



## ADMINISTRATIVE REVIEWS IN THE SCHOOL NUTRITION PROGRAMS FINAL RULE SUMMARY

The Healthy Hunger Free Kids Act of 2010 (HHFKA) revises the administrative review process used by State Agencies (SAs) to evaluate compliance with Child Nutrition program requirements. This new rule requires SAs to provide public disclosure of a summary of the administrative review results. These changes are expected to strengthen program integrity through a more robust, effective, and transparent process for monitoring school nutrition program operations.

### **The Administrative Review Process:**

Combines elements from the Coordinated Review Effort and School Meals Initiative review systems to support overall integrity in school nutrition programs:

- Allows the monitoring of all programs operated by a local education agency (LEA) at one time while conducting the administrative review. That includes the School Breakfast Program (SBP), Afterschool Snacks, Seamless Summer Option (SSO), the Special Milk Program (SMP), and the Fresh Fruit and Vegetable Program (FFVP).
- Includes recommended off-site monitoring approaches.
- Includes risk-based approaches to identify any risk prone program areas to be assessed and technical assistance provided.
- Adds Resource Management to the general areas of review to evaluate the financial condition of the nonprofit food service.
- Promotes consistency in the review process across all SAs.
- Includes updated, user-friendly forms; new risk assessment tools; and statistical sampling for increased SA efficiency. The forms and tools associated with the updated administrative review process will be addressed separately in a 60-day notice to be issued in the future.

### **Critical and General Review Areas will be Evaluated:**

Critical areas include:

- the correct determinations and approval of meal eligibility,
- accurate claiming process at the school level as well as consolidated for the district; and for the dietary assessment,
- the meals are offered and served in compliance with the meal pattern regulations,
- have supporting documentation including menus and production records, and a review of recent menu records and meal documentation, including production records.

### **General Review Areas Must Include, but are not Limited to, the Following:**

- Free and Reduced Price Process
- Civil Rights
- School Food Authority (SFA) On-site Monitoring
- Reporting and Recordkeeping
- Food Safety
- Competitive Food Services
- Water
- Professional Standards
- SBP and Summer Food Service Program Outreach

- Local School Wellness Policies

As part of the review, the SA must assess whether performance-based cash assistance should continue to be provided for the lunches served.

With the three-year cycle, the SA has discretion to do a follow up review with its own criteria.

### **SFA Monitoring**

SFAs with more than one school are required to perform no less than one on-site review of the meal counting and claiming system employed by each school under its jurisdiction. The SFA must conduct the required on-site review prior to February 1 of each school year.

The final rule adds the SBP to the SFA's monitoring activities. The SFA must annually monitor the operation of the SBP at a minimum of 50 percent of the schools operating SBP in its district, with each school operating the SBP to be monitored at least once every two years.

### **Fiscal Action**

The final rule expands the scope of fiscal action for certification/benefit issuance PS-1 violations, revises the method to calculate fiscal action for applicable violations, and modifies the SA's authority to limit fiscal action for specific critical area violations when corrective action is completed. It calculates fiscal action at the district level rather than just reviewed schools and review period. To reflect the expanded scope of review, the final rule also revises language to indicate that fiscal action applies to "meals" (rather than just lunches) and the Special Milk Program. Depending on the findings of the review and corrective action implemented, there are different procedures for fiscal action based on the finding.

### **Implementation Timeline and Resources**

This rule is effective September 27, 2016.

This rule requires, in [7 CFR 210.18\(f\)\(1\)](#), that SAs use the forms and tools prescribed by FNS to conduct the administrative review. FNS will issue the updated tools and forms to align with the implementing rule. The tools and forms include, but are not limited to: An Off-site Assessment Tool, an On-site Assessment Tool, a Meal Compliance Risk Assessment Tool, a Dietary Specifications Assessment Tool, and a Resource Management Risk Indicator Tool. These tools and corresponding instructions are currently available to SAs on the FNS PartnerWeb, which is a restricted access online portal for SAs that administer the school meal programs.