



Nye County School District
Administrative Review Report

April 5, 2019

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, SBP, Fresh Fruit and Vegetable Program (FFVP) and the After-School Snack Program (ASSP) administered by Nye County School District (NCSD) from March 4-7, 2019.

An exit conference was held on Thursday, March 7, 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 NCSD 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 Monday, March 4, 2019. The review was conducted at the Nye County School District Nutrition Services Office in Pahrump, Nevada. The Administrative Review was conducted by Bobbie Davidson, School Nutrition Coordinator; Joe Dibble, School Nutrition Supervisor; and Jillian Smith, Program Officer. NCSD staff included Jodi Martinez, Food Service Coordinator; and Dawna Braithwaite, Assistant Food Coordinator. This report is based on the results of the offsite assessment, the onsite review of files, and meal service observations of the breakfast, lunch, snack and FFVP programs. An exit conference was held on Thursday, March 7, 2019 which provided a summary of the work performed at NCSD 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, December 2018. Meal observations were conducted at the following sites as a part on the on-site Administrative Review.

- Manse Elementary School
- Floyd Elementary School
- Clarke Middle School
- Pahrump Valley High School

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 NCSD 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- NCSD goes above and beyond meal pattern requirements to offer daily salad bars at every site and quality meals to students and staff.
- Recordkeeping- All records and supporting documentation kept by NCSD was both thorough and well organized.
- Management of Federal Funds- NCSD has managed to create a surplus for its Nonprofit School Food Service account while still making numerous program improvements including numerous equipment upgrades and a kitchen remodel.

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VI. Critical Areas of Review

- Performance Standard I- Meal Access and Reimbursement
 - Certification and Benefits Issuance
 - Meal Counting and Claiming
 - Verification
- Performance Standard II- Meal Pattern and Nutritional Quality
 - Meal Components and Quantities
 - Offer versus Serve
 - Dietary Specifications and Nutrient Analysis
 - Menu Production Records
- Comprehensive Resource Management
 - Maintenance of the Non Profit School Food Services Account
 - Revenue from non-program foods
 - Paid Lunch Equity
- General Areas
 - Civil Rights
 - Professional Standards
 - SFA On Site Monitoring
 - Local School Wellness Policy
 - Water Availability
 - Food Safety
 - Reporting and Recordkeeping
- Special Provision Option
 - Verification of established claiming percentages
 - Certification of Special Provision Claim
 - Recordkeeping
- Other Federal Program Reviews
 - NSLP Afterschool Snack Service
 - Fresh Fruit and Vegetable Program
- Procurement
 - Procurement Plan
 - Code of Conduct
 - Procurement Documents and Record

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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>Offer vs. Serve (OvS) OvS is a provision in NSLP and SBP that allows students to decline some of the food components/items being offered. It essential that food service staff understand what constitutes a reimbursable meal under OvS to ensure meals are counted and claimed accurately.</p> <p>a. When interviewing staff at Manse ES and Clarke MS, staff could not accurately explain what constitutes a reimbursable meal.</p> <p>b. Additionally, staff at Manse ES and Floyd ES were counting student meals before they had the opportunity to participate in the salad bar. This method did not allow the staff to accurately ensure that students were taking the required number of food components to equal a reimburseable meal under the OvS method.</p>	<p>a. Complete the Offer Versus Serve Training at www.schoolnutritiontoolbox.org Submit certificates of completion for all staff involved with OvS counting and claiming at Manse ES and Clarke MS for NDA to review.</p> <p>b. Re-position staff to count reimbursable meals at the end of the salad bar line to ensure all student meals are reimbursable.</p>	<p>a. May 6, 2019</p> <p>b. May 6, 2019</p>

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#2	<p>Menu Production Records Menu Production Records (MPR) must be maintained in accordance with Food & Nutrition Services (FNS) guidance. Production records for the review month of December 2018 were reviewed.</p> <p>Production records at one site, PVHS, were incomplete and missing the total number of servings planned and actually served at the salad bar.</p>	<p>Submit a completed week worth of production records for PVHS. Please see Appendix C USDA MPR Required Information.</p>	May 6, 2019
#3	<p>Meal Components and Quantities Schools operating NSLP and/or the SBP must prepare, offer, and serve meals to students that meet the meal pattern requirements for the appropriate age/grade groups on all reimbursable meal service lines. Menus for the review month of December 2018 were reviewed.</p> <p>Numerous breakfast and lunch items were offered and credited that fall below the meal quantity minimum requirement in the following components: Grain, Meat/Meat Alternate (M/MA), Vegetable, and Fruit. See Appendix G for the noted deficiencies.</p>	<p>Make the necessary menu changes to bring the deficient items into compliance with the minimum daily requirements. Submit revised Menu Contribution Reports showing all the corrections to the deficient items found in Appendix D.</p>	May 6, 2019

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Resource Management-Maintenance of the Nonprofit School Food Service Account- School Food Authorities may use the nonprofit school food service revenue solely for the operation or improvement of the school food service. SFAs must maintain account revenue limitations, and ensure all costs are necessary, reasonable, and allocable. Reference include by are not limited to 7 CFR 210.2, 7 CFR 210.14(b), 7 CFR 210.19(a)(1), 2 CFR 200.302, 2 CFR 200.303 and 2 CFR 200 Subpart E.

