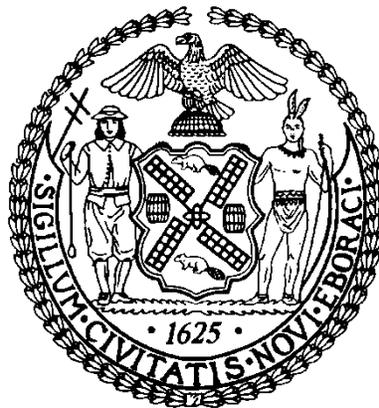


**CITY OF NEW YORK
OFFICE OF THE COMPTROLLER**

**John C. Liu
COMPTROLLER**

MANAGEMENT AUDIT

**H. Tina Kim
Deputy Comptroller for Audit**



**Audit Report on the Monitoring of the
School Food Safety Program by the
Department of Education**

MD10-102A

February 7, 2011

<http://comptroller.nyc.gov>



THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
1 CENTRE STREET
NEW YORK, N.Y. 10007-2341

John C. Liu
COMPTROLLER

February 7, 2011

To the Residents of the City of New York:

My office has audited the monitoring of the School Food Safety Program by the Department of Education (DOE). We audit city agencies such as this as a means of increasing accountability and ensuring that the health and safety of City public school students are not at risk.

The audit found that, with the exception of one school, all applicable schools received the required DOE oversight inspections. However, the audit found that DOE does not ensure that all of its School Food kitchen employees receive the required training in a timely manner. In addition, the audit found sanitation-related deficiencies at five of the 15 sampled schools visited, lacking or obstructed choking first aid posters, and instances of employees' non-adherence to DOE's uniform policy. Further, the audit found that a majority of the sampled schools lacked copies of the inspection documentation.

The audit makes 11 recommendations to DOE, including that it should ensure that kitchen personnel receive the mandatory training in a timely manner, ensure that all facility conditions needing correction are immediately reported, ensure that choking first aid posters are present and entirely visible in all cafeterias, reinforce its Uniform Policy, and ensure that all schools receive the required annual DOE oversight inspections.

The results of the audit have been discussed with DOE officials, and their comments have been considered in preparing this report. Their complete written response is attached to this report.

If you have any questions concerning this report, please e-mail my audit bureau at audit@comptroller.nyc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "JCL".

John C. Liu

Table of Contents

AUDIT REPORT IN BRIEF 1

 Audits Findings and Conclusions 1

 Audit Recommendations..... 2

 Agency Response..... 2

INTRODUCTION..... 3

 Background..... 3

 Objective..... 4

 Scope and Methodology 4

 Discussion of Audit Results..... 7

FINDINGS AND RECOMMENDATIONS 8

 DOE Conducts Periodic Inspections at Schools 8

 Recommendation 9

 Employees Not Trained in a Timely Manner 9

 Recommendations..... 10

 Conditions Identified During Our Unannounced Visits to Some of the Sampled Schools 11

 Handwashing Sink Problems 11

 Leak and Drain Problems..... 11

 Hole in Wall..... 12

 Recommendations..... 12

 Lacking or Obstructed Choking First Aid Poster 13

 Recommendation 13

 Non-adherence to DOE Uniform Policy..... 13

 Recommendation 14

 Inspection Documentation Not Maintained At Schools 14

 Recommendations..... 14

 Employees Must Retain Original DOHMH Food Protection Certificates 15

 Recommendation 15

ADDENDUM Department of Education Response

*The City of New York
Office of the Comptroller
Management Audit*

**Audit Report on the Monitoring of the School Food Safety
Program by the Department of Education**

MD10-102A

AUDIT REPORT IN BRIEF

The audit determined whether the Department of Education (DOE) adequately monitors the food safety practices at schools. Specifically, the audit determined whether DOE conducts periodic inspections of the food safety practices and procedures of all schools, ensures that its employees receive the required training, ensures that during the preparation and serving of food to the students there is at least one employee on-site who has a Department of Health and Mental Hygiene (DOHMH) Food Protection Certificate, and ensures that the schools' kitchen facilities, cafeteria, and food storage areas are clean and well maintained and that kitchen personnel adhere to DOE's policies and procedures. The focus of this audit was food safety in DOE-operated public schools (charter schools and non-public schools were outside the scope of our audit).

DOE provides primary and secondary education to over one million pre-kindergarten to grade 12 students in more than 1,500 schools of 32 school districts in five Regions. DOE's Office of School Food and Nutrition (School Food) provides breakfast and lunch to New York City public school children. Maintaining food safety is a critical component of School Food's mission to serve healthy, safe food to New York City students.

School Food developed and implemented a Food Safety Program in 1999 using the Hazard Analysis and Critical Control Points (HACCP) principles to identify areas where School Food staff and procedures have a direct impact. All School Food employees receive initial and ongoing training in HACCP and food safety principles, and at least one employee from the kitchen staff at each school is required to attend a 15-hour course in basic sanitation and food handling procedures. As part of DOE's Food Safety Program, all schools undergo periodic reviews to monitor their food safety practices, procedures, and kitchen conditions.

