



Nevada Department of Agriculture

Nye County School District

Administrative Review Report

April 8th, 2024

National School Lunch Program
Division of Food and Nutrition

Nye County School District Administrative Review Report

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Department
of Agriculture

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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 an 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 programs administered by *Nye County School District* from 03/07/2024 to 03/12/2024.

An exit conference was held on 03/14/2024 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 *Nye County School District* staff for the time and assistance extended to our State Agency staff during this process.

II. Introduction

An entrance conference was conducted on 03/07/2024. The review was conducted at the Nye County School District in Pahrump, Nevada. The Administrative Review was conducted by Abigail Hanson and Erica Jaramillo. Nye County School District staff included Kyera Glenn, Joann Forney, and Christa Ledbetter. This report is based on the results of the offsite assessment, the offsite and onsite review of files, and meal service observations of the SFA’s participating programs. An exit conference was held on 03/14/2024 which provided a summary of the work performed at Nye County School District 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, December 2023. The Procurement Review covered all documents, records, invoices, and procedures relating to the procurement for the SFA for the year of review, school year 2022-2023.

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 Nye County School District’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 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

Site Name	Question	Achievements
Johnson Elementary School	Q500	St. Jude staff members were diligent in completing the production records right after meal service.
District Level	Q1500	Food service documents are very organized and easy to navigate on the district website.
Hafen Elementary School	Q1905	Fresh Fruit and Vegetable Program (FFVP) flyers and produce fact sheets are given to each classroom every day, along with other nutrition education activities incorporated into the curriculum to educate students on the benefits of various fruits and vegetables.

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

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).

Site Name	Question	Finding	Corrective Action	Due Date
Hafen Elementary School	Q318	Per 7 CFR 210.18(g)(ii), each type of service line must provide accurate point of service meal counts, by type, and those meal counts must be correctly counted and recorded. The staff member counting meals during the lunch service at Hafen Elementary School was moving around the cafeteria and was not able to get an accurate count of reimbursable meals served. The person responsible for counting meals at the POS should stand in one location at the end of the serving line so they are able to get an accurate count of meals served and ensure each meal has the required components.	1. Kitchen Manager or staff who count meals at Hafen ES must complete a meal count training or policy review. 2. In the plan requested for Q501, provide additional detail regarding the position of the POS for the serving line at Hafen ES. Submit proof of training/policy review to NDA for review.	11/01/2023

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.

Site Name	Question	Finding	Corrective	Due Date
Hafen Elementary School	Q403a	Second Milk Choice Per FNS under OVS, every student is offered the option to select the full amount of all five food components. During the on-site review of breakfast, it was noted that there was only one variety of milk being offered. Technical assistance was provided, and another milk variety was added to each service line before participants were served that morning. During the subsequent review of December 2023 production records for Hafen Elementary School, it was noted that there was no milk variety offered for breakfast during the month. ***Potential for future fiscal action, if found as a repeat finding on a future review. ***	1. Kitchen Manager or staff who complete production records at Hafen ES must complete an OVS and meal pattern training. 2. Create a procedure detailing: -How production record information will be filled out by kitchen staff daily (include how all required fields will be completed) -How records will be monitored daily by Food Service Coordinator or Assistant to ensure reimbursable meals were served (including two choices of milks) Submit proof of training/certificates, procedure, and 1 week of Hafen ES production records to NDA for review.	05/15/2024
Pahrump Valley High School	Q409	Menu Production Records (MPRs) Production and menu records must be maintained in accordance with FNS guidance. Menu and supporting documentation kept by Nye County School	Add the applicable age group served to each school's production records and submit updated templates for each site reviewed to NDA for review.	05/15/2024

		District (NCSD) did not include all the required fields. Documentation was missing the age group served (K-8, 9-12, etc.).		
Hafen Elementary School	Q501	The fruit cart at Hafen ES was originally positioned behind the POS/staff member counting meals. Technical assistance was given on-site including that all required meal components need to be offered before the POS to ensure a student has a reimbursable meal. The fruit cart was moved so it was near the salad bar and positioned before the POS on the day of review.	Create a procedure for Hafen ES detailing: -How all required meal components will be offered to students before the POS -How the counting procedure will be monitored by the Food Service Coordinator or Assistant to ensure compliant counting systems are being upheld Submit procedure and proof it was reviewed with staff to NDA for review.	05/15/2024

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

Site Name	Question	Finding	Corrective	Due Date
District Level	Q1217b	Professional Standards Training Tracking 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,	Update Excel training tracker with employees' hiring date and submit to NDA for review.	05/15/2024

length or training, school year training is applied to, and completed training hours to date.

SFA uses an Excel document to track annual training hours.

Will need to add each employee's hiring date to ensure correct hours are met each school year.

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).

Site Name	Question	Finding	Corrective	Due Date
Off-Site Assessment	Q1002	Per 7 CFR 210.31(e)(3) at least once every three years, the SFA should make appropriate updates or modifications to the local school wellness policy (LSWP), based on the assessments. In addition, the school wellness advisory group must meet at a minimum twice a year to review the LSWP and complete the annual assessment to evaluate if goals are met or new information emerges. NCSD has not updated their LSWP since October 2015 per the policy submitted. The school wellness policy advisory committee will need to create a plan to meet at least once this school year to update the wellness policy and complete the annual assessment.	1. Create a plan to hold at least one advisory committee meeting for this school year and include how the wellness policy will be updated. 2. Develop a procedure for how the wellness policy requirements will be met each school year including how the advisory committee will meet twice a year, how the annual assessment will be completed and how documentation	05/15/2024

will be made available to the public. Submit plan and procedure to NDA for review.