Finding		Corrective Action	Due Date
#4	<p>Net Cash Resources The Nonprofit School Food Service account is limited to having a net cash resources in sum of the SFAs three month’s average expenditures. NCS D has total a net cash resources of \$1,143,768 which is \$334,633.20 over it’s three month’s average expenditures limit. See Appendix E for calculation.</p>	<p>Create a spend down plan to reduce NCS D’s net cash resources to within it’s three months’ operating expenditure allowance. The spend down plan must include:</p> <ul style="list-style-type: none"> • Allowable expenditures • Reasonable timelines for completion • Signatures from the District Superintendent, Chief Business Officer, and Food Service Director <p>Submit to NDA for approval. See Appendix F for Spend down template.</p>	May 6, 2019

Other Federal Programs

Fresh Fruit and Vegetable Program- The Fresh Fruit and Vegetable Program (FFVP) aims to increase children’s exposure to and consumption of a variety of fruits and vegetables. The SFA must ensure FFVP is available to all enrolled children, is provided free of charges, is offered within the school day outside of meal service times and provides an accompanying educational component. References include bur are not limited to Farm Bill Section 19, FNS numbered memo SP31-2008 and the NDA FFVP Policy and Procedure Manual.

#5	<p>Nutrition Education Nutrition Education is required to accompany the service of fresh fruits and vegetables. Of the three classrooms observed at Manse ES during the FFVP service, no nutrition education was witnessed in any of the three classrooms.</p>	<p>Update and enhance existing strategies to develop an implementation plan to ensure all FFVP requirements, including nutrition education, will be implemented at Manse ES. Implementation plan must include examples of allowable nutrition educational activities and must be signed by principal of Manse ES.</p>	May 6, 2019
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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 Part 200.318-326; 7CFR 210.21; 2CFR Part 200; 2CFR 318 (a-d); 2 CFR Part 200.320.

	Finding	Corrective Action	Due Date
#6	Procurement Plan SFAs are required to establish purchasing procedures the align with the requirements outlined in 2 CFR Part 200.320 with regards to procurement methods for program operators. NCSD did not have a procurement plan in place at time of review.	Create a draft procurement plan and submit to NDA for review. See Appendix G for NDA’s procurement plan template	May 6, 2019

VIII. Recommendations and Technical Assistance

Recommendations:

- 1. Incorporate School Garden produce in NSLP, ASSP, or FFVP programs-** School Gardens provide a multitude of benefits for students including learning about healthy food, learning how to grow fruits and vegetables, and promoting better nutrition. USDA supports such efforts through its Farm to School Program. Nonprofit School Food Service Funds and Fresh Fruit and Vegetable Grant funds can be used to purchase school produce from school gardens to incorporate into your child nutrition programs and support the continued success of the current school gardens at NCSD. Guidance on this process can be found in Appendix H.
- 2. Utilize a date stamp when receiving NSLP Free/Reduced Lunch applications-** Free and Reduced Lunch Applications must be processed within a 10-day time frame from the time the SFA receives the applications. Although, a majority of the applications reviewed were processed within this time frame, there was no consistent process to identify when those Free and Reduced Lunch Applications were received by the SFA. The utilization of a date stamp will create a uniform way to identify when the Free and Reduced application are received by the SFA.
- 3. Create a *dropped food policy*-** During onsite reviews multiple incidents of students dropping food were witnessed and in many occasions package food items would be handed back to the students after being on the floor. NDA recommends creating a dropped food policy to establish a standard operating procedure for kitchen staff and prevent students getting sick from being in contact with food items that have been on the floor.
- 4. Triennial Assessment of the Local School Wellness Policy-** The school year 2018-2019 marks the third year since the creation of Nye County School District’s

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Wellness Policy. USDA Regulation 7 CFR 210.31(e) requires the Local School Wellness Policy to be reviewed and updated triennially. Be sure to document any efforts made in this process to update this policy for future ARs.

Technical Assistance:

1. Technical assistance provided to Clarke Middle School to place “And Justice for All Poster” in a more prominent area. FNS 113-1 requires the poster to be placed in a location that enables program participants to read the text of the poster without obstruction.
2. Technical assistance provided to Floyd Elementary School and Manse Elementary School to place Health Inspection in the more prominent area. 7 CFR 210.13(b) requires schools to post the most recent food safety inspection report in a publicly visible location for all participants of the school meal program to view.
3. Technical assistance provided to Floyd Elementary School to move milk crates off the walk-in refrigerator floor to be at minimum six inches above the floor. NRS 446.940(2) and the Southern Nevada Health District Regulations Governing the Sanitation of Food Establishments 9-202.11(K)(1) require food to be stored at a minimum of six inches above the ground.
4. Technical assistance was given to NCSD nutrition services staff to adjust the lunch and breakfast menus to meet meal pattern requirements. One Uncrustable sandwich (1 oz eq M/MA and 1 oz eq grains) is offered at the high school level. This does not meet minimum quantity of 2 oz eq M/MA and 2 oz eq grains. This was corrected onsite at PVHS by serving two Uncrustable sandwiches. All kitchen staff were informed to always serve two Uncrustables to high school students moving forward.

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. Menu Production Record USDA Requirements-attached
- D. Menu Contribution Report Deficiencies-attached
- E. Net Cash Resources Calculations-attached
- F. Spend Down Plan Template-attached
- G. NDA procurement plan template-attached
- H. Guidance on Utilization of School Garden Produce in Child Nutrition Programs-attached

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