



Duckwater Shoshone Elementary School

Administrative Review Report

August 13, 2019

National School Lunch Program
Food and Nutrition Division

Administrative Review Report

Food and Nutrition Division



Table of Contents

I.	Executive Summary	2
II.	Introduction	3
III.	Scope	3
IV.	Methodology	3
V.	Noteworthy Initiatives	3
VI.	Critical Areas of Review	4
VII.	Findings and Required Corrective Actions	5
VIII.	Recommendations and Technical Assistance	12
IX.	Corrective Action Response	12
X.	Appendix	13
	a. Appeal Procedure	
	b. Procurement Review	
	c. Sample Menu Production Record Templates	
	d. Professional Standards Learning Codes and Training Requirements	

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I. Executive Summary

Administrative Review

The Richard B. Russell National School Lunch Act, as amended by the Healthy Hunger-Free Kids Act of 2010 (HHFKA), requires a unified accountability system designed to ensure participating school food authorities (SFAs) comply with National School Lunch Program (NSLP) and School Breakfast Program (SBP) requirements. The Act also requires an accountability system that conducts Administrative Reviews to evaluate requirements for NSLP and SBP during a three-year (triennial) cycle.

The Administrative Review provides a comprehensive evaluation of school meal programs of SFAs participating in the NSLP, SBP, and includes both Critical and General Areas of Review. This includes the implementation of HHFKA program requirements and other Federal Programs.

Procurement Review

The procurement of goods and services is a significant responsibility of a SFA. Obtaining the most economical purchase should be considered in all purchases when using the nonprofit food service account. SFAs must comply with the applicable regulations through audits, administrative reviews, technical assistance, training, guidance materials, and by other means (7 CFR 210.19(a)(3)). Federal, state and local laws and regulations specify the methods SFAs must ensure all competitive procurements must be in accordance with 2 CFR Part 200.318-.326 and all other applicable government-wide and FNS regulations and guidance.

Nevada Department of Agriculture (NDA) conducted the Procurement Review in tandem with the Administrative Review of the NSLP and SBP administered by Duckwater Shoshone Elementary School (DSES) from May 22, 2019.

An exit conference was held on Wednesday, May 22, 2019 to provide a summary of the work performed and to discuss any anticipated findings and required corrective actions.

We commend your agency's commitment to improving operations of this essential nutrition assistance program. We wish to thank the DSES staff for the time and assistance extended to our State Agency staff during this process.

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II. Introduction

An entrance conference was conducted on Wednesday, May 22, 2019. The review was conducted at the DSES in Duckwater, Nevada. The Administrative Review was conducted by Bobbie Beach, School Nutrition Coordinator II; and Rose Wolterbeek, School Nutrition Specialist. DSES staff included Tami Hickie, Site Administrator; and Amanda Hill, site cook. This report is based on the results of the offsite assessment, the onsite review of files, and meal service observations of the breakfast and lunch programs. An exit conference was held on Wednesday, May 22, 2019 which provided a summary of the work performed at DSES and we discussed any additional documentation needed, preliminary findings, and observations.

III. Scope

The Administrative Review covered documents, records, and procedures relating the administration of the NSLP for the month of review, February 2019. The Procurement Review covered all documents, records, invoices, and procedures relating to the procurement for the SFA for the year of review, school year 2017-2018.

IV. Methodology

The Administrative Review was conducted in accordance with procedures and requirements set forth in the Administrative Review Manual, 2018-2019 edition. It included evaluating DSES administration of the National School Lunch and School Breakfast programs through the assessment of agency procedures, sampled review files, documentation, claims, fiscal systems, contracts, and staff interviews.

The Procurement Review was conducted in accordance with procedure and requirements set forth in the 2 CFR 200 and 7 CFR 210. The procurement plan, code of conduct, and procurement documents, including invoices, were evaluated for compliance.

V. Noteworthy Achievements

- Meal Quality- DSES uses primarily scratch cooking to prepare it's breakfast and lunch meals.

