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March 21, 2017

Gary Brogan  
Bear Lake County School District  
23353 US Hwy 30  
Montpelier, ID 83254

Dear Mr. Brogan,

On March 6-7, 2017, State Department of Education (SDE) Coordinators Tamara Donovan and TJ Goodsell conducted an Administrative Review of Bear Lake County School District for the following United States Department of Agriculture (USDA) programs:

- National School Lunch Program (NSLP)
- School Breakfast Program (SBP)
- Afterschool Snack Program (ASSP)
- USDA Foods

Bear Lake Middle School and AJ Winters Elementary School were the school sites reviewed.

The State agency (SA) would like to commend Angie Weston and the entire staff of the Bear Lake County School District for their hard work operating the school nutrition programs.

## Overview

The Richard B. Russell National School Lunch Act, amended by the addition of Section 201 to the Healthy Hunger Free Kids Act of 2010 (HHFKA), requires a unified accountability system designed to ensure that participating school food authorities (SFA) comply with USDA requirements. The objectives of the Administrative Review are to:

- Determine whether the SFA meets program requirements
- Provide technical assistance
- Secure any needed corrective action
- Assess fiscal action and, when applicable, recover improperly paid funds

## Review Frequency and Scope of Review

The Healthy Hunger-Free Kids Act mandates State agencies conduct an Administrative Review a minimum of one time during a three-year cycle to evaluate Critical and General Areas of Review, including:

- Performance Standard 1: Meal Access and Reimbursement
- Performance Standard 2: Meal Pattern and Nutritional Quality

- General Areas of Review: Resource Management, Food Safety, Local School Wellness Policy, Smart Snacks, Civil Rights, Buy American, Professional Standards, and other areas of general program compliance

These were the SA determined findings and the SFA response to the findings:

## Finding and Corrective Action Plan (CAP)

### **Finding 1- *Certification and Benefit Issuance***

Four free and reduced income applications (15 students) contained discrepancies with the number in the household documented and the actual number of names listed; household number is a determining factor in meal benefit income eligibility. Three applications (ten students) were incorrectly determined (due to a misunderstanding of "error prone" income guidelines) and received reduced meal benefits when they should have been denied meal benefits. Contact the households, correct/complete the applications and determine if there is a change in benefit status. If there is a change, send the household a letter of notification and upload a copy of the letter along with the updated benefit issuance list in MyIdahoCNP under Review Attachments. A change resulting in decreased benefits shall be made ten calendar days after the date the school food authority makes the final decision on the child's eligibility status.

**Timeframe for CAP completion:** March 21, 2017

**SFA Response to CAP:** While the SA was on-site, the Food Service Director completed and sent the notification letters. The updated benefit issuance list was uploaded on March 17, 2017, after the ten days had passed.

### **Finding 2- *Special Provision Options***

Provision 2 Breakfast base year information (daily meal counts by student name) was not retained. It is a requirement that this data be available to document/support claiming percentages. Please continue to search for the daily meal counts by student name; if records cannot be located, the sponsor may elect to establish a new base year in SY 2017-18. During the establishment of a base year, all students eat breakfast (/lunch) at no charge. Communicate with the SA regarding how the district would like to proceed.

**Timeframe for CAP completion:** March 21, 2017

**SFA Response to CAP:** On March 21, 2017, the Food Service Director, via email to the SA, requested to establish a new Provision 2 Breakfast 2017-18 base year district-wide and a new Provision 2 Lunch 2017-18 base year additionally at Bear Lake Clover Creek School.

### **Finding 3- *Buy American Provision***

Each SFA is required to purchase domestic agricultural commodities or products that are produced and processed substantially in the United States or territories, as applicable (7 CFR 210.21 (d)). SAF yeast from Mexico was in dry storage. If a product from another country is sourced, then the food service must have proof that the domestic product is significantly higher in price or not available in sufficient quantities. Include the Buy American Provision in SFA solicitation documents for the purchase of commercial foods. Products must be checked upon receipt and not accepted if the products do not comply with the Buy American Provision, unless there is documentation to justify the exception (exorbitant pricing or product shortages). The area

food service purchasing cooperative is going to meet in the coming weeks to discuss the upcoming school year bid procurement plan. The Food Service Director will request a copy of the meeting agenda, or an email confirmation from the area coordinator, regarding adding the Buy American Provision requirement to procurement documentation. Upload written notice of intent to include the Buy American Provision into MyIdahoCNP under Review Attachments.

