



**STATE OF TENNESSEE
DEPARTMENT OF HUMAN SERVICES**

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BILL LEE
GOVERNOR

DANIELLE W. BARNES
COMMISSIONER

October 9, 2019

Howard Thompson, Board Chair
Bradley Cleveland Community Services Agency
Post Office Box 3297
Cleveland, Tennessee 37320-3297

Dear Mr. Thompson,

The Department of Human Services (DHS) - Division of Audit Services staff conducted an unannounced on-site monitoring review of the Summer Food Service Program (SFSP) at Bradley Cleveland Community Services Agency (Sponsor), Application Agreement 00-013, on August 27, 2019. Additional information was requested and provided on August 29, 2019. The purpose of this review was to determine if the Sponsor complied with the *Title 7 of the Code of Federal Regulations* (CFR) applicable parts, provider agreement, and applicable Federal and State regulations.

Based on our review of the Sponsor's records and information provided, the Sponsor had 50 feeding sites operating during the review period. **Big City University**, The Boys & Girls Club – Teen Center (**Teen Center**), Boys & Girls Club – Benton Unit (**Benton Unit**), Boys & Girls Club Jacobs Unit @ Clingan Ridge (**Jacobs Unit**), College Hill Recreation Center (**College Hill**), First United Methodist Child Development Center (**First United**), Ms. Nancy's Preschool and Day Care (**Ms. Nancy's**), South Cleveland Community Center (**South Cleveland**), and **United Christian Academy** feeding sites were selected as the sample. In addition, we reviewed all meal counts for all sites operating during the review period.

Background

SFSP Sponsors utilize meal count sheets to record the number of breakfast, lunch, supper, and supplement meals served. Meals served by participating Sponsors must meet the minimum guidelines set by the United States Department of Agriculture (USDA) and DHS to be eligible for reimbursement. The SFSP Sponsor reports the number of meals served through the DHS Tennessee Information Payment System (TIPS) for reimbursement.

We inspected meal counts sheets for our test period and reconciled the meals claimed to the meals reported as served for each meal service. We also assessed compliance with civil rights

requirements. In addition, we observed meal services during the month of June at the sample sites.

Our review of the Sponsor's records for June 2019 disclosed the following:

1. The Sponsor reported meal counts incorrectly

Condition

During our monitoring visit on August 27, 2019, we requested meal count forms for all active sites during the review period.

The meals below were under/over reported before any meal disallowances.

| Site | Meal Type | Meals Reported | Actual Meals | Adjusted Meals | Exhibit |
|---------------------------------------|------------|----------------|--------------|----------------|---------|
| Benton Unit - <i>sample</i> | Supplement | 1,837 | 1,765 | -72 | D |
| Boys & Girls Club Blythe | Lunch | 589 | 582 | -7 | M |
| Boys & Girls Club Blythe | Supplement | 568 | 576 | 8 | M |
| Boys & Girls Tucker | Lunch | 1,632 | 1,732 | 100 | K |
| Bradley Place | Breakfast | 68 | 95 | 27 | O |
| Bradley Place | Lunch | 81 | 115 | 34 | O |
| Charleston Public Park | Lunch | 108 | 106 | -2 | Q |
| Cherokee Hills Apartments | Lunch | 188 | 187 | -1 | R |
| Cherokee Hills Apartments | Supplement | 155 | 165 | 10 | R |
| Cleveland Emergency Shelter | Breakfast | 5 | 10 | 5 | S |
| Cleveland High School Athletic Camp | Breakfast | 136 | 211 | 75 | T |
| Cleveland High School Summer School | Breakfast | 555 | 482 | -73 | U |
| College Hill - <i>sample</i> | Lunch | 1,065 | 1,125 | 60 | F |
| College Hill - <i>sample</i> | Supplement | 1,090 | 1,125 | 35 | F |
| Durkee Road Preschool Daycare | Breakfast | 377 | 348 | -29 | W |
| Durkee Road Preschool Daycare | Lunch | 397 | 429 | 32 | W |
| First United - <i>sample</i> | Lunch | 396 | 520 | 124 | G |
| First United - <i>sample</i> | Supplement | 420 | 546 | 126 | G |
| First United Methodist Summer Buddies | Lunch | 208 | 312 | 104 | X |
| First United Methodist Summer Buddies | Supplement | 282 | 394 | 112 | X |

| | | | | | |
|--|------------|-------|-------|-----|----|
| Forest Grove | Lunch | 231 | 216 | -15 | Y |
| Forest Grove | Supplement | 207 | 192 | -15 | Y |
| Horizon Square Apartments | Lunch | 458 | 447 | -11 | AA |
| LEAF Academy | Lunch | 789 | 785 | -4 | CC |
| Ms. Nancy's - <i>sample</i> | Breakfast | 821 | 885 | 64 | H |
| Ms. Nancy's - <i>sample</i> | Lunch | 1,080 | 1,214 | 134 | H |
| Overcoming Faith | Supper | 75 | 50 | -25 | EE |
| Polk County (FLIP) | Lunch | 321 | 548 | 227 | GG |
| United Christian Academy - <i>sample</i> | Breakfast | 742 | 712 | -30 | J |
| United Christian Academy - <i>sample</i> | Lunch | 800 | 880 | 80 | J |
| Waters Edge Apartments | Breakfast | 213 | 212 | -1 | LL |
| Waters Edge Apartments | Lunch | 328 | 324 | -4 | LL |
| Waterville Community Center | Breakfast | 288 | 289 | 1 | MM |
| Way of Life | Lunch | 180 | 184 | 4 | NN |

