

December 13, 2019

Pontotoc City School District  
Dr. Michelle Bivens, Superintendent  
140 Education Drive  
Pontotoc, MS 38863-0000

Dear Dr. Bivens:

The State Agency (SA) completed an Administrative Review (AR) of the National School Lunch Program (NSLP) and School Breakfast Program (SBP) during the week of December 9, 2019. The regulations governing the Administrative Review (7 CFR 210.18) require the SA to review two Critical Areas of performance: Performance Standard 1 (Meal Access and Reimbursement) and Performance Standard 2 (Meal Pattern and Nutritional Quality). The Review additionally covers several General Areas of Review. Over the course of the SA Review, **four (4) total 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.

### **General Program Compliance (General Areas of Review)**

- In accordance with 7 CFR 210.13 (c) (2) (d), the School Food Authority (SFA) should ensure that facilities for the storage of food products safeguard against theft, spoilage, and other loss. During the on-site review of Pontotoc High School, the Reviewer observed ice build up in the freezer, posing a threat to personal safety as well as food safety. In order to document corrective action, the SFA should submit documentation (such as a maintenance order or invoice) to the SA indicating that the issue has been resolved.
- In accordance with 7 CFR 210.11 (c), competitive food items sold to students during the school day must meet general nutrition requirements (must be “*Smart Snack Compliant*”). Furthermore, in accordance with SP 24-2017, food marketing, including depictions of food products on vending machines and coolers, cannot promote non-compliant products. During the on-site review of Pontotoc High School, the Reviewer observed multiple Smart Snack violations including: non-compliant Austin brand crackers sold on the cart during break, non-compliant powerade beverages sold in the vending machines, improper advertisements of Coca-Cola on the vending machine wrapping, and improper advertisements of non-compliant ice cream products on the ice cream cooler. In order to document corrective action, the SFA must submit a plan to remove all non-compliant products and remove all improper advertisements of non-complaint products.

*This institution is an equal opportunity provider.*

- In accordance with SP 39-2019, water made available to students in the Child Nutrition programs shall not compete with fluid milk. During the on-site review of Pontotoc High School, the Reviewer observed the placement of water bottles inside the milk cooler, which puts water in direct competition with fluid milk. The issue was corrected on site. As such, no further action is necessary
- In accordance with FNS Instruction 791-1, FNS prohibits the denial of meals to students as disciplinary action. The Reviewer noted that students at the alternative school were given the first choice of entree, with no other menu choice for meals, while students who came to the cafeteria had access to the full menu. This practice constitutes the use of food as a punishment. In order to document corrective action, the SFA should submit a plan to the SA detailing how it intends to offer the same meals to students in the alternative school as it does to students who consume their meals in the cafeteria.

The SFA's response to all areas requiring corrective action must be entered into the Mississippi Application and Reimbursement System (MARS) by the Child Nutrition Director (CND) by **January 13, 2020**.

In addition to conducting the AR, one of the functions of the SA is to provide Technical Assistance (TA). During the course of the review, the SA Reviewer provided TA in several areas to the CND. TA is documented in MARS, specifically in the "Technical Assistance" section of the "Compliance" Module. TA is provided for the improvement of the program operations and is not considered a finding.

The SA would like to commend the SFA for being extremely organized and well-prepared for the review. The Reviewer was also impressed with effort the SFA has taken to provide services for families with Limited English Proficiency (LEP). The facilities at Pontotoc High School are very clean and well organized, with exemplary use of safety signage.

If you have any questions regarding this review, or if you would like to request additional assistance, please email me at [mchauvin@mdek12.org](mailto:mchauvin@mdek12.org) or call Mary Burks or me at (601) 576-5000.

Sincerely,

**Original Signed**

Marianna Chauvin, Division Director II  
Office of Child Nutrition, School Support Division

cc: File NSLP (AR) 2019/20

*This institution is an equal opportunity provider.*

January 13, 2020

Pontotoc City School District  
Dr. Michelle Bivens, Superintendent  
140 Education Drive  
Pontotoc, MS 38863-0000

Dear Dr. Bivens:

Your response to the findings of our Administrative Review of your 2019-2020 National School Lunch Program (NSLP) and School Breakfast Program (SBP) 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) 576-5000. Thank you for your continued support of the Child Nutrition Programs.

Sincerely,

**Original Signed**

Marianna Chauvin, Division Director II  
Office of Child Nutrition, School Support Division

cc: File NSLP (AR) 2019/20

*This institution is an equal opportunity provider.*