Audits Findings and Conclusions

Overall, with some exceptions, DOE's monitoring of the food safety practices at schools is adequate. DOE generally conducts periodic inspections of the food safety practices and procedures of all schools, and requires at least one employee who has a DOHMH Food Protection Certificate to be on-site during the preparation and serving of food to the students. With the exception of one school which did not receive a Quality Assurance Specialist (QAS) inspection, all applicable schools received the required HACCP and QAS inspections.

Additionally, our unannounced inspections of the sampled schools revealed that 1) at least one employee having a DOHMH Food Protection Certificate was on-site and, in general, 2) the schools' kitchen facilities, cafeteria, and food storage areas were, with some minor exceptions, clean and well maintained, and 3) the kitchen personnel appeared to have been adhering to DOE's policies and procedures pertaining to proper food handling techniques and uniforms.

However, we identified a number of weaknesses that need correction. DOE does not ensure that all of its School Food kitchen employees receive the required training in a timely manner. In addition, we found sanitation-related deficiencies (e.g., leak and drain problems) at five of the 15 sampled schools we visited. We also found lacking or obstructed choking first aid posters and instances of employees' non-adherence to DOE's uniform policy. Further, we found that a majority of the sampled schools lacked copies of the inspection documentation, bringing into question whether the kitchen personnel were aware of inspection results. Moreover, we identified copies of DOHMH Food Protection Certificates posted in the schools rather than originals as required by DOHMH.

Audit Recommendations

Based on our findings, we make 11 recommendations, including that DOE should:

- Ensure that kitchen personnel receive the mandatory training within 20 working days of being hired, as required by DOE Policy.
- Ensure that all facility conditions needing correction are immediately reported to the school custodian so that repairs can be made in a timely manner.
- Ensure that choking first aid posters are present and entirely visible in all of its school cafeterias.
- Reinforce its Uniform Policy and ensure that kitchen personnel properly cover their hair, including facial hair, and only wear approved jewelry items.
- Ensure that all schools receive the required annual DOE oversight inspections and develop an adequate tracking method to ensure that all required inspections are performed.
- Ensure that kitchen employees carry their original DOHMH Food Protection Certificates at all times and that any posted certificate is not a copy.

Agency Response

DOE officials generally agreed with the audit's findings and recommendations and stated, "The Department will take the necessary actions to improve on these areas mentioned in the audit."

INTRODUCTION

Background

DOE provides primary and secondary education to over one million pre-kindergarten to grade 12 students in more than 1,500 schools of 32 school districts in five Regions. DOE's Office of School Food and Nutrition (School Food) provides breakfast and lunch to New York City public school children. According to the Fiscal Year 2009 Mayor's Management Report, there were an average of 205,317 breakfasts and 623,039 lunches served daily. Maintaining food safety is a critical component of School Food's mission to serve healthy, safe food to New York City students. The focus of this audit was food safety in DOE-operated public schools (charter schools and non-public schools were outside the scope of our audit).

School Food developed and implemented a Food Safety Program in 1999 using the HACCP¹ principles to identify areas where School Food staff and procedures have a direct impact. All School Food employees receive initial and ongoing training in HACCP and food safety principles. HACCP and Food Safety practices are included in the training materials, and trainers concentrate on providing employees with basic practices and procedures. Safe food handling techniques are built into the daily tasks to keep food safety in focus as a major responsibility for all School Food employees.

Cooks and Assistant Cooks receive a two-week DOE training course, while the remainder of the kitchen staff, including Senior School Lunch Helpers and School Lunch Helpers who are hourly-based employees, receive a one-week DOE training course. In addition to DOE's internal training, at least one employee from the kitchen staff at each school is required to attend a 15-hour course in basic sanitation and food handling procedures. After completion, the employee receives a DOHMH Food Protection Certificate which is to be posted in the school.

School Food has informally categorized schools into three groups—Feeder Sites, Satellite Receiver Sites, and Stand-Alone schools. Feeder Sites prepare meals not only for their students, but also for students at an off-site school (Satellite Receiver Sites). Satellite Receiver Sites are schools that receive prepared meals from a designated Feeder Site. Stand-Alone schools are neither Feeder nor Satellite Receiver Sites; these schools prepare meals for their students only.

As part of DOE's Food Safety Program, all schools undergo periodic reviews to monitor their food safety practices, procedures, and kitchen conditions. DOE's Food Technology Department (Food Technology) is responsible for conducting unannounced inspections at all schools during each school year. Food technology has two inspection teams, HACCP Advisors and QASs, that each visit schools at least once during the school year. The HACCP Advisors visit all schools—Feeder Sites, Satellite Receiver Sites, and Stand-Alone schools—that employ School Food employees and serve food to students. The HACCP Advisors inspect all areas of the kitchen, including hygiene and food protection, food temperatures, food safety practices,

¹ The U.S. Department of Agriculture (USDA) and the U.S. Food & Drug Administration (FDA) recommend HACCP as an effective and rational means of assuring food safety from harvest to consumption.

storage areas, and kitchen facilities, and are responsible for communicating with staff any issues identified so that they can be corrected immediately. The QASs inspect schools that have food storage as well as food distributor and manufacturer sites, focusing on the quality and standards of the food itself. The QASs inspect and evaluate kitchen facilities, including proper refrigerator and freezer temperatures, proper food handling, and sanitation procedures of kitchen employees. They also check whether an employee with a DOHMH Food Protection Certificate is on-site and review the grading of the food to ensure it adheres to DOE standards.

