



Equipo Academy
Administrative Review Report

May 4, 2023

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 Equipo Academy on April 19th, 2023.

An exit conference was held on Tuesday, May 2, 2023, 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 Equipo Academy 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 April 19, 2023. The review was conducted at the Equipo Academy in Las Vegas, Nevada. The Administrative Review was conducted by Allen Whitenack and Erica Jaramillo. Jessica Romo attended on behalf of Equipo Academy staff. 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 Tuesday May 2, 2023, which provided a summary of the work performed at Equipo Academy 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, February 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 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 Equipo Academy'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

- Clean, well-organized kitchen.
- Efficient distribution method for breakfast in the classroom.
- Effective use of student staff in kitchen.
- Equipo Academy's team members were cooperative and open to feedback and technical assistance.
- Equipo Academy was able through technical assistance to find a substitute vegetable for lunch service on less than 2 days' notice.

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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
 - Maintenance of the Non-Profit School Food Services Account
 - 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 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); Instruction 783-9, Rev. 2; and 210.19(c)(2)(ii).

	Finding	Corrective Action	Due Date
#1	<p>Meal Counting and Claiming</p> <p>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>Per Instruction 783-9, Rev. 2 all components must be placed on table and trained adult supervision must be given during family style meal service.</p> <p>During lunch observation it was noted that there was no adult supervision during the family style service to ensure that students were serving themselves at least ½ cup of fruit or vegetable or a combination of both.</p> <p>Also, during high school service students were not distributed milk and were required to collect their choice from the available milk cooler.</p> <p>Since there was no adult supervision during lunch service, there was no way to ensure that students were taking the required fruit, vegetable, or combination of both.</p> <p>Subsequently high school meals from 4/19</p>	<p>Create and submit a new written meal distribution plan for NDA approval that incorporates all facets of family style service or a traditional meal distribution plan that allows for OVS for high school students.</p> <p>NDA will approve and return for follow up observation once new plan is in place.</p> <p>Also, for April 2023 claim, adjust claim totals to allowable calculations from ‘Equipo’s Open Claim Adjustment Letter’ attached. See appendix.</p>	June 3, 2023

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	<p>will not be able to be counted as reimbursable.</p> <p>Also, in reference to finding #2 (Menu Production Records), there is no breakdown on the production records for middle and high school students in terms of meal counts. Without a correct breakdown of high school and junior high school meals, the NDA cannot determine how many meals were served to high school students. Therefore, all lunches served on 4/19 will not be able to be counted as reimbursable.</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
#2	<p>Menu Production Records Production and menu records must be maintained in accordance with FNS guidance. Production records on the day of the onsite review were reviewed as well as for the month of February.</p> <p>Production records of onsite review missing the following essential components: Counts on individual food components, wasted items, milk counts. Middle school meal counts were incorporated into high school counts, which</p>	<p>Add the required components to current production records in use. Submit remainder of school year’s production records to NDA for review.</p>	<p>June 3, 2023</p>

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	led to inability to accurately reflect meals served.		
#3	<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 high school lunch caloric daily average for week was 680.75 kcals, under the required range of 750-850 kcals.</p> <p>The carrots being served during on-site observation on 4/19 were 2.6oz of baby carrots (1/2 cup) and 3.5oz Watermelon (equivalent weight). These amounts did not match the Nutrient Analysis for the week of 4/17- 4/21, which led to a deficiency in minimum calories, minimum fruit served by half a cup for the week, and minimum of vegetables served by half a cup for the week.</p>	Alter/change the menu so that the caloric, fruit and vegetable requirements are met for each week of the lunch menu for the remainder of the school year. Since Equipo Academy is not currently on a cycle menu, please rerun the nutrient analysis for each week for each grade requirement for the remainder of the school year and submit to NDA for review.	June 3, 2023

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.

	Finding	Corrective Action	Due Date
#4	<p>Civil Rights Per Instruction 113-1, SFA’s public notice should contain the elements of: program availability, complaint information and nondiscrimination statement.</p> <p>Equipo Academy’s Civil Rights Complaint Form does not state how a household files a complaint with USDA, but only with Equipo Academy. The non-discrimination statement is also missing.</p>	<p>Update policy with FNS procedure and non-discrimination statement.</p> <p>Submit updated Civil Rights Complaint form to NDA for review.</p>	June 3, 2023

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General Program Compliance

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

	Finding	Corrective Action	Due Date
#5	<p>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, length or training, school year training is applied to, and completed training hours to date.</p> <p>Tracking system in place is missing the following essential components: Date hired.</p>	<p>Update the current Professional Standards tracking system to include the missing required component or use <u>USDA’s Professional Standards Training Tracker 2.0</u>. Submit the updated tracking system with the added required component to NDA for review.</p>	<p>June 3, 2023</p>

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

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(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).

