



NEW LENOX SCHOOL DISTRICT 122
102 South Cedar Road, New Lenox, Illinois 60451
Phone 815-485-2169 Fax 815-485-2236

YOU ASKED.....WE ANSWERED

WHY DID THE DISTRICT STOP HAVING PIZZA DAYS?

Federal Regulations set forth by the Healthy Hunger-Free Kids Act and the National School Lunch Program prohibit the sale of pizza to students during the school day.

A complaint was filed against NLSD122 by an anonymous person in 2015 with the State of Illinois regarding the fact that NLSD122 served pizza day meals that were not compliant with the National School Lunch Program. As a result of this complaint, the State of Illinois conducted a comprehensive on-site three day investigation. The results of the investigation concluded that the NLSD122 pizza days were not compliant with the National School Lunch Program regulations. NLSD122 was told by the State of Illinois on September 23, 2015 that pizza could no longer be sold to students during the school day. The three day on-site investigation by the State of Illinois also concluded that NLSD122 had improperly claimed three slices of pizza during the previous school year resulting in an over claim of \$6.76.

Attached is the Complaint Review Report and the required Corrective Action Response.



Illinois State Board of Education

100 North First Street • Springfield, Illinois 62777-0001
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James T. Meeks
Chairman

Tony Smith, Ph.D.
State Superintendent of Education

September 23, 2015

Agreement No.
56-099-1220-02

Dr. Margaret Manville
New Lenox School District 122
102 South Cedar Road
New Lenox, Illinois 60451-1702

Dear Dr. Manville:

Enclosed is the report of the National School Lunch Program complaint review conducted on August 21, 25 and 26, 2015. The report identifies the complaint, the problems cited during the review and the corrective action recommended.

A corrective action plan to the review report must be received in our office by October 23, 2015. This response must detail the specific actions taken to correct any problems cited and must be signed by the appropriate school official. The corrective action plan must address the cited problems district-wide, for all sites.

Technical assistance materials and/or training opportunities may be available to assist in correcting problems identified in the review. The cooperation of personnel during this visit was appreciated. If you have questions regarding your review, please contact Karen Taylor at kataylor@isbe.net. For all other program questions, please contact the office at 800/545-7892.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mark R. Haller".

Mark R. Haller, SNS
Division Administrator
Nutrition and Wellness Programs

Enclosure

cc: File

NATIONAL SCHOOL LUNCH PROGRAM

COMPLAINT REVIEW REPORT

This report summarizes the complaint and the results of the complaint review of the National School Lunch Program sponsored by New Lenox School District 122, Agreement #56-099-1220-02, conducted on August 21, 25 and 26, 2015, by Karen Taylor, Principal Consultant.

The complaint stated that special lunch meals, that did not meet the program requirements, were offered at one or more schools in the district, throughout the 2014-2015 school year. The complaint raised the following questions related to the sponsor's operation of the National School Lunch Program:

1. Were the special lunch meals claimed for NSLP reimbursement?
2. Did the special lunch meals meet the NSLP meal pattern?
3. Were free and reduced-price meals offered on special lunch meal days?
4. Did the special lunch meals meet the Smart Snacks requirements?
5. What account was used to pay for the special lunch meals?
6. What account received the revenue from the special lunch meals?
7. Was the contracted vendor, the supplier of the special lunch meals?
8. If yes, were commodities used?
9. If yes, how did the special lunch meals fit into the contract, if they did not meet the NSLP meal pattern?
10. If no, were the special lunch days written into the contract not to serve?

The results of the review were discussed at an exit conference on August 26, 2015, with Robert Groos, Business Manager.

The purpose of the review was to investigate the school food authority's compliance with the federal and state program regulations related to the complaint. The following areas of program compliance were evaluated:

- Certification and Benefit Issuance
- Meal Counting and Claiming
- Meal Components and Quantities
- Dietary Specifications and Nutrient Analysis
- Local School Wellness Policy
- Smart Snacks
- Reporting and Recordkeeping

During the review, technical assistance was provided in the following areas:

- Certification and Benefit Issuance
- Meal Counting and Claiming
- Meal Components and Quantities
- Dietary Specifications and Nutrient Analysis

- Local School Wellness Policy
- Smart Snacks
- Reporting and Recordkeeping

As a result of the complaint review, the following problems were identified. The corrective action plan for each citation must address and correct the problem district-wide, at all sites.

