

Mendocino County School Nutrition Programs

May 29, 2018

SUMMARY

Federal and State reimbursements for school meal programs do not meet all costs for ten of the eleven Mendocino County school districts. Districts have to use unrestricted funds to pay for staff and program needs.

To address this problem, the 2017-18 Mendocino County Grand Jury recommends that Mendocino County Office of Education employ a Nutrition Services Director who is a registered dietician. A Nutrition Services Director would be an advisor and consultant to the County's eleven school districts.

A Nutrition Services Director would reduce program costs to smaller districts. For example, the Director could contract for uniform computer software for student identification, nutrition education, and menu development. The development of joint food contracts and bulk ordering would reduce program costs and improve the quality of food served to county students. This staff member would also monitor state and federal legislation and alert districts to policy changes that may affect school nutrition programs.

Every three years the California Department of Education monitors meal programs in each school to insure conformity to the regulations. Irregularities and program non-compliance result in financial penalties that compound the financial burden on school districts' unrestricted funds.

More than 60% of Mendocino County school children are eligible for free or reduced cost meals. Mendocino County school districts currently offer students breakfast, lunch, snacks and some may offer dinner each school day. The grand jury noted that all children eligible for free or reduced cost meals did not take a meal; some did not care for the menu offering on a particular day, and often eligible families did not complete the form to apply for free or reduced cost meals.

The grand jury visited the three largest school district meal programs, and two small school districts that offer free meals to all students. All districts the grand jury visited met the requirements of the current legislation, some better than others. All could be improved by oversight and training. All meal program managers would benefit from sharing their most effective practices with each other.

GLOSSARY

LCAP: The Local Control and Accountability Plan is a three-year spending plan that describes the goals, actions, services, and expenditures to support positive student outcomes that address state and local priorities. LCAP is a source for information on community needs, ethnicity and poverty levels in a school district.

CNIPS: The Child Nutrition Information and Payment System is the California Department of Education's web-based system for administering the federal and state nutrition programs. It includes the National School Lunch and Breakfast Program, Food Distribution, Special Milk,

Child and Adult Care Food, Summer Food Service, and Seamless Summer Feeding Option programs.

PERTINENT FEDERAL AND STATE LEGISLATION

Richard B. Russell National School Lunch Act (NSLA) (1942): The National School Lunch Program is a federally assisted meal program operating in public and nonprofit private schools and residential child care institutions. It provides nutritionally balanced low-cost or no-cost lunches to children each school day. The program is reviewed every three years.

National School Breakfast Program (NSBP) (1966): This legislation modified the NSLA program by providing breakfast.

Hunger Free Kids Act (HFA) (2010): HFA ensures students are offered both fruits and vegetables every day of the week, increases offerings of grain-rich food, offers only fat-free or low-fat milk, limits calories based on the age of the children being served to ensure proper portion size, and increases focus on reducing the amounts of saturated fat, trans fat, and added sugar and sodium.

Proposed Federal Legislation HR 610, if enacted, would distribute federal funds for elementary and secondary education in the form of vouchers for eligible students and would repeal a rule relating to nutrition standards in schools. The legislation has been referred to the Committee on the Education and the Workforce in the U. S. House of Representatives.

SP -32-2017 amended regulations in respect to sodium, whole grains and flavored milk. This policy memo addresses a proclamation made by the USDA Secretary announcing several menu planning flexibilities in the National School Lunch Program and the School Breakfast Program for SY 2017–18.¹

California Education Code Section 49550 requires all public school districts and county superintendents of schools to make available, free or at a reduced price, one nutritionally adequate meal to each needy student every school day. A needy student is one who qualifies under specified family size and income standards. This requirement is commonly referred to as the "state meal mandate."

