

April 5, 2019

Coahoma County School District
Dr. Ilean Richards, Interim Superintendent
1555 Lee Drive
Clarksdale, MS 38614

Dear Dr. Richards:

The State Agency (SA) completed an Administrative Review (AR) of the National School Lunch Program (NSLP), School Breakfast Program (SBP), and Fresh Fruit and Vegetable Program (FFVP) during the week of April 1, 2019. The regulations governing the AR (7 CFR 210.18) reference two Critical Areas of performance: Performance Standard 1 and Performance Standard 2, as well as several General Areas of Review. Over the course of the review, **twelve (12) findings were identified, including seven (7) findings regarding Performance Standard 2.** As a result of these findings, **fiscal action is being assessed in the total amount of \$33,228.69.** The findings which were identified are described below.

Meal Pattern and Nutritional Quality (Performance Standard 2)

- Meal Components and Quantities (Lunch) are not met in accordance with 7 CFR 210.10.
 - **Review Month:** The SA Reviewer noticed in the production books that for the month of review (Feb 2019) the full cup of fruit is not being offered to the students. NSLP requires the School Food Authority (SFA) to offer at least 1 cup, even though the child may just select ½ cup as allowed by USDA. **This affected a total of 6,533 claimed meals. This is a repeat finding, and fiscal action is being assessed.** The SFA must submit 2 weeks documentation (production records, menus, and weighted worksheets) to demonstrate understanding and correct implementation of meal pattern requirements.

Review Period: Lunch Disallowances							
Dates	Rate desc.	Rate	Meals Claimed	Meals Disallowed	Adjusted Meal Total	Paid Amount	Disallowed Amount
2/1/19-2/28/19	Lunch Free Rate	3.33	7,192	6,533	659	\$23,949.36	\$21,754.89
2/1/19-2/28/19	Lunch PBR	.06	7,192	6,533	659	\$431.52	\$391.98
TOTAL CLAIM AMOUNT DISALLOWED							\$22,146.87

This institution is an equal opportunity provider.

- **Day of Review:** The Reviewer observed shortages of prepared vegetables that resulted in only a partial quantity of the required vegetable component on both serving lines. The staff ran out of both corn and/or squash and did not have any other vegetables prepared. As a result, the SFA could only offer ½ cup of vegetables on the line when the requirement is a full cup. **This meal quantity shortage affected one hundred and twelve (112) student meals. Fiscal Action is being assessed.** In order to document corrective action, the SFA must submit 2 weeks of documentation (production records, menus, and weighted worksheets) to demonstrate understanding and correct implementation of meal pattern requirements as well as the capacity of the site to produce the required quantities of food. Additionally, the SFA must provide a consolidated meal count/edit check for the Month of April along with the April claim to the SA to ensure that meal counts for the high school have been adjusted to the correct amount.

Day of Review: Lunch Disallowances							
Date	Rate desc.	Rate	Meals Counted/ Served	Meals Disallowed	Adjusted Meal Total	Potential Paid Amount	Disallowed Amount
4/2/19	Lunch Free Rate	3.33	381	112	269	\$1,268.73	\$372.96
4/2/19	Lunch PBR	.06	381	112	269	\$22.86	\$6.72
TOTAL CLAIM AMOUNT DISALLOWED							\$379.68

- During the Lunch Service, cashiers demonstrated limited understanding of Offer Versus Serve (OVS) requirements (as outlined in 7 CFR 210.10 (e)), though this did not specifically result in non-reimbursable meals. In order to document corrective action, the SA must re-train all employees on OVS and submit documentation (training agendas and sign in sheets) to the SA.
- Meal Components and Quantities (Breakfast) are not met in accordance with Regulation 7 CFR 220.8 or 7 CFR 220.3.
 - **Review Month:** The Reviewer noticed in the production books that for the month of review (Feb 2019) the full 1 cup of fruit is not being offered to the students. NSLP requires the SFA to offer at least one (1) cup, even though the child may just select ½ cup as allowed by USDA. **This affected a total of 4,990 claimed meals. This is a repeat finding, and fiscal action is being assessed.** The SFA must submit two (2) weeks documentation (production records, menus, and weighted worksheets) to demonstrate understanding and correct implementation of meal pattern requirements.