General Program Compliance

One of the purposes of the National School Lunch Program is to serve nutritious lunches to children each school day (210.1(a)). By replacing a reimbursable meal with the special lunch meals, the school food authority failed to serve nutritious lunches to children each school day. Procedures must be established to ensure children are served nutritious lunches each school day.

Meal Components and Quantities

None of the special lunch meals served by the school food authority, over the course of the 2014-2015 school year, met the NSLP meal pattern requirements. Children were not offered the daily minimum required components. Children must be offered all of the daily minimum required components. A reimbursable lunch must offer a meat/meat alternate, a fruit, a vegetable, a grain/bread and milk, in the required serving sizes. Procedures must be established to ensure all required components are offered each day.

Certification and Benefit Issuance

It could not be determined whether all children eligible for free or reduced price meals were offered the special lunch meal at a free or reduced price rate. Only one of the nine schools that offered special lunch meals provided documentation demonstrating that children eligible for free or reduced price meals were offered the special lunch meal at a free or reduced price rate. Children must be offered a reimbursable meal at the eligibility rate, free, reduced price or paid, for which they qualify. Procedures must be established to ensure all children are offered a reimbursable meal at the eligibility rate, free, reduced price or paid, for which they qualify.

Smart Snacks

The special lunch food and beverage components, which varied by school and by day, included components that did not meet the Smart Snack standards, to include pizza, chips, cupcakes, pudding and other dessert items. These items were sold to students during the school day and did not meet Smart Snack standards. Foods and beverages sold to students during the school day must meet Smart Snack standards. Provide assurance that Smart Snacks standards will be followed.

Local School Wellness Policy

The special lunch meals did not comply with the school food authority's school wellness policy, 6:50 School Wellness. Provide assurance that the School Wellness policy will be followed.

By selling foods that did not meet the nutrition standards outlined in the Healthy Hunger-Free Kids Act and the Nutrition Standards for All Foods Sold in Schools, the school food authority did not support the national goal of reducing childhood obesity. It also did not support instilling healthy eating habits among youth. Provide assurance that New Lenox School District 122 will support the goal of reducing childhood obesity and support instilling healthy eating habits among youth.

In terms of fundraising, school food authorities are encouraged to find creative ways to raise funds either through selling non-food items, or by selling foods that meet the Smart Snacks nutrition standards. Resources to support healthy fundraisers can be found at http://www.fns.usda.gov/sites/default/files/cn/bestpractices_fundraisers.pdf.

Sale of Competitive Foods

The special lunch meals were sold in competition to the National School Lunch Program, but the revenue from the sale of the special lunch meals did not accrue to the nonprofit school lunch program account. Procedures must be established to ensure all revenue from food or beverages sold in competition with the National School Lunch Program, to students in food services areas during the meal period, shall accrue to the nonprofit school lunch program account.

Resource Management

It could not be determined if the milk sold as part of some special lunch meals was purchased from the nonprofit school lunch program account. It could also not be determined if the nonprofit school lunch program account was credited the revenue from the sale of the milk, as part of the special lunch meals. Procedures must be established to ensure the nonprofit school lunch program account is credited with all revenue from the sale of food and beverages purchased from the nonprofit school lunch program account.

Recordkeeping

The order forms for the special lunch meals were not available for review. Provide assurance that all original program records will be maintained for three years plus the current year.

Vendor Contract

The school food authority has an established vendor contract, yet purchased meals from sources other than the contracted vendor. Procedures must be established to ensure the vendor contract is followed.

Meal Counting and Claim

Non-reimbursable meals were claimed for reimbursement.

- Cherry Hills Elementary School, site #14988, claimed two free meals and one paid meal on March 20, 2015, when a special lunch meal was offered to students, consisting of pizza, chips and water.
- Spencer Crossing, site #57055, claimed one paid meal on March 13, 2015, when a special lunch meal was offered to students, consisting of pizza, chips and milk.