State Senate Bill 138: “(5) California is authorized by the United States Department of Agriculture to use participation data from Medicaid, known as Medi-Cal in California, to establish the eligibility of low-income pupils for free and reduced-price school meals, without the need for an individual school meal application. (6) In California, almost all low-income children covered by public health insurance receive Medicaid. This makes direct certification for school meals with Medicaid the most effective tool for identifying low-income pupils and increasing paperless certification for free and reduced-price school meals. (7) High poverty schools and school districts are permitted to adopt federal school meal provisions that allow the service of breakfast and lunch at no cost to all enrolled pupils without the burden of collecting

¹ You can view this policy memo at <https://fns-prod.azureedge.net/sites/default/files/cn/SP32-2017os.pdf>

applications, which include the Community Eligibility Provision and Provision 2 of the federal Richard B. Russell National School Lunch Act (42 U.S.C. Sec. 1751 et seq.).”²

BACKGROUND

The 2017-18 Mendocino County Grand Jury was concerned with potential changes to county school meal programs under the proposed Federal HR 610, which would repeal the National School Lunch Program (NSLP). This led to an investigation of the current county school meal programs and an investigation into how well the students’ needs are being met under present legislation.

METHODOLOGY

The grand jury reviewed federal and state legislation regulating and funding school meal programs. The grand jury also reviewed state evaluation reports, meal enrollment forms, job descriptions, and financial reports for the Mendocino County school districts. The grand jury researched the federal and California State guidelines for school meal programs and the United States Department of Agriculture reimbursement rates of meal costs to school districts.

The grand jury visited the following school districts:

- Ukiah Unified School District
- Fort Bragg Unified School District
- Anderson Valley Unified School District
- Round Valley Unified School District
- Willits Unified School District

The grand jury visited six kitchens and dining rooms of five school districts and interviewed the meal program managers and their supervisors, and the superintendents of four school districts. The grand jury observed the accountability process, the serving and portioning of food, the children’s food choices, and tasted what was served the day of the visit.

The grand jury reviewed documents from Mendocino County Office of Education (MCOE). The grand jury inquired if oversight was performed on the districts’ school nutrition programs and if nutritional support had been considered or was possible. The grand jury reviewed the Nutrition Services Director job description from Humboldt County (see Attachment).

DISCUSSION

Compliance and Funding

The staff of the five school districts visited were familiar with the USDA relaxing the requirements. Schools could now serve low-fat flavored milk, are no longer limited to only whole grains, and have fewer restrictions on salt content. Staff stated this helped meet students’ preferences. They were not aware of the proposed changes to federal legislation contained in HR 610.

² https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB138

In October 2017, SB138 was signed into law. Ramifications of the legislation were not known at the time of our visits to the school districts. The three largest school districts are just now considering applying for universal free meals.

Managers of school meal programs are concerned about upcoming visits from the California Department of Education inspectors. The Department inspects the food programs every three years. If inspectors find inadequacies or errors, they can fine the schools and subtract the fine from future meal reimbursements. Nutrition managers expressed concern that children's preferences were for foods that did not meet the requirements. For example, if the inspector finds a pattern of students not selecting three of the five food groups, the meals for that that school or district are not counted for reimbursement for the school year. In past years, one school district was fined for serving ice cream as a snack; another school district was fined for serving snacks at an unauthorized location. Anderson Valley and Round Valley school districts had problems with accurately completing the required reports and were heavily fined.

Government reimbursements are insufficient to cover all related expenditures for meals, beyond the food costs. Most school districts must use unrestricted district funds to cover labor and operational costs. In some districts this exceeds fifty percent of the total meals budget. School superintendents stated their major concern is for educational program costs and assign lower priority to food program needs, forcing a choice between "...bananas or books."

School superintendents have used various means to increase reimbursements to meal budgets. The Ukiah Unified School District has tried to sell more full-priced meals. The Willits Unified School District gives free meals to reduced-cost meal students because the accounting costs are greater than the reimbursement received. Anderson Valley has increased the breakfast and supper programs to maximize reimbursement levels.