	Finding	Corrective Action	Due Date
#6	<p>School Wellness Policy Assessment Equipo Academy’s Wellness Policy was not up to date.</p> <p>Nevada’s School Wellness Policy states stakeholders/committee needs to meet at least twice a year. There were no meetings completed or plans in place for committee meetings for the 22-23 school year during the review.</p> <p>There were no special occasions noted in the wellness policy. There were also no goals noted in the wellness policy.</p>	<p>Update current School Wellness Policy to incorporate requirements Submit to NDA for review. See appendix.</p> <p>Write a plan for who will be on the wellness committee and how it will be ensured that the committee meets two times per year. Submit to NDA for review.</p>	June 3, 2023

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.

	Finding	Corrective Action	Due Date
#7	<p>HACCP Manual All SFAs are required to establish a food safety program for any facility where food is stored, prepared, or served.</p> <p>Equipo’s HACCP manual available was not site specific and included policies that were not applicable or was missing policies it needed in place.</p>	<p>Develop a site-specific HACCP manual for Equipo Academy and submit to NDA for review.</p> <p>Resources for creating a HACCP plan can be found at the Institute of Child Nutrition. Examples have also been provided. See appendix.</p>	June 3, 2023

Temperature & Sanitation Logs – Each SFA is required to ensure that facilities for the handling, storage, and distribution of purchased and donated foods are properly safeguarded against theft, spoilage, and other loss (7 CFR 210.13(d)). Temperature is appropriate for the applicable equipment (e.g. freezer, refrigerator, milk cooler). Chemicals are clearly labeled and stored away from food and food-related supplies.

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	Finding	Corrective Action	Due Date
#8	<p>Sanitation/Temperature Logs The SFA must monitor for correct temperatures and sanitation levels (using a thermometer and test strips) and record their chemical levels when using sanitation liquids. These test result trackers should be visible near the sink where the sanitation process is done.</p> <p>Equipo Academy currently has no Sanitation Logs.</p>	Create a temperature and sanitation log for dishwashing station and submit 2 weeks' worth of logs to NDA for review.	June 3, 2023

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

	Finding	Corrective Action	Due Date
#9	<p>Procurement Policy Per USDA guidance, the procurement plan must outline the specific procedures per 2CFR Part 200 for program operators 2CFR 318 (a). Specifically, the plan must follow the types of procurement available: micro purchase, small purchase, and formal procurement methods. The plan must prohibit the acquisition of unnecessary or duplicative items per 2CFR 218(d). The plan must also ensure all solicitations incorporate a clear and accurate description for the material, product, or service to be procured. It must not be duly restrictive as to limit competition; it must also take steps to assure that small, minority, and women's business are used when possible.</p> <p>With regards to a procurement policy for the Child Nutrition program the reviewer was unable to examine the school food authority's procurement policy.</p>	Develop a written procurement policy for Equipo Academy and submit to NDA for review. See Appendix for Sample Procurement Policy.	June 3, 2023

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<p>#10</p>	<p>Procurement Code of Conduct Per 2CFR Part 200.3189(c)(1) the non-federal entity must maintain written standard of conduct covering conflicts of interest and to govern the actions of its employees engaged in the selection, award, and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. The code of conduct must also provide for disciplinary action for violations by officers, employees, or agents (2CFR 200.318 (c)1).</p> <p>With regards to a code of conduct for the Child Nutrition program the reviewer was unable to examine the school food authority’s code of conduct.</p>	<p>Develop a written code of conduct for Equipo Academy and submit to NDA for review. See Appendix for Sample Written Code of Standards of Conduct.</p>	<p>June 3, 2023</p>
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VIII. Recommendations and Technical Assistance

Recommendations:

1. **Implement a menu cycle for meals.** Currently no menu cycle is in place, which can lead to difficulty meeting meal pattern requirements. If a menu cycle was to be used, it would be less difficult when faced with supply chain issues and having to make menu substitutions.
2. **Look into Nutrient Analysis/Menu Production Record Software.** Once properly configured Nutrient Analysis and Menu Production Record software can reduce time spent on menu planning and production records. USDA approved software programs can be found here: <https://www.fns.usda.gov/tn/usda-approved-nutrient-analysis-software>
- 3.

Technical Assistance:

1. Nutrient Analysis:
 - Technical Assistance was provided to Equipo Academy on how to properly use USDA worksheets for menu compliance.

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2. Meal Pattern:

- Technical assistance was provided regarding serving sizes and portions of fruits and vegetables in relation to meal contribution.
- Technical assistance was provided regarding the USDA nutrient analysis worksheet and proper documentation of portion sizes and CN labels.

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
- B. Procurement Review Detail
- C. State School Wellness Policy
- D. Open Claim Adjustment Letter
- E. HACCP Manual
- F. Fresh fruit and vegetable conversion chart

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