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).

Site Name	Question	Finding	Corrective	Due Date
Rosemary Clarke Middle School	Q1706b	Snack production records at Rosemary Clarke Middle School (RCMS) for the review period show that some snacks served were missing a meal component due to two items from the same category being served (fruit and vegetable). Production records from Hafen Elementary School also indicate that juice boxes are provided for students who don't drink milk on some days milk is served. If juice boxes are also served on days when another fruit or veggie are served, then those specific snacks are non-compliant. Per 7 CFR 210.18 (l)(3)(ii), fiscal action will be assessed from the point corrective action occurs back through the beginning of the review period. We will complete an open claim adjustment for any months for which a Claim	1. Update the snack menu at RCMS and Hafen ES to ensure the afterschool snack meal pattern is being followed correctly, including correct serving sizes for all components. 2. Create a procedure for how snack menus and production records will be monitored to ensure compliance with the snack meal pattern. 3. Submit corrected afterschool snack counts for March 2024 by claim deadline.	05/15/2024 #3 was completed on 4/10/24

for Reimbursement has not been submitted. Fiscal action calculated is \$982.80. Please see attached Fiscal Action Letter for further detail. Open Claim Adjustment Letter for March 2024 was sent on 4/9/2024.

Submit procedure and 2 weeks of completed snack production records for RCMS and Hafen ES to NDA for review.

Smart Snacks in Schools

Regulations governing all food and beverages sold in school must meet nutritional standards as well as federal and local regulations. References include Healthy Hunger-Free Kids Act 2010, 7 CFR 210.11 and Nevada’s School Wellness Policy.

Site Name	Question	Finding	Corrective	Due Date
Pahrump Valley High School	Q1105a	Per 7 CFR 210.11 (c)(1), at a minimum, all competitive food sold to students on the school campus during the school day must meet the nutrition standards specified by FNS. Full size, regular Gatorade is being sold in vending machines at Pahrump Valley High School (PVHS), which do not meet the smart snack regulations for beverages at the high school level. G2 and Gatorade Zero do meet Smart Snack regulations and may continue to be sold.	Noncompliance in this area is not under the purview of the Nye County Food Services Department. The NCSD Administrative Department is responsible for this noncompliance and as such they will have to provide the following corrective actions. The NCSD Administrative Department must develop a procedure for how all vending machines will be stocked and monitored to ensure all items sold during the school day (defined as 12 am on a day of instruction to 30 minutes after the end of the official school day) are Smart Snack compliant and align with the district's wellness policy. Submit procedure and updated picture of all vending machines at PVHS to NDA for review.	05/15/2024 #3 was completed on 4/10/24

VII. Recommendations and Technical Assistance

Recommendations:

Meal Components

1. Add additional signage to the salad bars at all schools to help students identify the required serving sizes of fruits and vegetables offered.

Technical Assistance:

Site Name	Question	Achievements
Off-Site Assessment Resource Management	Q709	Per 7 CFR 210.14(f)(2), school food authorities shall ensure that the revenue generated from the sale of nonprogram foods complies with the following requirements. The proportion of total revenue from the sale of nonprogram foods to total revenue of the school food service account shall be equal to or greater than the proportion of total food costs for nonprogram foods to the total costs associated with obtaining all foods from the account. Although NCS D prices their a la carte food items above cost, the district must complete USDA's Nonprogram Foods Revenue Tool to ensure compliance with the requirement and use to determine future price increase that may be needed. See tool and instructions in appendix.
Pahrump Valley High School Meal Components & Quantities	Q400a	Technical assistance was provided on the day of review to ensure that each serving line had all the required meal components offered before the POS when different types of produce bars are utilized (all vegetables, all fruits, etc.). Fruit and vegetable servings were added to bins on the counter by the POS system to ensure students had a choice before putting their pin number into the computer. All serving lines need to have the same meal pattern offerings, including when several produce bars are being offered within the lunch service.
Hafen Elementary School Offer Versus Serve	Q500	Breakfast is served "grab and go" and several students came back to the breakfast cart/cafeteria and requested a milk or additional items after they had already grabbed a breakfast and ate in their classroom. Technical assistance was provided so that students should not be allowed to return to get additional milk/items after they have eaten their meal as it does not provide an accurate count of reimbursable meals served. Train food service staff to remind students to take a milk at the POS if they want one. If offering second breakfasts to students, create a system for how those meals are counted and monitored to ensure compliance. NDA also suggests using a share bin at the POS for breakfast where students can discard any additional items (more than the required 3 items) they do not want per OVS requirements.

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

1. Appeal Procedure
2. Procurement Review
3. [OVS Manual](#)
4. OVS Signage Templates (attached)
5. [iCN OVS Training](#)
6. School Wellness Policy Best Practices Manual (attached)
7. Wellness Policy Assessment Tool (attached)
8. NSLP Afterschool Snack Fact Sheet (attached)
9. USDA Nonprogram Foods Revenue Tool & Guidance (attached)