



**Girls Empowerment Middle School**  
*Administrative Review Report*

November 22, 2022

National School Lunch Program  
*Food and Nutrition Division*

**Administrative Review Report**  
Food and Nutrition Division



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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 Girls Empowerment Middle School (GEMS) from October 11-13, 2022.

An exit conference was held on Thursday, October 13, 2022, 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 GEMS 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 Tuesday, November 11, 2022. The review was conducted at the GEMS in Las Vegas, Nevada. The Administrative Review was conducted by Erica Jaramillo. GEMS staff included Tara Meierkord, Mike Taack. 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 Thursday, October 13, 2022, which provided a summary of the work performed at GEMS 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 months of review, May and August 2022. The Procurement Review covered all documents, records, invoices, and procedures relating to the procurement for the SFA for the year of review, school year 2021-2022.

### 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 GEMS's 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

- The staff at GEMS were very positive and willing to learn the requirements of the program. Their goal is to correct and implement systems in the nutrition program to make sure the programs run correctly.

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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
  
- General Areas
  - Civil Rights
  - Professional Standards
  - SFA On Site Monitoring
  - Local School Wellness Policy
  - Water Availability
  - Food Safety
  - Reporting and Recordkeeping
  
- Procurement
  - Procurement Plan
  - Code of Conduct
  - Procurement Documents and Records

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**VII. Findings and Required Corrective Action**

**Performance Standard I – Meal Access and Reimbursement** – Federally mandated counting and claiming systems for all SFAs that participate in NSLP and SBP. Free, reduced-price, and paid meals claimed for reimbursement must be served only to eligible children. Certification and benefits issuance process is the SFA’s certification of student eligibility for FRL meals and serves as a link to the SFA’s meal counting and claiming system. References include but are not limited to 7 CFR 245.2(1)(i); 7 CFR 245.6(b)(1); 7 CFR 210.7 (c)(1)(iii)(iv); 7 CFR 210.18 (g)(1)(ii)(A); CFR 210.19(c)(2)(i); and 210.19(c)(2)(ii).

	Findings	Corrective Action	Due Date
#1	<p><b>Meal counting and Claiming</b> Per 7 CFR 210.8, the meal counts for the review period must yield an accurate result, must be comparable to the day of review meal counts, and must not exceed the number of eligible students. Monthly and daily claim reconciliation must yield accurate meals.</p> <p>The counting and claiming procedures observed for breakfast and lunch on the day of review were not in accordance with USDA regulations for recording meal counts. The following was noted:</p> <ul style="list-style-type: none"> <li>• During breakfast, meals were not counted as being served to students. Meal count was taken from received vended meals.</li> <li>• During lunch, meal count was taken after students had already starting or finished eating meals served.</li> </ul> <p>From the review month of May 2022 claim vs meal counts, the following was noted:</p> <ul style="list-style-type: none"> <li>• Monthly consolidated claim number was higher than recorded served numbers for both breakfast and lunch</li> <li>• It appears all meals ordered for the day are being claimed for reimbursement whether served to student, or leftover.</li> </ul>	<p>1. Develop a business process to identify how GEMS will accurately count and consolidate meals. The process/procedure must include:</p> <ul style="list-style-type: none"> <li>• How meal counts will be taken at point of service for both breakfast and lunch, including who by name and/or title is responsible for recording.</li> <li>• How edit checks to compare served meal counts to attendance numbers will be completed. Including who by name and/or title will be responsible for task.</li> <li>• Who by name and/or title is responsible for consolidating daily and monthly meal counts.</li> <li>• How monthly claim are completed based off served meal counts and who is responsible by name and/or title for completing.</li> </ul> <p>Submit business process/procedure for NDA to review.</p> <p>2. Submit claim documentation (monthly consolidated meal count) for November 2022 for NDA to review.</p>	<p><b>December 22, 2022</b></p>

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**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.

	<b>Finding</b>	<b>Corrective Action</b>	<b>Due Date</b>
#2	<p><b>Milk Requirement</b> Schools operating the NSLP and SBP must offer at least two choices of approved fluid milk throughout the meal service on all reimbursable meal service lines.</p> <p>During the day of review observation only one choice of milk was offered for both breakfast and lunch. After reviewing MPRs for May 2022 and August 2022, two choices of milk were not always ordered.</p>	<p>Add additional milk choices to breakfast and lunch. Reference <a href="#">USDA Crediting Fluid Milk in the Child Nutrition Programs Tip Sheet</a>.</p> <p>Submit two weeks of Menu Production Records for both breakfast and lunch to NDA for review.</p>	<b>December 22, 2022</b>
#3	<p><b>Menu Production Records</b> Production and menu records must be maintained in accordance with FNS guidance. Production records for the review month of May 2022 and August 2022 were reviewed.</p> <p>Production records from Better 4 You Meals were not being completed. No other production records were utilized.</p>	<p>Develop a procedure for completing all sections of the Menu Production Records provided by Better 4 You Meals. This includes receiving temperatures and any substitutions or alternative quantities. Include who by name and/or title is responsible for completing.</p> <p>Submit procedure and two weeks of Menu Productions Records for both breakfast and lunch to DNA for review.</p>	<b>December 22, 2022</b>
#4	<p><b>Nutrient Analysis</b> All areas must be compliant for all age/grade groups for total Calories, Saturated Fat, and Sodium requirements set forth in HHKFA of 2010.</p> <p>The following lunches were over the Calorie range of 600-700 for 6-8 grade.</p> <ul style="list-style-type: none"> <li>8/15-8/19 was 149 kcals over</li> <li>8/22-8/26 was over 59 kcals over</li> </ul>	<p>Consult with vendor and coordinate menus so that Calorie requirements are met for each week of future menus.</p> <p>Submit to NDA menus and nutrient analysis for two full weeks from February 2023.</p>	<b>December 22, 2022</b>

