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March 2, 2017

Certified Letter#

Corrina Church
Summit View Youth Center
5730 Range Road
Las Vegas, NV 89115

Dear Ms. Church,

The Nevada Department of Agriculture, Food and Nutrition Division conducted an Administrative Review of the Summit View Youth Center from February 7-8, 2017. The Administrative Review team consisted of Brittany Mally, Quality Assurance Specialist and Rose Wolterbeek, School Nutrition Services 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. It was noted that the reviewers from NDA were left in a separate room for 2 hours until the requested documents were provided to them. This was wasted time and for future reviews please note that NDA expects the documents requested in a timely manner. Once the requested information was provided staff was helpful in answering questions throughout the review process.

We conducted an exit conference on February 8, 2017 to discuss the major findings of the review. Corrina Church, ASO, Monica Jimenez, Accountant Technician, and Ronald Dixon, Food Service Manager 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. The Summit View Youth Center (SVYC) received an onsite review of its School Breakfast Program (SBP), its National School Lunch Program (NSLP), and the 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.

Meal Counting and Claiming

Meals must only be counted once they are served to the child. When breakfast service and lunch service was observed at SVYC one of the staff members counting meals was marking off that students had received a meal on the count sheet while the students were waiting in line. By the time the first student received their meal the staff member had already counted all the meals. This is the wrong way to count meals. The staff member needs to wait until the student receives their meal and check that it is a reimbursable meal. Another issue with counting the meals at this facility before they are served is occasionally students will refuse a meal, which cannot be claimed as a reimbursable meal.

Corrective Action Required: Institute a policy that informs staff of the proper time to count a reimbursable meal. A reimbursable meal should only be counted at the point of service when it is served to the child. Submit a copy of this policy to NDA for review.

During the onsite review it was also observed that meals were being served to children in alternate locations, such as housing units or the medical unit. These meals were being counted before they were served to the child. Just as mentioned above, the meal cannot be counted until it is served to the child.

Corrective Action Required: Create a policy that covers meals served to children in alternative locations. Meals served in alternative locations should only be counted when they are served to the child in the alternative location at the point of service. In addition, either add to or create a separate count sheet to track meals served in alternate locations. This count sheet should have the following information;

- Date/Time Type of meals served
- Name of child receiving the meal as it would appear on the normal count sheet
- Signature of the official serving the meal.
- Type of meal served

Submit the count sheet for meals served in alternative locations to NDA for review.

When consolidating the meals each month for the claim for reimbursement the daily meal count sheets need to be used. A daily roster of children in the facility cannot be used for this purpose. The meals need to be totaled from the individual meal count sheets taken at the point of service. When reviewing the daily meal counts and the claim for reimbursement for the month of review, November 2016, NDA found some discrepancies.

Breakfast	SVYC Count	NDA Count	Difference
Meal Counts	1177	1002	175
Lunch	SVYC Count	NDA Count	Difference
Meal Counts	1178	947	231

For the SVYC meal accountability log, a mark next to the child's name indicates that a reimbursable meal was served to that child. If a child rejects a meal, a mark is placed to their name under the reject column. The staff member is supposed to initial next to each child who receives or rejects a meal. If there is no mark next to a child's name on this log then to NDA that indicates the child did not receive a reimbursable meal and should not be counted as a meal served. NDA went through each meal accountability log for breakfast and lunch for each day in November 2016. The total number of meals counted are listed in the table above. The total claimed for reimbursement by SVYC is also listed. The SVYC daily meal count is the exact same number of children on the roster for the facility. NDA's count is based off of the meal count accountability sheets. If every student in the facility should be receiving a meal then the large difference in totals shows that the staff members who are counting meals at the point of service need more training on how to accurately count meals on the meal accountability log. In addition, SVYC cannot be using a daily roster to consolidate meals to be claimed for reimbursement.

Notice of Fiscal Action: The meals that were over claimed by SVYC will have to be recouped by NDA.

Correct Action Required: Create a policy on how daily meal counts will be consolidated for the monthly claim for reimbursement. Submit to NDA for review. Also submit one weeks' worth of meal count sheets for breakfast and lunch.

