

## 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:** Brandon Valley School District

**Date of Administrative Review (Entrance Conference Date):** 12/17/19

**Date review results were provided to the School Food Authority:** 02/13/20

**Date review summary was publicly posted:** 06/08/2020

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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

This institution is an equal opportunity provider.

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"/>	<b>A. Program Access and Reimbursement</b>	
		<b>YES</b>	<b>NO</b>
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<p>Finding(s) Details:</p> <p><b>Finding 1 (Onsite 126, 133):</b> Of the 380 students in the sample pool of those receiving benefits, reviewer observed the following:</p> <ul style="list-style-type: none"> <li>• 31 students do not have a Free-Reduced-Price application on file,</li> <li>• 3 students have applications that are incomplete,</li> <li>• 2 students have a determination different than what their application indicates,</li> <li>• 1 student did not reapply for benefits but continued receiving free benefits past the 30-day carryover,</li> <li>• 1 student has been on the Direct Certification list from iMATCH since August but is listed as Reduced in SFA's system,</li> <li>• 1 student listed as TANF does not have an application on file or documents to support this,</li> <li>• 5 students listed as foster did not have an application on file or documents to support this,</li> <li>• 1 student listed as a SNAP household does not have an application on file or documents to support this.</li> </ul> <p>Per 7 CFR 245.3 Eligibility Standards and Criteria and 7 CFR 245.6 Application, eligibility and certification of children for free and reduced-price meals and free milk, and the USDA Eligibility Manual for School Meals, agencies must correctly determine, through an approved application or by direct certification, each household's eligibility for free and reduced-price meals. Due to these errors, the Certification and Benefit Issuance error percentage is 11.84%. See SFA-1, attached, for more detail.</p> <p><b>Finding 2 (Offsite 201, Onsite 208):</b> Employee listed as the Verifying Official in the Offsite Assessment Tool does not match who is listed in the iCAN application. iCAN application lists this employee as the Confirmation Reviewer and the Hearing official. There is no indication that this individual confirmed any applications. iCAN application must accurately list who are performing these duties. Please note, per 7 CFR 245.7(a)(2)(vii) – <i>Hearing procedure for families and local education agencies</i>, the hearing official cannot be an individual who participated in making the decision under appeal.</p>	
<input type="checkbox"/>	<input type="checkbox"/>	<b>B. Meal Patterns and Nutritional Quality</b>	
		<b>YES</b>	<b>NO</b>
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<p>Finding(s) Details:</p> <p><b>Finding 3 (Onsite 400, 403, 410, Offsite 805):</b> 9 students are on file as needing meal modifications. Proper alternatives are not being provided:</p>	