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VI. Critical Areas of Review

- Performance Standard I- Meal Access and Reimbursement
 - Certification and Benefits Issuance
 - Meal Counting and Claiming

- Performance Standard II- Meal Pattern and Nutritional Quality
 - Meal Components and Quantities
 - Offer versus Serve
 - Dietary Specifications and Nutrient Analysis

- Comprehensive Resource Management
 - Maintenance of the Non Profit School Food Services Account
 - Revenue from non-program foods
 - Paid Lunch Equity
 - Indirect Costs

- Special Provision Option
 - Community Eligibility Provision

- General Areas
 - Civil Rights
 - Professional Standards
 - SFA On Site Monitoring
 - Local School Wellness Policy
 - Water Availability
 - Food Safety
 - Reporting and Recordkeeping

- Special Provision Option
 - Community Eligibility Provision (CEP) Documentation

- Procurement
 - Procurement Plan
 - Code of Conduct
 - Procurement Documents and Records

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VII. Findings and Required Corrective Action

Performance Standard II – Meal Pattern and Nutritional Quality – Meals claimed for reimbursement must contain food components in specific quantities and requirements as required by regulations; the meal pattern limits calories, restricts sodium levels, limits saturated fat, and eliminates trans fats. References include but are not limited to 7 CFR 210.10 and 220.80.

	Finding	Corrective Action	Due Date
#1	<p>Meal Pattern and Menu Planning 7 CFR 210.10 (i) requires SFAs to follow a food-based menu planning approach and produce enough food to offer each child the quantities specified in the meal pattern for the appropriate age grade group. SFAs are also required to keep documentation including menu, USDA Foods Information Sheets, CN labels, standardized recipes and/ or manufacturer’s Product Formulation Statements to support the foods/recipes offered on the menu.</p> <p>Menu Planning was not conducted at DSES to meet the USDA NSLP meal pattern. Certification Worksheets for DSES could not be provided to demonstrate how the breakfast and lunch menu met the meal pattern for the appropriate age grade group. No supporting documentation was kept demonstrating how DSES met the menu pattern for the entire 2018-2019 school year.</p>	<p>DSES plan a menu for the 2019-20 school year that meets all meal pattern requirements for the appropriate age grade group as defined in the 7 CFR 210.10.</p> <p>Submit the following documents for NDA review and approval:</p> <ul style="list-style-type: none"> • Menu for Breakfast and Lunch. • Nutrition labels and or/ CN labels for all products used. • Submit Standardized Recipes for all products listed on menu. • Fill out a USDA menu certification worksheet with new menu to demonstrate how it credits to the NSLP and SBP meal pattern. <p><i>**Please note this finding will result in the termination of DSES’s \$.06 performance-based reimbursement until DSES has fulfilled the items listed above and is serving a compliant menu. This finding will require fiscal action. See Notice of Fiscal action for details.</i></p>	Sept. 13, 2019

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Administrative Review Report
Food and Nutrition Division



<p>#2</p>	<p>Menu Production Records (MPRs) 7 CFR 210.10 (3) requires schools or SFAs to maintain daily Menu Production Records to show how the meals offered contribute to the required food components and food quantities for each age grade group.</p> <p>Menu Production Records have not been kept for the entire 2018-2019 school year to demonstrate how the daily menu met the required food components and food quantities.</p>	<p>(1) Develop Menu Production Record Template to be used in the 2019-20 school year. Submit to NDA for approval. See Appendix C for Menu Production Record templates</p> <p>(2) Complete Production Records, Standardized Recipes and Usage Recipes Training Course at www.schoolnutritiontoolbox.org Submit completion certificates from all applicable staff to NDA for review.</p> <p>(3) Develop an implementation plan to ensure Menu Production Records will be completed for breakfast and lunch for every operating day during the 2019-2020 school year.</p> <p>(4) DSES will be required to submit Menu Production Records monthly during the 2019-2020 school year to validate monthly claims going forward.</p> <p><i>**Please note this finding will require fiscal action. See Notice of Fiscal Action for more details.</i></p>	<p>(1) Sept. 13, 2019</p> <p>(2) Sept. 13, 2019</p> <p>(3) Sept. 13, 2019</p> <p>(4) Ongoing</p>
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Food and Nutrition Division