Review Period: Breakfast Disallowances							
Dates	Rate desc.	Rate	Meals Claimed	Meals Disallowed	Adjusted Meal Total	Paid Amount	Disallowed Amount
2/1/19-2/28/19	Breakfast Free Rate	2.14	5,245	4,990	255	\$11,224.30	\$10,678.60
TOTAL CLAIM AMOUNT DISALLOWED							\$10,678.60

- The Reviewer noted that it is a common practice for Managers to deviate from planned menus. Failure to adhere to the planned menu makes it impossible to guarantee the nutritional quality of the menus being served, although the SA understands that occasional deviations due to circumstances beyond the control of the SFA will occur. All menu changes should be communicated with the menu planner to ensure that modifications can be made to the nutrient analysis. The SFA must submit a corrective action plan to remedy non-compliance.
- **Day of Review:** The Reviewer observed breakfast meals leave the serving line without a fruit sub-group. A minimum of ½ cup of fruit is required. **This affected a total of eleven (11) meal. Fiscal action is being assessed.** In order to document corrective action, the entire district must be re-trained on OVS and the meal pattern. Documentation (training agendas and sign in sheets) should be submitted to the SA. Additionally, the SFA must provide a consolidated meal count/edit check for the Month of April along with the April claim to the SA to ensure that meal counts for the high school have been adjusted to the correct amount.

Day of Review: Breakfast Disallowances							
Date	Rate desc.	Rate	Meals Counted/ Served	Meals Disallowed	Adjusted Meal Total	Potential Paid Amount	Disallowed Amount
4/2/19	Breakfast Free Rate	2.14	230	11	219	\$492.20	\$23.54
TOTAL CLAIM AMOUNT DISALLOWED							\$23.54

- Dietary Specifications and Nutrition Analysis requirements are not met in accordance with 7 CFR 210.10(f). A review of the nutrient analysis revealed that the weighted average worksheet was not completed correctly. Over the course of the Review, the SA provided Technical Assistance (TA) on how to conduct the nutrient analysis properly to ensure that meal requirements have been met. In order to document corrective action, the SFA must provide documentation (menus, nutrient analyses, production records, and worksheets) to demonstrate knowledge of nutritional requirements

General Program Compliance (General Areas of Review)

- According to 7 CFR 210.14 (b), SFAs should limit net cash resources to an amount that does not exceed three months' average expenditures. The Reviewer noted that the SFA has an excess balance. Before the conclusion of the Review, the SFA submitted a spend down plan to the SA demonstrating how the SFA will expend funds while improving the child nutrition program. No further action is necessary.
- In accordance with FNS 113-1, all staff should receive annual Civil Rights training. The Reviewer noted that the training provided did not include all of the required training topics. The SA explained the importance of covering the correct material and provided a SA-approved training document. The SFA must re-train staff on Civil Rights and submit documentation (training agendas and sign in sheets) to the SA.

- According to FNS 113-1, program materials should utilize the correct non-discrimination statement. The Reviewer noted that materials such as CEP letters, Summer Feeding advertisements, and other publications have the wrong non-discrimination statement. In order to document corrective action, the SA suggests that the SFA provide updated templates with the correct non-discrimination statement.
- In accordance with 7 CFR 210.30 (g), The SFA CND must document compliance with the professional development standards for all school food service staff. The Reviewer noted that the SFA did not have a tracking tool that clearly indicates accrued hours of professional development for each employee. Without a tracking tool, the SA was unable to verify compliance with training requirements. During the Review, the SA provided TA on this issue, including an example of a tracking document. The SFA completed and sent a copy of the tracking tool to the SA before the conclusion of the Review. As such, no further action required.
- Food Safety requirements are not met in accordance with 7 CFR 210.13(c)]. Storage violations were observed while on site at Coahoma County JH/HS. The Reviewer noted that food is over-stocked to the point where it has become a safety concern (stacking); Food products are not properly dated to allow for FIFO; ice has built up in the Freezer; there is blood from a meat product leaking on the floor; and an interior thermometer is not located in the freezer. In order to implement corrective action, the SFA must re-train employees on food safety and storage and submit documentation (training agendas and sign in sheets) to the SA.

The SFA's response to all areas requiring corrective action must be entered into the Mississippi Application and Reimbursement System (MARS) by the Child Nutrition Director (CND) by **May 6, 2019**.

In accordance with the criteria established in the regulations, a total of **\$33,228.69** is being assessed. Of the total amount, \$32,825.47 is being deducted from the February 2019 claim, and \$403.22 will be deducted from the April 2019 claim. **In order to recoup these funds, the Office of Child Nutrition (OCN) will adjust future claims through the NSLP and SBP until the full amount (\$33,228.69) is recouped.** Pursuant to regulations, an organization has the right to appeal a monetary assessment imposed. Any appeal of a monetary assessment must be filed with the SA within fifteen (15) calendar days of receipt of this letter. Please refer to the enclosed copy of appeal procedures.