**Timeframe for CAP completion:** March 21, 2017

**SFA Response to CAP:** The area coordinator for the co-op has added the Buy American Provision clause to the meeting agenda; the agenda was uploaded into MyIdahoCNP under the Review Attachments section.

#### **Finding 4– Meal counting and Claiming**

A systemic error was discovered; there were inaccuracies in the transfer from the daily meal count sheets for earned meals (by benefit status) to the monthly claim. The Food Service Director will develop a plan to ensure accurate meal claiming and will train applicable employees. Upload the plan and documentation of training into MyIdahoCNP Review Attachments.

**Timeframe for CAP completion:** March 21, 2017

**SFA Response to CAP:** On March 15, 2017, the Food Service Director uploaded documentation showing the meal counting and claiming procedure along with an example and a training log. Secretaries have received USDA civil rights training.

## Fiscal Action

Due to benefit issuance errors of 5.20%, total fiscal action was \$287.82. This amount falls under the \$600 threshold so will be disregarded and no financial adjustment will occur.

## Commendations

- The Food Service Director was well prepared for the State agency on-site review. All necessary documentation was organized and ready for review and she was available to answer questions and provide clarification. The time and work put into preparing for the review allowed the reviewers to work efficiently. Angie is very well organized, highly productive, and works diligently to better the program on all levels.
- AJ Winters Elementary School food service and office staff were receptive to SA recommendations and instruction.
- The Food Service Director was open to ideas to enhance the child nutrition service department in the school district.
- The cafeteria at AJ Winters Elementary School was a cheery place to enjoy lunch. The food service staff greeted the children and the children enthusiastically selected a balanced meal, talking excitedly about the "fruit slushies."
- The principal at Bear Lake Middle School, Mr. Heeder, is an asset to the Child Nutrition Program. He had a positive influence on students by helping at the POS when needed and overseeing the students' behavior as well as participating in lunch and sitting with students to eat. He is supportive of improving the program and works to assist child nutrition with available grant funds when they are available. The Food Service Director

and the Principal have a great vision for revamping their salad bar and encouraging the consumption of more fresh fruits and vegetables.

## Technical Assistance (TA)

### **Certification and Benefit Issuance**

- If the household provided only annual income on an application, the SFA must ensure that the amount is an accurate reflection of the household's current income and that it qualifies under the Special Situations portion of the Eligibility Manual. The determining official may need to contact the household for further clarification of the information provided on the application. Remember to make notes on applications to document follow up (date, name of person contacted, information collected, and official's initials).
- Best practice is to note Free-Homeless (such as FH) and Free-Foster (such as FF) on the benefit issuance list to ensure that meal benefits are not extended to other members in the household.

### **Offer Versus Serve**

- Please train staff on the importance of recognizing that students are their customers and should be greeted with a positive attitude when they come to lunch. Make the atmosphere pleasing and cordial to encourage increased participation and teacher/staff support.
- Food waste should be kept at a minimum by relying on previous production records when determining how much of an item should be prepared. By incorporating a share table, items such as unopened fruit juice cups, milk, and whole apples could be cleaned and reused.
- Consider having a steam table at the "serving bay" so that hot food items are kept at a constant temperature and could then be stored frozen and reused in subsequent meals.

### **Professional Standards**

- The SFA needs to ensure that any training provided to "non-staff" personnel including Civil Rights training is documented for proper tracking.

### **Civil Rights**

- Please update your non-discrimination statement to the correct USDA long non-discrimination statement available at the [SA Civil Rights website](#).

### **Food Safety**

- The most recent food safety inspection report must be posted in a location visible to the public. (7 CFR 210.13(b)) This was taken care of while the SA was on site.
- Items in the warehouse (refried beans and black beans) have questionable shelf life remaining based on product received dates. The Food Service Director needs to research the identified product codes to determine what the "use by date" is for these products and either discard or use them. First-in-First-out inventory management procedures should be revisited at the off-site storage location.
- For items removed from original packaging, best practice is to label food items with the product name in case of a food recall and to provide allergen information. Most products were labeled properly but a few bags were not identified.