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/RCCIs 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.

Food labels

It is required that food labels be kept on file on site of all food that is being served as a part of the NSLP or SBP. When asked to see the food labels the food service supervisor stated they did not have them on site. Technical assistance was provided. Since the exit conference the food service director has gathered all the food labels and put them into a binder for review. NDA was contacted on February 6, 2017 by SVYC who stated that the food labels have all been collected and copied.

Corrective Action Required: Submit copies of all food labels to NDA for review.

Production Records

Production records are a federal requirement for sites participating in the NSLP and SBP. During the onsite review, NDA asked for copies of SVYC's production records and they said they don't have any. The food service director is keeping track of how many servings of each food item was prepared and how much was leftover for each meal. This information was written on the production plan menu for the day. This does not meet the requirement for a production record. In addition, there is specific information that must be included on a production record. SVYC uses the nutrient analysis software Nutrikids for meal planning. This program has the ability to create a production record template that can be customized and used for each meal. This option was discussed with the food service director.

Technical assistance can be provided by the Nutrikids helpdesk. If further assistance is needed, NDA is available. The list of what specific information must be on a production record and example production records are provided on NDA's website which can be found here http://nutrition.nv.gov/layouts/Page_Style_1.aspx?id=8674 .

Corrective Action Required: Get the production record template set up on Nutrikids. Submit to NDA one weeks' worth of completed production records for both breakfast and lunch meals. In addition, all food service staff must complete the Food Production Records course from the Institute of Child Nutrition. Which can be found here: <http://www.nfsmi.org/Templates/TemplateDefault.aspx?qs=cEIEPTIzOA>. Submit certificates of completion to NDA. This training will count towards professional standard hours.

Menu Certification Worksheets

It is required that the RCCI/school food authority submit menu certification worksheets. This is to help determine if the menu being offered at the school site is meeting the meal pattern requirements set forth by USDA. Since SVYC uses the program Nutrikids they can run a weekly requirements report within the program to meet this requirement. Copies of this report will be required before the review can be closed. If technical assistance is

needed in order to run the report please contact the Nutrikids helpdesk first. If additional assistance is needed NDA is available.

Corrective Action Required: Please run the weekly requirements report in Nutrikids for each week of the cycle menu for both breakfast and lunch. Submit a copy of each report to NDA for review.

Menu and Nutrient Analysis

The breakfast and lunch menus were collected during the onsite visit. The food service director did say that the menu has changed slightly since it was reviewed when coming on the program in November 2016. After reviewing the nutrient analysis provided it was determined that one week of breakfast and one week of the lunch menu do not meet the nutrient standards. The menu for the last week of February was only three days therefore it cannot be determined if that week meet the requirements. For the week of February 12-18, 2017 for lunch the calories and the sodium are above the required range. For the week of February 12-18, 2017 for breakfast the sodium is too high.

Corrective Action Required: Please submit the full cycle menu for both breakfast and lunch that is being used at SVYC. Alter or adjust the menu for the weeks noted above that are not meeting the nutrient requirements. Submit a new nutrient analysis for the menu for both of those weeks. In Nutrikids this would be the weighted values-detailed report. Please contact Nutrikids helpdesk first for technical assistance on running the report. If additional assistance is needed NDA is available.

Reimbursable Meal Signage

Proper signage was not posted which would indicate what a child would have to take to have a reimbursable meal. Technical assistance was provided on why this needs to be in place and the best place for them to post it as it is a secure facility. Samples of options available to be posted are included with this letter.

Corrective Action Required: Choose one of the options provided by NDA to post as what counts as a reimbursable meal. Submit a picture to NDA as proof that the sign has been posted.

Food Safety

Overall the kitchen at SVYC was very clean and organized. When NDA staff asked to see the HACCP manual the food service director said it was on the computer. That is the only copy of it available in the kitchen but each kitchen staff member has access to the computer. It is required that a hard copy of the HACCP manual be available for use in the kitchen. Technical assistance was provided onsite. The HACCP manual met all regulations for content and a table of contents.

Corrective Action Required: Please verify that a printed copy of the HACCP manual has been placed at all kitchen sites in the CCSD.

