



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

January 2, 2019

Julie Kukenberger
Superintendent
Scarborough Public Schools
PO Box 370
Scarborough, ME 04074

Dear Superintendent Kukenberger:

An Administrative Review of the Scarborough Public Schools Nutrition Program was conducted on December 12, 2018.

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 the dates specified in the Notification of Review Findings and Required Corrective Action form.** 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 Stephanie Stambach at 624-6732 or email stephanie.stambach@maine.gov.

Sincerely,

Joanne Allen
Director of School Finance & Operations

JA/SS/pn

Enclosure

**Administrative Review Report
Scarborough School Nutrition Program
December 12, 2018**

Introduction

The Scarborough School Nutrition Program was reviewed. Scarborough Middle School and Scarborough 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.

Performance Standard 1: Meal Access and Reimbursement

Certification and Benefit Issuance- There were no meal benefit application errors. Brenda Franklin, administrative assistant, does an excellent job certifying families for meal benefits and keeps organized records. This is a great accomplishment for the school department.

The notification letters sent to families included some incorrect information. The SNAP/TANF letter included a statement that the school must be notified when families no longer receive benefits. This statement must be removed as meal benefits are effective for the duration of the school year. The denied letter to families listed Brenda Franklin as the hearing official when it should be the superintendent, according to the annual participation agreement in NEO. This is the individual who is notified if a family decides to appeal the decision. The change was made while the reviewer was on site and no further action is needed.

Verification- The income for one application selected for verification was not verified correctly. As a result of the verification process, the family should have changed from reduced to free meal status. Technical assistance was provided to Brenda Franklin, who conducts the verification process. Copies of the results letters to families were not maintained; these must be maintained to document the entire process.

Meal Counting and Claiming- No findings.

Performance Standard 2: Meal Pattern and Nutritional Quality

Meal Components and Quantities- At Scarborough Middle School, the cranberry juice cocktail offered for breakfast is not 100% juice and cannot be offered as a meal component. At lunch, there was no grain choice documented with the Shepherd's pie meal; however food invoices for the menu review week confirmed that a whole grain breadstick was offered. Federal regulations require that meals with missing components be disallowed; therefore it is important that all meal components be recorded on the production record.

Production Records: Production records must document the items offered and quantities served as part of a reimbursable meal. Production records were incomplete for both schools as portion sizes were missing, specifically fruit for breakfast. At the high school the production record did not reflect that one cup of fruit was offered for lunch. At both schools, the nut butter and jelly sandwich recipe did not include a cheese stick and it was not recorded on the production record. On site observation confirmed that meal pattern requirements were met for both schools; however it is important that production records accurately reflect the meals that are being served.

Incomplete production records were a repeat finding from the last two reviews and therefore more attention and training is needed on this topic.

Resource Management

For SY 2018, revenues and expenses were obtained from the Monthly Income and Expenses report found in NEO. Town support in the amount of \$679,783.62 is not included in our comparison of expenses to revenue below:

SY 2018	Target	Actual
Percentage of Food to Total Revenue	35-40%	45.95%
Percentage of Labor to Total Revenue	50-55%	75.72%
Percentage of Other to Revenue	<u>5-10%</u>	<u>5.06%</u>
	100%	126.72%

A review of the September, October and November 2018 claims for reimbursement showed that the a la carte program at Scarborough Middle School is losing money. A review of expenses and the pricing structure of a la carte items are needed to determine if the program is worth continuing or to increase prices.

At Scarborough High School, students that select a reimbursable meal are allowed to take an 8 ounce water bottle at no charge. This is an unallowable cost to the program as water is not a meal component and is considered an “extra”. According to the kitchen manager, few students take water with their meal; however it still is a cost to the food service program. This is a repeat finding from the previous review.

Paid Lunch Equity (PLE)- Scarborough did not have to raise paid lunch prices as the program was in the black as of January 31, 2018, according to the NEO claim for reimbursement. As mentioned earlier in this report, in SY 2018 \$679,783.62 was transferred into the school nutrition account. The reviewer was made aware that town support is deposited into the food service account in the fall of each school year to reduce the negative balance from the prior year.

General Program Compliance

Reporting and Record Keeping- By State statute, claims for reimbursement must be filed and approved by the 8th of each subsequent month. For School Year 2019, all school nutrition claims have been filed on time but approved late. Filing claims on time results in subsidy being received on time. Late claims are also a component we are required to look at when awarding federal grants.

Smart Snacks Competitive Foods Rule- At Scarborough High School the following items were found to be noncompliant with the Smart Snacks rule: Smartfood popcorn, Almond Breeze milk, GoLite! Sweet Maui Onion popped chips, and the KIND Bar maple glazed pecan & sea salt. This was due to various factors such as exceeding the fat content and calories. The Almond Breeze milk is not nutritionally equivalent to cow’s milk and cannot be sold a la carte.

At Scarborough Middle School, the iced tea and Powerade do not meet Smart Snacks. Zero or low calorie beverages and caffeinated beverages can only be sold at the high school level.

Reimbursable Meal Signage- The required signage explaining to students how to make a complete, reimbursable meal was not available at Scarborough High School. Technical assistance was provided on site.

