



Legacy Traditional Schools

Administrative Review Report

February 24, 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 the SBP administered by Legacy Traditional Schools from February 1-3, 2022.

An exit conference was held on Thursday, February 3, 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 Legacy Traditional Schools 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, February 1, 2022. The review was conducted at the virtually via TEAMS video to review sites in Las Vegas, Nevada. The Administrative Review was conducted by Brittany Mally. Legacy staff included Mike Witkovsky, Jasmine Mehta, Scarlett Delany, and Brittany Hunt. 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, February 3, 2022 which provided a summary of the work performed at Legacy Schools 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, October 2021. The Procurement Review covered all documents, records, invoices, and procedures relating to the procurement for the SFA for the year of review, school year 2020-2021.

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 Legacy School'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

- **High Volume of Meals Being Served:** Legacy Traditional Schools are serving a high number of lunches each day at all three campuses. Some days over 1,000 lunches at one site. It is great to see so many students eating lunch, and this requires great efficiency and hard work by the kitchen staff. The kitchens are being run very well, are organized and efficient.
- **Menu and Harvest Bar:** The menu options for Legacy Schools are appealing to the students and age/grade groups they are serving. Their meal kits offer a variety for students, and we were impressed to see one that included pumpkin bread during October. The Harvest Bar offered daily has fresh fruit and vegetable options for the students and looked very appetizing.

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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
 - Revenue from non-program foods
 - Indirect Costs

- 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 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>Menu Production Records (MPRs) Production and menu records must be maintained in accordance with FNS guidance. They must show how the meals offered contribute to the required food components and food quantities for each age grade group. Production records for the month of October 2021 were reviewed.</p> <p>Production records were missing the following essential component: Amount of food pulled/needed.</p>	<p>Add the required component to current production records in use. Submit a week’s worth of production records for one site, using your updated template.</p>	<p>March 28th, 2022</p>
#2	<p>Nutrient Analysis All areas must be compliant for age/grade groups for total calories, saturated fat, and sodium requirements as set forth with HHFKA of 2010 for each age/grade group.</p> <p>The lunch sodium target of ≤ 935 mg was not met for the following weeks at all three sites: 10/4-10/8, 10/11-10/15, 10/18-10/22, and 10/25-10/29.</p>	<p>Alter/change the menu so that the sodium requirements are met for each week of the lunch cycle menu. Rerun the nutrient analysis for each week for one site and submit to NDA for review. This can be for the planned menu for any weeks in the remainder of the current school year.</p>	<p>March 28th, 2022</p>

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General Program Compliance		
<p>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).</p>		
Finding	Corrective Action	Due Date
<p>#3 School Wellness Policy Assessment The Nevada School Wellness Policy (SWP) has additional sections and requirements that local school wellness policies must include. The SWP for Legacy Schools is missing the following sections: Incentives and Rewards, Special Occasions, Revenue, Meal consumption, physical activity, recess before lunch, Smart Snack standards – list out, specific nutrient standards for food, beverages, and if caffeine and chewing gum are allowed.</p>	<p>Review the current Nevada SWP and either create a new SWP specifically for your Nevada schools or bring the current SWP for Legacy Schools into compliance to meet NV SWP standards. Submit SWP to NDA.</p>	<p>March 28th, 2022</p>
<p>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.</p>		
Finding	Corrective Action	Due Date
<p>#4 Procurement Plan 7 CFR 200.318 requires SFAS to establish and document their procurement procedures which reflect applicable State, local and federal laws, and regulations. Legacy Schools uses the NDA provided template for their procurement plan. It still has areas that need to be filled out specific to Legacy’s specific procurement procedures.</p>	<p>Review current procurement plan and complete sections that still need to be filled out. Submit finished procurement plan to NDA for review.</p>	<p>March 28th, 2022</p>

VIII. Recommendations and Technical Assistance

Recommendations:

1. Use the point of sale system during meals to count meals: Using the point of sale to record meals as students come through the line will lead to more accurate meal

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counts. The high volume of students eating lunch makes it more difficult to count meals via tally sheets or using clickers. It's a good practice for students to get used to entering their pin numbers for meals, especially if/when USDA waivers cease and FRL status comes back into play. Legacy's meal counts from their daily tally sheets did not always match their meal counts used for their October claim. Even though the lower total was used for the claim, and over claiming did not occur, more accurate meal counts will only benefit Legacy's school nutrition program.

Technical Assistance:

1. Technical assistance provided for nutrient analysis: Multiple weeks of the lunch menu and 2 weeks of the breakfast menu were not in compliance. The weeks and amounts were shared with the menu planner to correct. Nutrient analysis was resubmitted for all weeks requested; the two weeks of breakfast were brought into compliance. However, the weeks of the lunch menu were still high in sodium and therefore resulted in a finding.

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.

X. Appendix

- A. Appeal Procedure-attached
- B. Procurement Review Detail-attached
- C. Nevada School Wellness Policy- attached

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