

FCMAT

FISCAL CRISIS & MANAGEMENT
ASSISTANCE TEAM

New Haven Unified School District

Food Service Review

May 18, 2020

Michael H. Fine
Chief Executive Officer



FCMAT

FISCAL CRISIS & MANAGEMENT
ASSISTANCE TEAM

May 18, 2020

John Thompson, Ed.D., Superintendent
New Haven Unified School District
34200 Alvarado-Niles Rd.
Union City, CA 94587

Dear Superintendent Thompson:

In October 2019, the New Haven Unified School District and the Fiscal Crisis and Management Assistance Team (FCMAT) entered into an agreement for FCMAT to review the district's Food Service Department. Specifically, the agreement stated that FCMAT would do the following:

1. Examine the Food Service Department's operations including, but not limited to, food preparation, meal service, student participation, staffing, federal and state compliance, menu planning, purchasing, warehousing and food storage, inventory, and facilities, and make recommendations for improved efficiency, if any.
2. Evaluate the department's workflow and distribution of functions, and make recommendations for improved efficiency, if any.
3. Review training and professional development programs for the department's employees and managers, and make recommendations for improvements, if any.

This report contains the study team's findings and recommendations.

FCMAT appreciates the opportunity to serve the New Haven Unified School District and extends thanks to all the staff for their assistance during fieldwork.

Sincerely,



Michael H. Fine

Chief Executive Officer

Table of Contents

About FCMAT	ii
Introduction.....	1
Executive Summary	2
Findings and Recommendations.....	5
Budget.....	5
Purchasing and Inventory	9
Facilities and Equipment	11
Food Handling and Food Safety	14
State Administrative Review.....	16
Menus and Meal Program.....	18
Menus and Meal Service.....	20
Wellness	24
Competitive Foods	25
Enrollment, Participation and Eligibility	27
Staffing and Meals Per Labor Hour	30
Training and Oversight	33
Appendices.....	35

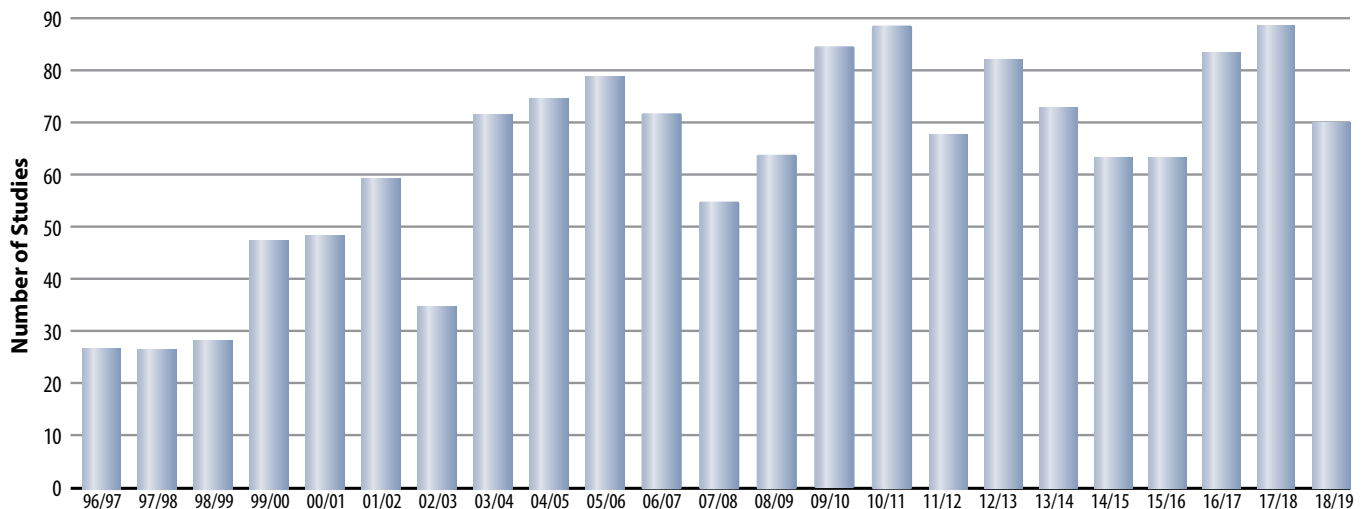
About FCMAT

FCMAT’s primary mission is to assist California’s local K-14 educational agencies to identify, prevent, and resolve financial, human resources and data management challenges. FCMAT provides fiscal and data management assistance, professional development training, product development and other related school business and data services. FCMAT’s fiscal and management assistance services are used not just to help avert fiscal crisis, but to promote sound financial practices, support the training and development of chief business officials and help to create efficient organizational operations. FCMAT’s data management services are used to help local educational agencies (LEAs) meet state reporting responsibilities, improve data quality, and inform instructional program decisions.

FCMAT may be requested to provide fiscal crisis or management assistance by a school district, charter school, community college, county office of education, the state Superintendent of Public Instruction, or the Legislature.

When a request or assignment is received, FCMAT assembles a study team that works closely with the LEA to define the scope of work, conduct on-site fieldwork and provide a written report with findings and recommendations to help resolve issues, overcome challenges and plan for the future.

Studies by Fiscal Year



FCMAT has continued to make adjustments in the types of support provided based on the changing dynamics of K-14 LEAs and the implementation of major educational reforms. FCMAT also develops and provides numerous publications, software tools, workshops and professional learning opportunities to help LEAs operate more effectively and fulfill their fiscal oversight and data management responsibilities. The California School Information Services (CSIS) division of FCMAT assists the California Department of Education with the implementation of the California Longitudinal Pupil Achievement Data System (CALPADS). CSIS also hosts and maintains the Ed-Data website (www.ed-data.org) and provides technical expertise to the Ed-Data partnership: the California Department of Education, EdSource and FCMAT.

FCMAT was created by Assembly Bill (AB) 1200 in 1992 to assist LEAs to meet and sustain their financial obligations. AB 107 in 1997 charged FCMAT with responsibility for CSIS and its statewide data management work. AB 1115 in 1999 codified CSIS’ mission.

AB 1200 is also a statewide plan for county offices of education and school districts to work together locally to improve fiscal procedures and accountability standards. AB 2756 (2004) provides specific responsibilities to FCMAT with regard to districts that have received emergency state loans.

In January 2006, Senate Bill 430 (charter schools) and AB 1366 (community colleges) became law and expanded FCMAT's services to those types of LEAs.

On September 17, 2018 AB 1840 was signed into law. This legislation changed how fiscally insolvent districts are administered once an emergency appropriation has been made, shifting the former state-centric system to be more consistent with the principles of local control, and providing new responsibilities to FCMAT associated with the process.

Since 1992, FCMAT has been engaged to perform more than 1,000 reviews for LEAs, including school districts, county offices of education, charter schools and community colleges. The Kern County Superintendent of Schools is the administrative agent for FCMAT. The team is led by Michael H. Fine, Chief Executive Officer, with funding derived through appropriations in the state budget and a modest fee schedule for charges to requesting agencies.

Introduction

Background

The New Haven Unified School District is located in Alameda County in Union City and serves approximately 11,281 students at 13 school sites, according to 2018-19 Census Day enrollment. Its free and reduced-price meal eligibility was 45.3% for the 2018-19 school year.

The district has been deficit spending in cafeteria operations over the past several years.

Study and Report Guidelines

In October 2019, the New Haven Unified School District and the Fiscal Crisis and Management Assistance Team (FCMAT) entered into an agreement for FCMAT to conduct a review of the district's Food Service Department.

FCMAT visited the district on January 14-16, and 31, 2020 to interview district and school site staff, collect data, observe the food service operations, and review documents. Following fieldwork, FCMAT continued to review and analyze documents. This report is the result of those activities.

FCMAT's reports focus on systems and processes that may need improvement. Those that may be functioning well are generally not commented on in FCMAT's reports. In writing its reports, FCMAT uses the Associated Press Stylebook, a comprehensive guide to usage and accepted style that emphasizes conciseness and clarity. In addition, this guide emphasizes plain language, discourages the use of jargon and capitalizes relatively few terms.

Study Team

The study team was composed of the following members:

Scott Sexsmith FCMAT Intervention Specialist	Roy Rico FCMAT Consultant
Leonel Martinez FCMAT Technical Writer	Judy Stephens FCMAT Consultant

Each team member reviewed the draft report to confirm accuracy and achieve consensus on the final recommendations.

Executive Summary

Budget

FCMAT reviewed the district's cafeteria fund budgets for the current and prior two fiscal years and found that since fiscal year 2017-18, program expenditures have exceeded revenues (also known as deficit spending), which indicates an ongoing structural budget deficit. The unaudited actuals reports for the district's cafeteria fund indicate that the food service program deficit spent \$848,798 in 2017-18 and \$918,846 in 2018-19.

Food and labor costs make up the majority of any food service expense budget. Based on the study team's experience, food and labor costs should each be approximately 40%-45% of revenue. An analysis of the district's 2017-18 unaudited actuals report indicates that labor costs were 73% of revenue, and food and supplies costs were 40%. These excessive labor costs contributed to deficit spending of \$848,798 for that fiscal year. An analysis of the district's 2018-19 unaudited actuals report indicates that labor costs were 79% of revenue, and food and supplies costs were 38%.

Purchasing and Inventory

In fiscal year 2018-19, the district published bids and/or proposals for produce, milk/dairy products, food products and snack products. In fiscal year 2019-20, it extended the awarded contracts to all four vendors for one year under the same terms and conditions as the original agreement. Another purchasing option is to piggyback on the bids of other districts.

The department is a member of the Schools Linked in Commodities (SLIC) commodity cooperative, which is composed of 128 member districts that contract with Gold Star Foods for the distribution of processed United States Department of Agriculture (USDA) foods and their commercial equivalents. The Vallejo City Unified School District is the lead district for this cooperative, with authority to contract for USDA foods and related services on behalf of member districts.

The district implemented a new automated food and supplies inventory tracking module within the Escape financial system. The central kitchen warehouse staff enter in the system the daily vendor deliveries received, and the food service production manager enters all orders that were manually written and submitted by school site lead staff. The department uses the electronic process in the Escape system to route purchasing requests from the central kitchen to the district's Purchasing Department, where a purchase order is processed for all food service food and supplies orders. Milk, produce, and bread purchases are also inventoried and usage tracked.

Facilities and Equipment

Most of the kitchens at the elementary schools visited are dated, but layout, workspace, serving lines and cafeteria eating areas are spacious enough for the food service program's needs. Site staff indicated that the workspaces and kitchen designs are adequate. The staff at middle schools and high school indicated that additional storage space is needed for meals prepared and served at those sites. The layout, serving areas, and snack bars at these sites were adequate facilities for the variety of meals offered.

The district's central kitchen and warehouse facilities are adequate with plenty of food production and warehouse space. The walk-in refrigerator and freezer located in the kitchen appeared adequate for a production kitchen.

Food Handling and Food Safety

School districts that participate in the National School Lunch and/or School Breakfast program must follow a specific format in their food safety plan: The Hazard Analysis and Critical Control Point (HACCP). The district's HACCP plan has not been revised since it was developed in 2005; therefore, it is not specific to the district's current food service operation.

District staff indicated that all the district's food service employees lack training in food safety and improvement may be needed in some food safety practices. For example, food, refrigerator and freezer temperatures are not properly recorded. The Food Service Department does not have a standardized chemical use program for dishwashing, cleaning, and sanitizing.

State Administrative Review

The district's last state administrative review was in 2018-19. The review cited several areas of noncompliance, and the district was informed of required corrective actions. Some issues were minor and were corrected at the time of the review, some required follow-up corrective actions, and some resulted in technical assistance.

Menus and Meal Program

Except for the high school lunch menu, the written menus contain incomplete information. It would be difficult for parents or students to know the complete menu offered. Elementary and middle school menus combine their breakfast and lunch menus on one page, with only the entrées listed, and vague references to some of the other items served are made in the margin of the menus.

Elementary schools have a two-week cycle menu. Middle school breakfast menus appear to cover a one-week cycle; written breakfast menus list only one entrée a day, written in the margin of the lunch menu, without mention of cereal, fruit, juice or milk, which are served each day.

Middle school lunch menus appear to be the same every day except for one entrée that rotates to different days of the week over a two-week period. According to the production records, the sites also offer turkey, ham and tuna sandwiches daily, but these are not on the menu.

James Logan High School offers many choices in the cafeteria but uses mostly the same published menu every day.

Wellness

New Haven Wellness Policy covers the requirements established in the legislation. It also reflects the members that should be on the Wellness Committee, including food service employees. The policy states that the food service director is the district designee assigned to ensure site compliance with the Wellness Policy.

The district provided agendas of the Wellness Committee meetings for October 2019 as well as several months for the previous two school years. None of these documents covered any topic related to food and nutrition or competitive foods. These meetings also did not appear to include the food service director or another food service employee. The food service director or the assistant food service director should be assigned to the committee and should attend regularly.