With the community eligibility provision of SB138 the three largest districts are considering applying to the state for universal free meals for all students in the district. Ukiah stated that they are currently applying. Fort Bragg has applied for universal free breakfast for everyone to see what the financial benefits might be. Willits is studying the financial implications since their current program requires \$240,000 of unrestricted funds.

All districts encourage qualified families to apply for free or reduced-cost meals for their children. Higher enrollment in free or reduced-cost meals increases the LCAP funding available for the district. Enrollment will be easier under SB138 since proof of the students eligibility in Medi-Cal and other federal funded programs for low income families would be sufficient for enrollment in the free meal programs.

In Anderson Valley and Round Valley school districts all students are entitled to free breakfast, lunch, and supper each school day. However, records reviewed show approximately 20% to 50% of children choose not to eat the meals offered.

In school districts that serve meals to students that do not qualify for free meals, administrators reported non-payment by some parents for the meals served. While this debt may be substantial and affects the districts' meal budgets, all managers stated no child is turned away for lack of payment.

Food Service Operation Problems

Several managers with satellite kitchens or off-site meal locations expressed difficulty scheduling sufficient time to visit those sites to insure program compliance or to help site managers perform efficiently.

Managers struggled with the decision whether to use washable meal trays and tableware or to use disposables. Disposables save water and do not require chemicals and additional staff time, but disposables are expensive and cause environmental and waste problems.

Most schools visited had difficulties with children not taking proper care of food service implements and not properly disposing of waste. Anderson Valley High School had a waste/recyclable separation system that was not being used properly. At the Willits High School, students were so accustomed to throwing away meal packaging that they threw away bowls and metal utensils. To cut down on loss, garbage can lids were modified so bowls would not fit.

At the Willits Baechtel Grove Middle School, an entrée, a salad bar, fruit, and milk were available. No trays were given to students to enable them to carry more than one food item. If a student takes an entrée in its paper boat with one hand and the other hand is needed to enter their student number into a keyboard, it is not possible to carry a salad or anything else to eat. The grand jury asked for trays, which were available and provided to grand jury members. Trays were not given to students because, as a school representative said, "...they were costly and got misplaced or lost."

Computer Systems

Computers are increasingly an integral part of administering meal programs for school personnel and parents. However, the varying levels of competency in computer use are reflected in the following:

- Each school district uses different software for their computer system to identify students. These systems are used in each school's cafeteria to show meal payments and child allergies or special needs. While some programs bring up an individual's photo, others use a class list.
- School districts purchase different online programs for nutrition education and computer software for creating menus.
- School districts order food from vendors online.
- Some schools encourage parents to fill out applications for free or reduced meals online.
- The state uses a web-based system for administering the federal and state nutrition programs. This web-based system is used by nutrition program managers for each school district to submit free and reduced-cost meal applications, reimbursement claims, meal site changes, training, and other administrative actions.

Kitchens and Dining Rooms

Kitchens and cafeterias were clean and orderly, some attractive and welcoming, others old and in

need of repair or better organization. Managers said they wished they had the time, staff, and money to make nutritious meals from scratch. The Fort Bragg and Anderson Valley school districts most closely met this ideal.

In the visits to the school districts, the grand jury found that:

- Ukiah and Round Valley school districts use central kitchens to prepare all meals, which are also sent to other sites.
- Fort Bragg has four kitchens that prepare meals on site.
- Willits School District does some of each. The Willits middle school prepares the entrée on site. The rest of the meal is prepared at the Willits high school kitchen.
- All of the kitchens visited prepared meals that met the state mandate for nutritional standards.

Schools visited purchase USDA commodity pre-made products distributed through private purveyors. These are the most economical sources of food. Food service managers check menu items made from USDA commodities since some items have excessive sugar or fat under California regulations. Fort Bragg was able through a grant and contract with a local company to serve students fresh fish. Several food service supervisors and head cooks said that negotiating with local farms for seasonal produce was too time consuming and expensive.

