Analysis

The CDE must complete a risk assessment tool for each site selected for NSLP and SBP review. This tool, the Meal Compliance Risk Assessment Tool, identifies a single site, which is at highest risk of noncompliance with the current meal pattern. This single site becomes the **targeted** site that then receives a **targeted** menu review that includes the review of menus, production records, recipes, and PFSs for a selected week within the month of review.

The CDE completes another risk assessment tool, the Dietary Specifications Assessment Tool, in order to identify if the site of targeted menu review is at low or high risk for noncompliance with the current nutrient standards (i.e., saturated fat, calories, artificial trans-fat, and sodium). If the tool identifies the site is **high risk** of noncompliance with the nutrient standards (i.e., calories, saturated fat, artificial trans-fat, and sodium), then the CDE must conduct or validate an existing nutrient analysis for both breakfast and lunch. If the dietary specifications assessment tool identifies the site as **low risk** of noncompliance, then the off-site analysis of this area of the review is complete. **Please note:** If the reviewer identifies significant risk of noncompliance while on-site, then the ranking of noncompliance may also change from low risk to high risk.

If required, the nutrient analysis is completed for breakfast **and** lunch for each grade group for

the site of the targeted menu review. The nutrient analysis calculates a weekly average of calories, saturated fat and sodium and the outcome is compared to the USDA nutrient requirements for breakfast and lunch. The CDE will collect or review your documentation to support the data entry in the nutrient analysis. Documentation typically includes nutrition facts labels and/or PFSs, recipes, and MPRs.

Please note: The nutrient analysis **must** be a weighted nutrient analysis. A weighted analysis is based on the MPRs and the planned quantity. The list below summarizes the characteristics of the required weighted analysis.

Weighted Analysis Requirements

- Includes all foods offered
- Is based on portion sizes
- Analyzes a one-week period
- Is based on projected number of servings
 - If projected servings of the two food items are actually 200 of one and 100 of another, then the weighted average would be based two-thirds on the first food item and one-third on the second item
- Is based on proportionate contribution based on foods offered on the menu
 - Food items offered more frequently count more heavily
 - FNS guidance for nutrient analysis must be followed
- Is based on a school week of three to seven days
 - Weeks of less than three days are added to the previous or following week

In order to have an accurate weighted analysis, sponsors will need to continually adjust the projected serving counts according to participation for each item as recorded on the MPRs.

Technical assistance (TA) and corrective action plans (CAP) will be the key tools used by the CDE to seek compliance with the meal pattern and nutrition standard requirements.

Transparency Requirement

The Administrative Reviews in School Nutrition Programs final rule requires the CDE to report the final results of the administrative review to the public in an accessible, easily understood manner in accordance with guidelines promulgated by the Secretary. The final rule at 7 CFR 210.18(m) requires the State agency to post a summary of the most recent final administrative review results for each SFA on the State agency's publicly available website, and allows the State agency to strongly encourage each SFA to post a summary on the SFA's public website.

The results summary must include access and reimbursement (including eligibility and certification review results), an SFA's compliance with the meal pattern and the nutritional quality of school meals, the results of the review of the school nutrition environment (including

food safety, local school wellness policy, and competitive foods), compliance related to civil rights, and general program participation. At a minimum, this summary would include the written notification of review findings provided to the SFAs Superintendent or equivalent as required at 7 CFR 210.18(i)(3). State agencies must post this summary no later than 30 days after the State agency provides the final results of the administrative review to the SFA. More information on this topic is forthcoming.

9. Professional Standards

The USDA established minimum professional standards for personnel who manage and operate the NSLP) and the SBP. These standards address Section 306 of the HHFKA by ensuring that school nutrition personnel have the knowledge, training, and tools needed to create nutritious, safe, and enjoyable school meals. The professional standards for personnel in SNPs became effective July 1, 2015. To review the final rule, please visit the Federal Register Professional Standards for SNPs Web page at <https://www.federalregister.gov/articles/2015/03/02/2015-04234/professional-standards-for-state-and-local-school-nutrition-programs-personnel-as-required-by-the>.