Competitive Foods

Interviews with school staff indicated that the district does not comply with the competitive food regulations at the middle and high schools. On its student club days, the high school's food sales reportedly include root beer floats, ice cream, Costco pizza, Chick-fil-A (including french fries and sodas), chips, donuts, and lumpia. This practice violates the regulations by offering products that do not meet nutritional guidelines and by selling foods the cafeteria has on the menu that day.

Services such as DoorDash deliver outside food to students, much of which likely does not comply with nutritional regulations and interferes with the cafeteria sales.

Enrollment, Participation and Eligibility

Enrollment from 2017-18 through the current year has dropped about 5%. The number of students receiving free and reduced-price meals during that time has dropped by approximately 636 students, which is about a 3% reduction in eligibility. This may have contributed to a decrease in participation.

Lunches had a 1% decrease in 2018-19 and dropped an additional 12% in 2019-20. Supper meals increased 11% in 2018-19 and dropped 3% in the current year. However, two schools did not serve supper in 2017, so these differences may be skewed. The district should be concerned by these decreases in 2019-20 participation.

Breakfast participation levels are low at all grades and indicate a need to change serving times. Alternatives to before-school breakfast should be explored such as breakfast in the classroom at elementary schools and second-chance breakfasts at midmorning for middle and high school students.

Students at Searles Elementary School and Conley-Caraballo (alternative) High School (CCHS) receive free meals because they participate in an option called the Community Eligibility Program (CEP). Yet even their participation is far lower than expected.

Staffing and Meals Per Labor Hour

Meals per labor hour (MPLH) is an industry standard formula used to measure staff efficiency and help determine the appropriate staffing levels in a food service operation. In school food service, the best-practice standard is 30 MPLH, but should be higher with the labor efficacy of a central kitchen.

The analysis shows that the district average MPLH was 23, only one school, Searles Elementary, achieved at least 30 MPLH. Considering that all students eat for free at Searles, these numbers should be higher. Hillview Crest Elementary was 28, and Itliong-Vera Cruz Middle School was 27. All the rest were 26 or below with Conley-Caraballo High School at 11 and James Logan High School at 18. These numbers indicate overstaffing for the number of meals served. Either the number of meals should be significantly increased or hours should be decreased.

Training and Oversight

The department does not appear to meet the required professional standards and training. Food service management are aware of the training deficits and attribute it to lack of time.

Program oversight and training is vital to a program running properly and efficiently. The director needs to lead this effort and plan regular meetings and trainings with all staff.

Findings and Recommendations

Budget

A primary concern of every school food service program is operating within the budget without encroaching on the general fund. Revenues generated by a program should be able to fund all department expenses, including indirect costs, with appropriate reserves maintained.

FCMAT reviewed the district's cafeteria fund budgets for the current and preceding two fiscal years and found that since fiscal year 2017-18, program expenditures have exceeded revenues (also known as deficit spending), which indicates an ongoing structural budget deficit. The unaudited actuals reports for the district's cafeteria fund indicate that the food service program deficit spent \$848,798 in 2017-18 and \$918,846 in 2018-19.

The district continues to charge indirect costs to the cafeteria fund. Indirect costs are business and administrative expenses for services such as budget, payroll, accounts payable, human resources, and data processing that are provided to all programs. Including the indirect costs in the calculation of the program's total cost allows the total operating costs to be better understood. The California School Accounting Manual (CSAM) provides guidelines for allowable indirect cost amounts and how to calculate them. Even during deficit spending, the district should charge indirect costs to the cafeteria fund because they are legitimate responsibilities of the program.

Food Services revenue is primarily generated from student meal participation. The district is experiencing a decline in student enrollment, and consequently a decrease in the unduplicated pupil percentage (UPP). The data will be illustrated in another section of the report.

In addition, food services revenues have declined substantially during the previous two fiscal years, as illustrated below. Approximately \$200,000 of the loss in revenue in 2018-19 occurred because of a labor strike by certificated staff. From an enrollment of approximately 11,000 students, only about 5% of the students attended school during the strike.

Food Service Revenues	2016-17	2017-18	2018-19
Federal/State Revenue (before general fund transfer in)	\$3,809,383	\$3,716,195	\$3,403,174
Change from Prior Year	\$18,173	(\$93,188)	(\$313,021)

Source: District Board Communication

The district's 2017-18 unaudited actuals report and its audited financial statements for the fiscal year ending June 30, 2018 indicate a fund balance of \$345,926 with a transfer in from the general fund of \$1,012,885. The 2018-19 unaudited actuals report indicates a cafeteria fund balance of \$209,438; however, \$782,358 was transferred from the general fund.

Food and labor costs make up the majority of any food service expense budget. Based on the study team's experience, food and labor costs should each be approximately 40%-45% of revenue. An analysis of the district's 2017-18 unaudited actuals report indicates that labor costs were 73% of revenue, and food and supplies costs were 40%. This contributed to deficit spending of \$848,798 for that fiscal year. An analysis of the district's 2018-19 unaudited actuals report indicates that labor costs were 79% of revenue, and food and supplies costs were 38%.

The district's first interim report indicates that the program will deficit spend by \$835,800 in 2019-20, with a projected transfer in of \$1 million from the general fund. An analysis of the report indicates that labor costs are projected to be 69% of revenue, and food and supplies costs are projected to be 40%. Employee benefits are projected at 44% of total salaries and benefits, which significantly increase program costs. In addition, a portion of the increased costs for labor has been imposed on the food service program because of increases in the California Public Employees' Retirement System (PERS) employer contribution rates.

The district recently conducted a cafeteria fund analysis comparison with other school districts in the region. The results indicated that the district's labor costs were much higher than other districts in the area. High labor costs can also be an indicator of excess staffing, which is further analyzed in the staffing and meals per labor hour section of this report. Information provided to the study team by the district staff indicate that the district is already taking steps to reduce labor. Food and supplies costs are projected to be within the standard of 40%-45%.

To address deficit spending and the unrestricted general fund contribution, the district should also identify other areas of cost reductions and/or revenue increases. As discussed in other sections of this report, revenue may be increased and/or costs reduced by increasing student participation, standardizing menus, collecting outstanding parent/guardian debt, and changing procurement and ordering practices.

Cafeteria Fund Budget Trends

	2017-18	2018-19	2019-20
	Unaudited Actuals	Unaudited Actuals	First Interim
Beginning Fund Balance	\$181,839	\$345,926	\$209,438
Total Revenues	3,716,195	3,402,088	3,587,338
Salaries	1,604,761	1,550,456	1,399,222
Benefits	1,115,627	1,136,271	1,088,676
Total Salaries and Benefits	2,720,388	2,686,727	2,487,898
Salaries/Benefits % of Revenue	73%	79%	69%
Food and Supplies	1,489,200	1,303,583	1,435,963
Food/Supplies % of Revenue	40%	38%	40%
Services and Other Operating	116,060	170,598	164,100
Capital Outlay	52,910	0	124,000
Indirect Costs	186,435	160,026	211,177
Total Expenditures	4,564,993	4,320,934	4,423,138
Excess (Deficiency)	(848,798)	(918,846)	(835,800)
Transfers In	1,012,885	782,358	1,000,000
Ending Fund Balance	\$345,926	\$209,438	\$373,638

SOURCE: DISTRICT FINANCIAL REPORTS
ROUNDING USED IN CALCULATIONS

Unpaid Meal Charges

A common problem for food service departments is how to handle students who are not eligible for free meals but lack the money to pay for meals and the unpaid charges they sometimes accumulate. Getting families to pay meal charges can be difficult, and districts deal with this issue in different ways. In the past when too many charges accumulated, districts usually set a limit, and students were either refused a meal or offered an alternate meal. This is no longer an option in California because of a law that became effective January 1, 2018. Senate Bill (SB) 250 establishes new rules for students who do not have money to pay for meals. Known as the Child Hunger Prevention and Fair Treatment Act of 2017 (also known as the No

Shaming Act), the law prohibits denying any student a meal or giving them an alternate meal if they do not have money or have unpaid meal charges. The law also requires that a school district make every attempt to directly certify the student or provide families with a meal application and encourage them to submit it to the district to determine if they qualify for free or reduced-price meals. The district must also notify families of the negative balance of a student meal account within 10 days of the occurrence.

Districtwide, unpaid meal charges totaled \$44,817 as of November 6, 2019. The total was \$85,108 for fiscal year 2018-19; and \$66,306 for 2017-18. Some students have individual negative balances in excess of \$100, some of several times that amount. Allowing charges to accumulate to these amounts may decrease the likelihood of repayment and lead families to believe they do not have to pay for meals.

As a corrective action finding in the state administrative review conducted in fiscal year 2014-15, the district developed procedures to deal with uncollected student bad debt. The district was also required to transfer \$224,344 in bad debt funds from the general fund to the cafeteria fund.

District administrators should work with food service staff to revise and enforce the established procedures to comply with SB 250 and determine how to communicate with families about negative balances as soon as they occur. Although SB 250 requires families be notified within 10 days of the occurrence of a negative balance, they should be notified at least weekly to prevent a large debt balance. Many districts use the automated student calling system to inform families of negative balances and program the system to make daily calls to families of all students who owe money. However, the district has promoted a “More than a Meal” campaign in which all district staff are working together to encourage and assist families with completing a meal application.

Searles Elementary and Conley-Caraballo High are Community Eligibility Provision (CEP) schools, which means all students eat for free. Because of this, students and families may not understand that if they transfer to another district school, they may need to complete an application to qualify for the free and reduced-price meal program.

Recommendations

The district should:

1. Eliminate deficit spending in the cafeteria fund by developing and implementing a plan to reduce expenditures and/or increase revenues.
2. Continue to charge the full allowable indirect cost rate to the cafeteria fund.
3. Continue to review department staffing levels to identify labor efficiency, review each open position against efficiency ratios before filling the position, and reduce labor hours to align with best practices.
4. Ensure that the director of food services studies student participation trends to identify areas for improvement and maximize student participation.
5. Monitor budget trends from year to year, determine the cause of any large variations, and make adjustments as necessary.
6. Closely monitor the budget throughout the year and at each interim reporting period to ensure revenues and expenditures are within projected budget and make budget adjustments as necessary.

7. Review SB 250, revise its procedures to comply with this law, train staff on the new procedures and ensure they are followed.
8. Make every effort to qualify all eligible students for the free and reduced-price meal program.
9. Immediately determine how to collect outstanding meal charges and how best to keep them from accruing.
10. Consider using its automated calling system to notify families of outstanding meal charges daily.
11. Inform families that an annual meal application is needed for students who do not attend Community Eligibility Provision (CEP) schools.

Purchasing and Inventory

Purchasing

Purchasing is an extremely important function in a food service program. The goals of purchasing should be to acquire the best price for needed items and to utilize vendors that provide quality service. The best way to accomplish these goals is through implementation of best practices and procedures for bids and quotes. Some districts have found it advantageous to form food service purchasing cooperatives with other districts to increase purchasing power and decrease the administrative burden of duplicated paperwork.

Education Code Section 38083 allows districts to purchase perishable foodstuffs and seasonal commodities needed to operate cafeterias in accordance with the rules and regulations adopted by the governing board, notwithstanding any provisions of the Education Code that conflict with such rules and regulations.

Although the Education Code and district regulations allow for these items to be purchased without a bid, districts often find they can obtain the best price and service by issuing a bid or obtaining quotes. In fiscal year 2018-19, the district published bids and/or proposals for produce, milk/dairy products, food products and snack products. In fiscal year 2019-20, the district extended the awarded contracts to all four vendors for one year under the same terms and conditions as the original agreement.

Another purchasing option for the district is to piggyback on the bids of other districts. This practice is authorized in Public Contract Code Section 20118 and allows school districts to make purchases using the bid awarded by another public agency or corporation if the board determines it is in the district's best interest.

Interviews with staff indicated that the department is a member of the Schools Linked in Commodities (SLIC) commodity cooperative. The cooperative is comprised of 128 member districts that contract with Gold Star Foods for the distribution of processed USDA foods and their commercial equivalents. The Vallejo City Unified School District is the lead district for this cooperative, with authority to contract for USDA foods and related services on behalf of member districts.

In fiscal year 2018-19 the district had \$264,357 in entitlement funds to purchase USDA products and commodity processed food items. A school district's entitlement is the dollar value of USDA foods each recipient agency is eligible to receive. An agency's donated food entitlement is calculated by the number of reimbursable lunches served during the previous fiscal year multiplied by the current per-meal value. The per-meal value for USDA foods is established annually in July by the United States Congress. For school year 2019-20 the per-meal value was 36.25 cents. Therefore, it is advantageous for districts to serve as many reimbursable meals to students as possible. Additional information and guidance on food commodity processing and use of entitlement funds can be found at www.cde.ca.gov/ls/nu/fd/offeringinfo.asp.

