

Administrative Review Report

Mill Creek Academy Inc

Commendations:

From the NPC: Thank you to all involved for the warm welcome at Mill Creek Academy. A special shout out to the food service director onsite for operating a successful school nutrition program. Continue to learn and find ways to help the program be the best that it can be.

From the PHN: Thank you to all staff at Mill Creek Academy for the warm welcome and cooperation during this Administrative Review (AR). Your time and patience in working throughout this review is greatly appreciated. Thank you for serving your students.

Recommendations:

From the NPC: It was observed that the food service staff could use some assistance getting the kids through the line more efficiently. This in turn will allow the students more time to enjoy their meal. It is also recommended to work with the students to remember their id number. This will also help with line efficiency.

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Findings and Corrective Action:

Form Name	Meal Counting and Claiming (300 - 311)	
Question #	305	
Due Date	April 14, 2025	
Corrective Action		<p>Finding: The SFA does have an Unpaid Meal Charge Policy in place however it was not communicated. All SFAs must have an Unpaid Meal Charge policy that is communicated and distributed to the households, annually. (SP 46-2016)</p> <p>Corrective Action: Provide a timeline of when the policy will be completed and implemented and how households will be notified annually.</p>
Form Name	School Breakfast and Summer Food Service Program Outreach (1600 - 1601)	
Question #	1601	
Due Date	April 14, 2025	
Corrective Action		<p>Finding: The SFA did not adequately inform households about the availability and location of free meals for students via the Summer Food Service Program (SFSP).</p> <p>Corrective Action: Provide a statement describing how households will be informed about the availability of SFSP for the upcoming summer and going forward. Please include the method of communication and time frame for distributing SFSP outreach materials.</p>
Form Name	Revenue From Non-Program Foods (709 - 711)	
Question #	709	
Due Date	April 14, 2025	
Corrective Action		<p>Finding: It was observed that students that were purchasing milk only were also taking fruit and not being charged for it.</p> <p>Corrective Action: Provide a statement of understanding that this is not allowable. Stop the practice immediately. Provide documentation that this practice has been communicated to all teachers, aides, staff, students and parents. Upload the documentation into SNACS.</p>
Form Name	Civil Rights (800 - 806)	
Question #	801	
Due Date	April 14, 2025	
Corrective Action		<p>Finding: The Public Release was not distributed to the required locations including the media, local unemployment</p>

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		<p>office, grassroots organizations and any major employers contemplating large layoffs in the area (7 CFR 245.5(a)(2)).</p> <p>Corrective Action: Upload into SNACS the names of 2-3 organizations that the public release will be sent in the following school year.</p>
Form Name	Civil Rights (800 - 806)	
Question #	803	
Due Date	April 14, 2025	
Corrective Action		<p>Finding: The SFA does have a procedure for handling discrimination complaints specific for the school meal program (FNS Instruction 113-1) but it is not specific to the school nutrition program.</p> <p>Corrective Action: Utilizing the DPI template policy (https://dpi.wi.gov/sites/default/files/imce/school-nutrition/doc/sfa-civil-rights-complaint-procedures-template.docx), develop procedures for the SFA and upload into SNACS.</p>
Form Name	Maintenance of Non-Profit School Food Service Account (700 - 705, 777)	
Question #	700	
Due Date	April 14, 2025	
Corrective Action		<p>Finding: After reviewing the Annual Financial Report from school year (SY) 2023-24 and financial documents for SY 2024-25, it was noted that indirect costs were being charged to the nonprofit school food service account (Fund 50), which is unallowable in Wisconsin. This includes travel expenses for NHA staff, NHA indirect labor including sub-contractors, building rental, and equipment rental.</p> <p>Corrective Action 1: Effective March 1, 2025, discontinue charging the following expenses to the nonprofit school food service account: All NHA travel expenses, NHA indirect staff labor expenses (including sub-contractors), building rental, and equipment rental. Submit a statement of understanding that these expenses are unallowable to the nonprofit school food service account (Fund 50).</p> <p>Corrective Action 2: A fund transfer from the general fund to the nonprofit school food service account (Fund 50) is required to recover these unallowable expenditures from SY 2023-24 and SY 24-25 (July 2024-February 2025) in the amount of \$83,258.91. Please upload the ledger showing this transfer and credit to the nonprofit school food service</p>

