

STATE AGENCY ADMINISTRATIVE REVIEW SUMMARY

Section 207 of the HHFKA amended section 22 of the NSLA (42 U.S.C. 1769c) to require State agencies to report the final results of the administrative review to the public in an accessible, easily understood manner in accordance with guidelines promulgated by the Secretary. Regulations at 7 CFR 210.18(m) requires the State agency to post a summary of the most recent final administrative review results for each SFA on the State agency's publicly available website no later than 30 days after the SA provides the final results of the administrative review to the SFA. The SA must also make a copy of the final administrative review report available to the public upon request.

School Food Authority Name: Lower Brule Sioux Tribe

Date of Administrative Review (Entrance Conference Date): 01/15/2020

Date review results were provided to the School Food Authority: 01/31/2020

Date review summary was publicly posted: 10/05/2020

The review summary must cover access and reimbursement (including eligibility and certification review results), an SFA's compliance with the meal patterns and the nutritional quality of school meals, the results of the review of the school nutrition environment (including food safety, local school wellness policy, and competitive foods), compliance related to civil rights, and general program participation. At a minimum, this would include the written notification of review findings provided to the SFAs Superintendent or equivalent as required at 7 CFR 210.18(i)(3).

General Program Participation

1. What Child Nutrition Programs does the School Food Authority participate in? (Select all that apply)

- School Breakfast Program
- National School Lunch Program
- Fresh Fruit and Vegetable Program
- Afterschool Snack
- Special Milk Program
- Seamless Summer Option

2. Does the School Food Authority operate under any Special Provisions? (Select all that apply)

- Community Eligibility Provision
- Special Provision 1
- Special Provision 2
- Special Provision 3

Review Findings

3. Were any findings identified during the review of this School Food Authority?

- Yes No

If yes, please indicate the areas and what issues were identified in the table below.

YES	NO	REVIEW FINDINGS	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A. Program Access and Reimbursement	
		YES	NO
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<p>Finding(s) Details:</p> <p>1) Annual agreement identifies a traditional Point of Service. SFA-SA Agreement states: "...At end of line kitchen staff will mark each student by checking a tally at their name". Actually, there are two types of meal counts methods. At breakfast a dedicated POS attendant will mark off students by a numbered sheet as they pass through the line. At lunch the teacher will write the number of students expected to go through the line. The day's attendance. Annual agreement must be consistent with the onsite processes, per 7 CFR 210.9 Agreement with State Agency.</p> <p>2) At lunch, meal counts are based on student attendance or a head count of students waiting in the line, these are not acceptable meal count methods. Because the meal count method at the lunchtime Point of Service described in Finding 1 is not acceptable and systemic in nature, the accuracy of meals claimed since the beginning of SY2019-2020 is in question. This error will result in a full recalculation for lunch. Edit checks are not performed prior to submitting a monthly claim. 7 CFR 210.8 Claims for Reimbursement states that the school food authority shall establish internal controls which ensure the accuracy of meal counts prior to the submission of the monthly Claim for Reimbursement.</p> <p>3) Because of COVID-19 school closures, meals were being transported to students in a non-congregate method and used an alternate meal count form. An additional Performance Standard One violation was observed in that the sheet was missing the number one. Accurate claim numbers must be obtained from properly numbered meal count sheets.</p>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	B. Meal Patterns and Nutritional Quality	
		YES	NO
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<p>Finding(s) Details:</p> <p>1) A daily 1/2 cup fruit requirement was not met at breakfast during the menu review week. The production record indicated two orange wedges were served as a 1/2 cup portion of the required 1 cup. Two orange wedges constitute 1/4 cup only. On the Day of Review, the reviewer observed eleven breakfast meals that left the serving line without a carton of juice. These meals did not meet a complete breakfast meal requirements. Per 7 CFR 220.8 Meal Requirements for Breakfast, include at least 1 cup fruit and/or vegetable. This finding will result in a fiscal calculation. Meal Requirements for Lunches and Requirements for Afterschool Snacks, meals offered to each age/grade group must include the food components and food quantities specified in the meal pattern. Repeat violations in this</p>	

