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DEPARTMENT OF
EDUCATION

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FILE

Office of Child Nutrition
Scott Clements
Director

March 26, 2018

Dr. Arnetta Crosby, Superintendent
Covington County School District
1211 South Dogwood
Collins, MS 39428

MAILED

on 3 / 23 / 18 by sw

Dear Dr. Crosby:

The State Agency completed an Administrative Review of the National School Lunch Program (NSLP), School Breakfast Program (SBP) and After School Care Program (ASCP) during the week of February 26, 2018. The regulations governing the Administrative Review (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. Findings were identified and are described below.

Meal Access and Reimbursement

- During the verification review, one (1) application was identified without a confirmation letter in the file (7 CFR 245.6(a)). This was corrected on site.
- There was no additional follow-up on applications selected for verification that failed to respond to the request for verification. Additionally, these applications were administered an adverse action (7 CFR 245.6(a)).
- The approved SFA-SA Agreement/application (Point of Service) was not followed, during lunch meal service, on the day of review (7 CFR 210).
- The snacks served at Mt. Olive Attendance Center for the month of January could not be validated by the State Agency (At-Risk Afterschool Care Program) and (7 CFR 210).

Overclaim calculation:

Afterschool

SFA count (205 snacks x \$0.88) = \$180.04

SA count (0 snacks x \$0.88) = \$0.00

\$180.04 (overclaim)

Meal Pattern and Nutritional Quality

- The K-8 and 9-12 age/grade Lunch Nutritional Analysis weekly sodium requirement was over during the review week (7 CFR 210.(f)(3)).
- The K-12 Breakfast Nutritional Analysis weekly sodium requirement was over during the review week (7 CFR 220.9(f)(3)).
- Collins High School planning and production records indicated only one (1) 1/2 cup of fruit served on January 24, 2018. The minimum amount to be served is 1 cup (7 CFR 210.10).
- The recording of meal components was not recorded correctly on some items for breakfast (7 CFR 220.8 or & CFR 220.3). The age/grade groups meal pattern and contribution were not separated in the planning and production book.

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- During the on-site lunch review, at Mt. Olive Attendance Center, the chicken gumbo was set on each table for the elementary children and was not chosen before the point of service (7 CFR 220.8). Recommend placing tops on the bowl and/or getting a count per class.

Resource Management

- There is no board approved charge policy (Unpaid Meal Charges).

General Program Compliance

- The current non-discrimination statement is not used on menus (FNS Instruction 113-1).
- The written food safety plan needs to be updated and ensure that it's site specific (7 CFR 210.13 (c)) and (HACCP Principles 2005).
- Some foods located in Collins High School vending machine did not meet smart snack rules. In addition, the vending machine was operational during lunch meal service (Snack Regulations for Mississippi Schools).
- Observed less than 50% of healthy items located in the teachers' lounge (Beverage Regulations in MS Schools).
- Requirements with FNS were not met regarding the Local School Wellness Policy at each school (Local School Wellness Policy 2015).

Other Federal Program Reviews

- The Afterschool Snack Program was not monitored within the first four (4) weeks of operation at each site. For example, Mt. Olive Attendance Center, listed the first visit to occur on August 28, 2017. The first recorded visit was conducted on November 2, 2017 (At-Risk Afterschool Care Program) and (7 CFR 210).
- The planned portion size of the afterschool snack components was not recorded in the planning and production records (7 CFR 210). There was no record of snacks served and discarded or leftover, only the attendance sheet. In addition, there was no available menu for afterschool care snack program (At-Risk Afterschool Care Program Manual).
- There was no Non-discrimination poster located in the room for afterschool program participants (7 CFR 210).

Reviewer Comments:

- The dining and kitchen areas are very clean.
- The Director and her staff were a pleasure to visit with and very attentive to detail.
- The children were well mannered.

Technical assistance (TA) was provided in several areas for the improvement of the program operations to the Child Nutrition Director. The comments are located in the Mississippi Application and Reimbursement System (MARS), in the comments section of the On-site Assessment Tool. The Child Nutrition Director must provide in MARS a corrective action response to the findings of this review by April 30, 2018.

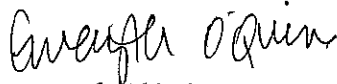
Therefore, in accordance with the criteria as established in the regulations, a total of \$180.04 is assessed. The State Agency has elected to disregard the overclaim as it falls below the threshold of \$600.00 established by U.S. Department of Agriculture (USDA). A disregard is only allowed once per Federal fiscal year for any review or activity. As stated in regulations, unless appealed or disregarded, all monetary assessments shall be payable within 30 calendar days of being

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levied (date of receipt of this letter). Pursuant to regulations, an organization has the right to appeal a monetary assessment imposed pursuant to this section of the regulations. Any appeal of a monetary assessment must be filed with the State Agency within 15 calendar days of the date of this letter.

If you should have any questions, please email me at GOQUINE@mdek12.org or call Mary Burks or me at (601) 576-4955.

Sincerely,



Gwentyth O'Quine, Program Specialist
Office of Child Nutrition, School Support Division

cc: File NSLP (AR) 2018

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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.

All written requests for appeal should be addressed to:

Scott Clements, State Director
Office of Child Nutrition
P.O. Box 771
Jackson, MS 39205
601-576-4990



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Office of Child Nutrition
Scott Clements
Director

April 20, 2018

Dr. Arnetta Crosby, Superintendent
Covington County School District
1211 South Dogwood
Collins, MS 39428

MAILED
on 4/23/18 by sw

Dear Dr. Crosby:

Your response to the findings of our Administrative Review of your 2017-2018 National School Lunch Program (NSLP), School Breakfast Program (SBP) and Afterschool Care Program (ASCP) 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,

Gwenth O'Quine, Program Specialist
Office of Child Nutrition, School Support Division

cc: File NSLP (AR) 2018

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