



STATE OF MAINE
DEPARTMENT OF EDUCATION
23 STATE HOUSE STATION
AUGUSTA, ME 04333-0023

PAUL R. LEPAGE
GOVERNOR

ROBERT G. HASSON, JR., Ed.D.
COMMISSIONER

June 20, 2018

Mary Nash
Superintendent
RSU 35
180 Depot Road
Eliot, ME 03903

Dear Superintendent Nash:

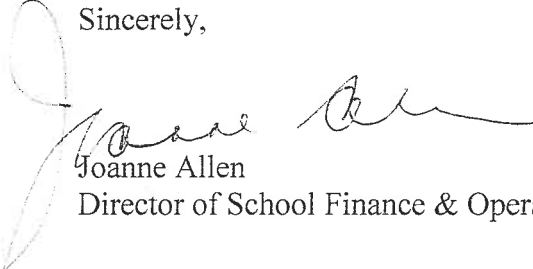
An Administrative Review of the RSU 35 School Nutrition Program was conducted on March 28 & 29, 2018. We appreciated the assistance given by you and your staff.

The enclosed Official Notification of Review Findings and Corrective Action describes the corrective action documentation and completion dates discussed during the exit conference. Please return a signed copy of this Official Notification when submitting the corrective action documentation. **Please provide the corrective action documentation by July 20, 2018.** Failure to do this may result in the withholding of reimbursement payments until it is received and/or a follow-up visit verifies that corrective action has been determined as acceptable. We hope that following the exit conference you and your staff addressed the corrective actions and that you will have no problems in meeting the response deadline.

The Official Notification also provides the potential fiscal action, which is an initial estimate of the amount of reimbursement that will be reclaimed. These are only estimates which must be adjusted to the actual date of corrective action for each violation. If documentation of corrective action or acceptable corrective action is not received by the response date stated above, the claim will be recalculated to the end of the school year.

We hope that this review has been helpful to you and your staff. If you should have any questions, or if we can assist in any way please feel free to contact David Hartley at 624-6878 or email david.hartley@maine.gov.

Sincerely,



Joanne Allen
Director of School Finance & Operations

JA/DWH/sjs

Enclosure

cc: Stephen Baldoumas

**Administrative Review of RSU 35
School Nutrition Program
March 28 & 29, 2018**

Introduction

The RSU 35 School Nutrition Program was reviewed. Marshwood Great Works School and Marshwood High School were selected to represent the district based on Federal Regulation 7CFR 210.18 and Maine Department of Education, Child Nutrition policies and procedures.

The review process consisted of an assessment of program materials from the month of September 2017, as well as onsite program observation at selected schools on March 28 & 29, 2018.

Performance Standard 1: Meal Access and Reimbursement

Certification and Benefit Issuance- A review of the certification and benefit issuance process was conducted to ensure that meals claimed for reimbursement are served only to those eligible for free, reduced-price and paid school meals. Eligibility documentation for a statistical sample of 226 students receiving free and reduced-price meal benefits was reviewed to validate the certification process.

A student on the Master list designated as foster had no documentation to support this. An application is needed to be completed by the Foster family and submitted.

RSU 35 uses the computer program NutrKids to approve applications. The individual entering the data into the Nutrikids program signed all of the applications. Since an electronic system is determining the student's eligibility, each application does not need to be signed. A master list can be printed, dated and signed, to make it more streamlined. As additional applications are received, they can be signed or a new master list printed and signed.

Each year a School District must complete an Online Annual Policy Details form. RSU 35 Policy Details had incorrect data entered. The Approving Official was listed incorrectly and the method of Application Approval is incorrect. Manual was listed, applications are entered into an electronic system. For SY 2019 take care to enter the correct data.

Verification- Verification is the process of validating three percent of approved meal benefit applications. Districts must conduct verification between October 1 and November 15 and the Verification Report is due to the State agency by November 20 of each year. A review of the SY 18 verification process showed that the required error-prone method was used to select households and that it was completed in the required timeframe.

The letter sent home at the end of the process closing the verification included a statement that the family is required to notify the district if the family income increased by \$50.00 or more monthly. This is no longer a requirement and the letter will need to be edited for next school year.

Meal Counting and Claiming- The district uses the electronic point of service (POS) system, NutriKids, to track reimbursable meals and a la carte sales. At both schools, cashiers correctly identified reimbursable meals and ensured students selected the required meal components for a reimbursable meal. No problems were observed.

Meal counts from the October 2017 and January 2018 District Claim for Reimbursement were reviewed. No errors were found.

Performance Standard 2: Meal Pattern and Nutritional Quality

Meal Components and Quantities-

Review Period- Menus and production records were reviewed for the week of February 5, 2018.

