



Nevada Prep 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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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 Nevada Prep Charter School from December 13-15, 2022.

An exit conference was held on Thursday, December 15, 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 Nevada Prep Charter School 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 13, 2022. The review was conducted at the Nevada Prep Charter School in Las Vegas, Nevada. The Administrative Review was conducted by Erica Jaramillo. Nevada Prep staff included David Blodgett, Sierra Ford, and Marsha Guerra. 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, December 15, 2022, which provided a summary of the work performed at Nevada Prep Charter School 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, November 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 Nevada Prep'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

- All Nevada Prep staff were friendly and cooperative with review process and recommendations.

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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
 - Dietary Specifications and Nutrient Analysis
- Resource Management
 - Revenue from non-program foods (Pricing of Adult Meals)
- General Areas
 - Civil Rights
 - Professional Standards
 - 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); and 210.19(c)(2)(ii).

Finding		Corrective Action	Due Date
#1	<p>Meal counting and claiming Per 7 CFR 210.8, the school food authority establishes internal controls which ensure the accuracy of meal counts prior to the submission of the monthly claim for reimbursement.</p> <p>Meal counting was observed on the day of review with the following observations:</p> <ul style="list-style-type: none"> • During breakfast and lunch, many children would leave the line early before stopping at Point of Service (POS) to be counted or to grab milk. • During breakfast a few children counted were missing the full fruit serving for straight serve • During lunch services, a few children did not grab the fruit, or the milk initially but then were sent back but did not return to POS making meal counts inconsistent with the second meals that were offered. 	<p>1. Retrain nutrition staff on what makes a reimbursable meal with straight serve.</p> <p>2. Create a procedure for counting all meals at point of service. This includes what makes a reimbursable meal and how to count both second and adult meals.</p> <p>Submit proof of training and new procedure to NDA for review.</p>	<p>January 20, 2023</p>

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.</p> <p>Production records were unable to be reviewed as Nevada Prep was not completing them.</p>	<p>Create a procedure for how and who (including title) will complete production records daily. You may request documents from vendor or use template attached.</p>	<p>January 20, 2023</p>

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		Submit procedure and two weeks' worth of production records for NDA to review.	
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Resource Management – All revenues and expenses under the nonprofit school food service account must be allowable- used only for the operation and improvement of the food service and net cash resources may not exceed three months' average operating expenses. References include not are not limited to 7 CFR 210.14.

	Finding	Corrective Action	Due Date
#3	<p>Pricing of Adult Meals Per FNS Instruction 782-5 “Breakfast and lunches served to teachers, administrators, custodians, and other adults must be priced so that the adult payment in combination with any per-lunch revenues from other sources designated specifically for the support of adult meals (such as State or local fringe benefits or payroll funds, or funding from voluntary agencies) is sufficient to cover the overall cost of the lunch. Including the value or any USDA entitlement and bonus donated foods used to prepare the meal.”</p> <p>Nevada Prep does not charge staff directly for meals and stated that they did not serve adult meals per Resource Management Assessment Tool. However, on the day of review, adults were observed to be served meals and they were counted separately on their tic sheet. Nevada Prep did not have a policy for charging for those adult meals.</p>	<p>Create policy to charge either the staff or Nevada Prep’s general account for the adult meals, ensuring the funds go back into the Nonprofit School Food Service Account. Include the price that will be charged.</p> <p>Submit policy to NDA for review.</p>	January 20, 2023

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General Program Compliance		
<p>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.</p>		
Finding	Corrective Action	Due Date
<p>#4 Civil Rights Policy Per Instruction 113-1, SFA’s public notice should contain the elements of: program availability, complaint information and non-discrimination statement.</p> <p>Nevada Prep’s Complaint Policy does not state how a household files a complaint with USDA but only with Nevada Prep.</p>	<p>Update policy with FNS procedure and nondiscrimination statement.</p> <p>Submit to NDA for review.</p>	<p>January 20, 2023</p>
<p>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</p>		
Finding	Corrective Action	Due Date
<p>#5 Professional Standards Training Tracking 7 CFR 210.30(g) requires all SFAs 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 of training, school year training is applied to, and completed training hours to date.</p> <p>Tracking system in not in place for the 2022-2023 school year.</p>	<p>1.Create Professional Standard Training Tracker for 2022-2023 school year.</p> <p>2.Create business plan to ensure nutrition staff will meet the required training hours by June 30, 2023</p> <p>Submit updated tracker and business plan to NDA for review.</p>	<p>January 20, 2023</p>
<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 (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

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#6	<p>Nevada School Wellness Policy Per Nevada’s LSWP, the following items were missing or non-compliant within Nevada Prep’s policy:</p> <ul style="list-style-type: none"> • Breakfast stated as 10 minutes, should be listed as at least 15 minutes or the 30 minutes that the school provides • Revenue section is missing • Smart snack details are missing (on the day of review, candy was being sold for a fundraiser during breakfast) 	<p>1.Update three sections in Nevada Prep’s LSWP</p> <p>2.Create business plan on how food sold or given to students during the school day (midnight to 30 minutes after end of official school day) will be smart snack compliant.</p> <p>Submit updated policy and business plan to NDA for review.</p>	January 20, 2023
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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

	Finding	Corrective Action	Due Date
#7	<p>Formal Contract Contracts between Nevada Prep and Revolution Foods was incomplete due to missing signatures on contract/agreements for 2022-2023, including addendum and renewals.</p>	<p>Provide NDA with complete executed/signed (by both parties) contract/agreement, addendum, and renewal for the 2022-2023 school year.</p>	January 20, 2023

VIII. Recommendations and Technical Assistance

Recommendations:

1. **Use stanchions to ensure students make it to POS.** Consider using stanchions to ensure students stay in line until they get to the point of service and the person taking meal counts.
2. **Extra fruit basket at end of service line.** Consider placing an extra fruit basket at the end of the service line at breakfast to make sure the full fruit quantity is taken by students and help the line flow smoothly.
3. **Share Table:** Consider implementing a share table. This may help with the students that didn’t wanted items required with straight serve and the students that wanted seconds.

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Technical Assistance:

1. Wellness Policy: Technical assistance was provided to make Nevada Prep’s wellness policy available to the public by posting on the website. This was completed during the review.
2. Food Safety:
 - Technical assistance was provided to have the most recent health inspection be posted in a visible location for participants of the nutrition programs. This was completed during the review.
 - Technical assistance was provided to remove stickers on fruit, with skin that will be eaten, prior to being served to participants.

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. NDA Approved Production Record Template
- D. Adult Meal Pricing Tool
- E. USDA Civil Rights Complaint Template
- F. USDA Guide to Professional Standards
- G. Nevada’s School Wellness Policy Guide

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