As a result, 39 breakfast meals, 855 lunch meals, and 204 supplements were underreported, and 25 supper meals were overreported. (See Exhibits)

This is a repeat finding from the Serious Deficiency report dated September 26, 2018

Criteria

Title 7 of the Code of Federal Regulations, Section 225.9 (d)(5) states, "... In submitting a claim for reimbursement, each sponsor shall certify that the claim is correct and that records are available to support this claim..."

Title 7 of the Code of Federal Regulations, Section 225.15 (c)(1) states, "Sponsors shall maintain accurate records justifying all meals claimed and documenting that all Program funds were spent only on allowable Child Nutrition Program costs. Failure to maintain such records may be grounds for denial of reimbursement for meals served and/or administrative costs claimed during the period covered by the records in question..."

The USDA SFSP Administration Guide, page 139, states, "All sponsors must use daily site records in order to document the number of Program meals they have served to children. The sponsor must provide all necessary record sheets to the sites. Site supervisors are then responsible for keeping the records each day. The site personnel must complete the records based on actual counts taken at each site for each meal service on each day of operation. Site personnel must be sure that they record all required counts."

The USDA SFSP Administration Guide, page 139, states, "It is critical that site personnel and monitors understand the importance of accurate point-of service meal counts. Only complete

meals served to eligible children can be claimed for reimbursement. Therefore, meals must be counted at the actual point of service...”

Recommendation

The Sponsor should ensure that the correct number of meals is reported for each site and based on accurate and complete meal count forms.

2. The Sponsor provided meal count forms with errors

Condition

During our monitoring visit on August 27, 2019, we requested meal count forms for all active sites during the review period. The Sponsor provided meal count forms that were not signed and/or dated by the site supervisor or were incomplete. We disallowed for material errors where meal count forms did not contain enough information to determine if meal counts had been taken at point-of-service and/or by trained personnel. We disallowed for errors as follows:

| Site | Meal Type | No. of meals Disallowed | Exhibit |
|---------------------------------------|------------|-------------------------|---------|
| Boys & Girls Club Powers | Lunch | 36 | N |
| Boys & Girls Club Powers | Supplement | 45 | N |
| Teen Center - <i>sample</i> | Supplement | 36 | C |
| Boys & Girls Cleveland State | Lunch | 78 | L |
| Boys & Girls Cleveland State | Supplement | 99 | L |
| Boys & Girls Tucker | Supplement | 79 | K |
| Bradley Place | Breakfast | 6 | O |
| Bradley Place | Lunch | 4 | O |
| Charleston Elementary School | Lunch | 42 | P |
| Charleston Public Park | Lunch | 5 | Q |
| Cherokee Hills Apartments | Lunch | 22 | R |
| Cherokee Hills Apartments | Supplement | 22 | R |
| College Hill - <i>sample</i> | Supplement | 5 | F |
| Durkee Road PreSchool Daycare | Lunch | 3 | W |
| First United - <i>sample</i> | Lunch | 33 | G |
| First United - <i>sample</i> | Supplement | 25 | G |
| First United Methodist Summer Buddies | Lunch | 39 | X |
| Forest Grove | Supplement | 15 | Y |
| Horizon Square Apts. | Lunch | 51 | AA |
| Jones Wrestling Center | Breakfast | 55 | BB |
| Jones Wrestling Center | Lunch | 188 | BB |
| LEAF Academy | Lunch | 427 | CC |
| Ms. Nancy's - <i>sample</i> | Breakfast | 161 | H |
| Ms. Nancy's - <i>sample</i> | Lunch | 131 | H |
| Overcoming Faith Christian Center | Supplement | 50 | EE |
| TCPS Basketball Camp | Lunch | 25 | JJ |
| Unity Center | Lunch | 43 | KK |

There were meal count forms that were signed by a site supervisor but not dated, but these meal count forms contained the date on the form and were completed without significant errors. Therefore, we did not disallow for this error.

As a result, 222 breakfast meals, 1,127 lunch meals, and 376 supplements were disallowed. (See Exhibits)

This is a repeat finding from the Serious Deficiency report dated September 26, 2018

Criteria

Title 7 of the Code of Federal Regulations, Section 225.9 (d)(5) states, "... In submitting a claim for reimbursement, each sponsor shall certify that the claim is correct and that records are available to support this claim..."

Title 7 of the Code of Federal Regulations, Section 225.15 (c)(1) states, "Sponsors shall maintain accurate records justifying all meals claimed and documenting that all Program funds were spent only on allowable Child Nutrition Program costs. Failure to maintain such records may be grounds for denial of reimbursement for meals served and/or administrative costs claimed during the period covered by the records in question..."

The USDA SFSP Administration Guide, page 139, states, "All sponsors must use daily site records in order to document the number of Program meals they have served to children. The sponsor must provide all necessary record sheets to the sites. Site supervisors are then responsible for keeping the records each day. The site personnel must complete the records based on actual counts taken at each site for each meal service on each day of operation. Site personnel must be sure that they record all required counts."

