



School Food Facts:

Providing Transparency for School Cafeteria Inspections



June 2017

Introduction

Every day parents send their children to school, expecting them to learn in a safe and healthy environment. Schools offer breakfast, lunch or both to students throughout the year. School-provided meals are designed to be both nutritious for students and convenient for families. Parents expect these meals to be made in sanitary kitchens; free of hazards and health code violations. Unfortunately, this is often not the case. In December 2016, Senator Jeff Klein, leader of the Independent Democratic Conference, released a report detailing health code violations in New York City's public schools during the New York City fiscal years 2013-2014 to 2015-2016.¹ The data, recorded by the New York City Department of Health and Mental Hygiene, revealed evidence of mice, schools without soap and hot water, and the lack of proper utensils to monitor food temperature.² In many cases, schools not only had multiple violations per visit, but also continued to receive violations after re-inspections and future inspections.

Parents do not currently receive notification when their child's school cafeteria is cited for health code violations, keeping parents in the dark about the sanitation conditions where their children eat many of their meals throughout the year. In order to ensure that parents have the information they need to know whether their children are eating meals prepared in sanitary conditions, Senator Klein and the IDC introduced legislation in the New York State Senate (S.4173-A) to provide greater transparency to families. Parents would receive and have access to school cafeteria inspection information, including detailed information on any violations issued. Providing families with this detailed information allows them to decide just how well their child's school cafeteria is doing.

Role of DOHMH in Food Safety Inspections

The New York City Department of Health and Mental Hygiene (DOHMH) conducts annual inspections of New York City public school cafeterias and additional inspections where necessary when annual inspections reveal violations. When inspections are conducted, DOHMH gives schools a score based on how well they adhere to state and city food safety regulations. DOHMH inspectors examine food handling, food temperature, personal hygiene, facility and equipment maintenance and vermin control. Violations may be characterized as either general or critical with the latter being assigned where the violation directly affects food safety.³ General violations are assigned where the violation affects general cleanliness. In addition, DOHMH may designate violations as public health hazards where the violation presents a danger to public health and safety.⁴ Each violation is given a point score based on the violations and risks posed by such violation, with a risk level or condition of 1 being the least egregious and a risk level of 5 being the most egregious. Individual violation scores are totaled, providing the overall inspection score for that school.

¹ Miller, M. (2016). "Critical health code violations found at several NYC school cafeterias." Retrieved from <http://pix11.com/2016/05/23/critical-health-code-violations-found-at-several-nyc-schools/>

² Miller, M. (2016). "Critical health code violations found at several NYC school cafeterias."

³ Department of Health and Mental Hygiene. (2012). "How we score and grade". Retrieved from <http://www1.nyc.gov/assets/doh/downloads/pdf/rii/how-we-score-grade.pdf>

⁴ Department of Health and Mental Hygiene. (2012). "How we score and grade".

With respect to the required number of school inspections per year, a semi-annual inspection, known as a cycle inspection, is required. A re-inspection is required to take place within two weeks of the cycle inspection where that inspection revealed a public health hazard or where the school accumulated a number of egregious violations. A final compliance inspection is required for schools that have persistent violations. Cafeterias are also inspected prior to the opening of a new school.

School cafeteria inspections: findings

During New York City Fiscal Years 2013-2016, DOHMH conducted 8,541 school cafeteria inspections, including cycle inspections, re-inspections and enforcement inspections. Overall, the number of violations issued increased by 17%, from 6,958 in FY 2013-2014 to 8,114 in FY 2015-2016. The data revealed that inspectors gave out 442 mice related violations to 320 different school cafeterias in FY 2015-2016, 155 violations for flies in FY 2015-16, and four violations related to rat activity in FY 2015-2016.

Breakdown of Inspection Results

Fiscal Year:	FY 13-14	FY 14-15	FY 15-16
Cafeterias Inspected	1,318	1,384	1,377
Total Inspections	2,740	2,825	2,976
Inspections Per Cafeteria	2.08	2.04	2.16
Total Violations Issued	6,958	7,292	8,114
Violations Per Inspection	2.54	2.58	2.73
Critical Violations	1,161	1,242	1,378
Critical Violations per Inspection	0.42	0.44	0.46
Percentage of Violations labeled Critical	16.69%	17.03%	16.98%

Violations for conditions that lead to vermin infestations and violations issued for evidence of mice are two of the five most common violations issued. Other common violations include poor disposal of liquid wastes, possible cross-contamination of potable water sources with waste liquids, or improperly installed or maintained condensation pipes.