<p>#3</p>	<p>Straight Serve In a straight serve model students must take a full serving of all components offered on the menu daily (meat/meat alternate, whole grains, fluid milk, fruit, and vegetables)</p> <p>During the onsite review the following issues were noted:</p> <p><u>Breakfast</u></p> <ul style="list-style-type: none"> All 16 breakfasts were missing whole grain component. No whole grain products were served on the breakfast menu. <p><u>Lunch</u></p> <ul style="list-style-type: none"> Seven students did not take a milk component All 16 lunches missing whole grain component (No whole grain component offered) All 16 lunches were missing a full serving of vegetable. Only ½ cup of romaine lettuce was served. A full cup of romaine lettuce is to be served to credit as a ½ cup vegetable. 	<p>Develop a Standard Operating Procedures (SOP) document to indicate how the straight serve model will be implemented correctly at DSES. The SOP must include:</p> <ul style="list-style-type: none"> Description of what constitutes a reimbursable meal under the Straight Serve Model. How meals will be counted and claimed as reimbursable. Procedures to establish how a situation in which a student does not select all components (e.g. milk). Signatures from all applicable staff. <p>Submit to NDA for approval.</p> <p><i>**Please note this finding will require fiscal action. See Notice of Fiscal Action for more details.</i></p>	<p>Sept. 13, 2019</p>
<p>#4</p>	<p>Whole Grain Rich Criteria 7 CFR 210.10(iv)(A) requires <u>all</u> grains to consist of whole grain-rich products in which 50 percent or more on the product is made with whole grains.</p> <p><u>Repeat Finding:</u> Whole Grain Rich products are not being served on the menu. The following non-Whole Grain Rich items were served the day of review May 22, 2019:</p> <ul style="list-style-type: none"> Krusteaz Buttermilk Waffle Mix Food Club Pizza Crust Mix <p>No Whole Grain Rich products were offered on the menu for breakfast and lunch on the day of review.</p>	<p>Describe how DSES will meet the new 2019-20 meal pattern requirements and serve 50% Whole Grain Rich products for breakfast and lunch. Provide labels for all products that will be replaced with Whole Grain Rich items.</p> <p><i>**Please note this finding will require fiscal action. See Notice of Fiscal Action is forthcoming.</i></p>	<p>Sept. 13, 2019</p>

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Administrative Review Report
Food and Nutrition Division



	<p>The following non-Whole Grain Rich items were found in the pantry:</p> <ul style="list-style-type: none"> • Western Family Thin Spaghetti (Enriched white flour) • Food Club Yellow Corn Taco shells (Stone ground corn masa flour) • Food Club Original Saltine Crackers (Unbleached enriched flour) • Krusteaz Blueberry Pancake Mix (Enriched bleach flour) • Baker Source white Cake Mix (Enriched bleached flour) • Krusteaz Honey Cornbread Mix (Enriched Bleached flour) • Duncan Hines Blueberry Streusel muffins (Flour) 		
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Comprehensive Resource Management- All revenues and expenses under the nonprofit school food service account must be allowable- used only for the operation and improvement of the school food service and net cash resources may not exceed three months’ average operating expenses. References include but are not limited to 7 CFR 210.14.

	Finding	Corrective Action	Due Date
#5	<p>Comprehensive Resource Management The State Agency must conduct an offsite assessment of the SFA’s financial management practices during the previous or last audited school year prior to the onsite resource management review.</p> <p>NDA was unable to complete the offsite resource management questions despite numerous attempts for this information. Since this could not be completed prior to the onsite resource management review on May 22, 2019, the resource management review could not be completed.</p>	<p>(1) Complete and sign all questions outlined in Appendix E. Submit to NDA for review.</p> <p>(2) Provide a “Statement of Revenues and Expenses” or similar documentation for DSES’s nonprofit school food service account for the 2017-2018 school year. Submit to NDA for review.</p> <p>(3) Provide a description and documentation depicting how the nonprofit school food service account is reimbursed to cover the cost of all adult meal served.</p>	<p>(1) Sept. 13, 2019</p> <p>(2) Sept. 13, 2019</p> <p>(3) Sept. 13, 2019</p>

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Administrative Review Report
Food and Nutrition Division



		** Please note additional corrective action may be required once this information has been reviewed.	
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General Program Compliance

Professional Standards – Regulations establish hiring standards for new school nutrition program directors at the School Food Authority (SFA) level and annual training standards for all school nutrition program directors, managers, and staff. References include but are not limited to 7 CFR 210.30