The USDA SFSP Administration Guide, page 139, states, "It is critical that site personnel and monitors understand the importance of accurate point-of service meal counts. Only complete meals served to eligible children can be claimed for reimbursement. Therefore, meals must be counted at the actual point of service..."

Recommendation

The Sponsor should ensure that all meal count sheets are signed and dated by the site supervisors at each site.

3. The Sponsor reported more meals than were observed during an on-site visit

Condition

During our monitoring visit at **College Hill** on June 17, 2019, we observed 41 supplements served. The Sponsor provided a meal count form for the supplement that reported 65 meals served.

As a result, 24 supplements were disallowed. (See Exhibit F)

The Sponsor provided a meal count form for **South Cleveland Community Center** for June 18, 2019, that had a discrepancy in the number of lunch meals counted at point-of-service and the number of meals claimed as served. A monitoring on-site visit was conducted on this date and the monitor observed 41 first and 4 2nd meals served and at the Sponsor review, 48 first and 5 2nd meals were claimed for this date.

As a result, 7 lunch meals were disallowed. (See Exhibit I)

Criteria

Title 7 of the Code of Federal Regulations, Section 225.9 (d)(5) states, "... In submitting a claim for reimbursement, each sponsor shall certify that the claim is correct and that records are available to support this claim..."

Title 7 of the Code of Federal Regulations, Section 225.15 (c)(1) states, "Sponsors shall maintain accurate records justifying all meals claimed and documenting that all Program funds were spent only on allowable Child Nutrition Program costs. Failure to maintain such records may be grounds for denial of reimbursement for meals served and/or administrative costs claimed during the period covered by the records in question..."

Recommendation

The Sponsor should ensure that site personnel perform and submit accurate meal count sheets.

4. The Sponsor reported meals that exceeded the approved capacity in TIPS for a feeding site

Condition

The Sponsor provided meal count forms that reported there were more meals served than were approved to be claimed in TIPS for **Benton Unit**. The site was approved for 110 lunch meals and 110 supplements each day. The Sponsor reported the following meals with errors:

- There were 115 lunch meals documented on the meal count form for June 19, 2019.
- There were 111 lunch meals documented on the meal count form for June 24, 2019.
- There were 112 supplement meals documented on the meal count form for June 19, 2019/

As a result, six (6) lunches and two (2) supplements were disallowed. (See Exhibit D)

Criteria

Title 7 of the Code of Federal Regulations, Section 265.6 (d)(2), states "When approving the application of a site which will serve meals prepared by a food service management company, the State agency shall establish for each meal service an approved level for the maximum number of children's meals which may be served under the Program. These approved levels shall be established in accordance with the following provisions: (i) The initial maximum approved level shall be based upon the historical record of attendance at the site if such a record has been established in prior years and the State agency determines that it is accurate. The State agency shall develop a procedure for establishing initial maximum approved levels for sites when no accurate record from prior years is available. (ii) The maximum approved level shall be adjusted, if warranted, based upon information collected during site reviews. If attendance at the site on the day of the review is significantly below the site's approved level, the State agency should consider making a downward adjustment in the approved level with the objective of providing only one meal per child. (iii) The sponsor may seek an upward adjustment in the approved level for its sites by requesting a site review or by providing the State agency with evidence that attendance exceeds the sites' approved levels."

The USDA SFSP Administration Guide, states "Reimbursement may not be claimed for meals in excess of the site's approved level of meal service."

Recommendation

The Sponsor should ensure that meals are not claimed in excess of the TIPS approved capacity. If attendance exceeds capacity then an upward adjustment to the capacity may be requested in TIPS.

5. The Sponsor claimed vended meals that were not supported by delivery tickets

Condition

During our monitoring visit on August 27, 2019, we requested delivery tickets to support the Claim for Reimbursement for meals provided by the vendor during the review period. The Sponsor provided delivery tickets that were not signed and dated, delivery tickets that reported less meals were available than were claimed, and did not provide delivery tickets for meals claimed. The delivery tickets provided had errors as follows:

The Sponsor provided a delivery ticket for the **Henegar Baptist Church** site for June 21, 2019 that did not support the number of meals claimed. The lunch delivery ticket documented ten (10) lunch meals were delivered and 13 lunch meals were claimed. There were no leftover meals available from the previous day.

As a result, three (3) lunches were disallowed. (See Exhibit Z)

The Sponsor provided a delivery ticket for the **Parktowne Apartments** site for June 24, 2019 that did not support the number of meals claimed. The lunch delivery ticket documented 19 meals were delivered and 20 meals were claimed. There were no leftover meals available from the previous day.

As a result, one (1) lunch was disallowed. (See Exhibit FF)

The Sponsor provided delivery tickets for the **Polk County Baptist Ass. (FLIP)** site that did not support the number of meals claimed. The delivery tickets for lunch on June 13 and 25, 2019 documented 38 meals were delivered. There were 39 meals reported on June 13, 2019 and 57 lunch meals reported on June 25, 2019.

