



**TEACH Las Vegas Charter School**  
*Administrative Review Report*

December 20, 2022

National School Lunch Program  
*Food and Nutrition Division*

**Administrative Review Report**  
Food and Nutrition Division



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# 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, SBP, and the After-School Snack Program administered by TEACH Las Vegas from December 6-7, 2022.

An exit conference was held on Wednesday, December 7, 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 TEACH Las Vegas 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, December 6, 2022. The review was conducted at the TEACH Las Vegas in Las Vegas, Nevada. The Administrative Review was conducted by Erica Jaramillo, accompanied by Yolanda Brandon. TEACH Las Vegas staff included Enrique Robles, Jimmy Morales, and Glenda Garcia. 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, December 7, 2022, which provided a summary of the work performed at TEACH Las Vegas and we discussed any additional documentation needed, preliminary findings, and observations.

## III. Scope

The Administrative Review covered documents, records, and procedures relating to the administration of the NSLP for the month of review, September 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 TEACH Las Vegas'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

- TEACH Las Vegas staff was very friendly and cooperative with answering reviewer's questions.

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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**

<b>Performance Standard I – Meal Access and Reimbursement</b> – 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).			
	<b>Finding</b>	<b>Corrective Action</b>	<b>Due Date</b>
<b>#1</b>	<p><b>Certification and Benefit Issuance</b> Applications received by SFA must be certified for the correct meal benefit level (either free, reduced or paid) as detailed in the Eligibility Manual for School Meals, July 18, 2017, edition.</p> <p>Of the 32 applications requested, 29 were provided for review and the following errors were noted:</p> <ul style="list-style-type: none"> <li>• 9 were miscataloged               <ul style="list-style-type: none"> <li>○ 5 -Reduced but received Free (1 fixed during review)</li> <li>○ 2-Paid but received Free (1 fixed during review)</li> <li>○ 2-Paid but received Reduced (all fixed during review)</li> </ul> </li> <li>• Two were missing last four of social (corrected during review)</li> </ul>	<ol style="list-style-type: none"> <li>1. Complete the <u>Determining Free and Reduced-Price Lunch Eligibility</u> training March 2021 version from our NDA YouTube Channel.</li> <li>2. Update remaining 5 miscategorized students eligibility status on Benefit Issuance Document (BID) and send notification letter to families.</li> <li>3. For the 3 missing applications, find or have families submit a new application. If no application submitted update status to paid.</li> </ol> <p>Submit updated BID, any updated applications, and notification letters for NDA to review.</p>	<b>January 20, 2023</b>
<b>#2</b>	<p><b>Verification</b> Verification of children’s eligibility must be completed on a sample of household applications per 7 CFR 245.6a(c). If the household refuses to cooperate in verification, per 7 CFR 245.6a(f)(4), their benefit shall be terminated (updated to paid).</p> <p>Of the two children selected for verification, one child’s eligibility was not updated to paid on BID due to refusal to respond.</p>	<p>Update the child’s eligibility on the BID and sent change of benefit notification letter to household.</p> <p>Submit letter and BID to NDA to review.</p>	<b>January 20, 2023</b>

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<p><b>#3</b></p>	<p><b>Meal Counting and Claiming (Fiscal Action)</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>Month of review, September 2022, meal counts seem to be based on meal order numbers.</p> <p>On the day of review, it was observed that meal counts were not being kept per children’s eligibility status as entered on the claims. Meal counting as being taken with a clicker for breakfast, lunch, and snack. This was only acceptable for snack because of area eligibility. It was also observed that children receiving second meals were included in meal counts at lunch and snack.</p>	<p>Develop a procedure to accurately record meal counts by eligibility status. Either use printed roster, making sure children’s eligibility status is confidential/coded, at point of service (POS) to record meal counts or use electronic POS.</p> <p>Submit procedure and one month worth of meal counts with new procedure to NDA for review.</p> <p>For the months of October and November 2022, claims should be entered with only paid status as meal counts were not taken with children’s eligibility status.</p> <p>Fiscal Action will be taken to recoup the claiming, from August and September 2022, of 5957 breakfast and 7757 lunch miscategorized meals (Attached).</p> <p>Note: NDA will complete a follow up review to observe new meal counting at POS.</p>	<p><b>January 20, 2023</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.

