



**STATE OF TENNESSEE
DEPARTMENT OF HUMAN SERVICES**

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

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TTY: 1-800-270-1349
www.tn.gov/humanservices

BILL LEE
GOVERNOR

DANIELLE W. BARNES
COMMISSIONER

August 19, 2019

Larry Maysilles, Board Chair
Of One Accord, Incorporated
Post Office Box 207
306 East Main Street
Rogersville, Tennessee 37857-0207

Dear Mr. Maysilles,

The Department of Human Services (DHS) - Division of Audit Services staff conducted an unannounced on-site monitoring review of the Summer Food Services Program (SFSP) at Of One Accord, Inc. (Sponsor), Application Agreement 00-057, on July 11, 2019. Additional information was requested and provided on July 17, 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 24 feeding sites operating during the review period. The Arrowhead Drive Mobile Home Park (**Arrowhead**), Prices Mobile Home Park #2 (**Prices**), Harmon Drive Apartments (**Harmon Drive**), and Terrace Apartments (**Terrace**) 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 lunch meal services on June 12, 2019 at the sample sites.

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

1. The Sponsor provided meal count forms with errors

Condition

During our monitoring visit on July 11, 2019, we requested meal count forms for all active feeding sites during the review period. The Sponsor provided meal count forms with the following errors:

The Sponsor provided meal count forms that were not signed and/or dated by the site supervisor for lunch meals claimed for reimbursement for June 4, 2019 at the following sites:

Site	Lunch meals Disallowed	Exhibit
Arrowhead	5	B
Carters Crossing	8	F
Dylan Height Mobile Home Park	4	G
Rolling Hills Mobile Home Park	2	J
Stoney Pointe Mobile Home Park	6	K

As a result, 25 lunch meals claimed for reimbursement were disallowed. (See Exhibits)

The Sponsor provided a meal count form for **Dylan Height Mobile Home Park** for June 6, 2019 which only documented a total number of meals served. There was no indication that point-of-service meal counts were taken as individual meals were not marked on the form.

As a result, two (2) lunch meals claimed for reimbursement were disallowed. (See Exhibit G)

The Sponsor provided a meal count form for **Rogersville City Park** for June 28, 2019, that had a discrepancy in the number of meals counted at point-of-service and the number of meals claimed as served.

As a result, two (2) lunch meals claimed for reimbursement 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..."

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...”

The USDA SFSP Sponsor Monitor’s Guide, page 16, states, “... The only basis for reporting the number of meals served is accurate daily records. These records account for all categories of meals served and are signed by the site supervisors...”

Recommendation

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

2. The Sponsor did not have a supplement menu on file for the claim month

Condition

During our monitoring visit on July 11, 2019, we requested menus supporting the Claim for Reimbursement for the review period. The Sponsor did not have a supplement menu on file for the claim month. While we were on-site, the Sponsor created and provided a menu. The Sponsor stated that the menu was created based on the food purchase receipts.

Based on our review of the receipts, we concluded that the created menu was reasonable and did not disallow supplements based on our review of the food purchases.

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 ensure the menu is prepared and posted before each meal service.

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

Condition

The Sponsor provided lunch menus for the review period that did not list specific components for meals served. The menus listed two or more options for each component of the meal. The Sponsor did not provide all these options for the observed meals; therefore, we could not rely on these menus to determine the actual meals served each day. However, the components listed for these meals were all creditable components, and based on receipts and the observed meals, 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.

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

Condition

During our monitoring visit on July 11, 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 new sites and was unable to provide documentation that monitoring had been conducted within the first four weeks for a number of sites.

The Sponsor did not conduct the monitoring reviews during the first week of operation at the following feeding sites: Hawkins County Boys & Girls Club, The Shepherd's Center, and Rogersville City Schools.