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**General Program Compliance**

**Local School Wellness Policy**-To help foster a healthy school environment, Section 204 of the Healthy, hunger Free-Kids Act added section 9A to the Richard B. Russell National School Lunch Act (NSLA) to expand the scope of wellness policies. References include but are not limited to 7 CFR 210.11; 7 CFR part 210 Appendix B; and The Healthy Hunger Free Kids Act Section 9A (204).

Findings		Corrective Action	Due Date
#5	<p><b>School Wellness Committee Meeting 2x/year</b> Nevada’s School Wellness Policy states stakeholders/committee needs to meet at least twice a year. There were no plans in place for committee meetings for 22-23 school year during the review.</p>	<p>Create a business policy-process that details how GEMS Academy will ensure meetings are held twice a year and how documentation of meeting attendance and topics discussed will be kept in records. Please submit a timeline/date when committee will meet this school year.</p>	<p><b>December 22, 2022</b></p>

**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

Findings		Corrective Action	Due Date
#6	<p><b>Professional Standards Training Tracking</b> All SFAs are required to track and maintain records regarding employees annual training. USDA’s Professional Standards Training Tracker may be used, or an alternative 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 or training, school year training is applied to, and completed training hours to date. Annual trainings and tracking were not implemented at the time of review.</p>	<p>Develop Professional Standards Training Tracker as well as a plan for completing the correct training hours this year. Submit tracker and plan to NDA for review.</p> <p>See Appendix for references of Training Tracker templates and the <a href="#">USDA Guide to Professional Standards for Nutrition Programs</a></p>	<p><b>December 22, 2022</b></p>

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**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, *USDA Guidance for School Food Authorities: Developing a School Food Safety Program*, NRS 429.200, 444.335, and NRS chapter 446.

Findings		Corrective Action	Due Date
#7	<p><b>HACCP Manual</b> All SFAs are required to establish a food safety program for any facility where food is stored, prepared, or served. HACCP manual was not available during onsite review.</p>	<p>Develop a HACCP manual for GEMS Academy and submit to NDA for review.</p> <p>Resources for creating a HACCP plan can be found at the <a href="#">Institute of Child Nutrition</a>.</p>	<p><b>December 22, 2022</b></p>

**Reporting and Recordkeeping-** Regulations requires SFAs to submit reports to NDA to report to RNS compliance with program requirements as well as for SFAs to retain records for three years plus the current year. References includes but is not limited to 7 CFR 210.15 and 7 CFR210.23(c).

Finding		Corrective Action	Due Date
#8	<p><b>Recordkeeping</b> SFAs must maintain records for three years plus the current year to demonstrate compliance with program requirements.</p> <p>Records from the previous, first year on the program, were not available at the time of the review.</p>	<p>Develop a business plan/procedure on how records of NSLP and SBP documentations will be kept for the required timeframe. Submit plan to NDA for review.</p>	<p><b>December 22, 2022</b></p>

### VIII. Recommendations and Technical Assistance

#### Recommendations:

1. **Suggested Trainings for staff:** these are some recommended courses from the [Institute of Child Nutrition iLearn catalog](#):
  - PKI Series: Meal counts and Participation
  - Meal Patterns
  - Introduction to HACCP for SNPs
  - Production Records

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**Technical Assistance:**

1. School Wellness Policy: Technical Assistance was provided to adjust breakfast meal consumption time to 15 minutes. As well as adding the revenue section per Nevada Guidelines into policy. This was corrected during the review.
2. Civil Rights: Technical assistance was provided to incorporate an annual Civil Rights complaint log as well as having “And Justice for All...” poster displayed where participants can see. Log was incorporated and posters were dropped off to facility.
3. Signage: Technical assistance was provided to post the most recent health inspection and menu where participants can see. These will be posted in the health classroom and/or entrance as the facilities cafeteria is under construction.
4. Receiving temperatures: Technical assistance was provided for GEMS staff to start taking the temperature of incoming food. This was implemented on day of review during kitchen observation.
5. Nondiscrimination Statements: Technical assistance was provided to include USDA nondiscrimination statement on outreach and materials mentioning School Nutrition programs. This was implemented by the end of the review period.

**IX. 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.

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### X. Appendix

- A. Appeal Procedure-attached
- B. Procurement Review Detail-attached
- C. Professional Standards Tracking Template-attached
- D. USDA Guide to Professional Standards for School Nutrition Programs
- E. Nevada School Wellness Policy

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