Fiscal Action

As a result of the four special lunch meals claimed, an overclaim has been identified for the National School Lunch Program in the amount of \$6.76. Federal regulations allow this office to waive overclaims less than \$600.00; therefore, the National School Lunch Program overclaim will not be assessed.



New Lenox School District 122

102 South Cedar Road, New Lenox, Illinois 60451

Phone 815-485-2169 Fax 815-485-2236

Margaret M. Manville, Ed.D., Superintendent

November 4, 2015

Mark R. Haller, SNS
Division Administrator
Nutrition and Wellness Programs

Mr. Haller,

Below is NLSD122's required corrective action plan in response to your Complaint Review Report dated September 23, 2015 and your additional letter dated November 2, 2015.

Proposed Corrective Actions District-Wide, At All Sites:

As a result of this review, NLSD122 has canceled all future Pizza Day fundraisers. Each school would order pizza about three times a year and sell the pizza to the students to raise funds for the school. Parents would pre-order the pizza and pre-pay for the meals. If parents could not afford the lunch, free pizza was provided. If a student still wanted the NSLP cold box lunch on that day, they could choose to receive that lunch instead. All future Pizza Days and any other food related fundraisers which may take place at lunch time have now all been canceled.

General Program Compliance

Only the NSLP approved healthy cold box lunches specified in our contract with the ISBE approved lunch vendor will be sold to students. Additional items including Healthy Smart Snack Standard approved items may be sold in addition to the NSLP approved meals. No unapproved foods or "special lunches" will be sold on the school campus during the school day.

Meal Components and Quantities

Only the NSLP approved healthy cold box lunches specified in our contract with the ISBE approved lunch vendor will be sold to students. Additional items including Healthy Smart Snack Standard approved items may be sold in addition to the NSLP approved meals. No unapproved foods or "special lunches" will be sold on the school campus during the school day.

Certification and Benefit Issuance

NLSD122 utilizes a Food Service accounting program called PowerLunch to track who eats meals on which days. All students are coded in the system regarding free or reduced status. Reports in regards to who was served lunch each day are easily accessible.

Smart Snacks

Only the NSLP approved healthy cold box lunches specified in our contract with the ISBE approved lunch vendor will be sold to students during lunch. Additional items including Healthy Smart Snack Standard approved items may be sold in addition to the NSLP approved meals. No unapproved foods or "special lunches" will be sold on the school campus during the school day.

Local School Wellness Policy

Only the NSLP approved healthy cold box lunches specified in our contract with the ISBE approved lunch vendor will be sold to students during lunch. Additional items including Healthy Smart Snack Standard approved items may be sold in addition to the NSLP approved meals. No unapproved foods or "special lunches" will be sold on the school campus during the school day.

Sale of Competitive Foods

Only the NSLP approved healthy cold box lunches specified in our contract with the ISBE approved lunch vendor will be sold to students during lunch. Additional items including Healthy Smart Snack Standard approved items may be sold in addition to the NSLP approved meals. No unapproved foods or "special lunches" will be sold on the school campus during the school day. All revenue collected during lunch will accrue to the nonprofit school lunch account.

Resource Management

Only the NSLP approved healthy cold box lunches specified in our contract with the ISBE approved lunch vendor will be sold to students during lunch. Additional items including Healthy Smart Snack Standard approved items may be sold in addition to the NSLP approved meals. No unapproved foods or "special lunches" will be sold on the school campus during the school day. All revenue collected during lunch will accrue to the nonprofit school lunch account.

Recordkeeping

All original program records will be maintained for three years plus the current year.

Vendor Contract

Only the NSLP approved healthy cold box lunches specified in our contract with the ISBE approved lunch vendor will be sold to students during lunch. Additional items including Healthy Smart Snack Standard approved items may be sold in addition to the NSLP approved meals. No unapproved foods or "special lunches" will be sold on the school campus during the school day.

Meal Counting and Claim

Only reimbursable meals will be claimed. Note that NLSD122 inadvertently only claimed three unapproved meals for the 2014-2015 school year resulting in an extra \$6.76 of funds claimed.

Thank you,

Robert Groos
Business Manager
New Lenox School District 122