In addition to the Food Technology inspections, each school receives inspections from DOHMH twice a year to review food handling operations and sanitary conditions and an inspection from a DOE District Supervisor at least once a school year. There are 40 District Supervisors throughout the five boroughs who each oversee the schools within their assigned school district. It is the responsibility of the District Supervisor to review food safety, sanitation, and HACCP principles, as well as signage, storage, and equipment at their assigned schools.

Objective

The objective of this audit was to determine whether DOE adequately monitors the food safety practices at schools. Specifically, the audit determined whether DOE:

- Conducts periodic inspections of the food safety practices and procedures of all schools,
- Ensures that its School Food employees receive the required training,
- Ensures that during the preparation and serving of food to the students there is at least one employee on-site who has a DOHMH Food Protection Certificate, and
- Ensures that the schools' kitchen facilities, cafeteria, and food storage areas are clean and well maintained and that kitchen personnel adhere to DOE's policies and procedures.

Scope and Methodology

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. This audit was conducted in accordance with the audit responsibilities of the City Comptroller as set forth in Chapter 5, §93, of the New York City Charter.

The audit scope was School Years 2008-2009 (September 2008 through June 2009) and 2009-2010 (September 2009 through June 2010).

To obtain an understanding of the policies, procedures, and regulations governing DOE's Food Safety program, we reviewed and used as criteria:

- DOE School Food training manuals for School Food Service Managers, Cooks and Assistant Cooks, and Hourly Employees (School Lunch Helpers and Senior School Lunch Helpers)
- DOE School Food training manual on HACCP, Food Safety, and DOHMH
- DOE School Food jewelry policy
- DOE School Food Supervisor’s Site Review Report
- DOE Food Technology HACCP Review Form
- DOE Food Technology QAS Inspection Report
- DOHMH’s “Inspection Scoring System for Food Service Establishments”
- Title 24 of the Rules of the City of New York, “Department of Health and Mental Hygiene” (New York City Health Code).

We also interviewed, within the Office of School Food, the Director of Food and Food Support, the Director of Food Technology, the Supervisor of HACCP, and the Chief Compliance Officer, to further our understanding of DOE’s Food Safety program. In addition, we interviewed the Director of the Training Department and various District Supervisors to further our understanding of the training policies and procedures for School Food kitchen employees.

We requested and obtained from DOE a listing of all current schools, as of April 22, 2010, and the tracking schedule maintained by Food Technology of all inspections performed by the HACCP Advisors and QASs during School Year 2009-2010. To provide us with a level of assurance that the list of schools was complete and that all schools were included on the Food Technology’s inspection tracking schedule, we compared these two listings to identify any schools not listed on each other’s list and investigated any discrepancies. Further, to assure ourselves that the inspection information contained in the tracking schedule was reliable, we randomly selected 60 of the 1,108 schools that were identified as having kitchens and prepared meals, and reviewed the inspection forms for the selected schools to verify that inspections were performed as indicated on the schedule. For audit testing purposes, we only focused on DOE-operated public schools; charter schools and non-public schools were outside the scope of our audit and therefore not reviewed.

We reviewed the Food Technology inspection tracking schedule to determine whether all applicable schools received the required inspections from the HACCP Advisors and QASs during School Year 2009-2010 and investigated any discrepancies. For those schools that we identified as needing an inspection by a HACCP Advisor and/or a QAS, but were not indicated as having an inspection on the tracking schedule, we asked DOE officials for explanations or evidence that an inspection was performed.

We randomly selected and performed unannounced visits during April and May 2010 at 15 of the 1,108 schools that prepare meals (Feeder Sites and Stand-Alone schools). We selected a total of three schools within each of the five boroughs, one from each of the three school levels (Elementary, Junior High School/Middle School, and High School) as noted in Table I below.

