

March 7, 2018

Johnnie Vick, Superintendent
South Pike School District
250 West Bay Street
Magnolia, MS 39652

MAILED
on 3/8/18 by sw

Dear Mr. Vick:

The State Agency completed an Administrative Review of the National School Lunch Program (NSLP), School Breakfast Program (SBP), After School Care Program (ASCP) and Fresh Fruit and Vegetable Program (FFVP) during the week of February 12, 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

- Meal counting and claiming procedures were not met (7 CFR 210.8).

Overclaim calculation for January 2018:

After School Care Program, Eva Gordan Attendance Center

SFA count (114 snacks x \$0.88) = \$100.32

SA count (100 snacks x \$0.88) = \$88.00

\$ 12.32 (overclaim)

Total overclaim is \$12.32. This was corrected on site.

Meal Pattern and Nutritional Quality

- No findings

Resource Management

- No findings

General Program Compliance

- The Planning and Production Record did not indicate the correct contribution of food items, repeat finding (7 CFR 210.23 (c)).
- Observed the drink machine operational during lunch service (Beverage Regulations in MS Schools).
- Observed less than 50% of healthy drinks in the teacher's lounge (Beverage Regulations in MS Schools).

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- Local School Wellness Policy assessment was not properly documented (Wellness Policy, May 2015).
- Update the following elements in the proposed Local School Wellness Policy for the district (Wellness Policy, May 2015):
 - Physical Education/Physical Activity (add 1/2 Carnegie unit)
 - Marketing a Healthy School Environment
 - Implementation
 - South Pike High School (update required elements and make policy site specific)
 - Eva Gordan Attendance Center (update required elements and make policy site specific)
 - Osyka Elementary School (update required elements and make policy site specific)
- Reviewed temperature logs did not include all times that temperatures were taken with refrigeration (HACCP, June 2005).
- Observed one Metro warmer holding temperature at 120 Degrees Fahrenheit (HACCP, June 2005).
- District HACCP manual is missing the following (HACCP, June 2005):
 - Menu Items Sorted by Process (Process 3, Complex Food Preparation)
 - Monitoring
- During the observation of South Pike High School, there was no current written food safety plan (7 CFR 210.13(c) and HACCP, June 2005).

Other Federal Program Reviews

- The Planning and Production Record omitted the recordings for after school snack (7 CFR 210.9 (e)).

Reviewer Comments:

- Observed an ice buildup inside of two freezers at South Pike High School.
- Observed chipped paint and a hole in the wall at South Pike High School.
- Observed teamwork amongst staff in the areas of sanitation, batch cooking and utilizing the offer vs serve provision.

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 10, 2018.

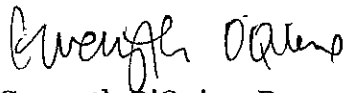
Therefore, in accordance with the criteria as established in the regulations, a total of \$12.32 is assessed. The State Agency has elected to disregard the overclaim as it falls below the threshold of \$600.00 established by U.S. Department of Agriculture (USDA). A disregard is only allowed once per 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 levied (date of receipt of this letter). Pursuant

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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 (see attached appeals policy).

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

Sincerely,



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

cc: File NSLP (AR) 2018
attachment

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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



FILE

Office of Child Nutrition
Scott Clements
Director

April 20, 2018

Johnnie Vick, Superintendent
South Pike School District
250 West Bay Street
Magnolia, MS 39652

MAILED

on 4 / 23 / 18 by sw

Dear Mr. Vick:

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,

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

cc: File NSLP (AR) 2018

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