Breakfast: Menus were assessed for meeting the daily and weekly requirements for fruit, milk variety and minimum amounts of whole grain rich offerings. The meal pattern requires that one cup of fruit be offered daily at breakfast. At Marshwood Great Works School the production records don't accurately reflect the variety and quantity of fruit offered. Technical assistance was provided to list all fruit choices offered and serving sizes on the production record to document that 1 cup of fruit was available to students.

At Marshwood High School the following problems were noted.

Lunch: The meal pattern requires that all five meal components (whole grains, meat/meat alternate, fruit, vegetables, and milk) be offered to students every day in the required serving sizes. The menus were not compliant in the following areas:

The salad bar had not been completely started during the Off Site review period. Production records did not correctly reflect items on the salad bar. During the onsite review the salad bar was fully used and production records reflected all items on the salad bar.

Day of Review- During the on-site portion of this review, meals were observed to ensure sufficient food components were offered to students and Offer versus Serve was implemented properly. Offer versus Serve is the option for students to decline a certain number of meal components as part of a reimbursable meal.

Breakfast and Lunch were observed at Marshwood High School. No issues were found.

Lunch was observed at Marshwood Great Works School. No issues were found.

At both schools, the meals offered on the day of review met all meal pattern requirements for the Food Based Menu Planning System.

Signage – Signage indicating what constitutes a reimbursable meal is required at breakfast and lunch. This must include the requirement to take ½ cup fruit or vegetable.

A sign is posted at Marshwood Great Works School; however, it is not being used. It must be used during both breakfast and lunch.

Marshwood High School has no signage.

Signage must be posted and pictures submitted to the reviewer.

Resource Management

To determine the program's financial status, annual expenses are compared to annual revenue. For a program to breakeven, the total percent of food, labor and other expenses should not exceed 100%. For SY 2017, revenues and expenses were obtained from the Monthly Income and Expenses report found in NEO, the Maine Department of Education's Data Management System.

SY 2017	Target	Actual
Percentage of Food to Total Revenue	35-40%	52.66%
Percentage of Labor to Total Revenue	50-55%	44.85%
Percentage of Other to Revenue	<u>5-10%</u>	<u>5.60%</u>
	100%	103.11%

SY 2018-September - January	Target	Actual
Percentage of Food to Total Revenue	35-40%	39.87%
Percentage of Labor to Total Revenue	50-55%	66.89%
Percentage of Other to Revenue	<u>5-10%</u>	<u>2.37%</u>
	100%	109.14%

Income is being reported incorrectly. Chartwells supplies the District with Financial data for the program. In the financial data, the subsidy is determined as a "Projected Reimbursement". School Foods Services are run on a cash basis. This means expenses and income are reported as they happen, not on estimates. Subsidy is reported as part of the overall income. Income is reported as three types: Child/Adults/Other, Subsidy Received, and Town Support.

The monthly Claim for reimbursement has been filed late each month of the current school year. A plan must be implemented to submit the Claim for reimbursement on a timely basis.

Paid Lunch Equity (PLE)

The program has complied with the PLE requirement.

Meal Charging

The School Nutrition Program currently has a charging procedure in place, as required.

Procurement- The RSU 35 School Nutrition Program is operated by the Food Service Management company, Chartwells. Chartwells has a Procurement contract for the entire company's operations.

General Program Compliance

Reporting and Recordkeeping- Reports are not submitted to the State Agency in a timely fashion, program records are kept for three years plus the current year, as required. This includes eligibility documentation, financial records, menus and production records.

Smart Snacks Competitive Foods Rule- The competitive foods rule applies during the school day, defined as the period of midnight before, to 30 minutes after the end of the official school day. The rule applies to all foods sold to students on the school campus including vending machines, fundraisers and a la carte foods. This rule went into effect July 1, 2014. Marshwood High School has two vending machines. They are both on timers and are off during the school day. They are allowed to be on during the school day, as long as the items in them are Smart Snack Compliant. The food vending machine has items that are not Smart Snack compliant. If changes are made they can be on during the School day.

Labor Management and Meal Participation- Labor productivity is expressed as Meals per Worker Hour (MPWH) rate, which is the average meal equivalent of lunch, breakfast and a la carte sales, divided by the total daily labor hours. The MPWH rate is a useful tool to assess how well labor is being managed. Suggested goals are given in a range. The higher number is for a convenience operation, serving primarily pre-made items, such as canned or frozen products which require limited staff hours. The lower number is for primarily conventional school-made from scratch operations, requiring more staff hours.

Marshwood Great Works School

For the month of January 2018 the MPWH was 8.2; the minimum goal for this size program is 12-16 MPWH. Labor productivity is below the minimum recommended guidelines at this school.