Whole Grain Rich Criteria

The meal pattern requires that all grains served as part of a reimbursable meal be whole grain rich. While looking in the pantry and freezer onsite NDA noticed multiple grain items that were not whole grain rich. SVYC does serve dinner at the site, however the non-whole grain rich items were found on either the SBP or the NSLP menu. The items found include the following:

- Waffles
- Blueberry muffins
- Grits
- Frosted flake cereal
- Hilltop Brand grains that were being received during review: hamburger buns, wheat bread loaves
- Wheat roll dough
- Thomas English Muffins

Corrective Action Required: Use up the remaining of those items listed above and discontinued ordering them for the meals served for the SBP and NSLP. Going forward if those items are on the menu for the SBP or the NSLP they need to be whole grain rich. Submit the nutrition fact labels for the items ordered to replace these items on the menu. If the item has been removed from the menu also submit a copy of the menu so NDA can see it is no longer being offered.

Comprehensive Resource Management

A comprehensive resource management review is required when certain risk based criteria are met by the school district. As this is SVYC's first year on the program a comprehensive resource management review is not required. In place of the review, all areas covered by the comprehensive resource management review were discussed with SVYC to make sure they have processes and procedures in place for ensuring compliance with the FN requirements concerning the following: maintenance of the nonprofit school food service account and indirect costs. Revenue from non-program foods and paid lunch equity do not apply to SVYC as their facility is an RCCI and all meals are free and no non-program foods are available to students and adult meals are not offered. SVYC does have processes and procedures in place and no corrective action is required.

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.

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.

The required training 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

The current director was hired after to July 1, 2015 and meets the new hiring requirements. It was validated onsite that the current director has received a bachelor's degree in food management and hospitality. In addition, he has many years of experience working in school food service for Clark County School District. At the time of the onsite review SVYC had not been keeping track of professional standard training hours. Technical assistance and the USDA Training Tracker Tool was provided to them. Since they came on the program halfway through the school year, NDA is only requiring half of the training required for this first year. For the following positions the expected training hours are required by the end of the current school year:

- Ronald Dixon, Food Service Director – 6 hours
- Marco Iglesia, Cook/Supervisor 2 – 3 hours
- Larry Eilers, Cook/Supervisor 2 – 3 hours
- Jesus Briones, Cook/Supervisor 2 – 3 hours
- Robert Lucero, Cook/Supervisor 2 – 3 hours
- Corinna Church, ASO – 2 hours
- Monica Jimenez, Accountant Technician – 2 hours

Corrective Action Required: Update the USDA Training Tracker provided with any training hours earned to date. If the training hour requirements have not been met yet provide a plan for how the remaining hours will be met by the end of the current school year. Submit training tracker tool and plan to NDA for review.

Food Safety Inspection

Federal requirements state that the site must have two food safety inspections per year. As this is SVYC first year on the NSLP and had only been on the program for 3 months at the time of the onsite review, they have only had one inspection to date. Another inspection is expected this spring. During the onsite visit NDA observed the health permit posted in several locations but not a copy of the food safety inspection report. The

requirement is for the food safety inspection report to be posted for public viewing, not the health permit. Technical assistance was provided onsite.

Corrective Action Required: Please post copies of the food safety inspection report for public viewing. Submit a picture to NDA as proof that it has been posted in an appropriate area.

After School Snack Program

The following areas were noted for corrective action while reviewing the afterschool snack program:

- There was no daily count being taken for the snack program. The numbers used for the snack counting and claiming were taken from the lunch counts for that day. That is not allowed. Each meal must have their own count conducted at the point of service after the child has received the meal/snack.
- The snack menu was not in compliance and not serving two food items from two different food components. Technical assistance was provided onsite and a new snack menu was submitted to NDA that meets the program requirements. No further action needed on this item.
- There are no production records used to substantiate the amounts or types of items that were served to children. Production records for the after school snack program are also required.
- This program had not been monitored as per regulations governing the After School Snack Program. There was no documentation of onsite monitoring of this program within the first four weeks of the program start date.
- There must be an educational or enrichment activity associated with this program. As the snack service was not observed, it was not determined that this is being done.