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	<p>account (Fund 50) into SNACS. This transfer must be completed within 30 calendar days from March 10, 2025.</p> <p>Corrective Action 3: Upload the financial ledger for the nonprofit school food service account (Fund 50) expenses for the month of March 2025 into SNACS.</p>
Form Name	Meal Counting and Claiming (314 - 316)
Question #	314
Due Date	April 14, 2025
Corrective Action	<p>Finding: Noncompliance with USDA memorandum SP 03-2019. Mill Creek Academy uses a charter management organization (CMO) operating as National Heritage Academy (NHA), the CMO cannot identify as the school food authority nor manage any aspect of the charter school's nonprofit school food service account. Per USDA memo SP 03-2019 it was determined that NHA is operating as a Food Service Management Company (FSMC) because of the language of the Services Agreement between NHA and the Mill Creek Academy School Board. In the Services Agreement NHA has listed food services as one of the services provided.</p> <p>Corrective Action: To allow participation in the USDA Child Nutrition Programs, NHA and the Mill Creek Academy School Board need to amend section E sub section 7 of the services agreement to remove language referencing food services within 30 days to be compliant with SP 03-2019</p> <p>National School Lunch Program and School Breakfast Program: Questions and Answers for Charter Schools Questions and Answers for Charter Schools.</p> <p>Q&A 7 If a charter school uses a charter management organization (CMO) also referred to as an education service provider (ESP), to manage and operate the charter school, can the CMO be responsible for the SFA's administrative responsibilities?</p> <p>It is FNS' understanding that CMOs are for-profit or nonprofit organizations that contract with individual schools to deliver management services. When a CMO is contracted to manage any aspect of the charter school's food service, it is considered a food service management company (FSMC) (7 CFR 210.2). Like all SFAs that contract with a FSMC, the charter school must follow Federal procurement requirements in 7 CFR 210.21 and 2 CFR 200.318-.326 to solicit bids/proposals to contract with this entity. The charter school must include in the solicitation and contract specific SFA responsibilities found in 7 CFR 210.16(a), FSMC</p>

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	<p>responsibilities found in 7 CFR 210.16(c) and (d), and USDA Foods requirements in 7 CFR 250.50-.54 (Subpart D). If the SFA uses a cost-reimbursable contract, the contract must include required provisions in 7 CFR 210.21 and the audit provision found in the 2016 Food Service Management Company Handbook for SFAs. These requirements can be found at the following website: https://www.fns.usda.gov/updated-guidance-contracting-food-service-management.</p> <p>However, if a CMO does not manage any aspect of the charter school's meal service, then the charter school/board of directors is permitted to assign its administrative responsibilities to the CMO, which then essentially functions as the SFA. This determination may be based on the recognition that the board, which is comprised of parents/guardians, and other professionals are board of director members in the fiduciary sense, rather than administrators, and thus the school would be better served by allowing the CMO to assume the administrative functions. This means the board could assign to the CMO eligibility, verification, and all other responsibilities for which the SFA is responsible. Such responsibilities may also include competitively procuring the services of a FSMC as specified in the requirements above. Assigning the administrative responsibilities to a CMO does not mean that the charter school abdicates or transfers its responsibility to ensure all program requirements are met; the charter school is still responsible for having all required paperwork on file, such as production records, copies of the household applications, meal counts, claims for reimbursement, food labels and recipes, documentation of all procurement processes for assessing compliance with procurement standards identified above, and oversight of the FSMC.</p> <p>Submit the updated contract into SNACS.</p>
Form Name	Meal Components and Quantities - Day of Review (400-408)
Question #	403
Due Date	April 14, 2025
Corrective Action	<p>Finding: Unallowable milk type offered at breakfast and lunch for students needing lactose-free milk. School Food Authorities (SFA) participating in the USDA Child Nutrition Programs have the option to provide a fluid milk substitute that meets or exceeds the level of nutrients found in cow's milk. Vanilla Almond Milk is a considered a non-creditable non-dairy beverage because it does not meet or exceed the level of nutrients found in cow's milk.</p>

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		<p>Corrective Action: Submit a statement agreeing to discontinue service of Vanilla Almond Milk for students needing lactose-free milk. In addition, describe what acceptable lactose-free milk will be offered in its place.</p>
Form Name	Meal Components and Quantities - Review Period (409-412, 430-437)	
Question #	435	
Due Date	April 14, 2025	
Corrective Action		<p>Finding: Standardized recipes missing required information. Per 7 CFR 210.10 (c)(5) all schools must develop and follow standardized recipes. Standardized recipes are required for all menu items made in-house with more than one ingredient. In addition, when the number of servings, ingredients, or preparation instructions change, an updated standardized recipe is required to accurately reflect these changes.</p> <p>During the week of review, the following recipes were not standardized and missing the following information: Vegetarian Garden Salad was missing amount of lettuce needed to make the entrée salads Corrective Action: Upload into SNACS a standardized recipe for the Vegetarian Garden Salad making sure to include the missing information. Be sure to include all requirements of a standardized recipe.</p> <p>Corrected On-site.</p>
Form Name	Meal Components and Quantities - Review Period (409-412, 430-437)	
Question #	436	
Due Date	April 14, 2025	
Corrective Action		<p>Finding: 80% whole grain-rich requirement not met at lunch during the week of review. Per 7 CFR 210.10(c)(2)(iii)(A) for NSLP, at least 80% of the grains offered weekly on each serving line must be whole grain rich.</p> <p>The following was offered during the week of review:</p> <p>Monday: Enriched-Wheat Tortilla (2 grains) Tuesday: Enriched-Wheat Tortilla (2 grains) Wednesday: Enriched-Wheat Tortilla (2 grains)</p> <p>Only 60% of products offered during the week of review during lunch were whole grain-rich.</p>