Interviews with staff indicated that the district uses some of the entitlement funds to purchase fresh produce through the Department of Defense (DoD). The U.S. Department of Agriculture (USDA) has a contract with the DoD to provide fresh produce to recipient agencies. It allows agencies to use a portion of their entitlement money to order fresh fruits and vegetables. Records provided by the district indicate that \$105,000 was allocated for purchasing fresh produce from the DoD in the current fiscal year. Reportedly due to a dispatch error, sites do not always receive the amount of cases ordered. This has consistently created a shortage for school sites and limited the fruit options offered. The balance of entitlement funds is used to purchase commodity processed foods, which are normally more cost effective than buying them from retail distributors. More guidance on utilizing commodity entitlement funds to purchase DoD fresh produce can be found at www.cde.ca.gov/ls/nu/fd/dod.asp.

Inventory

The function of inventory is to help a food service department identify the items in stock and their costs and determine how best to manage and control them. Some districts complete a periodic physical inventory monthly, which helps to control monthly food and supply costs, compare their costs to revenue, and produce a profit and loss statement to determine if financial goals have been met. Other districts operate a perpetual or continuous inventory system that helps to more readily monitor financial goals, determine replenishment needs and identify losses from product failure or theft. This type of inventory system typically involves the use of a computerized inventory software to increase accuracy and efficiency.

During the current fiscal year, the district implemented a new automated food and supplies inventory tracking module within the Escape financial system. The central kitchen warehouse staff enter in the system the daily vendor deliveries received, and the food service production manager enters all manually written submitted orders by school site lead staff. The department uses the electronic process in the Escape system to route purchasing requests from the central kitchen to the district's Purchasing Department, where a purchase order is processed for all food service food and supplies orders. Milk, produce, and bread purchases are also inventoried and usage tracked. Some staff indicated that insufficient training was provided before implementation. However, staff also indicated that the county office has a question-and-answer option on the use of Escape that they can access. Staff training is addressed in more detail in the training and oversight section of this report.

Recommendations

The district should:

1. Review and update bid documents and develop or change bid specifications as needed.
2. Continue to solicit bids or issue requests for quotes for food service items, as appropriate.
3. Consider piggybacking with other larger districts to ensure the district secures the best pricing available for the food service program.
4. Routinely analyze the use of commodity entitlement funds to ensure funds are maximized in procuring processed and DoD fresh produce products.
5. Ensure that the Food Service Department uses its entire annual USDA commodities entitlement.
6. Meet with the staff involved with the Escape inventory system to determine training needs and provide additional training as soon as possible.
7. Review the advantages and disadvantages of allowing site lead staff to enter their orders on Escape at each site instead of routing to the food service production manager to improve efficiency.
8. Implement processes such as periodic meetings to help ensure proper and timely communication between food service and district staff involved in purchasing, accounts payable and inventory management so that issues may be quickly resolved.

Facilities and Equipment

During fieldwork, FCMAT visited several of the district's food preparation locations, serving facilities, the central kitchen and food service warehouse. The cleanliness of each location was satisfactory, and food service staff seemed to take pride in their kitchens and were interested in keeping them in good working order.

Apart from Alvarado Elementary, most kitchens at the elementary schools visited are dated, but layout, workspace, serving lines and cafeteria eating areas are spacious enough for the food service program's needs. Site staff indicated that the workspaces and kitchen designs are adequate. The staff at middle schools and high school indicated that additional storage space is needed for meals prepared and served at those sites. The layout, serving areas, and snack bars at these sites are adequate facilities for the variety of meals offered.

Some districts delegate elementary schools to be reheating or partial preparation kitchens to lessen the load on central kitchens. The district's elementary school food service facilities are basically receiving-and-heating kitchens. The sites are dated and do not have the required clean-up areas, such as three compartment sinks with proper chemical dispense systems for dishwashing and sanitizing. The elementary sites are equipped with convection ovens for heating the entrées received from the central kitchen daily.

The serving line equipment at Kitayama Elementary School is not equipped with operating thermometer devices to monitor the hot and cold temperature of foods offered to students. This could potentially become a food safety hazard since food items may not be held at the appropriate temperature before students consume them. The temperature indicators located on the outside of the reach-in freezers and refrigerators are not in operation. Hanging thermometers are in the inside of the units; however, they were difficult to locate because most the units were full of product. Furthermore, a floor to ceiling power pole used to provide the power source to the serving line is in the middle of the student food tray slide, preventing the students from engaging in a continuous path to select their food options.

The district's central kitchen and warehouse facilities are adequate with plenty of food production and warehouse space. The walk-in refrigerator and freezer located in the kitchen appeared adequate for a production kitchen. The central kitchen prepares all the lunch main entrees for the elementary sites and some lunch entrees for the middle schools. The high school prepares all its food items on site. The central kitchen is equipped with one food packaging machine that is primarily used to package food entrées for the elementary and middle schools. The kitchen is also equipped with a cook chill system, which currently is not utilized for cooking. Interviews conducted with staff on site indicated the equipment has not been used for years since the department primarily packages food items and does not prepare any meals from scratch. The central kitchen offered a speed-scratch turkey and gravy meal for last year's Thanksgiving holiday at all the elementary sites. Staff indicated the meal was a much-needed change and received great reviews from students and staff; however, it was not offered at the middle and high schools. Most speed-scratch meals come prepared by the manufacturer in frozen plastic bags.

During FCMAT's visit, plenty of pallet positions were open in the dry storage warehouse. The facility is more than adequate for the Food Service Department's needs; however, some stored items are outdated paper supplies that the department does not need. The department shares warehouse space with the district, which primarily stores pallets of copy paper and surplus equipment items in the warehouse. The warehouse is staffed with three full-time warehouse/drivers. One employee is a full-time delivery driver;

one receives deliveries and fills, stages and delivers warehouse orders to school sites; and one is the warehouse worker for both food services and the district. It is unclear exactly how much time each employee dedicates to the food service program and how much time is allocated to receive product and distribute supplies for the district.

Interviews conducted with warehouse staff indicated that the warehouse needs more carts and racks for food deliveries, and a larger walk-in freezer for frozen items. Some items are transported to the school sites in crates normally used to transport milk. Staff indicated that full pallets are stored on the freezer floor because there are not enough pallet spaces for shipments received.

According to the district's California Longitudinal Pupil Achievement Data System (CALPADS) report, James Logan High School has an enrollment of 3,650 students. Food service staff serve approximately 1,045 lunches and 71 breakfast meals daily. The serving areas are set up as a food court with plenty of options for students. Reimbursable meals are also offered at three snack bar locations. The kitchen appears to have adequate space and equipment for the site's current needs, but may need upgrades in freezer storage space if student participation increases. During the study team's visit, the kitchen had a water leak in one of the walls, and it appeared that district staff were already aware of the problem. Parts of the wall had been removed to locate the leak, and district staff indicated the repairs are planned for summer 2020.

Properly maintained facilities and equipment are essential to a district's food safety program. Most of the kitchens that the study team visited appeared to have functioning equipment, but most lacked the proper temperature monitoring devices to maintain food items in the required safe temperature range.

One of the terms in the 2004 settlement agreement of the Williams vs. State of California statewide class action lawsuit requires that every public school provide clean and safe facilities for all students. Each school district must also provide a uniform complaint process for reporting complaints of unsafe or unhealthy facility conditions. The Office of Public School Construction has developed the Facility Inspection Tool (FIT), a school facility conditions evaluation worksheet, for districts to determine whether a facility is in good repair, defined as being clean, safe, and functional. The FIT and more information on the Williams Act are available at www.cde.ca.gov/ls/fa/sf/williams.asp.

Recommendations

The district should:

1. Make immediate inspections, repairs or replacement to food holding and storage equipment as necessary.
2. Analyze and discuss with staff the facilities and equipment need at all sites and develop a prioritized master plan for purchasing and/or replacing these items.
3. Ensure the leak at Logan High is assessed and repaired immediately.
4. Ensure that the Facility Inspection Tool is used to evaluate the condition of its facilities as required by the Williams Act.
5. Evaluate the warehouse and delivery staffing levels to ensure efficiency; identify a clear outline of duties for each employee and time allocated to food service program and district.
6. Remove unnecessary items from the Food Service Department's warehouse such as, but not limited to, outdated paper supplies.

7. Ensure that Personnel Activity Reports (PARS) are completed for warehouse employees that perform duties for both the Food Service and Purchasing departments.
8. Develop and implement an equipment replacement and maintenance schedule that aligns with budget projections.

Food Handling and Food Safety

Proper food handling is essential for any food service operation to maintain fresh foods and avoid food-borne illnesses. The food service operation is required to follow all local and state health regulations. School districts that participate in the National School Lunch and/or School Breakfast program must follow a specific format in their food safety plan, the Hazard Analysis and Critical Control Point (HACCP). All food safety policies and procedures must be outlined in HACCP-based standard operating procedures. The HACCP has been required since 2005 and is a comprehensive food safety plan that includes a detailed and specific format and complex methods for ensuring food safety.

The study team was provided with a copy of the district's HACCP plan that had not been revised since it was developed in 2005 and was not specific to the district's current food service operation. The plan also includes information that is not pertinent to food safety. For example, page seven includes several additional guidelines for employees regarding work schedules, reporting illnesses and paychecks information, and indicates that work-related conversations should be communicated only in English. The district is required to have a current written HACCP plan that follows a specific format, and to implement it in daily food handling procedures, such as taking and recording food and refrigeration temperatures.

In interviews, staff indicated that all the district's food service employees lack training in food safety and improvement may be needed in some food safety practices. For example, food, refrigerator and freezer temperatures are not properly recorded. During FCMAT's visits to the school sites, several sites did not correctly log food equipment temperatures, and some refrigerators and freezers lacked functioning thermometers as required. The hot food holding equipment observed on the serving lines lacked functioning thermometers; therefore, sites could hold hot food items at unsafe food temperatures.

Cleanliness and sanitation are a critical area of HACCP. During FCMAT's visit to the district's central kitchen, the study team observed that the packaging machine that staff utilize to package food items for the school sites was not cleaned thoroughly. Food particles were visible throughout the conveyor chain. Staff confirmed that the equipment had not been used that morning, and they were just preparing to package the first item for that day's production schedule. Furthermore, at Searles Elementary cleaning wipes and sanitizers were stored on a table that is used to offer condiments and as a return/share table for students.

The Food Service Department does not have a standardized chemical use program for dishwashing, cleaning, and sanitizing. The Safety Data Sheets were not available for chemicals that the district uses. Safety Data Sheets are required from chemical manufacturers to communicate the hazards of hazardous chemical products and precautions for use.

In accordance with USDA guidance issued in June 2005, a school food safety program must include relevant documented standard operating procedures. A written plan for applying HACCP principles is also required at each school food preparation and service site. The written plan must include methods for documenting menu items in the appropriate HACCP process category; documenting critical control points of food production; monitoring; establishing and documenting corrective actions; recordkeeping; and reviewing and revising the overall food safety program. Step-by-step instructions on developing a food safety program based on HACCP principles are available at www.cde.ca.gov/ls/nu/sn/gis15.asp.

The National Food Service Management Institute has developed HACCP-based standard operating procedures in conjunction with the USDA and the U.S. Food and Drug Administration. Templates are available at https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/haccp_opproc.doc.

Use of these templates can help simplify the development of policies and procedures; however, the district should individualize them to fit its food service program.

Recommendations

The district should:

1. Ensure that the Food Service Department revises the HACCP plan specific to its operation and based on USDA guidelines. This should be completed before any staff food safety training is conducted.
2. Ensure that the director of food services monitors food safety practices and trains staff as needed to ensure that standard operating procedures are followed.
3. Inspect all food service equipment at the central kitchen and school sites for proper operation and cleanliness.
4. Ensure that all cooling and holding equipment is routinely checked and calibrated if necessary; immediately report any issues to management.
5. Develop a standardized chemical use program for the department; regularly train staff and provide all sites with Safety Data Sheets of chemicals used.

State Administrative Review

Child nutrition programs undergo a state administrative review every three years to assess program compliance. On February 5, 2019 the California Department of Education (CDE) Nutrition Services Division (NSD) submitted a waiver to the U.S. Department of Agriculture (USDA) to extend the current School Nutrition Programs administrative three-year review cycle to a five-year cycle. On May 28, 2019, the NSD received notification from the USDA that the waiver request was approved to extend administrative reviews to a five-year cycle. *Source: CDE School Nutrition Programs Administrative Review.*

The review is comprehensive and includes all aspects of the program such as menu compliance, meal counting and claiming, eligibility determination, food safety, financial compliance, and the Wellness Policy. The CDE's review objectives are as follows (further information is available at www.cde.ca.gov/ls/nu/ar/arsnp.asp).

The CDE and the School Food Authority (SFA) collaborate to complete the administrative review to ensure program integrity and increase overall compliance, with the following objectives:

- Determine if the SFA is meeting all federal and state School Nutrition Program requirements
- Provide focused technical assistance to assist the SFA with correcting any findings
- Secure necessary corrective action documentation demonstrating the SFA's permanent corrections
- Assess fiscal action and, when applicable, recover improperly paid funds

The district's last administrative review was in 2018-19. The review cited several areas of noncompliance, and the district was informed of required corrective actions. Some issues were minor and were corrected at the time of the review, some required follow-up corrective actions by the district, and some resulted in technical assistance. A summary of the review's findings is as follows:

- The Food Service Department did not have a written food safety operation procedure for salad bars. As discussed in more detail in the food handling and food safety section of this report, the district's food safety plan needs revisions to reflect current food production practices and procedures.
- The meal components and quantities requirements for breakfast were not met. Meals selected by each student must have several food components required for a reimbursable meal and include at least one fruit or vegetable.
- Site monitoring requirements were not met. Food service management is required to monitor sites and have a signed checklist of items monitored. The district did not monitor the breakfast program. CDE regulations require that sponsors monitor at least 50% of school sites for compliance.

