



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

JANET T. MILLS
GOVERNOR

A. PENDER MAKIN
COMMISSIONER

March 24, 2022

Dr. Christopher Record
Superintendent
Cape Elizabeth Public Schools
PO Box 6267
Cape Elizabeth, ME 04107

Dear Superintendent Record:

The Cape Elizabeth School Nutrition Program was reviewed in January 2022 per Federal Regulation 7CFR 210.18 and Maine Department of Education Child Nutrition policies and procedures.

The enclosed Official Notification of Review Findings and Corrective Action describes the corrective action documentation required. Please submit a detailed response for each of the review findings listed in the report. Responses must be submitted through CNPweb, Maine Department of Education Child Nutrition's Administrative Review software, 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

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. 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.

Local Education Agencies have the right to appeal findings which impact their reimbursement. For more information visit <https://www.maine.gov/doe/sites/maine.gov/doe/files/inline-files/Child%20Nutrition%20Appeals%20Process.pdf>

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 Sarah Platt at 592-2410 or email sarah.d.platt@maine.gov.

Sincerely,

DocuSigned by:
Walter Beesley
1BDE853D88744C7...

Walter Beesley
Child Nutrition Director

WB/SP/pp

Enclosure

SNP Administrative Review Findings**Cape Elizabeth Public Schools (113)****Program Year 2022****Cape Elizabeth Public Schools (113)**

320 Ocean House Rd, 2FL
Cape Elizabeth, ME 04107

Food Service Contact

Mr. Peter Esposito
Food Service Director
(207) 799-8176

Executive Contact

Mr. Chris Record
Superintendent
(207) 799-2217

No. of Sites / Reviewed: 3 / 1
Month of Review: December 2021

Commendations

- * Thank you for your assistance during the Administrative Review. We recognize this has been a challenging year and we appreciate your efforts throughout the review process.

Technical Assistance

- * School Nutrition Programs are operating under multiple waivers this year allowing all meals served to students to be claimed at the free reimbursement rate. Because of these waivers, meal benefit applications were not reviewed as part of this Administrative Review.

Meal Counting & Claiming - Cape Elizabeth Public Schools (113)**Finding 9049: SFA not following the approved SFA-SA Agreement and/or Application.**

The SFA is not following the accountability/point of service procedures as stated on their approved SFA Sponsor Application. SFA Agreement indicates an electronic Point of Service (POS) system at the end of the meal service line is being used to count reimbursable meals. Review paperwork stated that they are "counting trays" to generate meal counts. Counting trays is not an allowable method to count reimbursable meals. Sponsor was instructed to discontinue this method immediately and implement a system that counted reimbursable meals at the point of service when the student selects a reimbursable meal.

Corrective Action:

1. Update the Site information Sheets in CNPWeb for all schools to reflect the actual accountability method used.
2. Upload documentation of point of service meal counts for the month of February 2022 for all schools into CNPWeb - E-reviews - Corrective Action Responses.
3. Provide a detailed description of how the meal count procedure has been corrected.

Date Due: April 25, 2022
Potential Fiscal Action to be determined.

General Program Compliance - Cape Elizabeth Public Schools (113)**Finding 9000: Local Wellness Policy *Repeat Finding**

Local Wellness Policy is not compliant. This is a repeat finding from the SY2018 review. It appears the prior Corrective Action was not implemented.

Corrective Action:

Revise the district's Local Wellness Policy to be compliant with federal regulations. Submit a copy of the compliant policy once approved by the Cape Elizabeth school board.

Date Due: May 25, 2022

Technical Assistance:

LWP resources are available on our website: <https://www.maine.gov/doe/schools/nutrition/programs/nslp>

A Triennial Assessment of the Local Wellness policy is required every three years. A sample assessment form can be found on our website. If the triennial assessment has not yet been completed, the deadline is June 2022.