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		<p>Corrective Action: Submit a statement describing how the menu served during the week of review would be changed to comply with the 80% whole grain-rich requirement. Be specific and include serving sizes, nutrition facts labels, ingredient lists, and/or crediting documentation for items that would be planned in place of enriched grain items.</p> <p>Corrected Onsite.</p>
Form Name	Food Safety, Storage and Buy American (1404-1411)	
Question #	1411	
Due Date	April 14, 2025	
Corrective Action		<p>Finding: SFA is not maintaining all documentation for non-domestic products served in the school meal programs.</p> <p>Per 7 CFR 210.21(d) SFA's must purchase, to the maximum extent practicable, domestic commodities or products. When purchasing a non-domestic item, SFA's must maintain documentation demonstrating the exception, except when the item purchased is found on the FAR at 48 CFR 25.104 when using an exception under paragraph (d)(5)(i). The following products were identified in the SFA's storage area as non-domestic and not documented: Suncup Apple Juice (USA, Argentina, Brazil, China, Chile, Poland and/or New Zealand) Suncup Orange Juice (USA, Brazil, Costa Rica and/or Mexico) Suncup Fruit Punch Juice (USA, Argentina, Brazil, China, Chile, Costa Rica, Mexico, Spain, and/or New Zealand)</p> <p>Corrective Action: Complete and submit a Noncompliant Product List Form for the non-domestic products listed above.</p> <p>Corrected on-site.</p>

Technical Assistance Entries:

TA Date	TA Log #	Question #	TA Area	Site	SFA Contact	Email	Phone	User Name
01/07/2025	5519	305	Administrative Review	ALL	SFA			
Comments								
						Created By		Created Date
All SFAs must have an Unpaid Meal Charge policy in place per USDA Memorandum that is communicated and distributed to the households, annually. (SP 46-2016)								1/7/2025 5:28:19 PM
01/07/2025	5518		Administrative Review		SFA			

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Comments										
					Created By	Created Date				
All SFAs must have procedures in place for handling civil rights complaints in regard to discrimination in the National School Lunch Program and School Breakfast Program. All verbal or written civil rights complaints regarding the school nutrition programs that are filed with the district must be forwarded to the Civil Rights Division of USDA Food and Nutrition Service or State Agency within 5 days. SFAs are strongly encouraged to adopt the DPI SNT template civil rights complaint procedures.						1/7/2025 5:23:59 PM				
01/07/2025	5517	801	Administrative Review	ALL	SFA					
Comments										
					Created By	Created Date				
All SFAs are required to distribute a Public Release before the start of the school year. The purpose is to inform the public that free and reduced-price meals and free milk are available. SFAs must annually distribute the Public Release to local news media, grassroots organizations, local unemployment office, as applicable. SFAs are not required to pay to have the public release published but must maintain documentation of whom it was sent to along with the specific materials distributed.						1/7/2025 5:19:37 PM				
01/07/2025	5516	1405	Administrative Review	Mill Creek Academy	SFA					
Comments										
					Created By	Created Date				
"Every school operating USDA School Child Nutrition Programs must have two food safety inspections during each school year (7 CFR 210.13). The first inspection is a food safety inspection during meal preparation or service time to determine if food is being handled safely. The second inspection includes a review of the site's HACCP-based food safety plan."						1/7/2025 4:41:02 PM				
01/07/2025	5515	101	Administrative Review	ALL	SFA					
Comments										
					Created By	Created Date				
SFAs must ensure that a child's eligibility status is not disclosed at any point in the process of providing free or reduced meals, including during the notification of benefits, receiving meals and at the point of service (7 CFR 245.8).						1/7/2025 1:53:37 PM				
01/07/2025	5523	1601	Administrative Review	ALL	SFA					
Comments										
					Created By	Created Date				
USDA requires all SFAs to inform families of where their students can receive a free meal in the summer months. SFAs can inform						1/8/2025 10:59:00 AM				

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families of summer meals via the following methods: •Promotion of the summer meals locator on the DPI Summer Meals webpage •Promotion of calling 211 to locate meals in the area •Promotion of the ability to text 'food' to 304-304 to locate meals in the area •Promotion of the USDA Summer Food website (http://www.fns.usda.gov/summerfoodrocks) 7 CFR 210.12(d)							
01/07/2025	5522	709	Administrative Review	ALL	SFA		
Comments							
If a non-reimbursable meal is taken, all components must be charged at an ala carte price. As of now, only milk is sold as an ala carte item. No other food items may be included the price of an ala carte milk.						Created By	Created Date
							1/8/2025 10:57:05 AM
01/07/2025	5825		Administrative Review		FSD		
Comments							
To allow NHA and other sub-contractor labor to be an allowable cost to the nonprofit school food service account, these costs must be made into a direct cost through a time study. The time study must reflect the time staff spend on Mill Creek Academy tasks only. This option is only allowable once the Services Agreement is updated, it cannot be applied retroactively. Attached is the link for our template for time studies. https://dpi.wi.gov/search/google/time%20study%20template						Created By	Created Date
							3/10/2025 6:26:49 AM
12/30/2024	5493	900	Administrative Review	ALL	SFA		