Buy American Provision- The fruit cocktail offered at Scarborough High School is a product of China. The olives and pears offered at Scarborough Middle School are products of Spain and China, respectively. Technical assistance was provided to substitute with an American product. If the cost is significantly higher documentation is needed to support purchasing the non-American product.

Food Safety and Sanitation- The most recent health inspection report was not posted for public viewing at Scarborough Middle School. Milk cooler temperature logs were also not maintained.

At Scarborough High School, the most recent health inspection report dated on November 13, 2018 noted mice droppings in the dry storage room and the need to close gaps on the double doors connecting the kitchen to the loading dock, which is a point of entry for mice especially in cold temperatures. The reviewer was told that there have been recent mice droppings in the storage room and on the metal cart in dry storage. Upon inspection of the dry storage room, it was found that one of the ceiling tiles had a 2 inch hole, which is an easy point of entry for mice. At the time of the review the gaps had not been closed on the double doors and the reviewer had requested that this along with the ceiling tile be fixed immediately. Corrective action has already been taken and both areas have been fixed along with a comprehensive plan from the facilities and food service director for how this will be prevented districtwide. The plan also included re-educating kitchen and custodial staff on how to report pest activity and more frequent visits from the pest management company. Thank you for your efforts to address this issue.

At both schools the Scarborough standard operating procedure (SOP) for personal hygiene was not followed as kitchen staff was observed wearing long earrings when the procedure specified only studded earrings. One of the kitchen staff at the high school was observed wearing a Fit Bit, which is a violation of the Maine Food Code and Scarborough's SOP's.

Civil Rights- An incorrect nondiscrimination statement was used on notification letters sent to families regarding meal benefits. The full, correct statement was provided to Brenda Franklin. The statement was corrected while the reviewer was on site; however it should be noted that this was a repeat finding from the previous review.

Wellness Policy- The wellness policy was reviewed and the following elements were missing:

- Policy for food and beverage marketing consistent with Maine statute §6662 (3) Food and beverage advertising
- Representation from a variety of district and community members including teachers of physical education, school health professionals, school board, school administration, parents, students, and food service.

Corrective action is required for the missing components. It was recommended that there be a separate heading for "other school based activities to promote student wellness" for ease when assessing those goals, which is required every three years.

Training/Professional Standards- All food service staff are on track to meeting their professional standards hours. Brenda Franklin does a great job tracking the number of hours each staff member needs to meet their individual training hours. She is also on track to meeting the number of hours required for a food service director. Different training topics are chosen by Brenda Franklin each month for staff to focus on or to address staff needs. Production records are a training topic that kitchen staff would benefit from.

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

The review identified some repeat findings and other areas of improvement including food safety and sanitation and ways to improve the financial status of the program. There are administrative areas such as application approval that are going particularly well. Brenda Franklin was quick to address any issues found during the review and was a pleasure to work with. We would like to commend the amount of scratch cooking that Scarborough High School is doing to provide healthy meals for the students.

Sincerely,



Stephanie Stambach MS, RD, SNS
Child Nutrition Consultant

Official Notification of Review Findings and Required Corrective Action

Local Education Agency: Scarborough Public Schools

Local Education Official: Julie Kukenberger

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: *Meal Access and Reimbursement*

The SNAP/TANF letter included an incorrect statement

Corrective action 1: Submit copy of letter to reviewer with statement removed

Date Due: February 8, 2019

Estimated Fiscal Action: None

Finding 2 – Performance Standard 2: *Meal Pattern and Nutritional Quality*

Incomplete production records at Scarborough Middle and High School (repeat finding)

Corrective action: Submit breakfast and lunch production records for the week of January 7, 2019

Date Due: February 8, 2019

Estimated Fiscal Action: To be determined

Finding 3 – Resource Management

Water bottles offered free of charge at Scarborough High School (repeat finding)

Corrective action: Provide statement that this practice has stopped or the school district is absorbing the cost

Date Due: February 8, 2019

Estimated Fiscal Action: None

Finding 4 – General Program Compliance: *Smart Snacks Competitive Foods Rule*

Non-compliant a la carte items identified at Scarborough Middle and High School

Corrective action: Provide statement that these products have been removed

Date Due: February 8, 2019

Estimated Fiscal Action: None at this time

Finding 5 – General Program Compliance: *Food Safety and Sanitation*

Recent health inspection noted mouse droppings in dry storage room

Corrective action: N/A- comprehensive plan was provided to the reviewer to address the pest issue

Date Due: N/A

Estimated Fiscal Action: None

Finding 6 – General Program Compliance: *Civil Rights*

Incorrect non-discrimination statement used on meal benefit notification letters (repeat finding)

Corrective action: N/A- statement has already been updated

Date Due: N/A

Estimated Fiscal Action: None

Finding 7 – General Program Compliance: *Wellness Policy*

Wellness policy missing the required elements

Corrective action: Update wellness policy and send the final, approved version to the reviewer.

Date Due: March 8, 2019

Estimated Fiscal Action: None at this time

Reviewer's Signature Stephan Stanley Date 12/28/18

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

1st Review Revisit

Date Mailed to School/Institution Official 1/3/19

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

Superintendent

Signature of Local Education Agency Official

Title

Date