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September 15, 2016

Mr. Ron Stultz, Administrator
Bonner County Juvenile Detention
4002 Samuelson Avenue
Sandpoint, ID 83864

Dear Mr. Stultz,

On August 18, 2016, State Department of Education (SDE) Coordinator Lynda Westphal conducted an Administrative Review of Bonner County Juvenile Detention for the following United States Department of Agriculture (USDA) programs:

National School Lunch Program (NSLP)
School Breakfast Program (SBP)
After School Snack Program (ASSP)

The Bonner County Juvenile Detention Facility and Adult Detention facility kitchen were reviewed.

The State agency (SA) would like to commend Liz Vogel and Mikayla Blood and the entire staff of Bonner County Juvenile Detention 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- Meal Compliance

The one week spreadsheet completed for lunch was deficient in grain/bread which required a review of the entire cycle menu. Since the lettuce type cannot be determined by the recipes or the production records, it appears that the menus are short in starchy and dark green vegetable subgroups although a substitution of cooked spinach made the week of review compliant for minimum dark green requirement. If this were made a permanent change, it would make that one week closer in compliance. Since some of the product formulation statements (PFS) are inadequate or missing, it cannot be determine whether or not the meat/meat alternative (m/ma) is being met during the week.

- Most of the recipes were updated to reflect the current food buying guide for crediting, however recipe D-405 for Chili Macaroni needs to have the amount of beans adjusted to 8.2 pounds of dried beans (in place of the 2.69 pounds in the recipe) to equal 2 ounce equivalents (oz. eq) m/ma, and the new recipe A-118 for scrambled eggs has 10 pounds, however it should read 9.52 dozen.
- The production records, while updated to include fruit half of the time at breakfast, still had the incorrect crediting amounts for m/ma for lunch and do not reflect the type of milk selected. They now reflect the type of lettuce being served in the salad.
- With bread only being credited as 1.75 oz. eq and the tortilla 1.5 oz. eq, the menu is under the required 2.0 oz. eq grain/daily requirement at lunch (12.25 oz. eq instead of 14 oz. eq) over the week.
- ABL Management, Inc. has found a new compliant product; the label for the new bread was verified during the review as 32 grams in weight (crediting as 1 oz. eq grain).

Timeframe for CAP completion: A complete Nutrient Corrective Action plan was sent to the ABL dietician on 8/9/16. This was due by 9/6/16.

SFA Response to CAP: Updated menus and recipes were received by the SA on 8/19/16.

- The SA conducted a nutrient analysis of the revised menus and production records, the calories, sodium and vegetable subgroups met nutrition requirements, however the saturated fat exceeded the 10% maximum allowed (11.8%) and will need to be addressed before the next review.

Finding 2 - Procurement

The Bonner County Juvenile Detention facility is claiming meals and reimbursement of federal funds which requires adherence to the federal guidelines found at 2 CFR Part 200. Since the Bonner County Juvenile Detention Center is obtaining meals from the jail one of two things must happen:

- 1) The Bonner County Juvenile Detention facility must obtain price rate quotations from an adequate number of qualified sources - OR

- 2) If the Bonner County Juvenile Detention facility is required to obtain the meals from the jail, then the jail must go out to bid at a minimum every five years (Contract awarded for one (1) year, with the option for four (4) one-year extensions).

If the Bonner County Juvenile Detention facility would like to exercise their rights to use Option 1, then the facility must have a Code of Conduct, a Written Procurement Procedures, and must retain the results from the solicitations for food purchases. If Option 2 is chosen, then the jail must follow government-wide regulations with regards to Procurement must and go out to bid at a minimum of every five years. This involves a public solicitation for the bidding of services, not reliance on a company inquiring to bid on services. There are many different companies in Idaho that provide food service to jails and juvenile detention facilities. If this route is chosen, please review SP40_CACFP12_SFSP14-2016 Updated Guidance: Contracting with Food Service Management Companies as this will apply in your situation.

Policy Memos SP12-2016, SP04-2016 along with the Public Procurement of Goods and Services one page handout were given for reference.

Timeframe for CAP completion: Please indicate which option is selected and the timeline to come into compliance to the State agency by 9/6/16.

SFA Response to CAP: Per e-mail to SA by Liz Vogel received 8/24/16, the SFA has selected Option “2) If the Bonner County Juvenile Detention Facility is required to obtain the meals from the jail, then the jail must go out to bid at a minimum every five years (Contract awarded for one (1) year with the option for four (4) one-year extensions.”