As a result, 20 lunches were disallowed. (See Exhibit GG)

The Sponsor did not provide delivery tickets for the breakfasts served at **Waterville Community Elementary School site** for June 17 and 20, 2019.

As a result, 74 breakfast meals were disallowed. (See Exhibit MM)

The Sponsor provided delivery tickets for the **White Oak Baptist Church** site that were not signed or dated for suppers served June 24 – 28, 2019.

As a result, 242 suppers were disallowed. (See Exhibit OO)

Criteria

The USDA SFSP Administration Guide, page 139, states “Any sponsor serving vended meals must be sure that the figure entered as the number of meals delivered on the site record is the

same as that entered on the vendor's report. When they collect the site records, sponsors should check for the site supervisor's signature."

Recommendation

The Sponsor should ensure that all delivery tickets are signed and dated by site personnel and the number of meals delivered supports the claimed meals.

6. The Sponsor provided menus that did not list specific components

Condition

The Sponsor provided menus for breakfasts, lunches, suppers, and supplements menus that did not list specific fruit, vegetable and juice components for meals served for the review period. Based on food receipts and observed meals, we were able to determine the types of fruits, vegetables, and juices that were served and these components were creditable.

As a result, no meals were disallowed.

Criteria

Title 7 of the Code of Federal Regulations, Section 225.16 (d) states, "The meal requirements for the Program are designed to provide nutritious and well-balanced meals to each child. Sponsors shall ensure that meals served meet all of the meal pattern requirements."

The USDA SFSP State Agency Monitor Guide, page 32, states, "Daily records of menus must be reviewed to ensure that meal pattern requirements were met... Menu substitutions must be recorded to reflect actual foods served to Program participants."

Recommendation

The Sponsor should list specific components that will be served for each meal service in order for accurate determination of whether meals are creditable and to ensure items are not served to participants with medical issues or special dietary needs.

7. The Sponsor did not provide documentation of feeding site personnel training

Condition

During our monitoring visit on August 27, 2019, we requested Civil Rights and SFSP training documentation for site personnel. The Sponsor did not provide documentation of training for the following sites' supervisors: **Big City University, Benton Unit, and First United.**

Criteria

Title 7 of the Code of Federal Regulations, Section 225.15 (d)(1) states, "Each sponsor shall hold Program training sessions for its administrative and site personnel and shall allow no site to operate until personnel have attended at least one of these training sessions. Training of site personnel shall, at a minimum, include: the purpose of the Program; site eligibility; recordkeeping; site operations; meal pattern requirements; and the duties of a monitor. Each site shall have present at each meal service at least one person who has received this training."

Recommendation

The Sponsor should ensure that all site personnel has received SFSP training prior to site operation.

8. The Sponsor did not conduct monitoring of its feeding sites as required

Condition

During our monitoring visit on August 27, 2019, we requested documentation of monitoring conducted by the Sponsor during SFSP operations. The Sponsor was unable to provide documentation that monitoring had been conducted in the first week of operation for **Ms. Nancy's Preschool and Daycare** and was unable to provide documentation that monitoring had been conducted within the first four weeks at **South Cleveland Community Center** feeding site.

This is a repeat finding from the Serious Deficiency report dated September 26, 2018

Criteria

Title 7 of the Code of Federal Regulations, Section 225.15 (d)(2) states, "Sponsors shall visit each of their sites at least once during the first week of operation under the Program and shall promptly take such actions as are necessary to correct any deficiencies."

Title 7 of the Code of Federal Regulations, Section 225.15 (d)(3) states, "Sponsors shall review food service operations at each site at least once during the first four weeks of Program operations, and thereafter shall maintain a reasonable level of site monitoring, Sponsors shall complete a monitoring form developed by the State agency during the conduct of these reviews."

Recommendation

The Sponsor should ensure that monitoring is completed as required for each site.

9. The Sponsor did not maintain racial and ethnic data as required

Condition

During our monitoring visit on August 27, 2019, we requested racial and ethnic data for feeding sites operating during the review period. The Sponsor did not provide racial and ethnic data for the **South Cleveland Community Center** feeding site.

Also, the racial and ethnic data from was incomplete for **Big City University, First United Methodist Community Center, Boys & Girls Club Benton and United Christian Academy**.

This is a repeat finding from the Serious Deficiency report dated September 26, 2018

Criteria

Title 7 of the Code of Federal Regulations, Section 225.7 (g)(1) states, "Each State agency shall comply with all requirements of title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and the Department's regulations concerning nondiscrimination (7 CFR parts 15, 15a

and 15b), including requirements for racial and ethnic participation data collection, public notification of the nondiscrimination policy, and reviews to assure compliance with such policy, to the end that no person shall, on the grounds of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under, the Program.”

The USDA SFSP State Agency Monitor Guide, page 40, states, “The State agency must ensure that racial/ethnic data has been collected and consolidated onto a form which reports the categories of participating children at each site...”

The USDA SFSP Administration Guide, page 122, states, “Each year, every sponsor must determine the number of potentially eligible participants by racial/ethnic category for the area served. This information may be obtained from census data or public school enrollment data.”

Recommendation

The Sponsor should ensure that racial and ethnic data is collected and maintained as required

Technical Assistance Provided

During our monitoring visit on August 27, 2019, the Sponsor did not request any technical assistance.