The state provided technical assistance in the following areas of the program:

- The district's Wellness Policy did not contain the nondiscrimination statement. The statement must accompany any printed material and any web-based material that reference food nutrition programs. In addition, guidance was provided so the district can assess the Wellness Policy for compliance.
- The district did not have the correct version of the USDA "And Justice for All" posted at school sites reviewed. On July 8, 2019 the USDA notified child nutrition sponsors to cease

distribution of the poster because it is being updated. As a result, missing posters would not be a finding during an administrative review until new posters were available.

On January 24, 2020 the CDE notified sponsors that the updated posters are now available. Information regarding this communication and the appropriate nondiscrimination statement sponsors should use is available on the CDE's Civil Rights web page at www.cde.ca.gov/ls/nu/cr/.

Ongoing staff training needs to be provided to ensure all food service staff understand and follow regulations. Food service management staff would normally discover issues like those listed above while conducting regular site visits, ensuring that program compliance becomes a habit for staff members. In this way, the district would always be prepared for state reviews. Monitoring should be comprehensive, not performed simply to complete the annual site monitoring report.

Recommendations

The district should:

1. Ensure that food service management is knowledgeable about program requirements, and all aspects of the administrative review process, and train staff on program requirements.
2. Ensure that all technical assistance guidance items are implemented to ensure ongoing compliance.
3. Ensure that food service management routinely visits sites and monitors the program for compliance.

Menus and Meal Program

Meal Pattern Requirements

The district participates in the National School Lunch and Breakfast programs, which are regulated by USDA and the CDE. Regulations were updated in 2010 during the federal reauthorization of the program. These were the most comprehensive changes to the program in 15 years. Initial guidelines became effective in the 2012-13 school year.

Section 9(a)(4) of the Richard B. Russell National School Lunch Act (NSLA) requires that school meals reflect the latest Dietary Guidelines for Americans (Title 42 United States Code Section 1758(a)(4)). In addition, Section 201 of the Healthy, Hunger-Free Kids Act of 2010 amended Section 4(b) of the NSLA to require the United States Department of Agriculture (USDA) to issue regulations to update the meal patterns and nutrition standards for school lunches and breakfasts based on the recommendations issued by the Food and Nutrition Board of the National Research Council of the National Academy of Sciences (Title 42 United States Code Section 1753(b)). The following websites contain additional information regarding these issues:

www.fns.usda.gov/sites/default/files/NSLA.pdf

www.fns.usda.gov/school-meals/healthy-hunger-free-kids-act

The regulations seek to increase the availability of fruits, vegetables, whole grains, and fat-free and low-fat fluid milk on school menus; reduce the levels of sodium, saturated fat and trans fat in school meals; and meet the nutritional needs of school children within specified calorie requirements. The intent is to provide meals that are high in nutrients and low in calories, which better meets students' dietary needs and protects their health.

In addition to higher fruit and vegetable requirements, districts must offer a wider variety of vegetables, including specified weekly amounts of vegetable subgroups. These subgroups include dark green, red/orange, starchy and legumes. While this is nutritionally sound, it has complicated menu planning and to some extent, student acceptance. A full cup of fruit must be offered at breakfast for all grade levels. At lunch a half-cup of fruit and 3/4 cup of vegetables must be offered to K-8 students, and one cup of both fruit and vegetables must be offered to grades 9-12 students. Students must take at least a half-cup of fruit or vegetable with both breakfast and lunch whether they want it or not. Districts have seen an increase in waste because of this requirement. Detailed information on menu requirements can be found at: www.cde.ca.gov/ls/nu/he/smi.asp.

In addition to the above food component requirements, menus must meet nutritional guidelines for calories, fat, trans fat and sodium. These guidelines vary depending on the age group, and menus must be analyzed to ensure they meet the requirements. The district only provided a USDA checklist for food component compliance (and only for elementary school) but not a nutritional analysis to show that the requirements for calories and other nutrients are met. Both are needed, and a nutritional analysis program would ensure all guidelines are met. The point of sale software program the district uses (Nutrikids) also has an effective nutritional analysis and menu program that is complete and easy to use.

The offer vs. serve menu plan option means that a certain number of items must be offered to the students and a certain minimum number must be taken by students served by the district. The regulations require five items to be offered at lunch and four at breakfast but students are required to take only three at each meal. They may take all the items if they choose. Other than the requirement that one of the three items

taken must be a fruit or vegetable, students may choose or refuse whatever they want. The purpose of offer versus serve is to provide students with choices and an option to refuse items they do not intend to consume. It is also meant to prevent waste (and extra expense) for items students do not want. The district does not comply with this requirement when it does not offer a vegetable on all serving lines as discussed in other report sections. This practice must be corrected.

Recipes

The district did not provide any sample recipes and submitted a statement saying that these documents are not required because they simply heat and serve. This is inaccurate. Recipes are still required and should include the product, yield per case, portion size, cooking instructions and required temperatures for heating and holding. Recipes need to be made for all menu items.

Recipes should be created that include all items served, with quantities and any daily modifications, such as different fruits or vegetables that change throughout the week. A basic recipe could be written, and a weekly rotation guideline can be separate, stating which fruits are served each day of the week. Such a guideline is necessary to ensure that all sites follow guidelines and menus are complete with necessary details.

Recipes are the first step in being able to analyze menus for nutritional compliance. A good nutritional analysis program includes the ability to create recipes that can then be used in the menu analysis.

Recommendations

The district should:

1. Create recipes for all menu items served.
2. Offer vegetables and fruit on all serving lines.
3. Use a nutritional analysis program and analyze all menus to ensure that menus meet all nutritional guidelines.

Menus and Meal Service

Except for the high school lunch menu, the information on the written menus is incomplete. It would be difficult for parents or students to know the complete menu offered. Elementary and middle school menus combine their breakfast and lunch menus on one page, with only the entrées listed, and vague references to some of the other items served are made in the margin of the menus. Cereal is a daily choice on the breakfast offerings but is not listed on the written menu. The middle schools offer several cold sandwiches daily and offer yogurt parfaits that are not included on the written menu. If menus were written more completely and attractively formatted, students and families would have a more complete picture of the offerings.

Elementary schools have a two-week cycle menu. Breakfast includes a hot entrée such as breakfast pizza, minipancakes, muffins, and omelets as well as cold cereal. The schools use a two-ounce package of cereal, which is unusual at the elementary level. The elementary requirements at breakfast specify that seven to 10 ounces of grains must be offered per week, with a minimum of one ounce of grain per day. However, because the menu offers another grain item beside the cereal on most days, the weekly grains requirement would be met with a one-ounce box of cereal. Schools may also substitute one-ounce equivalent of meat/meat alternate for one-ounce equivalent of grains after the minimum daily grain requirement is met. Meat/meat alternates may be offered as extra food items that do not count toward the grain component or as food items for offer versus serve. These extra food items need to be included in the weekly calories, sodium, and saturated fat counts. Because the two-ounce boxed cereal is more expensive and may be more than young students can eat, the district may want to consider offering one-ounce cereal boxes to elementary schools. In addition to the entrées, the menu includes milk, juice and canned or fresh fruit.

Elementary lunches include a meat and a vegetarian entrée. The two-week cycle does not offer enough variety, and the menu seems repetitious. The salad bar at the sites observed contained a green salad, celery, cucumbers, canned fruit cocktail, whole apples and cauliflower. Site staff stated broccoli was supposed to be included in the salad bar, but the central kitchen did not send it. The lettuce was brown and somewhat wilted, and the salad bars are not chilled even with ice packs. The quality of the products would improve if they were kept cool.

The salad bar has no menu or recipe, so it is difficult to know if the correct amount and type of fruits and vegetables are offered. Having a salad bar menu with all items listed, including standard items offered daily and any fruit and vegetable rotations throughout the week, would be helpful for site staff and the central kitchen. This can be easily handled by having a basic recipe with a rotation list of fruits and vegetables that changes throughout the week; for example, apples and fruit cocktail on Monday, oranges and canned pears on Tuesday, etc. Seasonal changes can be included by having a fall, winter, and spring rotation.

One of the primary concerns of site staff regarding fruit choices is the lack of variety and that they do not know what they are serving until the delivery arrives from the central kitchen. Another concern (and a FCMAT observation) was that whole apples are served, but many elementary students cannot eat them because of missing teeth. Staff indicated that the supper menu offers bags of sliced apples and bananas, but these are never served at lunch. Including both whole and sliced fruits would offer variety and be easy for all students to eat.

Staff indicated that most of the produce the district uses comes from the DoD commodities program. The sample invoices FCMAT reviewed from DoD orders show the variety of fruit that would be expected this time of year, so it is unclear why sites do not receive more variety. A menu guideline specifying the type of fruit to be served each day should be created so the warehouse can make it available and sites can order and serve the variety that is planned. If the desired fruit is not available through DoD, the district should consider obtaining it through its local produce vendor.

Middle school breakfast menus appear to be on only a one-week cycle, and the written menus only list one entrée a day, written in the margin of the lunch menu; there is no mention of cereal, fruit, juice or milk served each day. The central kitchen makes yogurt parfaits every Wednesday, but these are not listed on the menu and are popular according to staff.

Middle school lunch menus appear to be the same every day except for one entrée that rotates to different days of the week over a two-week period. Both middle schools have a snack bar, referred to on the menu as “the grill,” and a cafeteria line, which is referred to as “lunch” on the menu. The cafeteria line offers two hot entrées and a salad bar, and the snack bar menu lists pizza, chicken sandwiches and a hamburger daily. According to the production records turkey, ham and tuna sandwiches are also offered daily, but these are not on the menu.

The middle school snack bars only offer some fruit and no vegetable with the lunch. The vegetables are served only on the salad bar in the cafeteria line. This is out of compliance since a vegetable must be offered with all reimbursable lunches. Staff indicated that students receiving meals at the snack bar may come into the cafeteria to get salad bar items, but this is after the point of sale (POS). Vegetables must be offered with the reimbursable meal and not as an extra after the meal is counted. This practice also is not true offer vs. serve because it does not give the students a choice. Snack bars could have bagged carrots to offer students along with the fruit choice.

Middle school staff mentioned that because students do not like canned vegetables, they do not always offer the required variety (green beans, garbanzos, corn, etc.) Instead, they pick one type of vegetable, e.g., green beans, and use just one can for the week. The nutritional regulations require a specific variety of types of vegetables to be offered each week. The lack of variety makes these menus noncompliant. Staff members must follow the requirements and not modify the menu on their own without consent from food services management.

Chavez Middle School serves food from a window that opens into the cafeteria, where the salad bar is located. Students go through the salad bar, if they want to, after the point of sale with no one monitoring. Fruit, but no vegetable is offered from the window. Bagged carrots could be offered to students from the window, or students could go through the salad bar first and then to the window.

At Itliong-Vera Cruz Middle School, students go through the speed serving line in the kitchen for the entrée, then move to the point of sale. They are then supposed to go through the salad bar, which is in the kitchen off to the side of the speed line, but no one monitors this area to ensure students take a fruit or vegetable. As a result, many students leave without taking any. This practice is out of compliance since meals are not complete if students do not take a fruit or vegetable, which means these meals are not truly reimbursable. The district could change the flow of the line and have students go through the salad bar first.

The salad-bar container used at the middle schools is a tall narrow cup like the one used for french fries at fast food restaurants. Using this container, it would be difficult to assemble a salad that could be eaten with a spork. A smaller boat-type tray that would fit into the larger lunch tray would be more useful.

James Logan High School offers many choices but uses mostly the same published menu every day in the cafeteria. The high school prepares all its own food except for supper meals, which are sent prepacked from the central kitchen.

The cafeteria has four lines with different themes.

- The Pacific Rim theme offers orange chicken and rice alternating with teriyaki chicken on different days.
- The Grill has chicken patty sandwiches and hamburgers with fries.

- The Taqueria includes build-your-own tostadas with chicken or beef with beans, rice, lettuce, and cheese.
- The Pizza station offers cheese or veggie pizza plus a meat pizza, which varies on different days.

The cafeteria also has a deli sandwich line that offers roast beef, turkey, ham and tuna sandwiches. Again, students go through the entrée line, which has the POS, and then the salad bar with no one monitoring. Fruit is offered at the counter with the entrée but no vegetable. Vegetables should be offered with the meal before the POS and not after the fact.

A room off the cafeteria called the Spot has a snack bar window that offers a pasta bar, with choice of pasta, sauce and chicken or meatballs, again without a vegetable choice.

The campus has two other snack bars, one offering deli sandwiches and another with pizza, burritos, chicken patty sandwiches and deli sandwiches. Although these are sold as reimbursable meals, no vegetable is offered. All the snack bars also sell *à la carte* snacks.