	Finding	Corrective Action	Due Date
<p><b>#4</b></p>	<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 September 2022 were reviewed.</p> <p>Production records provided by Better 4 You Meals were not being completed by TEACH</p>	<p>Develop procedure for nutrition staff at TEACH Las Vegas to follow for completing all sections of production records.</p> <p>Submit procedure and two weeks’ worth of completed production records to NDA for review.</p>	<p><b>January 20, 2023</b></p>

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	staff. The following sections need to be completed on each meal: prepared, served, and leftover/waste.		
#5	<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 HHFKA of 2010.</p> <p>For lunch the week of September 26-30, 2022, nutrient analysis was 40 kcals over the 600-650kcal range. The analysis was also missing a cookie from production records, which would mean higher overage in kcals and sodium.</p>	<p>Consult with vendor and coordinate menus to that Calories requirements are met for each week of a future menu.</p> <p>Submit to NDA menus, nutrient analysis, and menu compliance for two full weeks from February 2023.</p>	<b>January 20, 2023</b>

**General Program Compliance**

**Civil Rights-** Regulations require SFAs to comply with civil rights provisions to ensure that no child is denied benefits or otherwise discriminated against because of race, color, national origin, age, sex, or disability. References include but are not limited to 7 CFR 210.23(b), 7 CFR 210.18(h)(2)(ii), FNS Instruction 113-1, USDA memo SP59-2016.

	<b>Finding</b>	<b>Corrective Action</b>	<b>Due Date</b>
#6	<p><b>Civil Rights Policy</b> Per Instruction 113-1, SFA’s public notice should contain the elements of: program availability, complaint information and non-discrimination statement.</p> <p>TEACH’s Uniform Complaint Policy does not state how a household files a complaint with USDA but only with TEACH. Also missing nondiscrimination statement.</p>	<p>Update policy with FNS procedure and non-discrimination statement.</p> <p>Submit procure to NDA for review.</p>	<b>January 20, 2023</b>

**Local School Wellness Policy (LSWP)-**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).

	<b>Finding</b>	<b>Corrective Action</b>	<b>Due Date</b>
#7	<p><b>Wellness Policy</b> Per Nevada’s LSWP the following should be included but were missing from TEACH Las Vegas’s LSWP: Meal consumption times,</p>	<p>Update LSWP to include missing items. Create a plan to hold two committee meetings this year.</p>	<b>January 20, 2023</b>

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	Nevada revenue statue, committee meeting held twice a year.	Submit to NDA for review.	
<b>#8</b>	<p><b>Meal consumption times</b> Per Nevada’s LSWP meal consumption time for each student is 15 minutes for breakfast and 20 minutes for lunch. Time spent acquiring the meal is not included in the time to consume the meal.</p> <p>On the day of observation lunch meals were about 11-14 minutes.</p>	<p>Create business plan to detail how meal consumption times will be followed. Include meal consumption times in updated LSWP.</p> <p>Submit procedure to NDA for review.</p>	<b>January 20, 2023</b>

**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

	<b>Finding</b>	<b>Corrective Action</b>	<b>Due Date</b>
<b>#9</b>	<p><b>On-site staff missing</b> TEACH Public Schools as an organization uses the USDA Professional Standards Training Tracker Tool (PSTTT). However, no TEACH Las Vegas staff have completed trainings this year and do not have profiles on PSTTT. Someone on-site at TEACH Las Vegas needs to be regarded as the manager of the Child Nutrition Programs ran at this school and obtain appropriate amount of training.</p>	<p>Get all TEACH Las Vegas Nutrition staff a profile for PSTTT and start obtaining trainings.</p> <p>Submit to NDA proof of Las Vegas staff profiles. Also submit a business plan on how the training hours will be obtained by June 30, 2023, for all Las Vegas staff.</p>	<b>January 20, 2023</b>