Disallowed Meals Cost

Based on the review, we determined that the Sponsor’s noncompliance with the applicable Federal and State regulations that govern the SFSP resulted in a total disallowed cost of \$3,101.77.

Corrective Action

The Sponsor must complete the following actions within 30 days from the date of this report:

- Log into the Tennessee Information Payment System (TIPS) and revise the claim submitted for June 2019, which contains the verified claim data from the enclosed exhibits.
- Remit a check payable to the ***Tennessee Department of Human Services*** in the amount noted in the report for recovery of the amounts disallowed in this report. ***Please return the attached billing notice with your check,*** and
- Prepare and submit a corrective action plan to address the deficiencies identified in this report. The corrective action plan template is attached. Please return the corrective action plan to:

AuditServices.CAPS.DHS@tn.gov

If you have questions relative to the corrective action plan please contact:

Allette Vayda, Director of Operations
Summer Food Service Program
James K. Polk Building 15th Floor

505 Deaderick Street
Nashville, Tennessee 37243
Allette.Vayda@tn.gov
(615) 313-3769

Please mail your check and the billing notice to:

Summer Food Service Program
Fiscal Services
James K. Polk Building, 16th Floor
505 Deaderick Street
Nashville, Tennessee 37243

In accordance with the federal regulation found at *7 CFR Part 225.13*, your institution may appeal the amount of disallowed cost identified in this monitoring report. The procedures for submitting an appeal are enclosed. The appeal must be submitted to:

Tennessee Department of Human Services
Appeals and Hearings Division, Clerk's Office
P.O. Box 198996
Nashville, TN 37219

If the Institution decides to appeal the amount of disallowed administrative and meals cost, all appeal procedures must be followed as failure to do so may result in the denial of your request for an appeal.

We appreciate the assistance provided during this review. If you have any questions regarding this report, please contact Sean Baker, Audit Director 2, at 615-313-4727 or Sean.Baker@tn.gov.

Sincerely,



Sam O. Alzoubi, CFE
Director of Audit Services

Exhibits

cc: Demetrius Ramsey, Executive Director, Bradley-Cleveland Community Service Agency
Naneka Walker, Program Manager, Bradley-Cleveland Community Service Agency
Allette Vayda, Director of Operations, Child and Adult Care Food Programs
Debra Pasta, Program Manager, Child and Adult Care Food Program
Elke Moore, Administrative Services Assistant 3, Child and Adult Care Food Program
Constance Moore, Program Specialist, Child and Adult Care Food Program
Marty Widner, Program Specialist, Child and Adult Care Food Program
Comptroller of the Treasury, State of Tennessee

Exhibit A

SFSP Sponsor Program Data

Sponsor: Bradley Cleveland Community Service Agency
 Review Month/Year: June 2019

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|---|-------------------|-----------------------------|
| Number of Participating Sites for Breakfast | 14 | 14 |
| Number of Participating Sites for Lunch | 39 | 39 |
| Number of Participating Sites for Supplement | 16 | 16 |
| Number of Participating Sites for Supper | 12 | 12 |
| Number of Breakfasts Served | 4,883 | 4,626 |
| Number of 2 nd Breakfasts Served | 98 | 98 ¹ |
| Number of Lunches Served | 16,997 | 16,688 |
| Number of 2 nd Lunches Served | 340 | 340 ¹ |
| Number of Supplements Served | 8,941 | 8,743 |
| Number of 2 nd Supplements Served | 179 | 179 ¹ |
| Number of Suppers Served | 2,733 | 2,466 |
| Number of 2 nd Suppers Served | 55 | 55 ¹ |

¹Max allowed and paid out by TIPS for 2nd meals is 2% of 1st meals. We did not conclude on 2nd meals.

SFSP Sample Sites Data – (Exhibits B-J)

Exhibit B

Sample Site: Big City University

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|---|-------------------|-----------------------------|
| Total Number of Days Food Served | 15 | 15 |
| Number of Breakfasts Served | 471 | 471 |
| Number of Lunches Served | 476 | 476 |

Exhibit C

Sample Site: Boys & Girls Club (Teen Center)

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 20 | 20 |
| Number of Lunches Served | 619 | 619 |
| Number of Supplements Served | 718 | 682 |

Exhibit D

Sample Site: Boys & Girls Club (Benton Unit)

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 20 | 20 |
| Number of Lunches Served | 1,900 | 1,894 |
| Number of Supplements Served | 1,837 | 1,763 |

Exhibit E

Sample Site: Boys & Girls Club (Jacobs Unit)

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 20 | 20 |
| Number of Lunches Served | 877 | 877 |
| Number of Supplements Served | 858 | 858 |

Exhibit F

Sample Site: College Hill Recreation Center

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 20 | 20 |
| Number of Lunches Served | 1,065 | 1,125 |
| Number of Supplements Served | 1,090 | 1,096 |

Exhibit G

Sample Site: First United Methodist Child Development Center

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|---|-------------------|-----------------------------|
| Total Number of Days Food Served | 20 | 20 |
| Number of Lunches Served | 396 | 487 |
| Number of Supplements Served | 420 | 521 |