The Conley-Caraballo High School (CCHS) does not appear to have a written menu. According to staff, the school follows the elementary menu for prepacked entrées, but offers the cold sandwiches, parfaits, pizza, hamburgers and chicken patty sandwiches that the middle schools serve. If the school actually has no dedicated menu but instead uses parts of two menus, it is out of compliance. A written menu and nutritional analysis are required. Since students are high school age, the nutritional guidelines for this age group are required to be met. A food service staff person at this high school preps and serves the food, bakes the pizza, assembles the hot sandwiches and heats the packaged entrées.

The comprehensive high school and middle schools offer a fair amount of meal variety, but the published menu never changes. Some items are popular enough to be served every day, but repeating the same menu can get boring, and new items should be considered. The elementary menu is too limited and should be expanded. Many districts have at least a four-week cycle with less repetition.

The elementary meals and some items for middle schools are prepacked in individual servings at the central kitchen and reheated at sites. This makes it easy for site service, but the quality of some items is not ideal. Products like tacos, grilled cheese sandwiches, chili dogs, hamburgers, pizza and quesadillas can become soggy when prepackaged and reheated.

All the elementary schools have a 7.5-hour person and another person at the lunch service, which serves prepacked items. Many menu items could be sent to sites for assembly and heating, and hamburgers, hot dogs and chicken patty sandwiches can be assembled on the serving line or just ahead of service. These items do not need to be individually wrapped. Chicken nuggets can be pan-fried, heated and served bulk on the serving line. Bulk pans of items like pasta and meat sauce, chili, turkey and gravy could be sent to sites while still hot for the same day service, but would require the purchase of heated carts. Bulk cold products could also be sent to sites in the district's refrigerated trucks the day before they are served and could be heated on site. When served bulk and not prepackaged, the same foods can seem fresher and "home cooked," the sogginess of some prepackaged items would not be an issue. This change would necessitate a shift in site staff duties, including the washing of pans on site. Staff stated that when food was previously scratch cooked and sent in bulk, sites rinsed the pans and sent them back to the central kitchen for thorough washing. That remains an option.

During interviews, there was some discussion of returning to all scratch cooking. Because of the amount of labor required to return to all scratch cooking and the fact that many good quality ready-made products are available, the district could use a combination of "speed-scratch" or partial scratch cooking, along with ready-made packaged items. Speed-scratch is when precooked ingredients such as commercial pasta

sauce and precooked ground beef are combined and mixed with pasta, either precooked or cooked on site, instead of purchasing a product that is already combined. This can result in a higher-quality, less expensive product and, if served bulk, appears to be scratch cooked and therefore more appealing. For the sake of food quality and appeal, all menu possibilities should be considered.

Some food service employees stated that they have provided department administration with feedback about menus, but they believe their opinions were not considered in menu planning. A collaborative process is most effective in menu planning. Surveys of students, parents and site staff should be taken, and revision of the menus should be considered. Food service staff should be included in the process.

Recommendations

The district should:

1. Re-evaluate its menus, including input from surveys, site staff input and department management observations.
2. Consider implementation of a four-week menu cycle at the elementary schools.
3. Consider rotating new items into middle and high school menus along with daily favorites.
4. Ensure that site staff members follow the nutritional requirements of the planned menus and do not modify the menu on their own without consent from food services management.
5. Consider changing some menu items from prepackaged to bulk service for a fresher quality and more appeal. Try speed-scratch cooking for bulk items rather than using totally premade products.
6. Ensure all high school and middle school serving lines offer a fruit and vegetable with all meals before the point of sale. This could involve rearranging lunch lines to have the salad bar before the point of sale.
7. Re-evaluate the use of tall narrow cups for salad bar containers for students and consider using a small boat-type container instead.
8. Ensure that salad bars have adequate cooling to ensure the freshness of the products being served.
9. Ensure that a salad bar menu is created with all items listed, including standard items offered daily and any fruit and vegetable rotations throughout the week.
10. Consider offering both whole and sliced fruits to increase variety and make it easier for younger students to eat.
11. Re-evaluate the use of prepackaged products like tacos, grilled cheese sandwiches, chili dogs, hamburgers, pizza and quesadillas which can become soggy when prepackaged and reheated.
12. Revise the written menus to be in a more attractive format, including all offerings so students and parents know the full array of foods available.
13. Create a menu and nutritional analysis specifically for Conley-Caraballo High School.

Wellness

Wellness policies have been required by school districts participating in the National School Lunch Program since 2006. This regulation was part of the Child Nutrition Reauthorization Act of 2004 and was expanded in the Healthy, Hunger-Free Kids Act of 2010. New Haven has a policy that covers the requirements established in legislation, including goals for nutrition education, physical activity, and nutrition guidelines for all foods available on campus. The wellness requirements also designate that the Wellness Committee is supposed to include parents/guardians, students, food service employees, physical education teachers, school health professionals, board members, school administrators and members of the public. The policy states that the food services director is the district designee assigned to ensure site compliance with the Wellness Policy.

More information about requirements of a district Wellness Policy and suggestions for implementing one are available on the CDE website: www.cde.ca.gov/ls/nu/he/wellness.asp.

The district provided agendas of the Wellness Committee meetings for October 2019 as well as several months for the previous two school years. None of these agendas covered any topic related to food and nutrition or competitive foods. The meetings also appeared to have no representation from the food service director or another food service employee. The food service director or the assistant food service director should be assigned to the committee and should regularly attend. They should educate the other members of nutritional requirements and report how the district complies. School site administration should support compliance in these areas.

Recommendations

The district should:

1. Ensure the food service director or assistant director is assigned to the Wellness Committee and attends regularly.
2. Food service representatives should keep other members of the committee informed of the wellness regulations related to the nutrition requirements.
3. Compliance issues should be reported to the committee as well as site administration and appropriate actions taken to correct noncompliance.

Competitive Foods

The Healthy, Hunger-Free Kids Act of 2010 specifies that nutrition standards apply to all foods sold outside the school meal programs, on the school campus, and at any time during the school day. These changes are intended to improve the health and well-being of the nation's children, increase consumption of healthful foods during the school day, and create an environment that reinforces the development of healthy eating habits. The standards for food and beverages are minimum standards that local educational agencies, school food authorities and schools are required to meet.

Competitive foods and beverages are those that are sold at school sites outside of and in competition with the federally reimbursable meal programs. Examples of competitive foods and beverages include those sold during the school day in vending machines (not including reimbursable meals) and in student stores, á la carte items sold by the Food Service Department, and items sold by student clubs for fundraisers. Requirements are very specific, including nutritional limits on fats, calories, sugar and sodium. They specify when student organizations may sell foods and are somewhat different at elementary, middle and high schools. All student organizations may sell on the same four designated days per year.

A quick reference chart listing the regulations for the various age groups is attached as Appendix B to this report. More detailed information can be found at www.cde.ca.gov/ls/nu/he/compfoods.asp.

Interviews with school staff indicated that the district does not comply with competitive food regulations at the middle and high schools. On the high school's student club days, food sales include root beer floats, ice cream, Costco pizza, Chick-fil-A (including french fries and sodas), chips, donuts, and lumpia. These foods violate the regulations by not meeting nutritional guidelines and by selling foods the cafeteria has on the menu that day. For example, the secondary schools serve pizza every day. If any of these foods are prepared on campus by students or in private homes, this is not allowed. There could be some food safety issues, such as food temperatures, unsafe food handling, and contamination. It is best with these types of sales to use prepackaged foods that do not have to be kept at correct temperatures.

Services such as DoorDash deliver outside food to students, and much of it likely does not comply with nutritional regulations and interferes with the cafeteria sales.

A teacher reportedly sells a cup of instant noodles for \$2 every Friday at Chavez Middle School. The food service staff indicated that this interferes with the cafeteria meal participation since Friday meal counts are lower than other days. This item does not meet á la carte nutritional guidelines and violates the food sales regulations since only one student organization can sell each day. Teachers are also not allowed to sell food. Competitive food sales regulations apply to all entities, groups, or individuals.

Noncompliance in the competitive foods regulations can result in a loss of funding to the child nutrition program if discovered by the state. Given the cafeteria fund's status, this could be devastating to the district.

The district should review competitive food regulations with all school sites, and should include students, parents and site staff. This should be completed once a year. Sites should be provided copies of the guidelines. This should be initiated by the Food Service Department, either the director or assistant director. The district and site administration should support the Food Service Department in complying with these regulations.

Recommendations

The district should:

1. Review the regulations regarding competitive food sales with all sites, and should include students, parents and site staff in the process.
2. Review the types of foods that clubs sell and ensure that they do not violate program or food safety regulations.
3. Assess its compliance with the regulations and make appropriate changes where needed.
4. Ensure the Food Service Department regularly educates the district about the regulations and alerts sites if noncompliance is found. Site administrators should support these efforts by requiring their students and staff to comply.

Enrollment, Participation and Eligibility

Enrollment and percentage of free and reduced eligibility were compared for October from 2017-18 through October 2019-20. Participation in breakfast, lunch and supper meals for these dates was also compared. A spreadsheet of this data per site is attached as Appendix C to this report with excerpts below. The data for the enrollment and eligibility was taken from CALPADS reports for these dates. Meal participation data was obtained from reimbursement claims for breakfast and lunch and district point-of-sale data for supper totals.

Enrollment from 2017-18 through the current year has dropped about 5%. The number of students eligible for free and reduced-price meals during that time period has dropped about 636 students, which is about a 3% reduction in free and reduced eligibility compared to enrollment. This may have contributed to a reduction in participation.

Enrollment and Eligibility Trends Districtwide

Year	Enrollment	Enrollment Difference	# F / R	# Difference	% F / R
2017-18	11,466		5,590		49%
2018-19	11,110	(356) / (3%)	5,029	(561)	45%
2019-20	10,840	(270) / (2%)	4,954	(75)	46%

Rounding used in calculations.

Daily Meal Participation District Totals for October 2017-2019

Year	Breakfast	Difference # / %	Lunch	Difference # / %	Supper	Difference # / %
2017-18	621		4,131		837	
2018-19	664	43 / 7%	4,077	(53) / (1%)	931	93 / 11%
2019-20	602	(62) / (9%)	3,590	(487) / (12%)	905	(26) / (3%)

Rounding used in calculations.

Daily breakfasts, lunches and suppers were compared for October of these three years with the following results: Breakfast meals showed about a 7% increase from 2017-18 to 2018-19 but then dropped 9% from 2018-19 to current year's numbers.

Lunches had a 1% decrease from 2017-18 to 2018-19 and then dropped an additional 12% in 2019-20. Supper meals increased 11% from 2017-18 to 2018-19 and then dropped 3% in the current year. However, two schools did not serve supper in 2017, so these differences may be skewed. The district should be concerned by a 9% drop in breakfast meals and a 12% drop in lunch meals in one year.

Percent participation by grade level based on enrollment was broken down on the MPLH spreadsheet for October 2019 and shows surprisingly low student participation in the current year at all grade levels. Breakfast levels are extremely low at all grades and indicate a need to change serving times. Alternatives to before-school breakfast should be explored such as breakfast in the classroom at elementary schools and second-chance breakfasts at midmorning for middle and high school students. However, staff need to be cautious about breakfast in the classroom and concentrate on schools with a high free and reduced eligibility. With breakfast in the classroom, students receive meals for free but the district gets reimbursed at its free, reduced and paid percentages. Since many of the district's schools have low free and reduced eligibility, it may be beneficial to explore second-chance breakfast even at the elementary schools. This could be served at morning recess.

October 2019 % Participation Based on Enrollment

	District Totals	Elementary Schools	Middle Schools	James Logan High School
Breakfast	6%	9%	4%	2%
Lunch	33%	39%	29%	29%

Students at Searles Elementary School and CCHS get free meals because they participate in an alternative program called Community Eligibility Program (CEP). Their participation is far lower than expected.

In October 2019, Searles Elementary average breakfast participation was 17 meals (2%) higher than before the CEP, and average daily lunch was 71 meals (7%) higher. In the current year, Searles Elementary feed 11% of their students breakfast and 60% lunch. CCHS feeds 20% of its students breakfast and 23% lunch. However, the school has increased breakfasts and lunches by about 12% since 2017. This is with a 32% drop in enrollment from 2017 to 2019. These schools would be expected to have a much higher percentage of students participating considering they all receive free meals.

A benefit of CEP is that the serving lines proceed more quickly because students do not need to be individually identified in the POS system, just the total number of students served. Meal counts can be taken with a clicker as students go through the lines. Searles still enters information on individual students in the computer by class rosters or PIN pad. Observations during meal service indicated a backlog of students at the POS. The district should change this process to streamline the serving lines. Lunch was not observed at CCHS because of school schedules; however, staff indicated that students enter ID numbers on a PIN pad.