Technical assistance was provided onsite during the review on the requirements for the afterschool snack program. A meal accountability log was created for the snack program and submitted to NDA for review on February 13, 2017.

Notice of Fiscal Action: Since snacks were not being properly counted during the months of November and December 2016, and January 2017 those snacks cannot be claimed for reimbursement. The claim for reimbursement for November has already been submitted and paid therefore that amount will be recouped from future snack claims for SVYC.

Corrective Action Required: The following corrective actions are required for the after school snack program:

- Create a policy for the after school snack program stating how the program will operate. This policy should include how the meal count will be done each evening for the after school snack program, what type of educational component or enrichment activity will be offered each day, and who will be responsible for monitoring the program.

- Submit one weeks' worth of meal accountability logs for the after school snack program to NDA for review.
- Submit one weeks' worth of snack production records.
- Complete the afterschool snack program monitoring review form and submit a copy to NDA for review. This form is included with this letter.

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. 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)). Federal, state and local laws and regulations specify the methods SFAs must ensure that 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. With all contracts purchasing services involving the child nutrition program regulations for procurement must be in place (7CFR 210.21):

- 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
- Buy American Provision

With regards to a procurement plan for the Child Nutrition program at Summit View Youth Center (SVYC), the reviewer examined the sponsor's procurement procedures. A procurement plan was not in place at the time of the review. Per USDA guidance, the procurement plan must outline the specific procedures per 2CFR Part 200 for program operators 2CFR 318 (a). Specifically, the revised plan must follow 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 ensure that 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. A sample pilot procurement plan is included to meet the requirements as well as a sample policy to address the acquisition of unnecessary or

duplicative items. The sponsor may use this plan or develop their own that meets the Federal requirements.

Based on the responses received by Summit View Youth Center from NDA's procurement worksheet, it was determined that the district was using the following procurement method in its operation:

- Micro Purchases

As part of micro purchase method, NDA reviewed two vendors for meal purchases (\$0-\$3,500): JS Pest Control & US Food Service. The reviewer examined the sponsor's invoices (November 2016 through January 2017). The purchases were made in compliance with the micro purchase method. No further action is necessary.

A written code of standard of conduct was requested as part of the procurement review. It was determined that SVYC had a policy in place: State of Nevada (Department of Administration Purchasing Division) Code of Ethics policy. Per 2CFR Part 200.3189(c)(1) the non-Federal entity must maintain a 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).

Summit View Youth Center will be eligible to receive entitlement funds for the purchase of USDA Foods for the next school year (2017/18). More information on this funding amount will be sent to the sponsor as it is based on the current year participation data. As a best practice, the Nevada Department of Agriculture recommends that SVYC fully utilize the entire amount of the USDA Foods entitlement dollars through the State Distribution program and/or with the DOD Fresh program. Additional guidance may be obtained by contacting NDA on the process.

Please keep all solicitation documents for all future procurement methods per the approved procurement plan for the current year plus three years after the contract year purchasing is finalized. The documents must be kept longer if there are unresolved audit findings. Further technical assistance will be provided if requested by staff on the procurement review findings.

Corrective Action Required: Please adopt a Procurement plan to bring Summit View Youth Center into compliance with the Federal regulations per 2 CFR Part 200.320 with regards to procurement methods for program operators. In addition, add a policy statement to your current purchasing policies which will prohibit the acquisition of unnecessary or duplicative items per 2CFR 218 (d) for the Child Nutrition program.

As part of training and technical assistance, please find attached the following guidance documents: a sample pilot procurement plan, a sample policy on procedures to avoid acquisition of unnecessary or duplicative items, Numbered memo NSLP 2016-14 (issued on November 3, 2015): *Questions and Answers on the Transition to and Implementation of 2 CFR Part 200*, and a Procurement Methods Quick Reference Chart.

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 April 3, 2017.** 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 Brittany Mally 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, Procurement Package, Production Record Requirement, Whole Grain Resource Sheet, USDA Training Tracker Tool, Afterschool Snack Program Monitoring Form

Cc: Ronald Dixon, Food Service Manager
Monica Jimenez, Accountant Technician
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