Exhibit H

Sample Site: Ms. Nancy's Preschool and Day Care

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|---|-------------------|-----------------------------|
| Total Number of Days Food Served | 20 | 20 |
| Number of Breakfasts Served | 821 | 724 |
| Number of Lunches Served | 1,080 | 1,083 |

Exhibit I

Sample Site: South Cleveland Community Center

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|---|-------------------|-----------------------------|
| Total Number of Days Food Served | 20 | 19 |
| Number of Breakfasts Served | 648 | 648 |
| Number of Lunches Served | 691 | 684 |

Exhibit J

Sample Site: United Christian Academy

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|---|-------------------|-----------------------------|
| Total Number of Days Food Served | 20 | 14 |
| Number of Breakfasts Served | 742 | 712 |
| Number of Lunches Served | 800 | 880 |

SFSP Non-Sample Sites Data – (Exhibits K-OO)**Exhibit K****Site: Boys & Girls Club (Tucker Unit)**

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 20 | 20 |
| Number of Lunches Served | 1,632 | 1,732 |
| Number of Supplements Served | 1,635 | 1,556 |

Exhibit L**Site: Boys & Girls Club (Cleveland State)**

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 20 | 16 |
| Number of Lunches Served | 159 | 81 |
| Number of Supplements Served | 159 | 60 |

Exhibit M**Site: Boys & Girls Club (Blythe Unit)**

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 20 | 20 |
| Number of Lunches Served | 589 | 582 |
| Number of Supplements Served | 568 | 576 |

Exhibit N**Site: Boys & Girls Club (Powers)**

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 20 | 17 |
| Number of Lunches Served | 247 | 211 |
| Number of Supplements Served | 300 | 255 |

Exhibit O

Site: Bradley Place

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 14 | 15 |
| Number of Breakfasts Served | 68 | 89 |
| Number of Lunches Served | 81 | 111 |

Exhibit P

Site: Charleston Elementary School

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 16 | 16 |
| Number of Lunches Served | 318 | 276 |

Exhibit Q

Site: Charleston Public Park

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 20 | 16 |
| Number of Lunches Served | 108 | 101 |

Exhibit R

Site: Cherokee Hills Apartments

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 20 | 20 |
| Number of Lunches Served | 188 | 165 |
| Number of Supplements Served | 155 | 143 |

Exhibit S**Site: Cleveland Emergency Shelter**

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 10 | 3 |
| Number of Breakfasts Served | 5 | 10 |
| Number of Lunches Served | 3 | 3 |

Exhibit T**Site: Cleveland High School Athletic Camp**

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 9 | 9 |
| Number of Breakfasts Served | 136 | 211 |

Exhibit U**Site: Cleveland High School Summer School**

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 12 | 11 |
| Number of Breakfasts Served | 555 | 482 |
| Number of Lunches Served | 524 | 524 |

Exhibit V**Site: Cleveland Public Library**

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 3 | 3 |
| Number of Lunches Served | 25 | 25 |
| Number of Supplements Served | 7 | 7 |
| Number of Suppers Served | 63 | 63 |

Exhibit W

Site: Durkee Road Pre School Daycare

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 20 | 20 |
| Number of Breakfasts Served | 377 | 348 |
| Number of Lunches Served | 397 | 426 |

Exhibit X

Site: First United Methodist Summer Buddies

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 9 | 9 |
| Number of Lunches Served | 208 | 273 |
| Number of Supplements Served | 282 | 394 |

Exhibit Y

Site: Forest Grove

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 20 | 20 |
| Number of Lunches Served | 231 | 216 |
| Number of Supplements Served | 207 | 177 |

Exhibit Z

Site: Henegar Baptist Church

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 20 | 20 |
| Number of Lunches Served | 76 | 73 |

Exhibit AA

Site: Horizon Square Apartments

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 20 | 17 |
| Number of Breakfasts Served | 184 | 184 |
| Number of Lunches Served | 458 | 396 |

Exhibit BB

Site: Jones Wrestling Center

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 6 | 6 |
| Number of Breakfasts Served | 330 | 275 |
| Number of Lunches Served | 330 | 142 |

Exhibit CC

Site: LEAF Academy

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 19 | 19 |
| Number of Lunches Served | 789 | 358 |

Exhibit DD

Site: Ocoee Villages

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 20 | 20 |
| Number of Lunches Served | 434 | 434 |
| Number of Supplements Served | 382 | 382 |

Exhibit EE

Site: Overcoming Faith Christian Phase 2

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 1 | 1 |
| Number of Lunches Served | 50 | 50 |
| Number of Supplements Served | 50 | 0 |
| Number of Suppers Served | 75 | 50 |

Exhibit FF

Site: Parktowne Apartments

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 20 | 20 |
| Number of Lunches Served | 261 | 260 |

Exhibit GG

Site: Polk County Baptist Association (FLIP)

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 15 | 12 |
| Number of Lunches Served | 321 | 528 |

Exhibit HH

Site: Price Memorial Church

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 1 | 1 |
| Number of Suppers Served | 9 | 9 |

Exhibit II

Site: Spring Lake Apartments

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 5 | 5 |
| Number of Lunches Served | 45 | 45 |

Exhibit JJ

Site: TCPS Basketball Camp

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 4 | 3 |
| Number of Lunches Served | 160 | 135 |