Student participation rates are a valuable measure of the health of a school nutrition program and of student satisfaction. Participation rates for the month of September 2017 were:

	Free	Reduced	Paid	Overall
Breakfast	13.91%	29.24%	1.17%	3.88%
Lunch	68.05%	88.89%	34.97%	41.43%

Participation for both programs is low. Increasing participation can help the program financially and in the MPWH analysis.

Marshwood High School

For the month of January 2018, the MPWH rate was 18.7. The minimum goal for this size program is 18-22 MPWH. Labor productivity is within the recommended guidelines.

Student participation rates are a valuable measure of the health of a school nutrition program and of student satisfaction. Participation rates for the month of September 2017 were:

	Free	Reduced	Paid	Overall
Breakfast	12.62%	11.08%	0.58%	1.92%
Lunch	54.29%	39.06%	17.96%	21.76%

Increasing meal participation increases program revenue with little change to program expenses. Consideration should be given to implementing additional breakfast options. Breakfast after the bell (also referred to as Second Chance Breakfast) and grab and go breakfast can help increase participation.

USDA Food Program- The USDA Food program is being utilized well and no problems were observed during the review.

Food Safety and Sanitation- The kitchen and food storage areas at both schools were clean and well organized. Health Inspection reports were displayed for public view, as required.

Maine DOE requires that a complete sample meal, including milk, be covered, dated and kept for 48 hours. This was current practice at both schools.

Federal Regulations require schools to have a Food Safety Program based on Hazard Analysis and Critical Control Point (HACCP) for the preparation and service of meals. Written Standard Operating Procedures (SOP) were available for review. Updates are needed to reflect current practices.

Marshwood Great Works School

Temperature logs are required to record appliance temperatures for the Walk-in refrigerator, freezer and the milk cooler. This is not being done. Temperature logs will be started and the logs for the month of April 2018 must be sent to the reviewer.

During lunch, in between servings an adult entered the kitchen to use the bathroom. She walked by a warming cabinet in order to get to the bathroom. Based on the 2013 Maine Food Code individuals not working in the kitchen are not allowed in the kitchen:

2-103.11 Person in Charge. The Person in Charge shall ensure that:

(B) Persons unnecessary to the Food or Eating Establishment operation are not allowed in the Food preparation, Food storage, or Warewashing areas, except that brief visits and tours may be authorized by the Person in Charge, if steps are taken to ensure that exposed Food, clean Equipment, Utensils, and Linens, and unwrapped Single-Service and Single-Use Articles are protected from contamination;

Marshwood High School

The kitchen manager has a beard. Based on the 2013 Maine Food Code a hair restraint must be worn:

2-402 Hair Restraints: 2-402.11 Effectiveness.

(A) Except as provided in ¶ (B) of this section, Food Employees shall wear hair restraints such as hats, hair coverings or nets, beard restraints, and clothing that covers body hair, which are designed and worn to effectively keep hair from contacting exposed Food; clean Equipment, Utensils, and Linens; and unwrapped Single-Service or Single-Use Articles.

The Kitchen Manager at Marshwood High School left the campus. He wore his chefs jacket while he was off campus. The jacket could become contaminated when off campus:

2-304 Outer Clothing: 304.11 Clean Condition.

Food Employees shall wear clean outer clothing to prevent contamination of Food, Equipment, Utensils, Linens, and Single-Service and Single-Use Articles.

Each school preparing and/or serving meals is required to have at least one Certified Food Protection Manager on staff. While RSU 35 School Nutrition Program currently meets this requirement, staff members, including Managers, are not following Maine Food Code rules.

Civil Rights

And Justice for All Poster – The poster was available in the cafeterias as required.

Monitoring

An on-site monitoring review for both the breakfast program and the lunch program is required by February 1 of each year. A suggested form is available on our website so adequate documentation can be completed and maintained. This was not being completed. The forms were shown to the Food Service Director. Once completed for the current School Year, submit copies to the reviewer.

Wellness Policy- Each local educational agency that participates in the National School Lunch Program or other federal Child Nutrition programs is required by federal law to establish a local school wellness policy for all schools under its jurisdiction. The RSU 35 School Department’s wellness policy was reviewed and appears to contain the required elements. The district is also required to involve, inform, and update the public about the content and implementation of the policy; and conduct an assessment, at least every three years, to determine compliance and progress. The Policy was adopted on August 16, 2006 and appears to not have been reviewed since that date.

Training/Professional Development – The professional development standards took effect July 1, 2015. Annual training is required and documentation of continuing education hours for all food service employees need to be maintained. The required annual professional development hours are as follows:

SY 2017

School Nutrition Director	12 Hours
Kitchen Manager	10 Hours
Staff (20+ hours/week)	6 Hours
Part time Staff (<20 hours/week)	4 Hours

School Nutrition Program staff are on track to meet the professional standard training hours.

