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October 31, 2016

Certified Letter# 7005 0390 0002 3297 8430

Kristy Rivera
Southern Nevada Child & Adolescent Services
6171 W. Charleston Blvd. Bldg 17
Las Vegas, NV 89146

Dear Ms. Rivera,

The Nevada Department of Agriculture, Food and Nutrition Division conducted an Administrative Review of Southern Nevada Child & Adolescent Services (SNCAS) on October 12th, 2016. The Administrative Review team consisted of Rose Wolterbeek, School Nutrition Services Specialist, and Brittany Mally, Quality Assurance Specialist. The purpose of the Administrative Review is to ensure compliance with federal regulations and also provide technical assistance for program improvement. Our team greatly enjoyed working with all food service staff members. Thank you for accommodating our staff during the review and for providing all the needed documentation in a timely fashion. Staff was very helpful in providing documentation and answering questions throughout the review process.

We conducted an exit conference on October 12th, 2016 to discuss the major findings of the review. Kristy Rivera Registered Dietitian, Tori Wagner, Director of Nursing Services, Pauline Purdy, Executive Chef, and Sheila Franklin-Williams Food Service Director were in attendance. The Administrative Review evaluates compliance with the regulatory provisions of the National School Lunch Program (NSLP) and School Breakfast Program. Administrative Reviews are required to be conducted on a three year review cycle. SNCAS received an onsite review of its School Breakfast Program (SBP), National School Lunch Program (NSLP), and After School Snack Program. The findings of the review are detailed below by the three main sections of the Administrative Review, Performance Standard I, Performance Standard II and Other Areas. The new procurement review is being coupled with the administrative review and the findings of the procurement review are included in this letter.

Performance Standard I – Meal Access and Reimbursement

The National School Lunch Program (NSLP) and the School Breakfast program (SBP) have counting and claiming systems that are federally mandated for all School Food Authorities (SFAs) that are participating in these programs. All free, reduced price, and paid meals claimed for reimbursement must be served only to children eligible for free, reduced- price, or paid meals. The certification and benefits issuance process is the SFA's certification of a student's eligibility for free or reduced price meals and serves as the link to the SFA's meal counting and claiming system. Validation of this system during the Administrative Review ensures that eligible children receive meals to which they are entitled and that claims for reimbursement are valid.

We reviewed the meal count sheets for the days of review, the claims for reimbursement and consolidated meal counts for the review period, and the eligibility documentation sheet. NDA also observed meal counting and claiming of reimbursable meals at breakfast, lunch, and snack. All meals were being counted correctly at the point of service, all meals served were reimbursable, and all documentation reviewed matched the claim for reimbursement. There were no corrective actions found in Performance Standard I.

Performance Standard II- Meal Pattern and Nutritional Quality

The National School Lunch meal pattern is the foundation of federal school nutrition programs, and sponsors of the program must ensure that they are offering reimbursable meals for breakfast and lunch according to regulations (7 CFR 210.10 and 220.80). 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.

The meal pattern standards have specific requirements for minimum amounts of fruit, vegetables, meat/meat alternates, and grains that must be offered daily and weekly. In addition, there are standards for vegetable sub-groups which must be offered each week. The meal pattern also requires that all creditable grain items be whole grain rich. The meal pattern limits calories (minimum and maximum levels), restricts sodium levels, limits saturated fat, and eliminates trans fats.

SNCAS contracts with Morrison as their food service management company. Morrison has a well-run, clean, and organized kitchen. The team of SNCAS and Morrison has shown a great variety and offerings in the menu and serves high quality meals for the National School Lunch and School Breakfast programs.

Prior to the onsite visit menus, production records, and menu certification worksheets were reviewed for the month of August. While onsite we observed breakfast, lunch, and snack services, checked CN labels, recipes, and storage of food products in the kitchen.

Regarding the menu, the only item that needs correction is the cranberry juice. It was noted on the breakfast menu prior to the onsite visit and boxes of cranberry juice were

found on the storage shelves. The cranberry juice is not compliant per the USDA Final Rule "Nutrition Standards in the National School Lunch and School Breakfast Programs" Questions and Answers for Program Operators, Fruits and Vegetables item 1. Pg 6, as it is only 15% juice. Juice served for the SBP and/or NSLP needs to be pasteurized, full-strength (100%) fruit juice. Technical assistance was provided suggesting that they use a cranberry juice blend, such as cran-apple or cran-grape that is 100% juice and that they can no longer use cranberry juice on the menu, even if it is not being credited as the fruit.

Corrective Action Required: You can use the rest of the supply of cranberry juice on hand, but do not order any more for use in the SBP or NSLP. Remove the cranberry juice from breakfast menu.

Production Records: Productions records must show if a site is using offer vs serve (OVS). The production records at SNCAS did not indicate if OVS was being used. Technical assistance was provided on how to add that indication in the production log via their NutriKids program. The OVS component has already been added to the production records and documentation was submitted to NDA. No further corrective action is necessary.

Comprehensive Resource Management

A comprehensive resource management review is required when certain risk based criteria are met by the school district. For SNCAS all areas under comprehensive resource management are within program guidelines and require no additional corrective action at this time.

General Program Compliance

Professional Standards

The Professional Standards regulations in 7 CFR 210.30 establishes hiring standards for new school nutrition program directors at the School Food Authority (SFA) level (effective July 1, 2015). In addition, the regulations establish annual training standards for all school nutrition program directors, managers, and staff. The required annual training hours vary according to the employee's role in the management and operation of the school nutrition program.