Willits utilized a local farm-to-table program during the summer. Where there were school gardens, they were mainly used for education purposes. The high school cafeteria in Willits is attractive but small, seating approximately one third of the student body. Many students leave the campus for their 35-minute lunch period.

Willits Baechtel Grove Middle School students eat in an auditorium. The doors were open and the room was cold and drafty when the grand jury was there. The kitchen and food service was at one end of the room. At the other end was the stage with a mound of lost clothing and stage scenery. An adult volunteer was selling snacks near the stage.

At the Ukiah Pomolita Middle School cafeteria, food was served from clean multiple lines; temperature controls for hot food were not met. Students preferred chocolate milk and commercially prepared burgers rather than the fresh food and BBQ chicken. There were only plastic forks and spoons available to students. There were no knives for cutting food. In spite of a variety of food to choose, a number of students purchased food from vending machines in addition to, or instead of, a prepared lunch. Vending machines or snacks sold are required to be nutritious and sugar free; carbonated beverages have no sugar and are fruit flavored.



Pomolita Middle School cafeteria. Note the computer screen at the end of a food service line for entering the student's food choices and identification number.

The Anderson Valley High School cafeteria was well lit, clean and attractive. Students were offered plates and a full set of metal utensils. There was one main entrée prepared on site. The meal site supervisor knew each student by name as they were entered into the computer system

The Round Valley cafeteria was clean, well lit, and attractively decorated with Native American designs.

Kindergarten students received washable trays with all the required components; adult volunteers assisted the young students.



The grand jury visited Round Valley Elementary School just before the Thanksgiving break. The menu that day included peanut butter sandwiches. The children chose chocolate milk.

Staffing

In three of the school districts, the Food Service Managers are included in administrative meetings. In the two other districts, cafeteria manager or cook positions are not included in administrative meetings.

The managers that supervise food programs are from different backgrounds and training. All food service staff met governmental certified sanitation training requirements. No school district employs a registered dietitian. A school superintendent stated, "...the regulations are so specific I don't see a need for this expertise." However, Humboldt County Office of Education employs a nutrition supervisor who is a registered dietitian who provides oversight and guidance for that county's school districts (see attached job description).

In Willits, the Food Service Manager said, "Newly employed site managers are given a textbook with everything they need to know and then they take an online test for certification."

The grand jury frequently heard that kitchen staff is difficult to replace. The starting wage of kitchen staff at Ukiah Unified is \$11.30 per hour versus Anderson Valley's \$12.19 per hour. Most kitchen or dining room staff work only part-time and receive little or no benefits. Two of the five food service supervisors felt they had insufficient time to adequately supervise their offsite staff. In Round Valley reporting to the State Office of Education was assigned to the District Business Officer. All schools found the required record and reporting regulations time consuming.

Government Charts

The range of reimbursement rate from USDA for schools is the following:³

	Lunch		Breakfast		Milk	Snack
	Min	Max	Min	Max		
Free	\$3.31	\$3.46	\$1.75	\$2.09	\$.2075	\$.88
Reduced	2.91	3.06	1.45	1.75		.44
Paid	.39	.45	.30			.08

All five district food program managers have chosen to receive cash rather than actual commodities, equal to \$0.2325 for each lunch and supper served to enrolled participants.

Schools that have more than 60% of the students eligible for free or reduced-cost meals receive a higher reimbursement rate. Most districts in Mendocino County have more than 60% of their students eligible. An extra \$.06 is paid for each school meal that meets the HKF Act regulations for fruits, vegetables, and whole grains.

Federal guidelines for free or reduced meal eligibility:⁴

# In family	100 % poverty	Free meals 130% above poverty	Reduced meals 185% of poverty
1	\$12,060	\$15,678	\$22,311
2	16,240	21,112	30,044
3	20,420	26,546	37,777
4	28,780	31,980	45,510
5	32,960	37,414	53,243

Under the provisions of SB138 children whose families that receive federal assistance are automatically eligible for free meals.

