



**STATE OF TENNESSEE
DEPARTMENT OF HUMAN SERVICES**

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COMMISSIONER

Certified Mail - Return Receipt Requested # 70081300000014226606

February 25, 2015

Berdette Roper, Director
Walter Harris, Board Chair
Bradley Nursery School
211 Bridge Avenue
Murfreesboro, Tennessee 37129

RE: Notice of Termination and Disqualification for Child and Adult Care Food Program (CACFP) Agreement Number 03-47--64170-00-0

Dear Ms. Roper and Mr. Harris,

This letter serves as notice that the Tennessee Department of Human Services ("Department") is terminating the Child and Adult Care Food Program ("CACFP") agreement with Bradley Nursery School, Berdette Roper, Director and Walter Harris, Board Chair (collectively, "Institution"). The grounds for this action are the Institution's failure to correct the serious deficiencies with the Institution's CACFP. The authorization for this action is found in Paragraph 1.e. of your FY 2013 CACFP Provider Agreement and in the United States Department of Agriculture ("USDA") Food and Nutrition Service ("FNS") regulations at 7 C.F.R. § 226.6(c)(3)(iii)(E).

The action in this letter is based on the Institution's failure to provide a Corrective Action Plan that meets the requirements contained on Page 4 of Memo Code CACFP 14-2012 dated May 1, 2012. On July 25, 2014, the Department of Human Services ("Department") sent you a Notice of Serious Deficiency. This notice outlined the following: CACFP applications on file had regulatory deficiencies, participants were reported incorrectly in the free and paid categories, meal counts reported incorrectly, menus not meeting component requirements, insufficient quantities of milk, sign-in/sign-out sheets were used to document attendance, and not all participants had updated applications. These failures resulted in the Department determining that

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the Institution, the Director and the Board Chairperson are seriously deficient in their operation of the CACFP. **The Institution has submitted the overpayment of \$644.00.**

The Institution has paid the overpayment identified in the monitoring report issued June 12, 2014. In addition, the responsible individuals were asked to complete corrective action. However, the Institution and responsible individuals failed to complete an adequate Corrective Action Plan (CAP). Accordingly, the Department determined that the Institution, the Director and the Board Chair have failed to fully and permanently correct the serious deficiency cited in the Serious Deficiency Notice.

As a result of the Institution's failure to submit an adequate corrective action plan, a Notice of Proposed Termination and Disqualification was issued January 26, 2015. The Institution did not appeal the Notice of Proposed Termination. As a result, the Institution's CACFP Provider Agreement is formally terminated and Bradley Nursery School, the Director, Berdette Roper, as well as the Board Chair, Walter Harris are disqualified from future CACFP participation as required by the USDA FNS regulations at 7 C.F.R. § 226.6 (c)(3)(iii)(E).

Institutions and individuals remain on the NDL until USDA's Food and Nutrition Service, in consultation with the Department, determines that the serious deficiencies have been corrected, or until seven years after their disqualification. However, if any debt relating to the serious deficiencies has not been repaid, they will remain on the NDL until the debt and any accrued interest is repaid. Interest on outstanding debt cannot be waived. In accordance with §226.14(a), in part, the State agency must assess interest beginning with the date of this termination notice. For information about applied interest rates please visit the following website:

http://www.fiscal.treasury.gov/fsreports/rpt/cvfr/historical_rates.htm

The authorization for this action is found in Paragraph 1.e. of your FY 2014 CACFP Provider Agreement and in the CACFP regulations at 7 C.F.R. § 226.6(c)(3)(iii)(C).

If you have any questions, please feel free to contact Leslie Schenk at (615) 253-3957.

Sincerely,



Raquel Hatter, MSW, Ed.D.
Commissioner

LS/