Table I
The 15 Schools Visited by the Auditors

School Name	Borough
PS 188, The Island School	Manhattan
JH 45	Manhattan
Park East High School	Manhattan
Performance School	Bronx
MS/HS 368	Bronx
Harry S. Truman High School	Bronx
PS 81	Brooklyn
MS 340/North Star Academy	Brooklyn
Academy of Business & Community Development	Brooklyn
PS 171	Queens
Scholars' Academy	Queens
Queens HS Teaching, Liberal Arts	Queens
PS 42	Staten Island
IS 34	Staten Island
Port Richmond High School	Staten Island

We inspected the kitchen facilities, cafeteria, and food storage areas, observed the food preparation and serving of meals to the students, and checked whether there was at least one employee with a DOHMH Food Protection Certificate present during our visits who was overseeing the preparation and serving of food. As part of our inspections, we determined whether the School Food employees adhered to DOE's uniform policy. We looked to see whether each employee wore a standard uniform and a hairnet or an approved School Food cap. For men who were not clean shaven, we determined whether they wore a facial hair covering (such as a beard snood). We also determined whether employees who wore jewelry wore only approved jewelry items. In addition, we checked whether original DOHMH Food Protection Certificates were posted in the schools rather than copies of the certificates, the schools had a current DOHMH operating permit, and the required no smoking signs, designated handwashing sink signs, and choking first aid posters were properly displayed.

During our unannounced inspections, we also obtained copies of the inspection documentation to ascertain whether the school kitchens received at least one inspection from the HACCP Advisors and from the District Supervisors and whether copies of the inspection reports were maintained by the schools. For those inspection reports that were not maintained or readily available from kitchen personnel, we requested and obtained copies of the inspection reports from DOE officials. In addition, we obtained copies of the inspection reports completed by the QASs for the sampled 15 schools from the Director of Food Technology to verify that the school kitchens also received at least one inspection from the QASs.

To determine whether the kitchen employees received the mandatory training within 20 working days of being hired, we randomly selected 10 (two from each of the five regions) of the 32 school districts and reviewed the personnel files maintained at the School Food District Field Offices for 20 randomly selected employees within each selected school district hired from July

1, 2007, to April 30, 2010 (the date we received the employee list). In total, we requested for review the personnel files for 200 employees (20 employees at each of the 10 randomly selected school districts). A total of 1,289 employees were hired from July 1, 2007, through April 30, 2010. In selecting the sample, we excluded any district office that did not have at least 20 employees who were hired between July 1, 2007, and April 30, 2010.

Discussion of Audit Results

The matters covered in this report were discussed with DOE officials during and at the conclusion of this audit. A preliminary draft report was sent to DOE officials and discussed at an exit conference held on November 30, 2010. On December 22, 2010, we submitted a draft report to DOE officials with a request for comments. We received a written response on January 21, 2011. DOE officials generally agreed with the audit's findings and recommendations and stated, "The Department will take the necessary actions to improve on these areas mentioned in the audit."

FINDINGS AND RECOMMENDATIONS

Overall, with some exceptions, DOE's monitoring of the food safety practices at schools is adequate. DOE generally conducts periodic inspections of the food safety practices and procedures of all schools, and requires at least one employee who has a DOHMH Food Protection Certificate to be on-site during the preparation and serving of food to the students. With the exception of one school which did not receive a QAS inspection, all applicable schools received the required HACCP and QAS inspections. Additionally, our unannounced inspections of the sampled schools revealed that 1) at least one employee having a DOHMH Food Protection Certificate was on-site and, in general, 2) the schools' kitchen facilities, cafeteria, and food storage areas were, with some minor exceptions, clean and well maintained, and 3) the kitchen personnel appeared to have been adhering to DOE's policies and procedures pertaining to proper food handling techniques and uniforms.

However, we identified a number of weaknesses that need correction. DOE does not ensure that all of its School Food kitchen employees receive the required training in a timely manner. In addition, we found some sanitation-related deficiencies (e.g., leak and drain problems) at five of the 15 sampled schools we visited. We also found lacking or obstructed choking first aid posters and instances of employees' non-adherence to DOE's uniform policy. Further, we found that a majority of the sampled schools lacked copies of the inspection documentation, bringing into question whether the kitchen personnel were aware of inspection results. Moreover, we identified copies of DOHMH Food Protection Certificates posted in the schools, rather than originals as required by DOHMH.

These issues are discussed in detail in the following sections.

DOE Conducts Periodic Inspections at Schools

DOE's Food Technology inspection tracking schedule indicated that 1,463 (99.9%) of the 1,464 schools received the required HACCP and/or QAS inspections during School Year 2009-2010.

During School Year 2009-2010, 1,464 public schools were required to receive a minimum of 1,464 HACCP inspections and 1,109 QAS inspections.² We reviewed the Food Technology inspection tracking schedule to determine whether these schools were identified as having received the required inspections. All schools received the required HACCP inspections. However, four schools had no indication that a QAS inspection was performed. For those four schools, we asked DOE officials for explanations or evidence that an inspection was performed. For the four schools, we determined that there was evidence indicating that the required inspections were conducted for all but one school, Satellite Academy in Manhattan, which is listed as a Stand-Alone school and requires a QAS inspection.

² Of the 1,464 schools, there were a total of 1,109 schools that were Feeder sites and/or Stand-Alone schools that were required to receive both a HACCP and QA inspection. The remaining 355 schools were Satellite Receivers that were required to receive only a HACCP inspection.

Upon further inquiry, it was determined that the school also did not receive a QAS inspection during the 2008-2009 School Year and, as of November 12, 2010, the school had not received an inspection. DOE officials informed us that the Satellite Academy has been added to the inspection tracking schedule and will receive a QAS inspection.