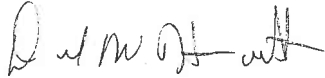
Findings- Findings from the review must be posted and made available to the public by federal law. This is part of the Healthy, Hunger Free Kids Act of 2010. It can be posted on the school website or made available at a public hearing or school board meeting. We suggest making this available within 30 days of this report.

Corrective Action- Corrective action is required as a result of this Administrative Review. The enclosed form outlines what is required. A detailed response and documentation of the corrective action must be returned to our office by the date specified, along with the enclosed form signed by the Superintendent.

Summary

Staff interact well with their customers, serving healthy nutrition meals. Changes have been made to the program with new management in place, and new procedures to follow. As noted above some improvements need to be made; however, the customers seem happy.

Sincerely,

A handwritten signature in cursive script, appearing to read "David Hartley".

David Hartley
Child Nutrition Consultant

Official Notification of Review Findings and Required Corrective Action

Local Education Agency: RSU 35

Local Education Official: Mary Nash

Instructions: Please submit a detailed response for each of the review findings listed below. Responses must be attached to this document and must address the following:

- How the finding was corrected (include who, when & how)
- Documentation that the finding has been corrected district-wide
- How this action will ensure future compliance

This review will remain open until this form has been signed and returned by the Local Education Agency Official, along with the requested documentation that the review finding(s) has been corrected. In accordance with §210.18(k), failure to return completed documentation within 30 days from the corrective action deadline date will result in the withholding of reimbursement payments.

Finding 1 – Performance Standard 1: Verification

Final letter closing the Verification process has incorrect information concerning the requirement that the family reapply if income changes.

Corrective Action: A copy of the corrected draft letter must be sent to the reviewer.

Date Due: July 20, 2018

Estimated Fiscal Action: n/a

Finding 2 – Performance Standard 2: Meal Pattern and Nutritional Quality: Meal Components and Quantities

Breakfast production records for Great Works School are incomplete. They do not include servings sizes to show the students are sufficient quantities.

Corrective Action: Submit to the reviewer production records for the week of September 10, 2018

Date Due: July 20, 2018

Estimated Fiscal Action: n/a

Finding 3 – Performance Standard 2: Signage

Signage must be posted to show what items are part of a reimbursable meal and their contribution.

Corrective Action: Submit pictures to the reviewer showing the correct signage.

Date Due: July 20, 2018

Estimated Fiscal Action: n/a – already done above.

Finding 4 – General

Monthly claim for reimbursement has been submitted late several times this school year.

Corrective Action: A plan of action to submit the claim for reimbursement must be submitted to the reviewer

Date Due: July 20, 2018

Estimated Fiscal Action: n/a

Finding 5 - General: Smart Snacks Competitive Foods Rule

Vending machines at Marshwood High School have items that are not Smart Snack compliant. Either the vending machines must be available to students during the school day (from midnight to 30 minutes after the last bell), or have only items that are Smart Snack compliant.

Corrective Action: Submit to the reviewer the plan of action to meet Smart Snack guidelines.

Date Due: July 20, 2018
Estimated Fiscal Action: n/a

Finding 6 - General: Food Safety

Food safety violations were noted. SOP's need updating, temperature logs not maintained, non-food service workers entering kitchen, no beard restraints being worn, smoker leaving campus and returning to work in same work clothing.

Corrective Action: Submit to the reviewer the plan of action to meet to correct each of these food safety violations.

Date Due: July 20, 2018
Estimated Fiscal Action: n/a

Finding 7 - General: Monitoring

School Districts with more than two or more buildings are required to complete an On-Site Monitoring form by February 1st of each school year. This was not being completed.

Corrective Action: Submit to the reviewer completed Off-Site Review forms, and plan of action to complete the process moving forward.


Date Due: July 20, 2018
Estimated Fiscal Action: n/a

Finding 8 - General: Wellness Policy

The RSU 35 Wellness Policy has not be reviewed or updated since April 2006. New Regulations require it to be reviewed every 3 years.

Corrective Action: Submit to the reviewer the next completed review of the Wellness Policy.

Date Due: July 20, 2018
Estimated Fiscal Action: n/a

Reviewer's Signature 

Date 6-19-18

You may be subject to a revisit if the error tolerance level was exceeded.

X 1st Review Revisit

Date Mailed to School/Institution Official 6/20/18

Submit to: Maine Department of Education
Child Nutrition
23 State House Station
Augusta, ME 04333-0023

Send Response no later than July 20, 2018

<u>Signature of Local Education Agency Official</u>	<u>Superintendent</u> Title	<u>Date</u>
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