		<ul style="list-style-type: none"> <li>• 5 students are listed as needing a gluten-free or wheat-free grain item, only 1 serving was offered on the day of review. No servings were offered on 3 out of the 5 days of the menu review period.</li> <li>• 3 students are listed as needing a milk substitute, that being indicated on their meal modification form as one that meets the nutrient profile equivalent to fluid cow’s milk per federal regulation. Only 1 serving of milk alternative was offered on the day of review and during the menu review period. The milk alternative offered does not meet the nutrient requirements.</li> <li>• 1 student is listed as needing a milk substitute, that being indicated as unsweetened Almond milk. 0 servings were offered on the day of review. 0 servings were offered during the 5 days of the menu review period.</li> </ul> <p>Meal modification forms must be filled out properly and completely and followed as the doctor or parent has indicated. As stated in <a href="#">USDA Memo SP 26-2017</a>, schools operating Offer vs Serve must ensure all children have the opportunity to select all required food components for the meal. The SFA may not use OVS to eliminate a specific food component for a child with a disability. Students must have the understanding that they have the right to a complete meal.</p> <p><b>Finding 4 (Onsite 402, 500, 501):</b> Reviewer observed three incomplete meals at Fred Assam Elementary:</p> <ul style="list-style-type: none"> <li>• 2 meals = chicken nuggets (1.5 mma, .75 oz eq grain), ½ c fries, ½ c carrots, ½ of a banana (= ¼ c)</li> <li>• 1 meal = chicken nuggets (1.5 mma, .75 oz eq grain), ½ c fries, 1 c lettuce, ½ of a banana (= ¼ c)</li> </ul> <p>Meals selected contained 4 different components; 2 full components (meat/meat alternate and vegetable) and 2 partial components (grain and fruit). As indicated in the Offer vs Serve manual, a lunch claimed for reimbursement must contain at least 3 components in at least the minimum required quantities, with one of those components being at least ½ cup fruit and/or vegetable.</p> <p>This meal could have been made reimbursable if the student had selected:</p> <ol style="list-style-type: none"> <li>1. Dinner roll, OR</li> <li>2. Milk, OR</li> <li>3. Additional ½ of a banana</li> </ol> <p>All staff responsible for point of service meal counts must be able to identify a complete and reimbursable meal.</p> <p><b>Finding 5 (Onsite 404, 502):</b> No signage was displayed at Brandon Valley Middle School indicating what constitutes a reimbursable meal. Regulations in <i>7 CFR 210.10 Meal Requirements for Lunches and Requirements for Afterschool Snacks</i> require schools to identify reimbursable meals to students.</p>															
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>C. School Nutrition Environment</b></p> <table border="1"> <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> <p><b>Finding 8 (Onsite 1000):</b> SFA’s Wellness Policy is missing several requirements. SFA explained during the On-site visit that in addition to this 2-page document the</p>	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>wellness committee does set specific goals and projects on an ongoing basis, and that these items are documented separately and shared with parents as a "Wellness Committee Update". Please note that these goals must follow all Local Wellness Policy rules and be made available to ALL stakeholders. <i>7 CFR 210.31 Local School Wellness Policy, (c) Content of Plan</i> lists the items that must be in a LWP. The following items are missing from the Wellness Policy:</p> <ul style="list-style-type: none"> <li>• Other school-based activity to promote wellness</li> <li>• Standards and nutrition guidelines for all foods and beverages sold to students during the school day on the school campus. This must include: 1.) Permit marketing on the school campus during the school day of only foods and beverages that meet the lunch nutrition standards under 210.11, and 2.) Promote student health and reduce childhood obesity</li> <li>• Identify how eligible individuals are provided an opportunity to participate in the development, implementation, and periodic review and update of the local school wellness policy</li> <li>• A description to measure implementation of the policy</li> <li>• A description of the assessment of the policy at least once every three years</li> <li>• A description to report the policy content, implementation measurements, and assessment to the public.</li> </ul> <p><b>Finding 9 (Offsite 303, 1201, 1205, 1206, 1209, Onsite 1215, 1216, 1218, 1219):</b> Managers, part-time staff, and full-time staff do not currently meet the minimum number of required annual training hours. Many staff members have not had training essential to their positions. According to <i>7 CFR 210.30 School Nutrition Program Professional Standards, (a) General</i>, SFAs that operate the National School Lunch Program, or the School Breakfast Program (7 CFR part 220), must establish and implement professional standards for school nutrition program directors, managers, and staff, as defined. Food Service Managers are required to have at least 10 hours of training annually, full time staff are required to have at least 6 hours of training annually and part time staff are required to have at least 4 hours of training annually. Please remember that tracking hours annually is required in a compiled document.</p> <p><b>Finding 10 (Onsite 1403, 1411):</b> Reviewer identified four products with a country of origin outside of the USA (Bananas, Mandarin Oranges, Pineapple, Tropical Fruit). <i>7 CFR 210.21 Procurement</i> requires that all foods served be agricultural commodities that are produced in the United States; and food products that are processed in the United States, substantially using agricultural commodities that are produced in the United States. As indicated in <a href="#">Memo SNP 251-1 Buy American</a>, FNS does allow for limited exceptions to the Buy American provisions when 1 of 2 events occur: 1) a specific product is not produced or manufactured in the U.S. "in sufficient and reasonable available quantities of a satisfactory quality"; and 2) when competitive bids show that the costs of the U.S. products are significantly higher than nondomestic products. The SFA did not have documentation on file to support an exception to the Buy American requirement for these products. While the reviewer was onsite, Director obtained documents from Rema Foods, Inc/Reinhart Foodservice, which do not satisfy this requirement.</p> <p><b>Finding 11 (Onsite 1407):</b> SFA's written food safety plan at Brandon Valley Middle School is not being fully implemented. Many staff members have not viewed</p>
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		<p>these documents. The Food Safety Checklist at Fred Assam Elementary does not accurately reflect the frequency of how often their checklist is being completed. Food Safety training is critically important. Per 7 CFR 210.13 <i>Facilities Management</i>, the school food authority shall ensure that food storage, preparation and service is in accordance with the sanitation and health standards established under State and local law and regulations. The school food authority must develop a written food safety program that covers any facility or part of a facility where food is stored, prepared, or served.</p> <p><b>Finding 12 (Offsite 200, Onsite 138, 207, 1500):</b> Reports were not provided in a timely manner and recordkeeping was discovered to be insufficient:</p> <ul style="list-style-type: none"> <li>• benefit issuance student roster contained duplicate names,</li> <li>• Direct Certification list was missing half of the students that were listed in iMatch,</li> <li>• it took 4 separate submissions of documents to get student applications needed for the review,</li> <li>• many students receiving benefits do not have an application on file,</li> <li>• necessary documents for the review were not submitted by the indicated due date</li> <li>• denied applications submitted for the review included students that were also on the benefit eligible list,</li> <li>• SFA entered information in household accounts bypassing the application process,</li> <li>• some Free-Reduced determinations are being made with information that is not included on the household application. There is no documentation indicating where this information came from,</li> <li>• there are students on the benefit roster that are no longer in the district,</li> <li>• SFA was given an extension to verify an additional application and resubmit their FNS-742 report. When the report was resubmitted, the number of students reported as Free and Reduced-price was significantly different then what they had originally reported.</li> </ul> <p>Per 7 CFR 210.15 <i>Reporting and recordkeeping</i>, participating school food authorities are required to submit forms and reports to the State agency or the distributing agency, as appropriate, to demonstrate compliance with Program requirements.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>D. Civil Rights</b></p> <p>Finding(s) Details:</p> <p><b>Finding 6 (Offsite 803):</b> SFA does not have a proper procedure in place for handling Civil Rights complaints within the school meals programs. According to FNS Instruction 113-1 and SNP Memo 206-1, all Civil Rights complaints must go directly to U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights.</p> <p><b>Finding 7 (Onsite 811):</b> It was observed that 8X10 copies of outdated 'And Justice For All' posters are on display in the dietary office and also on the bulletin board in the cafeteria area at Brandon Valley Middle School. These outdated versions contain invalid civil rights information. As stated in <a href="#">SNP Memo 206-1</a>, "And Justice For All" posters are to be posted in dining and service areas or other appropriate areas where clients access services. Due to the specific requirements on size and type of poster, the only posters to be displayed are those issued from US Department of Agriculture. Only current posters with the most current</p>



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		information may be on display.
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