**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.

	<b>Finding</b>	<b>Corrective Action</b>	<b>Due Date</b>
<b>#10</b>	<p><b>Southern Nevada Health District (SNHD) - Health Cards</b> On the day of review, all Nutrition staff on duty did not have a current SNHD Health Card. This was stated on their August 2022 SNHD Kitchen inspection. Glenda Garcia had appointment for the week following the review to obtain card.</p>	<p>Obtain Health Cards for all Nutrition staff.</p> <p>Submit to NDA Health card for Glenda and plan/appointments for any not yet obtained.</p>	<b>January 20, 2023</b>

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#11	<p><b>Sanitizer</b> Sanitizer solution and testing strips were missing on day of review. Also, in violation on August 2022 SNHD Kitchen inspection.</p>	<p>Obtain sanitizer testing strips. Follow HACCP SOP Cleaning and Sanitizing Food Contact Surfaces step 6. Have staff read SOP and complete a sign off sheet.</p> <p>Submit sign off sheet to NDA for review.</p>	<b>January 20, 2023</b>
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**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 200.318-326; 7 CFR 210.21; 2 CFR 200; 2 CFR 318(a-d); 2 CFR 200.320

	<b>Finding</b>	<b>Corrective Action</b>	<b>Due Date</b>
#12	<p><b>Code of Conduct</b> Per 2CFR 200.3189(c)(1), the non-federal entity must maintain written standards of conduct covering conflict of interest and to govern the actions of its employees engaged in the selection, award, and administration of contracts. The code of conduct must also provide for disciplinary action for violations by officers, employees, or agents.</p> <p>With regards to a code of conduct, the reviewer was unable to determine if the correct language exists in TEACH Public Schools Employee Handbook (see Procurement Report attached).</p>	<p>Submit to NDA TEACH Public Schools Employee Handbook to examine code of conduct language. If language does not exist, update policies to include specific language regarding code of conduct including penalties related to non-adherence and submit to NDA for review.</p>	<b>January 20, 2023</b>
#13	<p><b>Formal Contract</b> Contract between TEACH Las Vegas and Better 4 You Meals was incomplete due to missing signatures.</p>	<p>Provide NDA with complete executed/signed contract/agreement for the 2022-2023 school year.</p>	<b>January 20, 2023</b>

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**Other Federal Programs**

**NSLP Afterschool Snack Program (ASSP)** – Under the ASSP an SFA must ensure students are receiving nutritionally-balanced snacks, received appropriate educational or enrichment activities, and count and claim snacks accurately. References include but are not limited to 7 CFR 210.10(o), 7 CFR 210.9(c)(7), 7 CFR 210.13(c), and 7 CFR 210.23(b).

	<b>Finding</b>	<b>Corrective Action</b>	<b>Due Date</b>
<b>#14</b>	<p><b>Review afterschool care program</b> Per 7 CFR 210.9(c), self-monitoring is to be completed in first four weeks of operation of program and once more before the end of the program year.</p> <p>The afterschool snack program was not monitored to date (of review).</p>	<p>Create business plan for how this program will be monitored twice before end of school year.</p> <p>Submit to NDA for review.</p>	<b>January 20, 2023</b>

**VIII. Recommendations and Technical Assistance**

**Recommendations:**

1. **Adjust meal ordering for ASSP:** During the observation, the SFA ran out of meal components. This day had a larger attendance rate than normal due to it getting colder earlier. Consider increasing order numbers during the winter months, if you know more students will be attending the afterschool program.

**Technical Assistance:**

1. Food Safety:

- Technical assistance was provided for TEACH staff to record daily fridge/freezer temperatures. This was completed during the review.
- Technical assistance was provided to replace the internal thermometer in the refrigerator. This was completed during the review.
- Technical assistance was provided for TEACH’s HACCP manual to be printed and available in the kitchen. This was completed during the review.
- Technical assistance was provided for TEACH staff to record receiving temperatures of food deliveries. This was completed during the review.

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2. Meal counting: Technical assistance was provided to improve the flow of the meal service line by moving the stanchions closer to the point of service/person counting meals. This ensured that children did not leave the line without grabbing all items and before getting counted. This was completed during the review.

### 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. Fiscal Action Letter
- D. Procurement Plan Template
- E. USDA Civil Rights Complaint Procedure
- F. Nevada Local School Wellness Policy
- G. ASSP Self-monitoring form

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