Recommendation

1. DOE should ensure that a QAS inspection at Satellite Academy is conducted immediately.

DOE Response: “SchoolFood . . . has modified the Inspector’s visit schedule to include Satellite Academy. The inspection was completed on October 10, 2010.”

Employees Not Trained in a Timely Manner

DOE was able to provide evidence that only 10 percent of the kitchen employees we sampled received the mandatory training in a timely manner. More than half of the sampled employees received the mandatory training late, if at all. There was insufficient evidence for the remaining employees to ascertain whether the training was provided on a timely basis.

According to DOE’s policy, a new School Food kitchen employee must receive training within 20 working days of being hired.³ The training site instructors fill in the Employee Training Checklists when the employee completes the training. The checklist includes a space for the employee’s name, training manager, dates of training, and the number of working days completed to date. We requested for review 200 kitchen employees’ personnel files during June 2010. Our initial review revealed that only 18 had evidence that the employees received the required training within 20 working days of their hire date. One School District Field Office was unable to find the personnel file for one employee. Regarding the files for the remaining employees, we found that some had no evidence that the employees ever received the required training, some indicated that the required training was not provided timely, and for some it could not be determined whether the training was provided timely because the number of working days was not recorded on the checklists as required.

After bringing these discrepancies to DOE’s attention, DOE provided us with additional documentation for some of the employees. Taking this additional information from DOE into account, we found evidence that one additional employee (bringing the total number to 19 out of 200) was trained in a timely manner. Overall, the documentation provided for the remaining 180 employees (the file for one employee remained missing) showed that:

- Fifty-nine (30%) employees did not receive the required training. These 59 employees were hired more than one month prior to the date of our review, with hire dates ranging from September 26, 2007, through April 28, 2010.

³ “Working days” represent the actual number of days worked by an employee from the hire date. New employees are considered hourly employees and may not necessarily work a typical five-day work week. For example, a new employee hired on October 1 may only have 15 working days by October 30.

- Sixty-three (32%) employees did not receive the required training within 20 working days of being hired. The 63 employees received their training ranging from 21 to 267 working days after the date of hire, as indicated on the Employee Training Checklist.
- Fifty-eight (29%) employees lacked evidence of when training was provided relative to the number of working days they had completed, so neither we nor DOE can ascertain whether training was provided within 20 working days of the employees' hire date.

It is important for all employees to receive this mandatory training in a timely manner to ensure that the employees are aware of, and become familiar with, all HACCP and food safety principles as well as with DOE policies and procedures.

Recommendations

DOE should:

2. Ensure that kitchen personnel receive the mandatory training within 20 working days of being hired as required by DOE Policy.

DOE Response: “The Human Resources Department will communicate the release of all new employees to the Training Unit when their hiring date has been established. The Training Unit will schedule all new field staff for training prior to their first work day as a substitute worker in the kitchen.”

3. Ensure that all required information, including the number of working days, is completed on the Employee Training Checklist, to assist in determining whether employees are trained within the required timeframe.

DOE Response: “All Training Managers and supervisory staff have been instructed to complete all areas of the Training Checklist form. Incomplete documents will be returned to the District Supervisors.”

4. Immediately identify, schedule, and provide training to those employees who have not received the mandatory training within 20 working days of their hire date.

DOE Response: “Training for all employees who did not receive mandatory training within 20 days of their hiring date is being conducted and will be ongoing until all staff is trained. Timeline for final implementation is April 15, 2011.”

Conditions Identified During Our Unannounced Visits to Some of the Sampled Schools

As previously indicated, our unannounced inspections of the sampled schools revealed that, in general, the schools' kitchen facilities, cafeteria, and food storage areas were clean and well maintained, and the kitchen personnel generally appeared to have been adhering to DOE's policies and procedures pertaining to proper food handling techniques and uniforms. However, we identified several sanitation-related deficiencies, including problems regarding their handwashing sinks, leaks, and drains, as described below. Although these conditions were not found throughout all of the sampled schools visited, these conditions need to be addressed by DOE.

According to DOE policies, any sanitary issues that arise should be resolved quickly. Further, according to DOE's Integrated Pest Management practices, to avert pests, any structural damage, leaking water, cracks, and holes should be reported to the custodian engineer for repair. It is the responsibility of the School Food staff, including the kitchen employees and the School Food Service Managers, who are present during the daily operations, to be mindful and aware of the facility conditions and to report for correction any issues immediately.

Handwashing Sink Problems

Two of the 15 sampled schools had problems regarding their designated handwashing sinks. Port Richmond HS (in Staten Island) did not have hot water at either of the two designated handwashing sinks, and we also observed an employee at this school placing baking sheets removed from the oven on top of one of the handwashing sinks, blocking access and possibly preventing the kitchen staff from being able to use the sink when it was needed. In addition, we witnessed an employee at Scholar's Academy (in Queens) using the handwashing sink to rinse cooking utensils. It is important for DOE to ensure that all designated handwashing sinks have hot water and that they not be used for anything other than handwashing.