The final rule on the USDA professional standards does the following:

- Creates minimum hiring standards (i.e. education, experience) for SFA directors based on the local educational agency's (LEA) size by student enrollment
- Establishes minimum hiring standards for state directors of school nutrition and state distributing agencies
- Requires minimum annual training for all new and current school nutrition professionals

The standards apply to public, charter, private schools, and RCCIs that operate the NSLP or SBP. It also applies to FSMCs but not vended meal providers.

Focus on the Role, not the Title

There are different requirements for hiring and training, based on the person's role. Therefore, it is important to understand the definition for each position. The final rule defines food service personnel as **director**, **manager**, or **staff** depending on their role in the school nutrition operations.

The USDA acknowledges that titles and associated duties vary widely across the SFAs and there can be confusion in determining who the director is and who the manager is. The USDA recommends that SFAs focus on the role of the employee and not the title.

To determine how the training standards apply to you and your staff, look at what each person does, not their title.

- **Director:** Manages the day-to-day operations of school food service for **all** participating schools under the jurisdiction of the SFA.

- **Manager:** Manages the day-to-day operations of school food service for one or more participating schools, but **not all** of the participating schools under the jurisdiction of the SFA.
- **Staff:** Has a nonmanagerial role in the day-to-day operations of the school food service.

Hiring Standards for Directors

The hiring standards are determined by the size (student enrollment) of the LEA:

LEA Student Enrollment	Minimum Education Standard
2,499 or less	Bachelor's degree with a specific major (such as food and nutrition, food service management, dietetics, family consumer sciences, nutrition education, culinary arts, business, or a related field) Or Bachelor's degree with any major and one year of SNP experience Or Associates degree with a specific major and one year of SNP experience Or High School diploma or GED and three years of SNP experience
2,500–9,999	Bachelor's degree with specific major Or Bachelor's degree with any major and two years of SNP experience Or Associate's degree with a specific major and two years of SNP experience
10,000 +	Bachelor's degree with a specific major Or Bachelor's degree with any major and five years of experience in management of SNP

Note: California does **not** have a state-recognized certificate for SNP directors.

- Directors, hired before July 1, 2015, are grandfathered into their current positions and they may move to another district with the same or smaller LEA size category. This also applies to positions advertised prior to July 1, 2015.

- **CDE Policy:** The CDE requires that new acting directors expected to serve for more than 12 months to meet the hiring standards.
- **CDE Policy:** LEAs under 500-student enrollment, can request approval to hire a candidate with a high school diploma with less than three years' experience. Complete **Form ID SNP 07 Hiring Flexibility Request** available in the Download Forms section in the SNP Module of the CNIPS Web site at <https://www.cnips.ca.gov/>.
- New SFA directors in all LEA size categories must have at least eight hours of food safety training within five years prior to the starting date, or completed within 30 days of the starting date.
- **CDE Policy:** The CDE requires all SFA directors, regardless of starting date, to complete eight hours of food safety training every five years.
- Paying for costs incurred by an individual to meet the hiring standards is not an allowable use of the nonprofit school food serve account.
- Document compliance with the hiring standards and have documentation available for the AR.

Hiring Standards Documentation

The director must maintain documentation of meeting all of the hiring standards for review during the AR. Acceptable documents for minimum education standards include a degree or diploma to validate the education level completed and a resume to validate length of relevant SNP experience. When a degree is not completed, college transcripts are acceptable documentation to validate equivalent educational experience. Documentation of prior food safety training may be a certificate of completion of training or sign-in sheet that shows the date of training and a training agenda that includes the training title, topic(s) covered, and the instruction time.

Training Standards

Annual continuing education and training for all school nutrition personnel is a requirement. The chart provides the number of required training hours per year per category. Remember to focus on the role of the person in the operation and not the title.