³ Federal Register, Vol. 82 No144, July 8, 2017, page 35177

⁴ <https://www.gpo.gov/fdsys/pkg/FR-2017-01-31/pdf/2017-02076.pdf>

FINDINGS

- F1. Federal and state reimbursements do not cover Mendocino County school district food program costs, thereby imposing a financial burden on school district budgets.
- F2. While in most Mendocino County school districts more than 60% of students are eligible for free or reduced-cost meals, revenue is lost because approximately 20-50% of eligible children do not take advantage of free or reduced-cost meals.
- F3. Food managers would prefer to prepare more meals made from scratch and use locally produced food, but are concerned with additional time and costs.
- F4. All districts observed would benefit from extra staff or hours for their food service employees.
- F5. In smaller school districts, food managers who cook as well as manage are overburdened with additional administrative California State required record keeping.
- F6. Schools use disposable serving trays and utensils instead of paying additional labor costs to wash reusable trays and utensils.
- F7. The grand jury is concerned that there is no registered or certified dietitian employed for the county's meal programs.
- F8. There is a paucity of oversight and guidance for the county's school nutrition programs.
- F9. Getting parents to pay for meals is a major problem in many school districts.
- F10. Trash generation and litter from food service paper and plastic is an area of concern.
- F11. Students are throwing away reusable food service dishes and utensils.
- F12. Food service job descriptions in small districts include duties that require more time than allotted or funded.
- F13. Ongoing computer training for food service managers is lacking in most school districts.
- F14. State inspectors found errors in procedures resulting in major loss of funds from school district food programs.
- F15. The addition of a MCOE dietician who could review procedures with food service staff might prevent negative evaluations from the state.

RECOMMENDATIONS

- R1. Mendocino County Office of Education hire a full-time Nutrition Services Director who is a registered dietician to assist all 11 county school districts in reducing costs and improving the quality of service to children. (F1, F2, F5, F7, F8, F12-15)
- R2. Meal program supervisors regularly inspect satellite sites for program compliance. (F4, F5, F8, F12-14)
- R3. School districts provide ongoing computer training for meal site managers and staff. (F13, F14)
- R4. All school districts enable meal site supervisors to meet on a regular basis to share best meal preparation and staff practices. (F2-5, F11-14)
- R5. All school districts provide application forms for free or reduced-cost meals at the beginning of each school year or when the student is enrolled. (F1, F2, F9, F14)
- R6. To prevent waste, school districts instruct the students in the proper handling of reusable tableware and disposal of trash and recyclables. (F6, F8, F10, F11)

RESPONSES

Pursuant to Penal Code §933.05, responses are required from the following boards:

- Mendocino County Office of Education Board of Directors (All findings, all recommendations)
- Anderson Valley Unified School District School Board of Trustees (All findings, all recommendations)
- Fort Bragg Unified School District School Board of Trustees (All findings, all recommendations)
- Round Valley Unified School District School Board of Trustees (All findings, all recommendations)
- Willits Unified School District School Board of Trustees (All findings, all recommendations)

The boards indicated above should be aware that their comments or responses must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

Pursuant to Penal Code §933.05, responses are required from the following individual:

- Mendocino County Office of Education Superintendent (All findings, all recommendations)

Pursuant to Penal Code §933.05, responses are requested from the following individual(s):

- Anderson Valley Unified School District Superintendent (All findings, all recommendations)

- Fort Bragg Unified School District Superintendent (All findings, all recommendations)
- Round Valley Unified School District Superintendent (All findings, all recommendations)
- Ukiah Unified School District Superintendent (All findings, all recommendations)
- Willits Unified School District Superintendent (All findings, all recommendations)

ATTACHMENT

Humboldt County Office of Education Nutrition Services Director Job Description

Reports issued by the Mendocino County Grand Jury do not identify individuals interviewed. Penal Code §929 requires that reports of the grand jury not contain the name of any person or facts leading to the identity of any person who provides information to the civil grand jury.