Exhibit KK

Site: Unity Center

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 20 | 20 |
| Number of Lunches Served | 304 | 261 |

Exhibit LL

Site: Waters Edge Apartments

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 20 | 20 |
| Number of Breakfasts Served | 213 | 212 |
| Number of Lunches Served | 328 | 324 |

Exhibit MM

Site: Waterville Community Elementary School

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 8 | 8 |
| Number of Breakfasts Served | 288 | 215 |
| Number of Lunches Served | 288 | 288 |

Exhibit NN

Site: Way of Life Hispanic Church of God

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 5 | 5 |
| Number of Lunches Served | 180 | 184 |

Exhibit OO

Site: White Oak Baptist Church

| Site Meal Service Reconciliation and Monitor Activity | Reported on Claim | Reconciled to Documentation |
|--|--------------------------|------------------------------------|
| Total Number of Days Food Served | 5 | 5 |
| Number of Suppers Served | 242 | 0 |



**STATE OF TENNESSEE
DEPARTMENT OF HUMAN SERVICES**

JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-1403

TELEPHONE: 615-313-4700 FAX: 615-741-4165
TTY: 1-800-270-1349
www.tn.gov/humanservices

BILL LEE
GOVERNOR

DANIELLE W. BARNES
COMMISSIONER

October 9, 2019

Howard Thompson, Board Chair
Bradley Cleveland Community Service Agency
P.O. Box 3297
Cleveland, Tennessee 37311

Notice of payment due to findings disclosed in the monitoring report for Summer Food Service Program (SFSP)

| | |
|----------------------|--|
| Institution Name: | Bradley Cleveland Community Service Agency |
| Institution Address: | PO Box 3297, Cleveland, Tennessee 37311 |
| Agreement Numbers: | 00-013 |
| Amount Due: | \$3,101.77 |
| Due Date: | November 12, 2019 |

Please remit a check or money order payable to the **Tennessee Department of Human Services** in the amount noted above by the due date to:

Fiscal Services
James K. Polk Building, 16th Floor
505 Deaderick Street
Nashville, Tennessee 37243
Tennessee Department of Human Services

If you have any questions regarding this notice, please feel free to contact Allette Vayda, Director of Operations at (615) 313-3769 or Allette.Vayda@tn.gov.

Thank you for your attention



Corrective Action Plan for Monitoring Findings

Instructions: Please print in ink or type the information to complete this document. Enter the date of birth for each Responsible Principal and/or Individual in Section B. Attach the additional documentation requested. Enter your name, title and date of signature on the last page. Please sign your name in ink. **Please return ALL pages of the completed Corrective Action Plan form.**

Section A. Institution Information

| | | |
|--|---------------------|--|
| Name of Sponsor/Agency/Site: Bradley Cleveland Community Services Agency | Agreement No. 00013 | <input checked="" type="checkbox"/> SFSP <input type="checkbox"/> CACFP |
|--|---------------------|--|

Mailing Address: Post Office Box 3297 Cleveland, Tennessee 37320-3297

Section B. Responsible Principal(s) and/or Individual(s)

| | |
|--|--------------------|
| Name and Title: Howard Thompson, Board Chair | Date of Birth: / / |
|--|--------------------|

Section C. Dates of Issuance of Monitoring Report/Corrective Action Plan

| | |
|------------------------------|-----------------------------------|
| Monitoring Report: 10/9/2019 | Corrective Action Plan: 10/9/2019 |
|------------------------------|-----------------------------------|

Section D. Findings

Findings:

1. The Sponsor reported meal counts incorrectly
2. The Sponsor provided meal count forms with errors
3. The Sponsor reported more meals than were observed during an on-site visit
4. The Sponsor reported meals that exceeded the approved capacity in TIPS for a feeding site
5. The Sponsor claimed vended meals that were not supported by delivery tickets
6. The Sponsor provided menus that did not list specific components
7. The Sponsor did not provide documentation of feeding site personnel training
8. The Sponsor did not conduct monitoring of its feeding sites as required
9. The Sponsor did not maintain racial and ethnic data as required

The following measures will be completed within **30 calendar days** of my institution's receipt of this corrective action plan:

Measure No. 1: The Sponsor reported meal counts incorrectly

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name: _____ Position Title: _____

Name: _____ Position Title: _____

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

Measure No.2: The Sponsor provided meal count forms with errors

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name: Position Title:

Name: Position Title:

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

Measure No. 3: The Sponsor reported more meals than were observed during an on-site visit

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name: _____ Position Title: _____

Name: _____ Position Title: _____

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

Measure No. 4: The Sponsor reported meals that exceeded the approved capacity in TIPS for a feeding site

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name: _____ Position Title: _____

Name: _____ Position Title: _____

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

Measure No. 5: The Sponsor claimed vended meals that were not supported by delivery tickets

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name:

Position Title:

Name:

Position Title:

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

Measure No. 6: The Sponsor provided menus that did not list specific components

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name:

Position Title:

Name:

Position Title:

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

Measure No. 7: The Sponsor did not provide documentation of feeding site personnel training

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name:

Position Title:

Name:

Position Title:

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

Measure No. 8: The Sponsor did not conduct monitoring of its feeding sites as required

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name: _____ Position Title: _____

Name: _____ Position Title: _____

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

Measure No. 9: The Sponsor did not maintain racial and ethnic data as required

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name: Position Title:

Name: Position Title:

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

I certify by my signature below that I am authorized by the institution to sign this document. As an authorized representative of the institution, I fully understand the corrective measures identified above and agree to fully implement these measures within the required time frame. I also understand that failure to fully and permanently correct the findings in my institution's CACFP or SFSP will result in its termination from the program, and the placement of the institution and its responsible principals on the National Disqualified List maintained by the U.S. Department of Agriculture.