Category	SY 2016–17
SFA directors	12 hours
SFA managers	10 hours
SFA staff > 20 hours/week	6 hours
Part-time staff <20 hours/week	4 hours

- If hired on January 1 or later (in any school year), only half of the required training hours must be done that year.
- Office staff who work 20 hours or more per week during the school year must complete 6 hours of training and staff working less than 20 hours per week must complete 4 hours of annual training.
- Delivery employees and staff, who monitor refrigeration, food temperatures, etc., are expected to complete annual training on topics such as proper handling, delivery, and storage of perishable food products and so on.
- Annual civil rights training that addresses school meal issues counts toward the annual training standards.
- Attendance at a motivational speaker or participation in a session to discuss program issues or gather program information from the district do not count toward training standard.
- **CDE Policy:** The CDE allows SFAs to demonstrate compliance with training standards over a period of two school years if some training hours are completed each school year.
- Providing training is an allowable use of the nonprofit school food service account. SFAs are encouraged to utilize free or low cost training material when possible.
- Document compliance with the training standards and have documentation available for the AR.

- **CDE Policy: Ongoing food safety training or certification every five years for directors (7 CFR 210.30[b][1][v]):** All directors shall either maintain the food safety certification or complete eight hours of food safety training every five years while employed in the SNP. In California, this requirement does not apply to acting directors in the position for less than 12 months.

The USDA suggested specified training topics areas that include:

- Free and reduced-price eligibility
- Application, certification, and verification procedures
- Meal counting and claiming procedures
- Identification of reimbursable meals at the point of service (POS)
- Nutrition, health and food safety standards
- Any topic required by the USDA

Training may be provided in a variety of formats and from a variety of sources including Web-based training or in-person training. Sources of training include state-sponsored workshops, other SFAs, in-house training, the USDA, and the Institute of Child Nutrition (ICN), professional associations such as School Nutrition Association (SNA) and the California School Nutrition Association (CSNA), and commercial vendors.

Training must be job-specific and intended to help employees perform their duties. For more on specific objectives for relevant school nutrition training, visit the training topics and objectives document located on the USDA Professional Standards Web document at https://www.fns.usda.gov/sites/default/files/cn/ps_learningobjectives.pdf

The USDA created a comprehensive Professional Standards Web site that allows school nutrition staff to search for training that meets their learning needs in one easy-to-use location. The site includes information on Webinars, online modules, self-paced training, training materials, manuals, etc. Access these resources on the USDA Professional Standards Web site at <http://professionalstandards.nal.usda.gov/>.

The Professional Standards Web site also has links for a sample tracking tool, Frequently asked Questions, and the USDA summary flyer located on the USDA Professional Standards Web page at <http://www.fns.usda.gov/school-meals/professional-standards>.

Training Recordkeeping and Documentation

SFAs must keep a record of the training that employees complete to meet the annual training requirements. They may either use the USDA Professional Standards Training Tracking Tool or another method that must include:

1. Trainee's first and last name
2. Trainee's professional standards position (director, manager, or staff)
3. Title of training (indicate if exhibit or product demonstration)
4. Date training completed
5. Training hours credited
6. Key area(s) of training
7. Key topic(s) addressed
8. Training subjects or learning topics covered

SFAs must also maintain supporting documentation, such as the agenda and sign-in sheet or certificate of completion, for all completed training.

School Food Authority Oversight

According to 7 *CFR* 210.30(g), each school year the director **must sign and date a Self-certified statement** that: (1) meets the hiring standards; and (2) each employee, including the director, has completed the applicable training requirements. SFAs must save all documentation and certification for the school years that coincide with the time period specified for their next AR.

During the AR, as part of the general area of review, the CDE will examine the SFA's records that document completion of applicable hiring and training requirements, including food safety training or certification. As specified in the AR manual, SFAs need to provide the following personnel information to the CDE staff conducting the AR: employee name, hire date, job title, core duties, employment status, time-base, employee category (director, manager, or staff), and school or site where they work.

