

May 14, 2019

Mr. Arthur McMillan, Superintendent  
Biloxi Public School District  
160 St. Peter Avenue  
Post Office Box 39533  
Biloxi, MS 39533

Dear Mr. McMillan:

The State Agency (SA) completed an Administrative Review (AR) of the National School Lunch Program (NSLP), School Breakfast Program (SBP), and Afterschool Care Program (ASCP) during the week of May 6, 2019. 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. Over the course of the Review, **eight (8) findings were identified**. The SA is pleased to report that none of the findings have resulted in fiscal action. The findings which were identified are described below.

### **Certification and Benefit Issuance (Performance Standard 1)**

- **Incorrect determination:** A household application's eligibility status was determined to be "reduced" by the SFA; however, based on income information provided, the status should have been "free." One child was discovered through the Certification and Benefit Issuance review and three other children were listed on the household application (Regulation 7 CFR 245.3). The finding was **corrected on-site** by the SFSA. A letter was drafted and mailed informing the household of the increase in benefits. The software was updated to reflect the change in benefit for all students. The error was due to manual entry. In the future, a second party check will be instituted to ensure accuracy. The SA accepts the response to the finding. No further action is necessary.

### **Meal Pattern and Nutritional Quality (Performance Standard 2)**

- **Offer versus Serve (OVS):** During the visit to **Biloxi Upper Elementary**, the reviewer noted that serving line staff and cashiers were confused about crediting macaroni and cheese, specifically whether it should be counted as a grain or vegetable. Additionally, staff were confused about counting the non-creditable canned nacho cheese as a meat/meat alternative. These errors did not result in any non-reimbursable meals passing the Point of Service (POS). In order to implement and document **corrective action**, OVS training must be conducted for serving line staff and cashiers with emphasis placed on what constitutes a reimbursable meal using OVS. The SFA will submit documentation of the training (agendas/sign-in sheets) to the SA by June 10, 2019.

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## General Compliance (General Areas of Review)

- **Verification Notification Letter:** The Verification notification letter was not consistent with FNS requirements. The letter to the household did not provide the household with a date by which they must respond or face termination of benefits as mandated under 7 CFR 245.6a. The finding was **corrected on site** by the SFA through revision of the Verification notification letter template. The SA accepts the response to the finding. No further action is necessary.
- **Civil Rights non-discrimination statement:** The program materials generated by the software used incorrect complete and shortened non-discrimination statements. FNS Instruction 113-1 requires the full most current applicable non-discrimination statement be used. Where applicable, the correct shortened statement may be used. This finding was **corrected on site** by the SFA by the correction of the full and shortened non-discrimination statements on the materials produced by the software. A yearly check will be done to ensure that any information generated by the software is up to date. The SA accepts the response to the finding. No further action is necessary.
- **Civil Rights / Students with Disabilities:** During the visit to **Popps Ferry Elementary**, the reviewer observed that medical statements were not available for students with restrictions such as dairy, allergens, or medical conditions. FNS Instruction 113-1 addresses students with disabilities. In order to document **corrective action**, the SFA must submit a plan to the SA by June 10, 2019, detailing how the SFA will secure signed, medical statements for all students requiring medical restrictions.
- **Wellness Policy assessment:** The assessment of the Wellness Policy was not conducted. **Corrective Action:** An assessment of the policy must be conducted at least once every 3 years. Adherence to the local school wellness policy is covered under 7 CFR 210.31. The SFA must submit documentation that the assessment was completed by June 10, 2019.
- **Food Safety:** Adherence to 7 CFR 210.13(c) requires SFAs to follow their Food Safety Plan and USDA Food Code. During the onsite visit to **Biloxi Upper Elementary**, the reviewer observed storage violations; specifically, the First-In-First-Out (FIFO) method of inventory management was not properly implemented. The Reviewer noted that items in the freezer were not dated. In order to implement and document **corrective action**, the SFA must conduct training regarding FIFO and dating of stored foods, and the SFA must submit documentation of the training (agendas/sign-in sheets) to the SA by June 10, 2019.
- **Crediting of USDA foods:** In accordance with 7 CFR 250.51(a)(b), FSMC contracts must ensure that the FSMC credits the SFA for the full value of all USDA Foods received for use in the SFA's meal service in the school year. All forms of crediting must include clear documentation of the value of USDA Foods

received, regardless of the contract type, fixed price, or cost-reimbursable. Based on the SA's review of documentation, there is not clear documentation that crediting of USDA Foods occurred. In order to implement and document **corrective action**, the SFA must present documentation of the crediting for USDA Foods by June 10, 2019.

The CND **must provide a corrective action response** in the MS Application and Reimbursement System (MARS) to the findings of this Review **by June 10, 2019**.

In addition to the Review, the SA provided Technical Assistance (TA) in several areas; those comments can be accessed in MARS.

Ms. Eleuterius does a good job of coordinating her duties in conjunction with Chartwells Food Service Management Company. The Biloxi Upper Elementary site offered a wide variety of menu options, and staff were able to keep the line moving quickly and efficiently. Popps Ferry Elementary site was very clean and the staff did a good job of preparing and serving meals to the children and adults.

Sincerely,

**Original Signed**

Alvin Edney, Program Specialist  
Office of Child Nutrition, School Support Division

cc: File

July 1, 2019

Mr. Arthur McMillan, Superintendent  
Biloxi Public School District  
160 St. Peter Avenue  
Post Office Box 39533  
Biloxi, MS 39533

Dear Mr. McMillan:

The State Agency completed an Administrative Review of the National School Lunch Program (NSLP) and the School Breakfast Program (SBP) during the week of May 6, 2019. The response to the findings of our Administrative Review has been received and accepted. We are closing the file on this review.

If you have any questions, please contact Mary Burks or me at (601) 576-5000.

Sincerely,

**Original Signed**

Alvin Edney, Program Specialist  
Office of Child Nutrition, School Support Division

cc: File NSLP (AR) 2018

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