The CEP was established as a result of the Healthy, Hunger-Free Kids Act of 2010 and allows schools and local educational agencies located in low-income areas to provide free breakfast and lunch to all students. CEP was phased in over a three-year period and became available nationwide July 1, 2014. CEP eliminates the traditional paper eligibility applications. Instead, schools are reimbursed through a formula based on the number of “identified students” and those certified without an application, also referred to as “direct certification,” for free school meals. This occurs because they are in foster care, Head Start, are homeless, migrant or living in households that receive Supplemental Nutrition Assistance Program (SNAP)/Food Stamps, Temporary Assistance for Needy Families (TANF) cash assistance or the Food Distribution on Indian Reservation benefits. Because this claiming method eliminates the use of applications, it changes the way free and reduced-price data appears. Because it considers only identified students who qualify for free meals through direct certification and not those qualifying by income, it creates an appearance that overall rates have decreased when they have not.

Schools and LEAs with a minimum identified student percentage (ISP) that is greater than or equal to 40 percent in the prior school year may participate in the CEP program. When using this method, the state applies a multiplier of 1.6 to the number of students qualifying through community eligibility for free meals and uses that figure to calculate the reimbursement. With this provision, some schools could receive the higher free reimbursement rate for meals served compared to the traditional reimbursement program; for which they would receive a lower total reimbursement that is based on meals served by free, reduced, and paid categories. While the intent is to increase participation levels by allowing access to free nutritional meals for all students, this reimbursement program could increase revenue while feeding the same number of students in some circumstances.

However, this does not seem to be the case with Searles and CCHS. In 2017, before the schools started CEP, Searles was reimbursed for lunch at the free rate for 69% of its students, 16% at the reduced rate and

15% at the paid rate. In October 2017, CCHS received 68% free, 19% reduced and 13% paid. In October 2018 and 2019, under the CEP, both schools were reimbursed at 66% free and 34% paid rates. The district appears to have lost money on this endeavor since these schools are getting reimbursed for about the same percentage of free students, no reduced rate and about twice as many paid meals. The 2019-20 lunch reimbursement rates are \$3.50 for free, \$3.10 for reduced and \$.36 for paid meals. The district may want to reevaluate this program.

Total Lunches and Reimbursement % at CEP Sites for October 2017-2019

Year	Enrollment	Total Lunches	Reimbursements		
			Free	Reduced	Paid
2017-18					
Searles	673	7,788	5,414 / 69%	1,230 / 16%	1,144 / 15%
CCHS	154	329	224 / 68%	62 / 19%	43 / 13%
2018-19			CEP BEGINS / NO REDUCED MEALS		
Searles	659	9,237	6,098 / 66%	0	3,139 / 34%
CCHS	127	787	518 / 66%	0	269 / 34%
2019-20					
Searles	705	9,784	6,459 / 66%	0	3,325 / 34%
CCHS	104	540	355 / 66%	0	185 / 34%

Rounding used in calculations.

The district should pay close attention to its declining enrollment, eligibility and participation and find ways to increase participation, or reduce labor. It should do everything possible to identify the maximum number of students eligible for free and reduced-price meals. The district is trying to do this in a campaign called “More than a Meal,” which is a group effort of food service management, site principals and family service assistants who contact families to encourage and assist them to complete lunch applications. This program was discussed in the board communication report from October 2019. This type of outreach is vital and should be a district priority.

Recommendations

The district should:

1. Regularly track enrollment, eligibility and participation. If the CEP program does not result in higher reimbursements, schools may consider returning to traditional methods.
2. Investigate alternative breakfast times such as second-chance breakfast or breakfast in the classroom at schools with high free and reduced-price meal eligibility.
3. Ensure the sites with CEP change their process of capturing meals at the serving line, counting only totals, not individual student IDs, to speed up lines.
4. Either increase participation or reduce labor.
5. Continue the outreach to encourage and assist families in completing lunch applications.

Staffing and Meals Per Labor Hour

Since labor costs are generally a large percentage of the food services budget, efficiency is important. The district has a central kitchen that assembles and delivers food to elementary schools and some items to middle schools. But most of the packaged items are commercially prepared foods measured into heatable containers and sealed for delivery to sites. The district also assembles hamburgers and chicken patty sandwiches using precooked meat. Cold sandwiches and yogurt parfaits are made for the middle schools. The middle schools assemble some of their own foods or simply heat prepackaged items such as burritos and hamburgers. They also make pizza using frozen dough. The high school preps its own food using convenience items, except for the supper meals, which are packaged by the central kitchen.

MPLH is an industry standard formula used to measure staff efficiency and help determine the appropriate staffing levels in a food service operation. Staff hours at sites and a percentage of central kitchen production hours were used to determine total staff hours per site. Labor hours for management or clerical staff are not included because it is a measure of the labor used to prepare and serve the meals at sites. In school food service, the best practice standard is 30 MPLH, but it should be higher with the labor efficacy of a central kitchen.

MPLH can be determined in several ways, but breakfasts, lunches, supper and à la carte sales must be included in the analysis. Breakfasts are sometimes counted as a fraction of a meal equivalent because they are simpler to prepare or have fewer items. For this study they are counted as half a meal, and lunch and supper meals are counted as a full meal equivalent. À la carte sales were counted only at the high school and middle schools since the elementary schools sell little outside the program. À la carte dollars are converted to a meal equivalent by dividing the daily total by a factor of the average breakfast and lunch prices. At New Haven this is \$2.50 at middle school and \$2.63 at high school.

The analysis shows that the district average MPLH was 23 and only one school, Searles Elementary, achieved at least 30 MPLH. Considering all students eat for free at Searles, these numbers should be higher. Hillview Crest Elementary was 28, and Itliong-Vera Cruz Middle School was 27. All the rest were 26 or below with Conley-Caraballo High School at 11 and James Logan High School at 18. These numbers indicate overstaffing for the number of meals served. Either the number of meals served needs to be significantly increased or staffing should be reduced.

The district has already begun analyzing staffing and has reduced or frozen some hours. According to a board communication from October 2019, the district froze 13 positions totaling 27 hours in the previous school year, and two positions totaling eight hours have been frozen in the current year. These were prudent decisions. If participation does not significantly increase, more labor reductions may be needed.

The district should carefully review MPLH data and make some decisions on how to increase meals served or where to reduce or consolidate labor. For example, CCHS has a three-hour position dedicated to serving just 21 breakfasts and 23 lunches per day. Only 20%-23% of the students eat even though all students at this school get free meals. This site should not have a dedicated position. These meals could be transported and served by someone who works at James Logan High School. As discussed in the menus and meal service section of this report, CCHS does not have a written menu and could be served some of the simple high school entrées. Lunches could be transported ready to serve in insulated bags just before service and breakfast for the next day could be sent at the same time. If the breakfast menu consisted of ready-to-eat foods such as bagels, muffins, cereal, yogurt, etc., someone could arrive shortly before mealtime and be ready to serve in minutes, and return to the high school.

The percentage of student participation is quite low. Districtwide participation is just 6% at breakfast and 33% at lunch. The elementary participation is 9% at breakfast and 39% at lunch, and middle schools are 4% at breakfast and 29% at lunch. James Logan High School's participation is only 2% at breakfast and 29% at lunch.

The extremely low breakfast participation is especially troubling. The district should investigate alternative serving times such as a second-chance breakfast in mid-morning or perhaps breakfast in the classroom at elementary sites with higher free and reduced counts. The middle schools and high school all serve snacks at a nutrition break, but do not serve reimbursable breakfasts. They should all also offer second-chance breakfasts at this time. Students of these age groups often are not hungry in the early morning or arrive at school late. Many school districts have seen large increases in reimbursable breakfasts when they offer a later breakfast.

The low lunch counts are equally a problem. The district needs to do a careful review of each site to see if it can find ways to increase participation since students are a captive audience at lunch time and should participate. Even at high-eligibility elementary schools, students are not participating in the expected numbers. Hillview Crest Elementary school has 70% free and reduced eligibility, yet its lunch participation is just 50%. Searles Elementary feeds all its students for free under a Community Eligibility Program, but only 60% of the students eat lunch. These sites should have an 80%-90% participation rate. The district should review menu choices and the flow of the lunch lines and talk to staff, students and parents to determine why students are not participating in the meal program.

The elementary schools all have full-time lead positions and yet they receive most of their food from the central kitchen. The district should consider either reducing the hours at these sites or have the elementary schools prep more of their own food and reduce hours at the central kitchen.

The high school has two lunch periods to accommodate the high enrollment, but is discussing cutting back to just one. This change should be carefully considered because it will likely result in longer lunch lines and even lower participation.

The middle schools have similar participation problems. Cesar Chavez Middle School has a 4.5% participation rate at breakfast and 34% at lunch despite a 60% free and reduced population. Itliong-Vera Cruz Middle School has a 36% free and reduced population with just 3% of students participating in breakfast and 26% at lunch. Menus and meal service should be reviewed to determine what can be done to increase participation.

The district plans to move the central kitchen to the high school property when it can build a new facility there. This would allow it to combine the functions of the high school kitchen with the central kitchen, enabling even more staff consolidation with future attrition.

The district should begin an ongoing review and analysis of all its food preparation and service functions at all sites. It should conduct regular MPLH assessments, review all positions for redundancy and consider all vacancies before filling them. The district should be aware of the production totals from the central kitchen and sites.

MPLH standards for all sites should be developed and discussed with staff using 30 MPLH as a standard minimum goal. Production totals should be tracked from the central kitchen to sites. When the team requested this information, the district had to create a spreadsheet. This should be an automatic ongoing process, allowing productivity analysis at all sites, and accounting for central kitchen hours as part of the MPLH analysis. The document attached as Appendix A to this report contains a Meals Per Labor Hour Analysis.

Staff interviews and documents provided to FCMAT indicate that employee absences in the Food Service Department are relatively high on some days, and some employees are frequently absent. Absences are disruptive to the department, create a lack of consistency in daily routines, and are costly. In addition, inexperienced substitutes may not have the same skills or productivity as regular staff. If employees are routinely absent, it may indicate an abuse of leave benefits, which should be monitored and addressed by the district.

Recommendations

The district should:

1. Begin monthly analysis of productivity by tracking all meals and labor hours in an MPLH report. Goals should be set with 30 MPLH as the minimum target.
2. Track food production at the central kitchen on an ongoing basis so management is aware of the amount of food being sent to all sites and can include central kitchen hours in site labor totals.
3. Ensure food service management regularly observes meal preparation and service at all sites, including the central kitchen.
4. Include staff, students and parents as part of the process of deciding how to increase participation.
5. Consider second-chance, midmorning breakfasts or breakfast in the classroom at appropriate sites.
6. Consider the consequences of reducing the high school lunch periods from two to one because it will likely result in longer lunch lines and even lower participation.
7. As positions become vacant, perform careful analysis before replacing them. If participation does not increase, more hours will need to be reduced.
8. Monitor employee absences and address all abuses of leave benefits.

Training and Oversight

All food service personnel should receive regular ongoing training to understand and perform their jobs. The USDA has established minimum training requirements for school food service personnel. These requirements became effective on July 1, 2015, and mandate professional standards and annual training requirements for child nutrition directors, managers, and staff. The annual training hours required varies with each position and/or the number of hours worked. Training should be documented and is evaluated during state administrative reviews. Information about this mandate and training resources can be found at www.cde.ca.gov/ls/nu/pd-psbyposition.asp.

Many of the district's food service staff members indicated they receive very little training from management. The only meeting site staff reported having is a welcome-back meeting at the beginning of the school year. The agenda indicates typical welcome-back topics: Greetings from district administration and the California School Employees Association (CSEA) president; a sustainability consultant with the county office of education; risk management; annual district online training; review of timecards and substitute procedures; food safety basics; food samplings from food vendors, etc. Staff indicated they do not have other meetings or trainings during the year.

A few training agendas were provided for review: One lead meeting in November 2018; a safety training agenda from October 2018 with no indication of who attended; a summer school staff meeting in June 2019 reviewing the Seamless Summer program; an agenda from December 2019 reviewing proper food handling procedures after a spoiled milk incident at the high school; and a January 2020 meeting reviewing the upcoming Child and Adult Care Food Program (CACFP) audit. The only other training noted was one for the newly implemented Escape inventory module.

The department does not appear to meet the required professional standards and training. Food service management are aware of the training deficits, and attribute it to lack of time. The food service supervisor seems to be responsible for many time-consuming clerical duties such as timecard verification, absence logs, and PARS logs. Clerical staff should perform these tasks, with management oversight and signature, allowing the food service supervisor to concentrate on other duties including training.

Program oversight and training is vital to a program running properly and efficiently. The director should lead this effort and plan regular meetings and trainings with all staff.

The district could have regular on-site minitrainings. Topics could include a review of offer vs. serve, menus, food safety, meal components, safe lifting, etc. Regularly scheduled group meetings with site and central kitchen leads could be held monthly. Since all leads are full-time staff, there should be time available for this. Site leads then could relay important information to their site staff to keep all informed and up to date. Site staff could be given simple handouts of various topics and could sign off on these minitrainings. If procedural or program problems are noted during site visits, such as a student not taking a complete meal, spontaneous trainings could be given. Short online trainings are available that staff could participate in. One example of this is located at www.cde.ca.gov/ls/nu/pd-ps.asp under the resource section. All these trainings, including an agenda, handout or just a handwritten explanation of the spontaneous training given, can be logged and signed and kept in notebooks or files for each employee. These count towards the required hours of staff development training.