SNP Administrative Review Findings**Cape Elizabeth Public Schools (113)****Program Year 2022****Pond Cove Elementary (114)**320 Ocean House Rd, 2FL
Cape Elizabeth, ME 04107

Month of Review: December 2021

Meal Components & Quantities - Pond Cove Elementary (114)**Finding 9075: Production records/supporting documentation indicate weekly meal pattern requirements for the age/grade group(s) not met.**

Based on a review of production records for the week of 12/6/2021, the weekly meal pattern requirements for the beans/legumes vegetable sub-group was not met. Unable to determine if the if dark green vegetable subgroup was offered.

Corrective Action:

1. Conduct a training for all School Nutrition Program staff on the National School Lunch Program vegetable subgroup meal pattern requirements.
2. Upload documentation, including topics covered in the training and sign-in sheets, in CNPWeb - E-Reviews/Corrective Action Responses.
3. Upload completed lunch Production Records for the week of 4/11/2022 from PCES in CNPWeb - E-Reviews/Corrective Action Responses.

Date Due: 4/25/2022

Estimated fiscal action: none at this time but repeat findings will be assessed fiscal action in the future.

Technical Assistance:Training resources are available at <https://www.maine.gov/doe/schools/nutrition> & <https://theicn.org/>.**Finding 9076: Planned menus served during Review month do not meet portion size/quantity requirements. *Repeat Finding**

Productions records were reviewed for the week of 12/6/2021 to determine whether the portion sizes of meal components met the minimum meal pattern requirements for the age/grade group(s) being served at PCES. Concern around incomplete production records was mentioned in the 2015 review.

1. Production Records lack sufficient detail to support meal pattern requirements. Actual serving sizes were not listed, everything is "1 portion".
2. Lunch - Minimum daily grain requirement on 12/9/2021 was not met (repeat finding).
3. Lunch - Minimum weekly grain requirement for the week of 12/6/2021 was not met. (repeat finding). 1526 Lunches are ineligible for reimbursement.
4. Lunch - Unable to determine if the daily vegetable requirement of 3/4 cup was offered. All items are recorded as "1 portion".
5. Breakfast - Production Records do not specify what type fruit is offered. Different fruits have different yields which is why fruit type must be specified on the production record to determine meal pattern compliance.
6. Breakfast - Insufficient fruit offered. No fiscal action at this time but repeat findings in the future will be assessed fiscal action.
7. Recipe for "milk variety" contains orange juice. Orange juice does not contribute to the milk component and cannot be counted in the milk variety recipe. This was communicated during the 2015 review.

Corrective Action:

1. Revise Lunch counts on the December 2021 Claim for Reimbursement for PCES to be 2975 to dis-allow the meals listed in #3 above.
2. Conduct a training for all School Nutrition Program staff on the meal pattern requirements for the National School Lunch Program.
3. Conduct a training for all School Nutrition Program staff on the meal pattern requirements for the National School Breakfast Program.

SNP Administrative Review Findings**Cape Elizabeth Public Schools (113)*****Program Year 2022***

4. Conduct a training for all School Nutrition Program staff on the proper completion of production records.
5. Upload training documentation, including the topics covered in the trainings and sign-in sheets, in CNPWeb - E-Reviews/Corrective Action Responses.
6. Upload completed lunch and breakfast Production Records for the week of 4/11/2022 from PCES.
7. Revise milk variety recipe and upload in CNPWeb - E-Reviews/Corrective Action Responses.

Date Due: 4/25/2022

Technical Assistance:

*Training resources are available at <https://www.maine.gov/doe/schools/nutrition> & <https://theicn.org/>.

*Production Records indicate that 32 Gluten-free sandwiches were served to students on one day. The gluten-free bread is not whole grain-rich and therefore not compliant with meal pattern requirements. Peter Esposito shared that these were "made by mistake". Dietary accommodations that fall outside of the meal pattern are not eligible for reimbursement unless there is a completed medical statement signed by the student's physician. There is a sample medical statement on our webpage.