- At the middle school, one package of cheddar cheese sauce was beyond the best by date of 9/25/16. This product package was slightly bulging and should be destroyed.

### **Local School Wellness Policy**

- On July 29, 2016, the USDA Food and Nutrition Service finalized regulations to create a framework and guidelines for written wellness policies established by LEAs. (§210.30) The final rule requires LEAs to fully comply with the requirements of the final rule by June 30, 2017. A Wellness Policy meeting took place / implementation was done on November 28, 2016. The Wellness Policy was approved by the school district board on December 13, 2016. Federal legislation requires school districts to implement a local wellness policy that must include language:
  - Permitting parents, students, school board, PE teachers, school health professionals, school food service staff, administrators, and community members to participate in the development, implementation, review, and update of the local wellness policy.
  - Identifying wellness policy leadership of one or more LEA and/or school official(s) who have the authority and responsibility to ensure each school complies with the wellness policy.
  - Specifying measurable goals for nutrition education, nutrition promotion, physical activity, and other school-based activities to promote student wellness that are written with consideration for evidence-based strategies.
  - Addressing nutrition guidelines for all foods and beverages sold on the school campus during the school day and for providing school meals that adhere to Federal meal pattern requirements.
  - Identifying nutrition standards for non-sold foods and beverages available during classroom and school celebrations.
  - Stating a policy for food and beverage marketing that allows the marketing and advertising of only those foods and beverages that meet Smart Snacks in School nutrition standards.
  - Addressing an evaluation conducted once every three years of the wellness policy and the extent to which schools are in compliance, how the district policy compares to model wellness policies, and the progress made in attaining local wellness policy goals.
  - Identifying a way to share the wellness policy content and implementation with the public.
- For more information regarding local wellness policies, please visit the Idaho SDE Child Nutrition Programs [School Wellness website](#).
- Heather Blume, Coordinator of Nutrition Assessment and Promotion at the State Department of Education, is an excellent resource for guidance and questions related to the Wellness Policy: hblume@sde.idaho.gov, 208.332.6902.

### **Smart Snacks**

- Please track all fundraisers, both exempted and compliant. Per state policy, a maximum of ten exempted fundraisers per school site per year may be approved by the school administrator. An exempted fundraiser can be for a maximum of four consecutive school days. All exempted fundraisers beyond ten must be pre-approved by the State agency using the Request form. (7CFR 210 (b)(2)) Details available at [Smart Snacks website](#).

- The SA reviewed the Smart Snack website with the secretaries at AJ Winters and Paris Elementary Schools and provided a copy of "A Guide to Smart Snacks in Schools."

### **Reporting and Recordkeeping**

- Non-program food sales to other organizations are allowable (cinnamon roll sales to community church), however the cost of foods must be increased by a minimum of 38% in order to cover the costs associated with the food sales.
- Reconsider access to the Food Service Director office to better secure sensitive student data and place signage to direct business to the child nutrition office during hours of operation.

### **Resource Management**

- To provide clarity in the food service account (Fund 290), please include more detail such as section headings for catering, a la carte, adult meals, and reimbursement (summer food, school meals, commodities, general funds transfer). This best practice will also ensure that revenue generated from non-program foods is traceable.
- All foods purchased by the food service department to be used as non-program food sales, which includes a la carte and adult meals sold, must be marked up to account for the cost of the food, labor, storage, and delivery of the products. Food service cannot order for non-USDA programs without marking up the price a minimum of 38%.
- Food service staff does purchasing and submits a receipt for reimbursement. This is allowable; however this needs to be included in the written procurement plan, outlining who has authority to make food service purchases.
- Second student meals must be priced at the adult meal price to account for sales tax, the free reimbursement rate, and the value of USDA foods.

## **Your review is now closed.**

At this time there will be no fiscal action. To appeal these findings please follow the appeal procedures on the [State Agency Appeal Procedures](#) document.

If you wish to discuss any of these findings, please contact me at (208) 332-6820. Thank you for your continued support of the Child Nutrition Programs.

Sincerely,



Tamara Donovan, RD, LD, SNS  
NSLP Coordinator

Cc: Colleen Fillmore, PhD, RD, LD, SNS, Director, Child Nutrition Programs  
Angie Weston, Food Service Director, Bear Lake County School District

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