The food service director and supervisor should be involved in planning and providing the trainings. The director could also invite other experts to participate in the training presentations.

Recommendations

The district should:

1. Review staff training requirements at www.cde.ca.gov/ls/nu/pd-psbyposition.asp.
2. Keep documentation of training either in staff files or training notebooks.
3. Consider reassigning clerical tasks such as timecards, substitute logs and PARS records to a nonmanagement employee. The director or supervisor of food services should sign the timecards and other logs after they have been verified.
4. Assign the food service supervisor and director to create a schedule of monthly meetings with leads and staff at sites and in the central kitchen. Both should participate in the training meetings.
5. Provide spontaneous minitrainings on site when needed.

Appendices

Appendix A - Meals per Labor Hour Analysis

NEW HAVEN USD																	
MEAL AND LABOR COMPARISONS													% Participation Breakfast & Lunch				
October 2019													23 days				
SCHOOLS													District	Elem	Middle	JLHS	CCHS
	AES	EAS	EML	HVC	KIT	PIO	SEA	CCMS	IVCMS	JLHS	CCHS	District Totals	Totals	Schools	Schools	JLHS	CCHS
Meals																	
Breakfast/Month	1,594	1,015	1,558	1,512	991	1,181	1,749	1,151	987	1,638	474	13,850					
Breakfast/Day	69	44	68	66	43	51	76	50	43	71	21	602	6%	9%	4%	2%	20%
Breakfast Equivalent	35	22	34	33	22	26	38	25	21	36	10	301					
Lunches/Month	5,789	4,462	5,848	5,697	4,957	4,896	9,784	8,571	7,999	24,031	540	82,574					
Lunches/Day	252	194	254	248	216	213	425	373	348	1,045	23	3,590	33%	39%	29%	29%	23%
Supper Meals/Month	1,954	3,036	2,191	1,311	1,847	1,957	3,521	1,133	949	2,919		20,818					
Supper Meals/Day	85	132	95	57	80	85	153	49	41	127	0	905					
Total Breakfast, Lunch, Supper/Day	371	348	383	338	317	324	617	447	411	1,207	34	4,796					
After School Snacks/Month			1,377				2,457	2,047				5,881					
After School Snacks/Day			60				107	89				256					
After School Snack Equivalent			20				35	29				84					
A la Carte \$							7,619	11,449	12,557			31,625					
A la Carte \$/Day							331	498	546			1,375					
A la Carte Equivalent							133	199	208			539					
Total Meal Equivalent	371	348	403	338	317	324	652	609	610	1,415	34	5,420					
Labor Hours																	
Site Labor Hours	10.00	10.00	10.25	10.25	10.25	10.25	10.33	20.75	20.75	79.75	3.00	195.58					
Central Kitchen Hours	4.38	4.55	5.94	1.99	3.43	3.16	10.24	6.06	1.58	0.97	0.12	42.42					
Total Labor Hours*	14.38	14.55	16.19	12.24	13.68	13.41	20.57	26.81	22.33	80.72	3.12	238.00					
MPLH	26	24	25	28	23	24	32	23	27	18	11	23					
% F/R**	47%	20%	61%	70%	39%	35%	62%	60%	36%	44%	59%	46%					
Enrollment**	701	728	548	492	739	726	705	1,110	1,337	3,650	104	10,840					
Breakfast equivalent = .5 meal																	
After school snack = .33 meal																	
The district claimed an additional 2,578 snacks in the CACFP program but did not provide site detail for October 2019 so these were not included.																	
A la carte equivalent = \$ per day/\$2.50 for middle school and \$2.63 for high school.																	
* Total labor hours include site hours and % of central kitchen hours based on the October 2019 MCC Production report.																	
** % F/R and Enrollment per CALPADS report 2019-20.																	
** Enrollment does not include alternative learning at CCHS, independent study or NPS.																	
Site supper numbers per district POS reports.																	
Rounding used in calculations.																	

Appendix B - Regulations for the Various Age Groups

QUICK REFERENCE CARDS

NON-CHARTER PUBLIC SCHOOLS

ELEMENTARY SCHOOL – FOOD RESTRICTIONS

References: *Education Code* sections 49430, 49431, 49431.7; *California Code of Regulations* sections 15575, 15577, 15578; *Code of Federal Regulations* sections 210.11, 220.12

An **elementary school** contains no grade higher than grade 6.

Effective from midnight to one-half hour after school.

Applies to ALL foods sold to students by any entity.

Sold means the exchange of food for money, coupons, vouchers, or order forms, when **any part** of the exchange occurs on a school campus.

Compliant foods:

1. MUST meet the following:
 - a. ≤ 35% calories from fat (except nuts, nut butters, seeds, reduced-fat cheese, dried fruit+nut/seed combo with no added fat/sugar, fruit, non-fried veggies), **and**
 - b. < 10% calories from saturated fat (except reduced-fat cheese, dried fruit+nut/seed combo with no added fat/sugar), **and**
 - c. ≤ 35% sugar by weight (except fruit*, non-fried veggies, dried fruit+nut/seed combo with no added fat/sugar), **and**
 - d. < 0.5 grams trans fat per serving (no exceptions), **and**
 - e. ≤ 200 milligrams sodium (no exceptions), **and**
 - f. ≤ 175 calories per item/container (no exceptions)

AND

2. MUST meet **ONE** of the following:
 - a. Fruit
 - b. Non-fried vegetable
 - c. Dairy food
 - d. Nuts, Seeds, Legumes, Eggs, Cheese (allowable protein foods)
 - e. Whole grain item**

If exempt food(s) combine with nonexempt food(s) or added fat/sugar they must meet ALL nutrient standards above.

* Dried blueberries, cranberries, cherries, tropical fruit, chopped dates or figs that contain added sugar are exempt from fat and sugar standards. Canned fruit in 100% juice only.

** A whole grain item contains:

- a. The statement "Diets rich in whole grain foods... and low in total fat... may help reduce the risk of heart disease...", **or**
- b. A whole grain as the first ingredient, **or**
- c. A combination of whole grain ingredients comprising at least 51% of the total grain weight (manufacturer must verify), **or**
- d. At least 51% whole grain by weight.

Non-compliant foods may be sold from one-half hour after school through midnight.

CHECK YOUR DISTRICT'S WELLNESS POLICY FOR STRICTER RULES.

Groups or individuals selling foods/beverages to students must keep their own records as proof of compliance.

ELEMENTARY SCHOOL – BEVERAGE RESTRICTIONS

References: *Education Code* Section 49431.5, *California Code of Regulations* Section 15576, *Code of Federal Regulations* sections 210.10, 210.11, 220.8, 220.12

An **elementary school** contains no grade higher than grade 6.

Effective from midnight to one-half hour after school.

Applies to ALL beverages sold to students by any entity.

Sold means the exchange of beverages for money, coupons, vouchers, or order forms, when **any part** of the exchange occurs on a school campus.

A compliant beverage must be marketed or labeled as a fruit and/or vegetable juice, milk, non-dairy milk, or water AND meet all criteria under that specific category.

Compliant beverages:

1. Fruit or Vegetable juice:
 - a. ≥ 50% juice **and**
 - b. No added sweeteners
 - c. ≤ 8 fl. oz. serving size
2. Milk:
 - a. Cow's or goat's milk, **and**
 - b. 1% (unflavored), nonfat (flavored, unflavored), **and**
 - c. Contains Vitamins A & D, **and**
 - d. ≥ 25% of the calcium Daily Value per 8 fl. oz., **and**
 - e. ≤ 28 grams of total sugar per 8 fl. oz.
 - f. ≤ 8 fl. oz. serving size
3. Non-dairy milk:
 - a. Nutritionally equivalent to milk (see 7 CFR 210.10(d)(3), 220.8(i)(3)), must contain per 8 fl. oz.:
 - ≥ 276 mg calcium
 - ≥ 8 g protein
 - ≥ 500 IU Vit A
 - ≥ 100 IU Vit D
 - ≥ 24 mg magnesium
 - ≥ 222 mg phosphorus
 - ≥ 349 mg potassium
 - ≥ 0.44 mg riboflavin
 - ≥ 1.1 mcg Vit B12, **and**
 - b. ≤ 28 grams of total sugar per 8 fl. oz., **and**
 - c. ≤ 5 grams fat per 8 fl. oz.
 - d. ≤ 8 fl. oz. serving size
4. Water:
 - a. No added sweeteners
 - b. No serving size

Non-compliant beverages may be sold from one-half hour after school through midnight.

ELEMENTARY SCHOOL – STUDENT ORGANIZATIONS

Reference: *California Code of Regulations* Section 15500

Effective from midnight to one-half hour after school.

Applies to food and beverage sales by student organizations.

Student organization sales must meet **all** of the following:

1. Only **one food or beverage item** per sale.
2. The food or beverage item must be **pre-approved** by the **governing board** of the school district.
3. The sale must occur **after the lunch period** has ended.
4. The food or beverage item **cannot be prepared on campus**.
5. Each school is allowed **four sales** per year.
6. The food or beverage item cannot be the same item **sold in the food service program** at that school during the same school day.

MIDDLE/HIGH SCHOOL – FOOD RESTRICTIONS

References: *Education Code* sections 49430, 49431.2, 49431.7, *California Code of Regulations* sections 15575, 15577, 15578, *Code of Federal Regulations* sections 210.11, 220.12

A **middle/junior high** contains grades 7 or 8, 7 to 9, 7 to 10.

A **high school** contains any of grades 10 to 12.

Effective from midnight to one-half hour after school.

Applies to ALL foods sold to students by any entity.

Sold means the exchange of food for money, coupons, vouchers, or order forms, when **any part** of the exchange occurs on a school campus.

Compliant foods:

1. **“Snack”** food items must be:

- ≤ 35% calories from fat (except nuts, nut butters, seeds, reduced-fat cheese, dried fruit+nut/seed combo), **and**
- < 10% calories from saturated fat (except reduced-fat cheese, dried fruit+nut/seed combo), **and**
- ≤ 35% sugar by weight (except fruit*, non-fried veggies, dried fruit+nut/seed combo), **and**
- < 0.5 grams trans fat per serving (no exceptions), **and**
- ≤ 200 milligrams sodium (no exceptions), **and**
- ≤ 200 calories per item/container (no exceptions)

AND must meet one of the following

- Be a fruit, vegetable, dairy, protein, or whole grain item** (or have one of these as the first ingredient), **or**
- Be a combination food containing at least ¼ cup fruit or vegetable.

2. **“Entrée”** food items must be:

- Meat/meat alternate and whole grain rich food; **or**
- Meat/meat alternate and fruit or non-fried vegetable; **or**
- Meat/meat alternate alone (cannot be yogurt, cheese, nuts, seeds, or meat snacks = these are considered a “snack”),

AND

An individual entrée sold by District/School Food Service the day of or the day after it appears on the reimbursable meal program menu must be:

- ≤ 400 calories, **and**
- ≤ 4 grams of fat per 100 calories
- < 0.5 grams trans fat per serving

An entrée sold by Food Service if not on the menu the day of or day after or any other entity (PTA, student organization, etc.) must be:

- ≤ 35% calories from fat, **and**
- < 10% calories from saturated fat, **and**
- ≤ 35% sugar by weight, **and**
- < 0.5 grams trans fat per serving, **and**
- ≤ 480 milligrams sodium, **and**
- ≤ 350 calories

AND must meet one of the following

- A fruit, vegetable, dairy, protein, or whole grain item (or have one of these as the first ingredient), **or**
- Be a combination food containing at least ¼ cup fruit or vegetable

Exempt food(s) combine with nonexempt food(s) or added fat/sugar they must meet ALL nutrient standards above.

Dried blueberries, cranberries, cherries, tropical fruit, chopped dates or figs that contain added sugar are exempt from fat and sugar standards. Canned fruit in 100% juice only.

A whole grain item contains:

- The statement “Diets rich in whole grain foods... and low in total fat... may help reduce the risk of heart disease...,” or
- A whole grain as the first ingredient, or
- A combination of whole grain ingredients comprising at least 51% of the total grain weight (manufacturer must verify), or
- At least 51% whole grain by weight.

Non-compliant foods may be sold from one-half hour after school through midnight.

HECK YOUR DISTRICT’S WELLNESS POLICY FOR STRICTER RULES.

Groups or individuals selling foods/beverages to students must keep their own records as proof of compliance.

MIDDLE/HIGH SCHOOL – BEVERAGE RESTRICTIONS

References: *Education Code* Section 49431.5, *California Code of Regulations* Section 15576, *Code of Federal Regulations* sections 210.10, 210.11, 220.8, 220.12

A **middle/junior high** contains grades 7 or 8, 7 to 9, 7 to 10.

A **high school** contains any of grades 10 to 12.

Effective from midnight to one-half hour after school.

Applies to ALL beverages sold to students by any entity.