ATTACHMENT

Humboldt County Office of Education
NUTRITION SERVICES DIRECTOR
Management



Position Summary

Under direction of the Coordinator of Instructional Leadership, the Nutrition Services Director plans, organizes, and conducts a wide-range of nutrition education programs sponsored by the HCOE in collaboration with the California Department of Education, the California Department of Public Health, the Humboldt County Department of Public Health, local schools, farms, vendors, and community-based agencies.

Examples of Duties

- Coordinates the development of marketing and educational materials for schools related to nutrition education;
- Supervises, trains, and evaluates Nutrition Education program staff;
- Assists in implementing services with district and community partners to achieve nutrition program objectives;
- Remains current on research and effective nutrition education and instructional strategies;
- Provides leadership, technical assistance, and consultation services to schools regarding cafeteria operations, school breakfast, lunch and after school programs;
- Develops strategic plan/timeline for in-kind and match activities for contract period and provides overall administration and tracking of progress on scope of work objectives for all grants;
- Maintains and compiles reports used in budgeting, tracking expenses, and other duties related to program management;
- Collects and maintains documentation, prepares and presents all reports as required by program funders and Humboldt County Office of Education (HCOE);
- Attends and participates in meetings as required, maintains related records;
- Assists in development and writing of grants;
- Recommends new procedures and changes in existing procedures governing the implementation and management of the department;
- Prepares and manages assigned budget;
- Serves as a member of Leadership Council;
- Actively engages in an ongoing program of professional development to maintain and improve management skills and leadership abilities;
- Performs other duties as assigned.

Education and Experience

- Registered Dietitian
- Master's degree preferred (M.A., M.S., M.S.Ed.), major study in nutrition or health
- Working knowledge of K-12 education
- Minimum of five (5) years of related experience, preferably in an education setting.

Knowledge of

- Child nutrition programs and their potential application in nutrition education;
- Principles, practices, trends and techniques of quality nutrition curriculum development;
- Instructional methods for teaching nutrition to students, educational staff, child nutrition program personnel, and parents;

Nutrition Education Coordinator
Page 2 of 2

- School cafeteria operations, laws, rules and regulations;
- School administrative practices, including budget development and management;
- Strategic planning, program development and other planning techniques;
- Knowledge of current research and practices in school health and nutrition education;
- Office technology.

Ability to

- Work effectively with K-12 educators, cafeteria staff, public and private agencies, vendors, and members of the agricultural community;
- Communicate effectively both orally and in writing;
- Prepare grant applications;
- Work with multiple agencies and programs;
- Manage multiple assignments and deadlines;
- Analyze situations accurately and take appropriate action;
- Research, design, develop and present materials relevant to nutrition education training;
- Input data and apply word processing techniques;
- Prepare clear and complete proposals and reports;
- Work effectively in the absence of supervision;
- Establish and maintain cooperative and effective working relationships with others;
- Travel occasionally for required meetings and conferences.

Physical Requirements *(Consideration will be given to reasonable accommodation for the following physical requirements.)*

Sufficient vision to read printed materials; sufficient hearing to conduct in-person and telephone conversations; sufficient mobility to move about the county office and other sites as may be required; ability to speak in an understandable voice with sufficient volume to be heard in normal conversation distance, on the telephone, and to address groups of varying sizes; physical and emotional stamina to cope with sometimes stressful situations and conditions.

Additional Requirements

Individuals who serve in management positions provide services in the office, as well as in various sites throughout the county, sometimes serving multiple sites in a single workday. Public speaking skills, group problem solving and leadership ability, the ability to communicate effectively in writing, the capacity to maintain personal demeanor during periods of peak work flow and perform efficiently within restricted timeframes are critical factors for success in this position.

Individuals who serve as management personnel must be willing to modify days/hours and to work additional days/hours on occasion with appropriate compensation and be willing to travel using own transportation with mileage reimbursed, or county office fleet vehicle, as the job may require.

Schedule B/Class: 4
Reviewed: 09/29/17