The Sponsor did not conduct the first four weeks monitoring within the four week timeframe at the following sites: Arrowhead, Big Creek Trailer Park, Carters Crossing, Church Hill City Pool, Cross Roads Mobile Home Park, Dylan Height Mobile Home Park, First Freewill Baptist Church, Frosty Acres Mobile Home Park, Fugate Hill Apartments, Harmon Drive, Hawkins County Boys and Girls Club, Old Hickory Hills, Hidden Acres Mobile Home Park, Minor Mobile Home Park, Prices, Rogersville City Park, Rogersville City School, Rolling Hill Park, Rolling Hills Mobile Home Park, Shepherd's Center, Stoney Pointe Mobile Home Park, Stroupe Court Apartments, Swift Park and Terrace.

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 within the required as required for each site.

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

Condition

During our monitoring visit on July 11, 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 **Rogersville City School** feeding site.

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

Note: Our observations of the lunch meal services on June 12, 2019 revealed no significant deficiencies.

Technical Assistance Provided

During our monitoring visit on July 11, 2019, the Sponsor requested and received technical assistance regarding menu preparation.

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 \$116.95.

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 2018, 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, 16th Floor
James K. Polk Building
505 Deaderick Street.
Nashville, Tennessee 37243

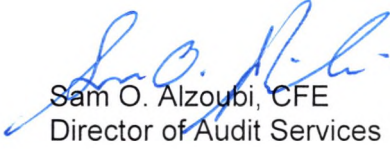
In accordance with the federal regulation found at *7 CFR Part 225.13*, your institution may appeal the amount of disallowed cost identified in this monitoring report. The procedures for submitting an appeal are enclosed. The appeal must be submitted to:

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: Rita Jones, Program Director, Of One Accord, Incorporated
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: Of One Accord, Inc.
Review Month/Year: June 2019
Claim Reimbursement Total: \$13,593.71

Site Meal Service Reconciliation and Monitor Activity	Reported on Claim	Reconciled to Documentation
Number of Participating Sites for Lunch	24	24
Number of Participating Sites for PM Snacks	1	1
Number of Lunches Served	3,209	3,180
Number of Snacks Served	686	686
Total Amount of Food Costs	XXXXXXXX	\$10,575.69
Total Amount of Eligible Food and Nonfood Costs	XXXXXXXX	\$19,943.28

SFSP Sample Sites Data – (Exhibits B – E)

Exhibit B

Sample Site: Arrowhead

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	95	90

Exhibit C

Sample Site: Harmon Drive

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	139	139

Exhibit D

Sample Site: Prices

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	101	101

Exhibit E

Sample Site: Terrace

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	82	82

SFSP Non-Sample Sites With Errors Data – (Exhibits F – K)

Exhibit F

Site: Carters Crossing

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	89	81

Exhibit G

Site: Dylan Height Mobile Home Park

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	57	51

Exhibit H

Site: Hawkins County Boys and Girls Club

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	691	691
Number of PM Snacks Served	686	686

Exhibit I

Site: Rogersville City Park

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	236	234

Exhibit J

Site: Rolling Hills Mobile Home Park

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	41	39

Exhibit K

Site: Stoney Pointe Mobile Home Park

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	186	180



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COMMISSIONER

August 19, 2019

Larry Maysilles, Board Chair
Of One Accord, Incorporated
306 East Main Street, Rogersville, Tennessee 37857

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

Institution Name:	Of One Accord, Inc.
Institution Address:	PO Box, Rogersville, Tennessee 37857-0207
Agreement Numbers:	00-057
Amount Due:	\$116.95
Due Date:	September 20, 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: Of One Accord, Incorporated	Agreement No. 00057	<input checked="" type="checkbox"/> SFSP <input type="checkbox"/> CACFP
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Mailing Address: Post Office Box 207 306 East Main Street Rogersville, Tennessee 37857-0207

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

Name and Title: Larry Maysilles, Board Chair	Date of Birth: / /
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Section C. Dates of Issuance of Monitoring Report/Corrective Action Plan

Monitoring Report: 8/19/2019	Corrective Action Plan: 8/19/2019
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Section D. Findings

Findings:

1. The Sponsor provided meal count forms with errors
2. The Sponsor did not have a supplement menu on file for the claim month
3. The Sponsor provided menus that did not list specific components
4. The Sponsor did not conduct monitoring of its feeding sites as required
5. 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 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.2: The Sponsor did not have a supplement menu on file for the claim month

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 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. 4: The Sponsor did 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. 5: 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.