Sold means the exchange of food for money, coupons, vouchers, or order forms, when **any part** of the exchange occurs on a school campus.

A compliant beverage must be marketed or labeled as a fruit and/or vegetable juice, milk, non-dairy milk, water, or electrolyte replacement beverage/sports drink AND meet all criteria under that specific category.

Compliant beverages:

- Fruit or Vegetable juice:
 - ≥ 50% juice **and**
 - No added sweeteners
 - ≤ 12 fl. oz. serving size
- Milk:
 - Cow’s or goat’s milk, **and**
 - 1% (unflavored), nonfat (flavored, unflavored), **and**
 - Contains Vitamins A & D, **and**
 - ≥ 25% of the calcium Daily Value per 8 fl. oz, **and**
 - ≤ 28 grams of total sugar per 8 fl. oz.
 - ≤ 12 fl. oz. serving size
- Non-dairy milk:
 - Nutritionally equivalent to milk (see 7 CFR 210.10(d)(3), 220.8(i)(3)), **and**
 - ≤ 28 grams of total sugar per 8 fl. oz, **and**
 - ≤ 5 grams fat per 8 fl. oz.
 - ≤ 12 fl. oz. serving size
- Water:
 - No added sweeteners
 - No serving size limit
- No-calorie Electrolyte Replacement Beverages (**NOT ALLOWED IN MIDDLE SCHOOLS**)
 - Water as first ingredient
 - ≤ 16.8 grams added sweetener/8 fl. oz.
 - ≤ 5 calories/8 fl. oz. (or ≤ 10 cal/20 fl. oz.)
 - 10-150 mg sodium/8 fl. oz.
 - 10-90 mg potassium/8 fl. oz.
 - No added caffeine
 - ≤ 20 fl. oz. serving size
- Low-calorie Electrolyte Replacement Beverages (**NOT ALLOWED IN MIDDLE SCHOOLS**)
 - Water as first ingredient
 - ≤ 16.8 grams added sweetener/8 fl. oz.
 - ≤ 40 calories/8 fl. oz.
 - 10-150 mg sodium/8 fl. oz.
 - 10-90 mg potassium/8 fl. oz.
 - No added caffeine
 - ≤ 12 fl. oz. serving size

Non-compliant beverages may be sold from one-half hour after school through midnight.

MIDDLE/HIGH SCHOOLS – STUDENT ORGANIZATIONS

Reference: *California Code of Regulations* Section 15501

Effective from midnight to one-half hour after school.

Applies ONLY to food and beverage sales by student organizations.

- Up to **three categories** of foods or beverages *may* be sold each day (e.g., chips, sandwiches, juices, etc.).
- Food or beverage item(s) must be **pre-approved** by governing board of school district.
- Only **one student organization** is allowed to sell each day.
- Food(s) or beverage(s) **cannot be prepared on the campus.**
- The food or beverage categories sold **cannot** be the same as the categories sold in the food service program at that school during the same school day.
- In addition to one student organization sale each day, any and all **student organizations** may sell on the **same four designated days** per year. School administration may set these dates.

Appendix C - Participation in Breakfast, Lunch and Supper Meals by Dates Compared

Enrollment	AES	EAS	EML	HVC	RII	PIU	SEA	CCMS	IVCMS	JLMS	CCHS	TOTALS		
2017-18	767	775	586	540	811	795	673	1,252	1,378	3,735	154	11,466		
2018-19	724	762	568	511	773	745	659	1,210	1,396	3,635	127	11,110	(356)	-3%
2019-20	701	728	548	492	739	726	705	1,110	1,337	3,650	104	10,840	(270)	-2%
# F & R														
2017-18	395	197	358	387	358	304	443	778	557	1,734	79	5,590		
2018-19	353	159	333	354	333	259	334	713	545	1,593	53	5,029	(561)	
2019-20	332	143	334	345	289	257	434	665	481	1,613	61	4,954	(75)	
% F & R														
2017-18	51%	25%	61%	72%	44%	38%	66%	62%	40%	46%	51%	48.75%		
2018-19	49%	21%	59%	69%	43%	35%	51%	59%	39%	44%	42%	45.27%	-3.5%	
2019-20	47%	20%	61%	70%	39%	35%	62%	60%	36%	44%	59%	45.70%	0.44%	
														-3.05%
Daily Participation														
Breakfast														
2017-18	51	68	63	64	57	72	59	57	52	67	12	621		
2018-19	55	51	65	68	68	57	58	56	54	107	25	664	43	7%
2019-20	69	44	68	66	43	51	76	50	43	71	21	602	(62)	-9%
Lunch														
2017-18	284	222	287	291	254	252	354	514	395	1,263	15	4,131		
2018-19	266	200	268	254	242	216	402	476	413	1,306	34	4,077	(53)	-1%
2019-20	252	194	254	248	216	213	425	373	348	1,045	23	3,590	(487)	-12%
Supper														
2017-18	91	153	97	54	104	97	161.05	81				837		
2018-19	72	143	100	51	98	72	138	65	23	170		931	93	11%
2019-20	85	132	95	57	80	85	153	49	41	127	-	905	(26)	-3%

The enrollment and eligibility data was taken from CALPADS reports. These totals do not include students from alternative learning at CCHS, independent study or NPS.

The participation information was taken from reimbursement claims for breakfast and lunch and from POS data for supper meals.

The number of days in the month to determine meal participation per day were taken from the October 2019 reimbursement claim and October 2017 and 2018 CACFP snack totals. There were 22 days in October 2017 and 23 days in October 2018 and 2019.

Rounding used in calculations.

Appendix D - Study Agreement

FCMAT

FISCAL CRISIS & MANAGEMENT
ASSISTANCE TEAM

FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM DRAFT STUDY AGREEMENT September 26, 2019

The Fiscal Crisis and Management Assistance Team (FCMAT), hereinafter referred to as the team, and the New Haven Unified School District, hereinafter referred to as the district, mutually agree as follows:

1. BASIS OF AGREEMENT

The team provides a variety of services to local education agencies (LEAs). The district has requested that the team assign professionals to study specific aspects of the district's operations. These professionals may include staff of the team, county offices of education, the California Department of Education, school districts, or private contractors. All work shall be performed in accordance with the terms and conditions of this agreement.

In keeping with the provisions of Assembly Bill 1200, the county superintendent will be notified of this agreement between the district and FCMAT and will receive a copy of the final report. The final report will also be published on the FCMAT website.

2. SCOPE OF THE WORK

A. Scope and Objectives of the Study

1. Examine the Food Service Department's operations including, but not limited to, food preparation, meal service, student participation, staffing, federal and state compliance, menu planning, purchasing, warehousing and food storage, inventory, and facilities, and make recommendations for improved efficiency, if any.
2. Evaluate the department's workflow and distribution of functions, and make recommendations for improved efficiency, if any.
3. Review training and professional development programs for the department's employees and managers, and make recommendations for improvements, if any.

B. Services and Products to be Provided

1. Orientation Meeting - The team will conduct an orientation session at the district to brief district management and supervisory personnel on the team's procedures and the purpose and schedule of the study.

2. On-site Review - The team will conduct an on-site review at the district office and at school sites if necessary.
3. Exit Meeting - The team will hold an exit meeting at the conclusion of the on-site review to inform the district of significant findings and recommendations to that point.
4. Exit Letter – Approximately 10 days after the exit meeting, the team will issue an exit letter briefly memorializing the topics discussed in the exit meeting.
5. Draft Report - Electronic copies of a preliminary draft report will be delivered to the district’s administration for review and comment.
6. Final Report - Electronic copies of the final report will be delivered to the district’s administration and to the county superintendent following completion of the review. Printed copies are available from FCMAT upon request.
7. Follow-Up Support – If requested by the district within six to 12 months after completion of the study, FCMAT will return to the district at no cost to assess the district’s progress in implementing the recommendations included in the report. Progress in implementing the recommendations will be documented to the district in a FCMAT management letter. FCMAT will work with the district on a mutually convenient time to return for follow-up support that is no sooner than eight months and no later than 18 months after completion of the study.

3. **PROJECT PERSONNEL**

The FCMAT study team may include:

- | | |
|----------------------------|-------------------------|
| <i>A. To be determined</i> | <i>FCMAT Staff</i> |
| <i>B. To be determined</i> | <i>FCMAT Consultant</i> |
| <i>C. To be determined</i> | <i>FCMAT Consultant</i> |

4. **PROJECT COSTS**

The cost for studies requested pursuant to Education Code (EC) 42127.8(d)(1) shall be as follows:

- A. \$800 per day for each staff member while on site, conducting fieldwork at other locations, preparing or presenting reports and participating in meetings. The cost of independent FCMAT consultants will be billed at their actual daily rate for all work performed.
- B. All out-of-pocket expenses, including travel, meals and lodging.

- C. The district will be invoiced at actual costs, with 50% of the estimated cost due following the completion of the on-site review and the remaining amount due upon the district's acceptance of the final report.

Based on the elements noted in section 2A, the total not-to-exceed cost of the study will be \$27,000.

- D. Any change to the scope will affect the estimate of total cost.

Payments for FCMAT's services are payable to Kern County Superintendent of Schools - Administrative Agent located on 1300 17th Street, City Centre, Bakersfield, CA 93301.

5. RESPONSIBILITIES OF THE DISTRICT

- A. The district will provide office and conference room space during on-site reviews.

- B. The district will provide the following if requested:

1. Policies, regulations and prior reports that address the study scope.
2. Current or proposed organizational charts.
3. Current and two prior years' audit reports.
4. Any documents requested on a supplemental list. Documents requested on the supplemental list should be provided to FCMAT only in electronic format; if only hard copies are available, they should be scanned by the district and sent to FCMAT in electronic format.
5. Documents should be provided in advance of fieldwork; any delay in the receipt of the requested documents may affect the start date and/or completion date of the project. Upon approval of the signed study agreement, access will be provided to FCMAT's online SharePoint document repository, where the district will upload all requested documents.

- C. The district's administration will review a draft copy of the report resulting from the study. Any comments regarding the accuracy of the data presented in the report or the practicability of the recommendations will be reviewed with the team prior to completion of the final report.

Pursuant to EC 45125.1(c), representatives of FCMAT will have limited contact with pupils. The district shall take appropriate steps to comply with EC 45125.1(c).

6. PROJECT SCHEDULE

The following schedule outlines the planned completion dates for different phases of the study and will be established upon the receipt of a signed study agreement:

Orientation:	to be determined
Staff Interviews:	to be determined
Exit Meeting:	to be determined
Draft Report Submitted:	to be determined
Final Report Submitted:	to be determined
Board Presentation:	to be determined, if requested
Follow-Up Support:	if requested

7. **COMMENCEMENT, TERMINATION AND COMPLETION OF WORK**

FCMAT will begin work as soon as it has assembled an available and appropriate study team consisting of FCMAT staff and independent consultants, taking into consideration other jobs FCMAT has previously undertaken and assignments from the state. The team will work expeditiously to complete its work and deliver its report, subject to the cooperation of the district and any other parties from which, in the team's judgment, it must obtain information. Once the team has completed its fieldwork, it will proceed to prepare a draft report and a final report. Prior to completion of fieldwork, the district may terminate its request for service and will be responsible for all costs incurred by FCMAT to the date of termination under Section 4 (Project Costs). If the district does not provide written notice of termination prior to completion of fieldwork, the team will complete its work and deliver its report and the district will be responsible for the full costs. The district understands and agrees that FCMAT is a state agency and all FCMAT reports are published on the FCMAT website and made available to interested parties in state government. In the absence of extraordinary circumstances, FCMAT will not withhold preparation, publication and distribution of a report once fieldwork has been completed, and the district shall not request that it do so.

8. **INDEPENDENT CONTRACTOR**

FCMAT is an independent contractor and is not an employee or engaged in any manner with the district. The manner in which FCMAT's services are rendered shall be within its sole control and discretion. FCMAT representatives are not authorized to speak for, represent, or obligate the district in any manner without prior express written authorization from an officer of the district.

9. **INSURANCE**

During the term of this agreement, FCMAT shall maintain liability insurance of not less than \$1 million unless otherwise agreed upon in writing by the district, automobile liability insurance in the amount required under California state law, and workers' compensation as required under California state law. FCMAT shall provide certificates of insurance, with New Haven Unified School District named as additional insured, indicating applicable insurance coverages upon request prior to the commencement of on-site work.

10. HOLD HARMLESS

FCMAT shall hold the district, its board, officers, agents and employees harmless from all suits, claims and liabilities resulting from negligent acts or omissions of its board, officers, agents and employees undertaken under this agreement. Conversely, the district shall hold FCMAT, its board, officers, agents and employees harmless from all suits, claims and liabilities resulting from negligent acts or omissions of its board, officers, agents and employees undertaken under this agreement.

11. CONTACT PERSON

Name: John Thompson, Superintendent
Telephone: (510) 935-2190
E-mail: jthompson@nhusd.k12.ca.us



John Thompson, Superintendent
New Haven Unified School District

October 1, 2019

Date



Michael H. Fine,
Chief Executive Officer
Fiscal Crisis and Management Assistance Team

September 26, 2019

Date