Printed Name of Authorized Institution Official:

Position:

Signature of Authorized Institution Official: _____

Date: / /

Signature of Authorized TDHS Official: _____

Date: / /

SUMMER FOOD SERVICE PROGRAM SPONSOR APPEAL PROCEDURES

7 C.F.R. § 225.13 governs appeals in the Summer Food Service Program and the maximum time limit for processing appeals is nineteen (19) calendar days for the Summer Food Service Program as follows:

1. The Department shall notify the appellant (Sponsor) in writing of the grounds upon which the Department has based the action. The Department's notice of action shall be sent by certified mail, return receipt requested, and shall also state that the sponsor or food service management company has the right to appeal the Department's action.
2. Appealable actions are outlined in 7 C.F.R. § 225.13(a) and are: A denial of an application for participation; a denial of a sponsor's request for an advance payment; a denial of a sponsor's claim for reimbursement (except for late submission under 7 CFR § 225.9(d)(6)); the Department's refusal to forward to FNS an exception request by the sponsor for payment of a late claim or a request for an upward adjustment to a claim, a claim against a sponsor for remittance of a payment, the termination of the sponsor or a site, a denial of a sponsor's application for a site, a denial of a food service management company's application for a site; of a food service management company's registration, if applicable.
3. The time period allowed for filing the appeal where actions are appealable as specified in 7 C.F.R. § 225.13(a) is ten (10) calendar days from the date on which the notice of action sent by certified mail return receipt requested is received.
4. The appeal must be in writing and must conform to the requirements outlined in 7 C.F.R. § 225.13(b) (4), which are set forth in number (6) below.
5. The address to file an appeal is as follows:

**Tennessee Department of Human Services
Appeals and Hearings Division, Clerk's Office
P.O. Box 198996
Nashville, TN 37219-8996
Toll Free. (866) 757-8209
Local (615) 744-3900
Fax. (866) 355-6136
AppealsClerksOffice.DHS@tn.gov**

6. The appellant is allowed to refute the charges in the notice of action in person, or by filing written documentation with the review official. If the appeal letter does not specifically request a hearing, a review of written documentation in lieu of a hearing will occur. To be considered, written documentation must be submitted by the appellant within seven (7) calendar days of submitting the appeal. An appellant is allowed the

opportunity to review information upon which the action described in the notice of action was based.

7. If the appellant requested a hearing in the appeal letter, the appellant shall be given at least five (5) calendar days advance written notice by certified mail, return receipt requested, of the date, time, and place of hearing.
8. If the appellant requested a hearing in the appeal letter, the hearing will be conducted within fourteen (14) calendar days of the receipt of the appeal. However, the hearing will not be held before the appellant's written documentation is received where the appellant has requested to submit the written documentation. The appellant may retain legal counsel or may be represented by another person. If the appellant institution or sponsoring agency is a corporation, partnership or other legally created entity, then the sponsoring institution or agency must be represented by an attorney. Otherwise, the individual representing the agency will have limited participation in the hearing. If the appellant institution or sponsoring agency is a natural person (not a corporation, partnership or other artificial entity), he/she may retain an attorney, represent themselves or be represented by another person. Failure of the appellant's representative to appear at a scheduled hearing shall constitute the appellant's waiver of the right to a personal appearance before the review official, unless the review official agrees to reschedule the hearing. A representative of the State agency shall be allowed to attend the hearing to respond to the appellant's testimony and written information and to answer questions from the review official. The review officer shall be independent of the original decision-making process.
9. Within five (5) working days after receiving the written documentation, and where a hearing was not requested in the appeal letter, the administrative review official, based on a full review of the administrative record, will inform the appellant, by certified mail, return receipt requested, of the official's determination.
10. Within five (5) working days after the hearing has been held, when a hearing was requested in the appeal letter, the hearing official, based on a full review of the administrative record, will inform the appellant, by certified mail, return receipt requested, of the official's determination.
11. 7 CFR. § 225.13(11) requires the Program's administrative action to remain in effect during the appeal process.
12. Participating sponsors and sites may continue to operate during an appeal of a termination.
13. Reimbursement shall be paid for meals served during the appeal process if the administrative review determination overturns the Program's administrative action that was appealed.

14. If the sponsor or site has been terminated for the reason of imminent dangers to the health or welfare of children, the operation shall not be allowed to continue during the appeal process and this reason shall be specified in the notice of action.
15. The review official will make a determination based on information provided by the State agency and the appellant, and on Program regulations.
16. The determination made by the hearing official is the final administrative determination provided under 7 225.13(12), and will become the Final Order and set forth the time limits for seeking judicial review.