		<p>area will result in fiscal action. Specific menu findings for Lunch grades K-6: Daily vegetable quantity served during the menu review week did not meet minimum requirements.</p> <p>The SFA planned and served 1/2 cup vegetable daily. The daily requirement is 3/4 cup vegetable daily.</p> <p>The quantity shortage noted in a. was corrected on the production record on the day of review, but observation of the CN label for the day's entre showed the vegetable credit was 1/8 cup, not the 1/4 cup documented and necessary to meet the daily minimum requirement. Thanks to Anthony for adding 1/8 carrots before the lunch meal service began to allow these meals to be reimbursable. Without the addition of carrots, all K-6 lunches would have been disallowed to claim.</p> <p>Vegetable Sub Groups did not meet weekly requirement 0 cups of Beans/Peas(Legumes) served during the week of menu review; a minimum of 1/2 cup must be served throughout the week 1/2 cup Red/Orange vegetable was served during the week of menu review; a minimum of 3/4 cup must be served throughout the week Daily/weekly fruit requirement is not met 1/4 cup fruit was served on 12-11-19; 1/2 cup of fruit is required daily and 2-1/2 cups are required weekly</p> <p>2) Production Records are not properly filled out and do not clearly document the actual quantities of food planned, prepared, and leftover at breakfast and lunch. SFAs must keep production records which demonstrate the contribution to the required food components and food quantities for each age/grade group every day. Properly completed Production Records protects food service funds by preventing a pattern of over producing food. Production and menu records must be maintained in accordance with Food Nutrition Service (FNS) guidance, per 7 CFR 210.10 (a)(ii)(3).</p> <p>3) Signage at breakfast and lunch did not include a meal menu or indicate what constitutes a reimbursable meal. Regulations in 7 CFR 210.10 Meal Requirements for Lunches and Requirements for Afterschool Snacks require schools to identify reimbursable meals to students.</p>															
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>C. School Nutrition Environment</p> <table border="1" data-bbox="380 1371 1291 1539"> <thead> <tr> <th>YES</th> <th>NO</th> <th></th> </tr> </thead> <tbody> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Food Safety</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Local School Wellness Policy</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>Competitive Foods</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Other: Professional Standards, Buy American, Outreach</td> </tr> </tbody> </table> <p>Finding(s) Details:</p> <ol style="list-style-type: none"> 1) No food safety plan is in use. Though temperature logs were current and signed in the cafeteria, no safety plan or SOPs were being followed. This is a repeat violation. 2) Crates of milk were stored on the floor in the walk-in cooler. Per FDA Health code, all food must be stored a minimum of 6" off the floor per federal food safety requirements. 3) Local Wellness Policy does not contain all required elements. 4) Training is not being tracked for food service staff. The tracker was incomplete in that the training topic was not populated, and the onsite review of certificates of completion showed several hours of training were not 	YES	NO		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Food Safety	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Local School Wellness Policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Competitive Foods	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other: Professional Standards, Buy American, Outreach
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		<p>documented on the tracker. It was noted during the onsite visit that several staff members were working in the cafeteria who were not listed on the tracker. All people involved in the Food Service program require annual training pertaining to their duties.</p> <p>5) Four items (olives from Portugal, mandarin oranges and mixed fruit from Thailand, and orange juice with several countries of origin) were found that do not meet the Buy American regulation. According to §210.21 (d), Procurement, all foods used in the program must be domestic products. If a domestic product is not available, documentation must be on file as to why domestic products cannot be procured.</p> <p>6) Production records and accompanying documentation, menus, meal counts, professional standards documentation, food safety plan are not stored according to policy. All records related to the School Nutrition Program must be kept for three years, plus the current year. Though there is a history of production records download from Reinhart, these are not complete production records. Failure to retain documentation that reimbursable meals are served can result in the recovery of that federal reimbursement. This is a repeat violation.</p> <p>7) Onsite monitoring for breakfast and lunch was not completed prior to February 1. On-site monitoring is required for both breakfast and lunch at all different school sites.</p> <p>8) No water was available to students during breakfast or lunch as required by §220.8(1) Meal requirements.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>D. Civil Rights</p> <p>Finding(s) Details:</p> <p>1) "Frontline staff" who interact with program applicants or participants, and those persons who supervise "frontline staff," must take our civil rights training on an annual basis. During the onsite visit, a number of school staff (teachers and para professionals) were involved with the school nutrition program that were not documented as having civil rights training.</p>