Finding		Corrective Action	Due Date
#6	<p>Professional Standards Training 7 CFR2 10.30(2) outlines minimum annual training requirements for all staff with duties related to school meal programs.</p> <p><i>Repeat Finding:</i> Staff at DSES had no documentation of the Professional Standards Training requirements being met for 2018-19 school year.</p>	<p>(1) Develop a training plan to ensure professional standards training hours will be met annually. Include signatures from all applicable staff. Submit to NDA for approval.</p> <p>See Appendix D for professional standards learning codes and professional standards training requirements.</p>	(1) Sept. 13, 2019
#7	<p>Professional Standards Training Tracking 7 CFR 210. 30 (g) requires all SFAs to track and maintain records regarding employees annual training. USDA’s Professional Standards Training Tracker may be used, or an alternate tracking tool may be developed but must include at minimum these required fields: Employee Name, hiring date, employee position, required hours of training, training title/subject, length of training, school year training is applied to, and completed training hours to date.</p> <p><i>Repeat Finding:</i> At time of review, no training tracking system was in place.</p>	<p>Create a professional standards training tracker including all required elements, or use <u>USDA’s Professional Standards Training Tracker 2.0</u>. Submit to NDA for Approval</p> <p>See Appendix D for Professional Standards Training Tracker Templates.</p>	Sept. 13, 2019

Water Availability- Schools participating in NSLP must make potable water available to children at no charge in the place where lunch meals are served. References include but are not limited to Health, Hunger-Free Kids Act of 2010 Section 203 and USDA Numbered memo SP28-2011.

Finding	Corrective Action	Due Date
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Administrative Review Report
Food and Nutrition Division



#8	<p>Water Availability Free potable water must be made available during meal service to all NSLP participants.</p> <p><i>Repeat Finding:</i> Water was not available during onsite review on May 22, 2019.</p>	<p>Create a water station inside the cafeteria at DSES for program participants.</p> <p>Submit pictures of water station to NDA for review.</p>	Sept. 13, 2019
<p>Food Safety- Regulations require SFAs to establish a food safety program and maintain facilities in accordance with Federal, State, and Local Health Code regulations to reduce risks of food borne illnesses. References include but are not limited to 7 CFR 210.13, <i>USDA Guidance for School Food Authorities: Developing a School Food Safety Program</i>, NRS 439.200, 444.335, and NRS chapter 446.</p>			
Finding		Corrective Action	Due Date
#9	<p>Food Safety Inspection Report FNS requires the most recent food safety inspection report to be posted in a location visible to the public.</p> <p><i>Repeat Finding:</i> No health inspection report was posted at time of onsite review.</p>	<p>Post most recent health inspection in a visible area in the cafeteria. Please take a picture once complete and submit to NDA for review.</p>	Sept. 13, 2019
#10	<p>Hazard Analysis Critical Control Point (HAACP) Manual 7 CFR 210.13 (c) requires SFA to establish a food safety program for any facility where food is stored, prepared or served.</p> <p><i>Repeat finding:</i> HAACP manual was not present during the onsite portion of the Administrative Review.</p>	<p>A HAACP manual was created during the 2015-2016 Administrative Review.</p> <p>Provide a copy of current HAACP manual or establish a new HAACP manual. Submit to NDA for approval</p>	Sept. 13, 2019
<p>School Breakfast and Summer Outreach- Regulations require schools to conduct outreach on the availability of the School Breakfast Program. References include but are not limited to SP40-2011os</p>			
#11	<p>School Breakfast Outreach SFAs must inform families of the availability of breakfast offered under the SBP.</p> <p><i>Repeat finding:</i> When interviewing DSES staff, it was reported that no breakfast outreach was conducted.</p>	<p>Develop an implementation plan describing how School Breakfast outreach will be provided during the 2019-20 school year. Submit to NDA for review.</p>	Sept. 13, 2019

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Administrative Review Report
Food and Nutrition Division



Special Provision Options (SPO)

Community Eligibility Provision (CEP)- To reduce administrative challenges, LEAs, schools, and/or group of schools with a direct certification percentage of 40% or greater may elect CEP. Schools electing CEP must serve lunch and breakfast at no charge to all enrolled students during the 4-year cycle, agree to cover any operating costs exceeding Federal reimbursement with non-Federal funds, and may not collect school meal applications from households. References include but are not limited to Healthy, Hunger-Free Kids Act of 2010, 7 CFR 245.9 (f), FNS Memo SP 5454-2016