In the event of noncompliance, the CDE staff will provide TA and work with the SFA on an acceptable CAP. The CDE will consult with the USDA to determine on a case-by-case basis a reasonable timeline for compliance with the hiring standards. There will be no fiscal action.

10. Resources

Keep up-to-date on the latest SNP AR requirements, resources, and helpful tips by visiting the new SNP AR located on the CDE Web page at <http://www.cde.ca.gov/ls/nu/ar/arsnp.asp>.

New AR Process updates, MB SNP-23-2015 is located on the CDE SNP MB Web page at <http://www.cde.ca.gov/ls/nu/sn/mbsnp232015.asp>.

The AR off-site assessment tool—Find It and Complete It! Webinar: This Webinar provides a step-by-step process to access the AR off-site assessment tool in the CNIPS and shares the most common Q&As for completing the tool. You can access this and other Webinars on the YouTube CDE Nutrition Programs Web page at <http://www.youtube.com/user/cdenutrition/videos>.

AR 101 PowerPoint: This presentation provides an excellent overview of the entire AR process. You can access the AR 101 PowerPoint file in the Download Forms section of the CNIPS, Form ID: SNP 60 AR.

The CDE NSD MB Professional Standards in SNPs (SNP-17-2016) Web page at <http://www.cde.ca.gov/ls/nu/sn/mbsnp172016.asp>

The CDE Professional Standards for SNP Professionals Web page at <http://www.cde.ca.gov/ls/nu/pd-ps.asp>.

California Professional Standards Requirement by Position Web page at <http://www.cde.ca.gov/ls/nu/pd-psbyposition.asp>

The SNA Web site has information on Professional Standards located on the SNA Resource for USDA Professional Standards Web page at <https://schoolnutrition.org/News/SNAisYourResourceforUSDAProfessionalStandards/>.

OVS ANSWER KEY:

Open the OVS activity answer key link below to view the answers from the activity on page 9

http://www.calpronet-sj.org/modules16_17/Breakfast_OVS_Activity_Answer_Key

http://www.calpronet-sj.org/modules16_17/Lunch_OVS_Activity_Answer_Key

http://www.calpronet-sj.org/modules16_17/K-8_OVS_Lunch_Speed_Round_Activity_Answer_Key

Contacts

Special Dietary Needs

Ashley Osterman, Child Nutrition Consultant (CNC)
Northern SNP Unit
Nutrition Services Division
Phone: 916-445-1261
Email: aosterman@cde.ca.gov

Lori Porter, CNC
Southern SNP Unit
Nutrition Services Division
Phone: 916-322-1454
Email: lporter@cde.ca.gov

For the name and phone number of your local CNC or SNP specialist call 800-952-5609, Option 2.

CACFP Afterschool Meals

For more information on the at-risk afterschool meal component of the CACFP, contact your CACFP specialist. The CACFP specialist list is available in the Download Forms section of the CNIPS, Form #CACFP 01. You can also contact Nancy Charpentier, CACFP Unit Office Technician, by phone at 916-327-2991 or by e-mail at ncharpentier@cde.ca.gov, to be directed to your CACFP specialist.

Seamless Summer Feeding Option

For more information on the SSFO, contact your SNP specialist. The SNP county specialist list is available in the CNIPS Download Forms section, titled **Caseload SNP**. You may also contact an SNP office technician by phone at 916-322-1450, 916-322-3005, or 800-952-5609, Option 2.

Administrative Review

If you have any questions on the administrative review, please contact your child nutrition consultant (CNC) for further information. The CNC contact list is located in the CNIPS Download Forms section, Form ID Caseload. You can also call 800-952-5609, Option 2, to be directed to your CNC.

Professional Standards

If you have questions on professional standards, please contact by e-mail at HHFKA@cde.ca.gov.

This module provides the following Professional Standards:

Key Area: Nutrition (1000); Operations (2000)

Key Topics: Menu Planning (1100); Serving Food (2200)

Learning Objectives: Plan meals to accommodate special diets (1160); Use offer versus serve correctly (2220)

Instructional Minutes=60