In the December 2016 report, IDC analysts assigned letter grades for cafeterias based on the already established letter grading system that is used for restaurants. This system adds up the point values assigned to violations and assigns a grade based on the aggregate sum of those values. The fewer the points earned, the higher the grade. They found that nearly 15% of the 2,976 school cafeteria inspections would be graded a “B” or “C” in New York City FY 2015-2016. In addition, 61 schools in FY 2015-2016 that were inspected more than once never earned a score that would have returned an “A” grade.

Inspection Outcomes utilizing grading similar to that used for restaurants

Percentage of Inspections	FY 13-14	FY 14-15	FY 15-16
A - 13 or Fewer points	87.88%	87.50%	85.62%
A – 0 points, No scored violations	20.66%	21.17%	18.65%
B - 14-27 Points	10.40%	11.15%	13.27%
C - 28 or more Points	1.72%	1.35%	1.11%
Violation for Vermin/Pest Conditions	14.96%	14.12%	14.99%

Legislation: S.4173A (Klein) / A.7684 (Nolan)

In order to combat the lack of transparency with respect to school cafeteria health code violations, Senator Klein introduced legislation that amends the New York City Administrative Code to require the New York City school district to post information on its website regarding cafeteria health code inspections. If enacted, the New York City school district would need to update its website whenever a kitchen or cafeteria is inspected. The legislation also requires that certain information regarding such inspections be made available to families. As part of its inspection information, the city's school district must disclose:

1. The date of the inspection or re-inspection;
2. The name and address of the school where the inspected cafeteria or kitchen is located;
3. The facts established and observed violations during the inspection and severity level of such violations;
4. Citations to laws, regulations, or rules for any violations observed during the inspections; and
5. Any corrective actions taken in response to such inspections.

The legislation also recognizes the need for a user-friendly database that families can access without issue. Here, the bill requires the school district's health inspection database to be searchable by school name and address, as opposed to other possible search options such as inspection date, violation code, or other obscure piece of information that may be difficult for parents to obtain.

Finally, the bill works to ensure that parents are aware of this database, and requires schools to notify parents of the website. Annually, the principal of each school must inform parents and guardians of the existence of this database and the information available to families. This will guarantee that parents are continually informed about the site and accessible at all times.

School data will appear online like this:

The screenshot displays the SchoolFood website interface. At the top is a navigation bar with links: **SchoolFood** (with a logo), **MENUS**, **RULES & POLICIES**, **PROGRAMS**, **OUR FOOD**, **BIC**, **MEDIA CENTER**, and **ABOUT US**.

Below the navigation bar is a search section with the text "School Search" followed by a text input field "Type School Name or Address", a dropdown menu for "Borough" set to "All", a text input field for "Zip Code", and a "Search" button.

The main content area features a map of South Ozone Park. A red pin marks a school location. A pop-up window titled "SCHOOLFOOD INFORMATION" is displayed over the pin. The pop-up contains the following details:

- School Name:** K-8 Breakfast Menu, K-8 Lunch Menu
- Menus***
- Breakfast Time:** -
- Lunch Time:** -
- SchoolFood Manager:** Manager Name
- Cafeteria Phone Number:** Phone Number
- SchoolFood Supervisor:** Supervisor Name
- Supervisor Phone Number:** Phone Number
- *Menu(s) are subject to change.
- Health Data:** [View Latest Report \(03/24/2017\)](#) [All Reports \(24\)](#)

Below the map, there are three columns of links:

- SCHOOLFOOD LINKS**
 - CONTACT US
 - CAREERS & BENEFITS
 - DISTRICT OFFICE DIRECTORY
 - SNACK & BEVERAGE ITEMS
- NYC DOE LINKS**
 - HOME
 - CONTACT DOE
 - WELLNESS POLICY
 - CHANCELLOR'S REGULATIONS
- SUPPORT SERVICE LINKS**
 - OFFICE OF PUPIL TRANSPORTATION
 - PUBLIC SCHOOLS ATHLETIC LEAGUE
 - 311
 - NYC.GOV

At the bottom of the page, there is a footer with the following text:

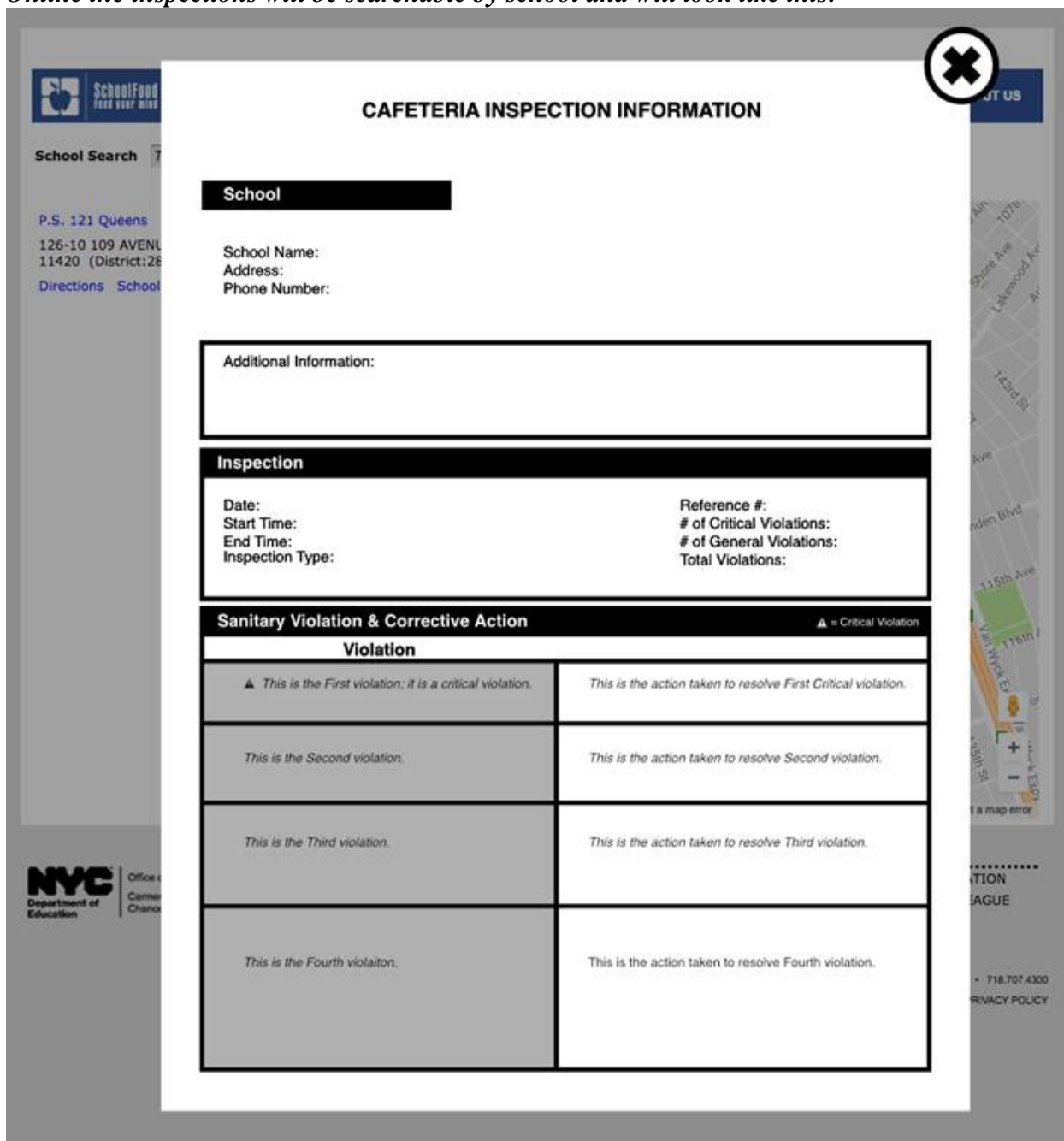
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Cafeteria Inspections Unveiled

As stated above, a number of school inspections revealed multiple violations in a single inspection. However, even where there are multiple violations, the cafeteria score may not rise to a level that requires a re-inspection by DOHMH. In fact, school cafeterias may be cited for vermin violations, including the presence of mice, flies, or cockroaches, yet still not be significant enough in the eyes of DOHMH to elicit a re-inspection. Additionally, schools may have numerous general violations that involve noncompliant food preparation, food storage temperatures or food cross

contamination issues, or other similar violations that do not trigger a re-inspection from DOHMH based on the scoring system utilized by the DOHMH. Parents, however, might feel differently about what constitutes a serious problem. This legislation will ensure that parents know, specifically and directly, the violations their school has been cited for. They will no longer have to depend on DOHMH to take issue with a school before forming their own opinions. Instead, this website will allow parents to judge for themselves whether a school kitchen or cafeteria is sanitary, without DOHMH's prior distinction.