Leak and Drain Problems

We observed three leaks and/or drain problems at two of the 15 sampled schools during our unannounced visits, two problems of which we considered serious and potentially hazardous. On April 29, 2010, we observed two puddles of water at MS/HS 368 (in the Bronx): a large puddle of water in the kitchen and a smaller puddle of water in the serving room. Upon further investigation and inquiries of the kitchen staff, it was determined that the large puddle of water was a result of a backflow of the kitchen sink drain and the smaller puddle of water was caused by a small leak in the drain of the serving room sink.

According to the kitchen staff, the backflow of the kitchen sink drain had occurred several times a day since the school opened years ago. The School Food Service Manager for this school was unable to provide any documentation to show when this condition was reported to the custodian or to DOE's School Facilities. Although the leak from underneath the sink in the serving room was not as large as the one in the kitchen, the staff informed us that with

continuous use during serving hours, the amount of water leaking increases, covering more and more of the floor surface.

After we brought these conditions to DOE's attention, the necessary repairs were made on May 25, 2010. A DOE official informed us that School Facilities hired an external vendor to evaluate and repair the drain in the kitchen sink and that the leak in the serving room sink was repaired by the school custodian. We revisited the school and obtained confirmation that the kitchen sink drain repair was made. Kitchen staff also informed us that the leak from the serving room sink was corrected. (We were unable to verify their statements because the serving room was not being used at the time of our visit.)

The third leak we observed was identified coming from a pipe behind a stove at P.S. 81 (in Brooklyn). After we brought this leak to DOE's attention, officials informed us that the necessary repairs were made on May 4, 2010.

Hole in Wall

There was a missing tile exposing a hole in the wall under the handwashing sink in the kitchen at P.S. 188, The Island School (in Manhattan). Such an environment is conducive to pests. After we brought this to DOE's attention, officials informed us on September 28, 2010, that the missing tile was replaced.

Recommendations

DOE should:

5. Ensure that the handwashing sinks in its school kitchens have hot water and reinstruct kitchen personnel that the handwashing sinks should only be used for washing hands.

DOE Response: "All kitchen staff has been instructed to continue to monitor the status of the hot water supply daily at designated handwashing sinks and to communicate low or no supply to custodians immediately. Handwashing signs are posted at designated handwashing sinks and staff has been instructed to only use these sinks for this purpose. Both items will be reminders at the monthly managers and district supervisor meetings."

6. Ensure that all facility conditions needing correction, such as clogged drains that cause major backflows, leaking pipes, missing tiles, and cracks and holes in the walls and ceilings, are immediately reported to the school custodian so that repairs can be made in a timely manner.

DOE Response: "SchoolFood Managers and Supervisors have been reminded that they must notify custodians when repairs are needed. If the custodian determines that they cannot do the repair then the incident must be escalated to their regional manager for follow up. All outstanding facility issues will require follow-up by the SchoolFood Supervisor and Regional Director."

Lacking or Obstructed Choking First Aid Poster

DOE requires that each school post required signage including a choking first aid poster in the cafeteria. This sign shows how to recognize and handle a choking emergency. DOE HACCP Advisors and District Supervisors include a check for these posters as part of both of their inspections. During our visits, we identified one school (P.S. 188, The Island School in Manhattan) that lacked a choking first aid poster and one school (Park East HS in Manhattan) where the poster was obstructed by a refrigerator and could not be clearly viewed.

Both the HACCP Advisor and District Supervisor did not indicate whether a choking first aid poster was present at P.S. 188, The Island School, on the inspection forms of their most recent inspections (around the time of our unannounced inspections) during September 2009 and April 2010, respectively. (Our visit was conducted April 30, 2010.) This brings into question whether the choking first aid poster we identified as lacking had in fact been missing since September 2009.

Recommendation

7. DOE should ensure that choking first aid posters are present and entirely visible in all of its school cafeterias.

DOE Response: “Choking posters are maintained in each district field office and SchoolFood Managers have been instructed to obtain replacements as necessary. District Supervisors and HAACP Advisors have [been] instructed to indicate the status on their checklist for all sites. The corrective actions have been implemented at the sites mentioned in the findings.”

Non-adherence to DOE Uniform Policy

Some employees in seven of the 15 sampled schools were not adhering to the DOE Uniform Policy. DOE’s policy requires that employees wear either hairnets from hairline to hairline or a School Food hat (if all hair fits underneath) and that facial hair be covered. In addition, DOE’s policy regarding jewelry states that for safety reasons, no jewelry, with the exception of a plain solid wedding band or watch free of stones, can be worn by School Food employees whose work involves the preparation and service of food.

During our unannounced visits, although we observed all employees wearing the standard uniform, we identified four employees who were not wearing School Food hats or hairnets that completely covered their hair, three employees who had facial hair not covered with a beard snood or the like, and four employees who were wearing restricted jewelry items.