Finding		Corrective Action	Due Date
#12	<p>CEP Recordkeeping SFAs must retain records used to develop the Identified Student Percentage (ISP) during the entire SPO is in effect, including all extensions. In addition, this documentation and all of the documentation must be retained for three years after submission of the final Claim for Reimbursement for the last fiscal year of CEP.</p> <p>DSES could not provide any documentation to certify the ISP determined April 1, 2018 to establish their current CEP claim rate.</p>	<p>Create a business process detailing how accurate records will be maintained to support the approved ISP for any SPO site. In business process identify by name and/or title who will be responsible for maintaining such records. Submit to NDA for approval.</p> <p><i>**Please note this finding will require fiscal action. See Notice of Fiscal Action for details.</i></p>	Sept. 13, 2019

Procurement- SFAs must comply with the applicable regulations for procurement of goods and services, including using the specified methods in federal, state and local laws and regulations; with all contracts, purchasing services involving the child nutrition program regulations for procurement must be in place. References include but are not limited to 7 CFR 210.19(a)(3); 2 CFR Part 200.318-326; 7CFR 210.21; 2CFR Part 200; 2CFR 318 (a-d); 2 CFR Part 200.320.

Finding		Corrective Action	Due Date
#13	<p>Standards of Conduct 7 CFR 200.318 requires SFAs to establish a written standards of conduct for staff involved with purchasing for the child nutrition programs.</p> <p>DSES written standards of conduct was missing the following required component:</p> <ul style="list-style-type: none"> The prohibition of officers, employees, and agents from accepting gratuities, favors or anything of monetary value from contractors or parties of subcontracts. 	<p>Update DSES’s standards of conduct (<i>Financial Operations Manual, Policies and Procedures Applicable to Financial Management, Procurement, Property Management, and Records Retention as Identified in Federal Rules and Regulations</i>) to fulfill all requirements as outlined in 7 CFR 200.318(c). Submit to NDA for approval.</p>	Sept. 13, 2019

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VII. Recommendations and Technical Assistance

Recommendations:

- 1. Recommendation: Use Healthier Kansas Menu Planning Materials.** NDA was able to locate menu production records, menu planning materials, and standardized recipes from Healthier Kansas. These resources were given to DSES to help alleviate the administrative burden to plan compliant NSLP and SBP menus during its 6-Cent Menu Validation Review. NDA strongly encourages DSES to revert back to this menu planning system.
- 2. Recommendation: Implement Offer Versus Serve provision.** Offer Versus Serve is a provision under NSLP and SBP in which a student is able to decline some of the food components/items offered. While viewing DSES meal service, students were already declining components of the meal service. Students were not taking all items as required under a Straight-Serve model.
- 3. Recommendation: Use approved Special Diet Form to record any diet modifications needed by students.** Substitutions to the meal pattern can be made for students who have a Special Diet Form filled out by a recognized medical authority.

Technical Assistance:

1. Technical assistance was provided to publicly post Duckwater Shoshone ES Wellness Policy on website. 7 CFR 210.31(d)(2) requires SFAs to inform the public about the content and implementation of the local school wellness policy annually.
2. Technical assistance was provided to reestablish a Civil Rights Log. 7 CFR 210.15(a)(6) requires SFAs to maintain records regarding any civil rights complaints and their resolution as required under 7 CFR 210.23.

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Administrative Review Report

Food and Nutrition Division



VIII. Corrective Action Response

A written response to the corrective actions detailed in this report must be submitted within thirty (30) calendar days of receipt of the report. The response must include a description of the corrective action plan for the findings, including implementation time frames and supporting documentation as necessary.

NDA will thereafter assess the SFA's corrective action response. If the corrective action is not completed, or if the need is identified to ensure all corrective items are in place, we may schedule a follow up review. Program funds may be withheld until corrective action is completed if not submitted by the required due date.

The SFA may appeal the NDA's action by submitting a written appeal request within fifteen (15) calendar days after receipt of notice of this Administrative Review Report and should be sent by certified mail, or its equivalent, or sent electronically by email. NDA will acknowledge the receipt of an appeal request within 10 days after its receipt of the request. More information is available in Appendix A.

IX. Appendix

- A. Appeal Procedure-attached
- B. Procurement Review Detail-attached
- C. Sample Menu Production Templates
- D. Professional Standards Learning Topic Codes and Training Requirements

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