In addition to conducting the Review, the SA provided Technical Assistance (TA) in several areas to the CND. These comments are located in MARS and are provided for the improvement of program operations.

The SA would like to commend the Child Nutrition staff and Mrs. Johnson for their efforts to provide meals to the students of the Coahoma County School District. The staff are very polite, which made the SA's time in the district enjoyable.

If you have any questions or would like to request additional assistance, please email me at ccrawford@mdek12.org, or call Mary Burks or me at (601) 576-4955.

Sincerely,

Original Signed

Charles Crawford, Program Specialist
Office of Child Nutrition, School Support Division

cc: File NSLP (AR) 2019

School Food Authority Appeal Steps and/or Possibilities

The Appeal Process is limited to two areas:

1. The denial of all or part of a Claim for Reimbursement, and
2. Withholding of payments resulting from a review required under Federal Regulations 210.18.

State Agencies are authorized to use their own appeal procedures provided the same procedures are applied to all appellants in the State and the procedures meet the following requirements:

1. Appellants are assured of a fair and impartial hearing before an independent official at which they may be represented by legal counsel.
2. Decisions are rendered in a timely manner not to exceed 120 days from the date of the receipt of the request for a review.
3. Appellants are afforded the right to either a review of the record with the right to file written information, or a hearing which they may attend in person.
4. Adequate notice is given of the time, date, place and procedures of the hearing.

If the State Agency has not established its own procedures or if the State Agency established procedures do not meet these criteria, then the State Agency is required to follow the minimum procedures as follows:

1. The written request for a review shall be postmarked within fifteen (15) calendar days of the date the appellant received the notice of the denial of all or part of a Claim for Reimbursement or withholding payment, and the State Agency shall acknowledge the receipt of the request for appeal within ten (10) calendar days.
2. The appellant may refute the action specified in the notice in person and by written documentation to the review official. In order to be considered, written documentation must be filed with the review official not later than thirty (30) calendar days after the appellant received the notice. The appellant may retain legal counsel, or may be represented by another person. A hearing shall be held by the review official in addition to, or in lieu of, a review of written information submitted by the appellant only if the appellant so specifies in the letter of request for review. Failure of the appellant School Food Authority's representative to appear at a scheduled hearing shall constitute the appellant School Food Authority's waiver of the right to a personal appearance before the review official, unless the review official agrees to reschedule the hearing. A representative of the State Agency shall be allowed to attend the hearing to respond to the appellant's testimony and to answer questions posed by the review official.
3. If the appellant has requested a hearing, the appellant and the State Agency shall be provided with at least ten (10) calendar days advance written notice, sent by certified mail, return receipt requested, of the time, and place of the hearing.

4. Any information on which the State Agency's action was based shall be available to the appellant for inspection from the date of receipt or the request for review.
5. The review official shall be an independent and impartial official other than, and not accountable to, any person authorized to make decisions that are subject to appeal under the provisions of this section.
6. The review official shall make a determination based on information provided by the State Agency and the appellant, and on Program regulations.
7. Within sixty (60) calendar days of the State Agency's receipt of the request for review, by written notice sent by certified mail, return receipt requested, the review official shall inform the State Agency and the appellant of the determination of the review official. The final determination shall take effect upon receipt of the written notice of the final decision by the School Food Authority.
8. The State Agency's action shall remain in effect during the appeal process.
9. The determination by the review official is the final administrative determination to be afforded to the appellant.

If the School Food Authority have any questions concerning any or all findings, please contact the School Support Helpdesk at (601) 576-4955.

All written requests for appeal should be addressed to:

Scott Clements, State Director
Office of Child Nutrition
Post Office Box 771
Jackson, MS 39205
(601) 576-4990

May 10, 2019

Coahoma County School District
Dr. Ilean Richards, Superintendent
1555 Lee Drive
Clarksdale, MS 38614

Dear Dr. Richards:

Your response to the findings of our Administrative Review of your 2018-2019 National School Lunch Program (NSLP), School Breakfast Program (SBP), and Fresh Fruit & Vegetable Program (FFVP) has been received and accepted in the Mississippi Application and Reimbursement System (MARS). We are closing the file on this review.

If you have any questions concerning this review or need assistance, please call Mary Burks or me at (601) 576-4955. Thank you for your continued support of the Child Nutrition Programs.

Sincerely,

Original Signed

Charles Crawford, Program Specialist
Office of Child Nutrition, School Support Division

cc: File NSLP (AR) 2019

This institution is an equal opportunity provider.

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