The uniform policy contributes to the safety of food by ensuring that hair, jewelry, or stones from jewelry do not fall into food that is being prepared or served. According to DOE policy, the School Food Service Manager is responsible for coaching staff members on actions that do not meet the standards.

Recommendation

8. DOE should reinforce its Uniform Policy and ensure that kitchen personnel wear hairnets or approved caps that properly cover their hair, cover facial hair with a beard snood or the like, and only wear approved jewelry items.

DOE Response: “SchoolFood Managers and Cooks-in-Charge have been instructed that they must reinforce the uniform policy daily, as well as District Supervisors during routine site inspections. The uniform policy is a standard topic covered during the hourly and cooks personnel training.”

Inspection Documentation Not Maintained At Schools

Ten of the 15 sampled schools were lacking copies of the inspection documentation, and not all schools had copies of the HACCP Review Forms, Supervisor’s Site Review Reports, and DOHMH inspection reports on file. We also found that one of the sampled schools did not receive the required annual inspection from its assigned District Supervisor during the 2008-2009 School Year. According to DOE officials, copies of all documentation, including these three inspection reports, should be left at the schools and be retained for at least three school years.

It is important that each school receive all of the required annual DOE oversight inspections, including that of the District Supervisors, and that the kitchen personnel maintain copies of all inspection documentation to ensure that they are aware of any identified conditions. According to DOE’s School Food training manual on HACCP, Food Safety and DOHMH inspection reports should be available for review and be used to improve performance and food safety practices. It is not possible for employees to use these reports as intended if copies of the reports are not being maintained at the schools for review and use as a reference.

Recommendations

DOE should:

9. Ensure that all schools receive the required annual DOE oversight inspections and should develop an adequate tracking method to ensure that all required inspections are performed.

DOE Response: “SchoolFood Food Technology Department will carefully monitor their tracking mechanism to ensure that all schools are scheduled for inspection and consistently review the system to ensure records are being properly maintained . . .”

10. Ensure that its kitchen personnel maintain all inspection documentation and review and use the inspection results to gauge their performance and to ensure full compliance with proper food safety practices.

DOE Response: “SchoolFood Managers will be reminded at each monthly staff meetings [sic] that they must review inspection documentations, implement recommended corrective actions immediately and retain copies of the reports as reference to ensure full compliance with proper food safety practices. District Supervisors will review inspection documents and follow-up with managers to gauge if the recommended corrective actions have been implemented and take any other actions to ensure full compliance.”

Employees Must Retain Original DOHMH Food Protection Certificates

All 15 schools we visited had at least one employee present with an original DOHMH Food Protection Certificate during the time of our visit. Not all employees who were issued a certificate, however, had the original document on hand as required. We observed copies of the DOHMH Food Protection Certificates posted in one school kitchen (P.S. 188, The Island School in Manhattan) and three employees (one employee each at JH 45 in Manhattan, MS340 North Star Academy in Brooklyn, and Scholar’s Academy in Queens) who did not have their Food Protection Certificates with them during our unannounced visits. The employee at the Scholar’s Academy stated that the certificate was lost, whereas the employees at the other two schools said that they had left their certificates at home.

New York City Health Code requires that a food service establishment have a supervisor with a Food Protection Course certificate present during all hours of operation. DOHMH requires that the original certificates be posted in every school kitchen. DOHMH inspectors consider it an administrative violation for any documents that are issued by DOHMH to be unlawfully reproduced or altered. Copies of the certificates should not be posted as they can be altered and cannot assure that the bearer has a valid certificate.

According to the Director of Food and Food Support, employees are expected to have their original certificates even if they are not the assigned employee responsible for overseeing the daily meal preparation. If an employee is sent to another site in an emergency or to cover for an employee who is not present, the employee is expected to bring along the original certificate. If the policy is not enforced, personnel may become complacent and not always carry their original certificates with them.

Recommendation

11. DOE should ensure that kitchen employees carry their original DOHMH Food Protection Certificates at all times and that any posted certificate is not a copy.

DOE Response: “All employees that have been issued a DOHMH Food Protection Certificates [sic] have been reminded that they must have the original documentation with them at all times and that a copy of the original document is unacceptable to post. The corrective actions have been implemented at the sites mentioned in the findings.”



ERIC GOLDSTEIN
Chief Executive Officer
Office of School Support Services

44-36 Vernon Boulevard
Long Island City, NY 11101

Telephone: 718 . 707 . 4300
Fax: 718 . 472 . 0615
E-mail: EGoldstein@schools.nyc.gov

January 18, 2011

Tina Kim
Deputy Comptroller for Audits
NYC Office of the Comptroller
1 Centre Street, Room 1100
New York, New York 10007-2341

Dear Ms. Kim

The New York City Department of Education is appreciative of the cooperation, professionalism and diligence portrayed by the staff representing the Offices of the Comptroller, SchoolFood and the Auditor General during the audit of the department's school food safety program for the operating period of September 2008 through June 2009 and September 2009 through June 2010.

We recognize your comments as both fair and constructive. The Department will take the necessary actions to improve on these areas mentioned in the audit. The corrective actions attached are in response to these findings and should satisfy the scope of the audit.