Online the inspections will be searchable by school and will look like this:



SchoolFood
FOOD SAFE MINDS

School Search

P.S. 121 Queens
126-10 109 AVENUE
11420 (District:28)
[Directions](#) [School](#)

CAFETERIA INSPECTION INFORMATION

School

School Name:
Address:
Phone Number:

Additional Information:

Inspection

Date:
Start Time:
End Time:
Inspection Type:

Reference #:
of Critical Violations:
of General Violations:
Total Violations:

Sanitary Violation & Corrective Action ▲ = Critical Violation

Violation	
▲ This is the First violation; it is a critical violation.	This is the action taken to resolve First Critical violation.
This is the Second violation.	This is the action taken to resolve Second violation.
This is the Third violation.	This is the action taken to resolve Third violation.
This is the Fourth violation.	This is the action taken to resolve Fourth violation.

NYC
Department of
Education

Office of
Community
Charters

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117th Ave
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This legislation would provide real transparency to the sanitary conditions in schools by detailing the cited violations. An inspection of P.S. 361 in Brooklyn found that staff was not provided with a place to wash their hands in the food preparation area, as is demanded by the city health code to ensure safe food handling at all times. This inspection also found that the thermometer in the freezer was not calibrated correctly, which can lead to food being held in temperatures that allow for contamination. Another school cited for failing to have handwashing facilities available for their staff was P.S. 191 Brooklyn. At P.S. 18 & P.S. 278 Paula Hedbavny school in Manhattan, DOHMH issued one of highest scored (most serious possible) violations for the failure to provide potable running water for drinking and sanitary needs at the cafeteria. The inspector observed that the building's broken pipes meant that clean water could not be provided to the cafeteria to ensure that food could be prepared correctly and that workers could maintain sanitary guidelines.

In some instances, inspectors saw staff preparing food without having washed their hands correctly. For example, an inspection at P.S. 260/325 in Brooklyn found that staff had failed to adequately wash their hands prior to handling food. In the same inspection, they found food preparation equipment that had been inadequately washed and still had old food encrusted on it, and fruits left out for serving without the adequate covering. A common critical violation issued is food not maintained at the right temperature. The department considers this kind of violation a public health hazard. Ten of the worst 31 inspections in FY 2015-2016, which were highlighted in our 2016 report, had violations issued for foods that must be stored in low temperatures found in temperatures that were too high. For example, items such as milk and fresh vegetables have been left improperly refrigerated for significant periods. At the same time, 103 other school inspections not highlighted in our report also had violations of this type issued during FY 2015-2016. The opposite issue, food that is supposed to be kept hot being left at temperatures that were too low happened less often, but often enough to cause concern. Eight of the worst 31 inspections had violations issue for failing to keep items like hamburgers or macaroni and cheese at high enough temperatures. Thirty-four other cafeteria inspections also had violations issued for this kind of unsafe food handling.

One of the worst 31 inspections highlighted in our 2016 report, at P.S. 214 in Queens, was issued a public health hazard violation because toxic or hazardous chemicals were being stored in the food preparation area. Another dozen schools were issued similar violations. In FY 2015-2016, a total of 78 different cafeterias inspections had violations issued to them for actions that DOHMH considers public health hazards that, when the total score for the inspections were tallied up, were given the highest possible grade by our analysts. Through this legislation, these violations will now all be public and accessible on the school district's website, giving parents the ability to grade their child's school themselves.

Conclusion

The IDC wants to ensure that parents and families have the opportunity to decide for themselves whether their school cafeteria meets their standards for cleanliness and sanitation. Families should know what violations have been cited, whether these violations have occurred in the past, and whether any corrections have been made when critical violations are cited that need immediate attention. S. 4173-A, sponsored by Senator Klein (A.7684 Nolan in the Assembly) provides parents with this kind of detailed information. Making this detailed information available online

will be the most accessible format for families. Under this legislation, parents will be able to review the information at length, and in detail in order to have a complete understanding for the information.

Students spend a majority of their day in the care and trust of schools, including at lunchtime, and often also at breakfast time. New York City schools owe students and their families the peace of mind of knowing the students are safe from health code violations, especially those that involve the sanitation and cleanliness of the cafeterias where children eat their meals. We believe that parents are best equipped to decide whether schools have passed this test. For this reason, requiring the New York City school district to post information, on its website, of DOHMH cafeteria health inspections provides parents with the best indication as to whether a school has made the grade.