SNCAS has hired a new food service director, who began after July 1 2015. She has met the hiring standards for the LEA size (2499 enrollment or less). She possesses a bachelor's of science degree in a related field, is a Registered Dietitian, and has at least a year of relevant experience in school nutrition programs. It is required that a new director must have prior food safety training (8 hours of food safety training must be completed within 5 years prior to the starting date, or within 30 calendar days of the starting date). The new food service director has not completed the necessary food safety training and is required to do so to be in compliance.

Corrective Action Required: Please complete the necessary food safety training (Serv-Safe) as soon as possible. Upon completion submit a copy of your Serv-Safe certificate to NDA for review.

Training must be job-specific and is intended to help employees perform their duties well. Training needs are best assessed by an employee in consultation with their manager, director, or the Nevada Department of Agriculture. Training may be obtained in many ways, such as in-person, online, through local meetings, webinars, conferences, etc. A variety of free and low-cost training resources and formats are available.

USDA Training Tracking Tool has been provided as a resource to assist SFAs to track and record the annual training hours completed by each school nutrition program employee. Supporting documentation for all completed trainings, i.e., *agendas, sign-in sheets, certificates of completion, etc.* must be maintained on file.

SNCAS and Morrison are using the USDA training tracker tool and all current food service staff have met the required training hours for last school year. The required training hours have increased for the 2016/2017 school year and will remain as such going forward. The hours are as follows:

- Food Service Director/Supervisor 12 hours
- Food Service Manager 8 hours
- All other full time staff 6 hours
- Part time staff 4 hours

Health Inspections: It is a requirement per 7 CFR 210.13 (b) that each participating SFA receives at least two food safety inspections each school year from the state or local agency responsible for these inspections. For SNCAS that would be the Southern Nevada Health District. The FSMC Morrison did not have its required number of health inspections performed by the health district for the year. Although they receive other inspections from other agencies such as CMS and the Joint Commission, those cannot be used for this requirement. If the health district cannot or is unable to conduct a second inspection, proof of a written request asking for a second inspection is also acceptable.

Corrective Action Required: Provide documentation that the required number of health inspections have been requested, or completed. Submit this documentation to NDA for review.

SNCAS has meet the requirements for all other areas that fall under general compliance including: civil rights, onsite monitoring of the FSMC, local school wellness policy, water, food safety, reporting and recordkeeping, SBP outreach, and the after school snack program. No corrective actions are required for those areas.

Procurement Review

The procurement of goods and services is a significant responsibility of a school food authority (SFA). Obtaining the most economical purchase should be considered in all

purchases when using the nonprofit food service account. Federal, state and local laws and regulations specify the methods SFAs must:

- Properly procure goods and services
- Award contracts only to responsible contractors
- Not restrict competition
- Follow procurement standards in program regulations (7 CFR 210.21 & 2 CFR 200.318-.326)
- Prohibit conflicts of interest
- Use required procurement methods
- Take affirmative steps to use small, minority, women's business and labor surplus enterprises, when possible
- Oversee contractors to ensure all contract provisions are fulfilled for the duration of the contract

The Nevada Department of Agriculture (NDA) is required to ensure that SFAs comply with the applicable regulations through audits, administrative reviews, technical assistance, training, guidance materials, and by other means. (7 CFR 210.19(a)(3)). Based on the responses received by SNCAS from NDA's procurement worksheet, it was determined that SNCAS was using the following procurement method in its operation:

- Formal Procurement Methods (Food Service Management Company (FSMC))

As part of the FSMC renewal year review, the NDA reviewed the renewal documents for the 2015/16 School year: Morrison Management.

In addition, at SNCAS the reviewer examined the RCCIs procurement procedures. A purchasing policy was in place: State of Nevada Purchasing Division for RFP 3115 Food Services

A written code of standard of conduct was reviewed and was in place; copies of committee members on the above mentioned RFP were reviewed. It was determined that SNCAS did have a conflict of interest in place for the current FSMC contract with signed forms by all committee members. Per 2CFR Part 200.3189c)(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.

SNCAS was in compliance with the procurement of its FSMC. No further action is required. If additional technical assistance is needed on procurement, feel free to contact NDA.

Summary

None of the above mentioned items currently require fiscal action nor require a change in your performance based \$0.06 reimbursement. However, please note that if repeat violations are found on subsequent reviews in any program area fiscal penalties may be assessed and the additional \$0.06 reimbursement may be turned off until the program is brought into compliance with federal regulations. **All corrective actions must be completed and submitted by November 30, 2016.** If 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 complete if not submitted by the required due date. Please see the attached document, NSLP-SBP-SMP Appeals sponsor handout for direction on how to appeal the denial of all or a part of the claim for reimbursement or withholding funds. If you have any questions about the required corrective action please contact Edward Coleman at (775) 353-3663 as soon as possible.

Best Regards,



Brittany Mally RD,LD, Quality Assurance
Specialist, NV Dept. of Agriculture, Food and
Nutrition Division

Attachments: Appeal Procedures

Cc: Tori Wagner, Nursing Director
Rick Rassier, ASO
Catrina Peters, School Nutrition Services Manager, NV Dept. of Agriculture, Food and Nutrition Division
Rose Wolterbeek, School Nutrition Services Specialist, NV Dept. Of Agriculture, Food and Nutrition Division

Budget 2691

STATE OF NEVADA
DEPARTMENT OF AGRICULTURE

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