Sincerely,

Eric Goldstein

vi

The following pages contains the Department of Education response to the findings outlined in the Auditing Report on the Monitoring of the School Food Safety Program by the Department of Education MD10-102A

DOE Conducts Periodic Inspection at Schools

Recommendation #1

1. DOE should ensure that a QAS inspection at Satellite Academy is conducted immediately.

Agency Implementation Plan:

SchoolFood Food Technology Unit's has modified the Inspector's visit schedule to include Satellite Academy. The inspection was completed on October 10, 2010.

Employees Not Trained in a Timely Manner

Recommendation #2

DOE should:

2. Ensure that kitchen personnel receive the mandatory training within 20 working days of being hired, as required by DOE Policy.
3. Ensure that all required information, including the number of working days, is completed on the Employee Training Checklist, to assist in determining whether employees are trained within the required timeframe.
4. Immediately identify, schedule, and provide training to those employees who have not received the mandatory training within 20 working days of their hire date.

Agency Implementation Plan:

The Human Resources Department will communicate the release of all new employees to the Training Unit when their hiring date has been established. The Training Unit will schedule all new field staff for training prior to their first work day as a substitute worker in the kitchen.

All Training Managers and supervisory staff have been instructed to complete all areas of the Training Checklist form. Incomplete documents will be returned to the District Supervisors.

Training for all employees who did not receive mandatory training within 20 days of their hiring date is being conducted and will be ongoing until all staff is trained. Timeline for final implementation is April 15, 2011.

Conditions Identified During Our Unannounced Visits to Some of the Sampled Schools

Recommendations #3

DOE should:

5. Ensure that the handwashing sinks in its school kitchens have hot water and reinstruct kitchen personnel that the handwashing sinks should only be used for washing hands.
6. Ensure that all facility conditions needing correction, such as clogged drains that cause major backflows, leaking pipes, missing tiles, and cracks and holes in the walls and ceilings, are immediately reported to the school custodian so that repairs can be made in a timely manner.

Agency Implementation Plan:

All kitchen staff has been instructed to continue to monitor the status of the hot water supply daily at designated handwashing sinks and to communicate low or no supply to custodians immediately. Handwashing signs are posted at designated handwashing sinks and staff has been instructed to only use these sinks for this purpose. Both items will be reminders at the monthly managers and district supervisor meetings.

SchoolFood Managers and Supervisors have been reminded that they must notify custodians when repairs are needed. If the custodian determines that they cannot do the repair then the incident must be escalated to their regional manager for follow up. All outstanding facility issues will require follow-up by the SchoolFood Supervisor and Regional Director.

Lacking or Obstructed Choking First Aid Poster

Recommendation #4

7. DOE should ensure that choking first aid posters are present and entirely visible in all of its school cafeterias.

Agency Implementation Plan:

Choking posters are maintained in each district field office and SchoolFood Managers have been instructed to obtain replacements as necessary. District Supervisors and HACCP Advisors have instructed to indicate the status on their checklist for all sites. The corrective actions have been implemented at the sites mentioned in the findings.

Non-adherence to DOE Uniform Policy

Recommendation #5

8. DOE should reinforce its Uniform Policy and ensure that kitchen personnel wear hairnets or approved caps that properly cover their hair, cover facial hair with a beard snood or the like, and only wear approved jewelry items.

Agency Implementation Plan:

SchoolFood Managers and Cooks-in-Charge have been instructed that they must reinforce the uniform policy daily, as well as District Supervisors during routine site inspections. The uniform policy is a standard topic covered during the hourly and cooks personnel training.

Inspection Documentation Not Maintained At Schools

Recommendation #6

DOE should:

9. Ensure that all schools receive the required annual DOE oversight inspections and should develop an adequate tracking method to ensure that all required inspections are performed.
10. Ensure that its kitchen personnel maintain all inspection documentation and review and use the inspection results to gauge their performance and to ensure full compliance with proper food safety practices.

Agency Implementation Plan:

SchoolFood Food Technology Department will carefully monitor their tracking mechanism to ensure that all schools are scheduled for inspection and consistently review the system to ensure records are being properly maintained, and, reflect that all required inspections have been performed.

SchoolFood Managers will be reminded at each monthly staff meetings that they must review inspection documentations, implement recommended corrective actions immediately and retain copies of the reports as reference to ensure full compliance with proper food safety practices. District Supervisors will review inspection documents and follow-up with managers to gauge if the recommended corrective actions have been implemented and take any other actions to ensure full compliance.

Employees Must Retain Original DOHMH Food Protection Certificates

Recommendation #8

11. DOE should ensure that kitchen employees carry their original DOHMH Food Protection Certificates at all times and that any posted certificate is not a copy

Agency Implementation Plan:

All employees that have been issued a DOHMH Food Protection Certificates have been reminded that they must have the original documentation with them at all times and that a copy of the original document is unacceptable to post. The corrective actions have been implemented at the sites mentioned in the findings.