“Ron and I will be meeting with Sheriff Wheeler on August 31st to give him the copies of the Exit Report and the Policy Memos SP12-2016, SP04-2016 and the Public Procurement of Goods and Services handouts. It is my understanding that the Sheriff can continue with his recently renewed contract with ABL until Spring 2017, at which time he will need to obtain three (3) verbal bids prior to the expiration of the ABL contract in April 2017. If this is not correct, please let me know prior to our August 31st meeting.”

Per follow up e-mail sent by the SA 8/24/16: “If the Sheriff’s total contract with ABL is over \$150,000 he has to conduct a formal written procurement process (not verbal), which requires it to be posted in the paper and requests for proposal or Invitation to bid must be selected. I would suggest consulting with their attorney on the ins and outs of this process.”

Per e-mail received 8/31/16 “Ron and I met with the Sheriff this morning and he has calendared with his assistant to put the food service contract out to bid the beginning of March 2017.”

Finding 3 - Afterschool Snack Program

The Afterschool snack program must be reviewed two times per year.

Timeframe for CAP completion: Please review the program and send in the completed Afterschool Snack Review to the State by September 6, 2016.

SFA Response to CAP: Per e-mail received 8/24/2016, the Afterschool Snack Program was reviewed by Mikayla Blood on 8/19/16 with a date of January 2017 for the next review. As indicated on the top of the Afterschool Snack Review form, the reviews will happen in January and July from this point forward.

Commendations

- Liz was on top of every request and wants everything to be done correctly. The SA reviewer appreciated her level of dedication.
- Mikayla is developing a thorough paperwork process and is working to bring all the paperwork into compliance.
- The Professional Standards (a new requirement) was completed for the last year and was in compliance. Since it is a newer regulation I want to give commendations to those already in compliance.

Technical Assistance (TA)

Meal Counting and Claiming

- Must make sure the students always get a fruit serving at breakfast, even if it is only the 100% fruit juice.

Dietary Specifications and Nutrient Analysis

Since the Jail uses ABL Management, Inc. as their food service vendor, initially there were numerous issues with their menus, recipes, and production records. The below was asked of the Corporate Dietician, Debbie Craft, RD, LD, to revamp week 5 of the cycle menu to be completed by 8/24/16.

- The breakfast calorie range is in compliance, however the sodium is too high and fruit is not offered at breakfast, which is must be 50% of the time.
 - The new menu sent to the jail had fruit over 50% of the time (4 out of the 7 days)
- Production records need work on listing cereal, milk and juice types and were given as a CAP to be completed by 8/24/16. This will give us a better understanding of the foods offered to the children.
 - Production records have been updated to allow the JDC staff to circle what was given to the juveniles.
 - Please send a copy of this week's production records to the State by 9/6/16.
 - Received 8/24/16
- Lunch is short on calories (estimated) and sodium is at the maximum amount.

- Please send a copy of this week's production records to the State by 9/6/16.
- Received 8/24/16 and nutrient analyzed by SA staff. Calories are at the minimum of 754 and sodium is in the range, however saturated fat is over the allotted 10%.

Meal Components and Quantities

- **Crediting incorrect (sent to ABL with notes on recipes) – most of these have been changed**
 - Chili Macaroni WG
 - Chili Con Carne
 - Sloppy Joe
 - Turkey Ham is being credited incorrectly (rounding up)
 - Turkey Ham and Beans does not add up correctly
 - Refried Beans does not add up correctly
 - Scalloped Potatoes does not add up correctly
 - Potatoes Seasoned does not add up correctly – corrected
 - Bread label – must be 28 grams per slice to count as 1 oz. eq grain/bread - completed
 - Tortilla is only 1.5 oz. eq grain/bread – new product sourced
- **Questions on Recipes**
 - Recipes must have the correct crediting on them.
 - Ground Turkey & Noodles – what kind of noodles? - Changed
 - Confetti Coleslaw – amounts do not add up to 100 servings
 - Potato Salad – does not add up to “starchy” – but does add up to “other” vegetables when all added together
 - Shredded Lettuce #B203 does not say what type of lettuce (Iceberg?)
 - Iceberg identified
 - Carrot sticks B200 does not add up
 - still incorrect
 - Coleslaw B201 does not add up to the crediting
 - Food Buying Guide on-line calculator corroborated the recipe
 - Turkey Ham and Scalloped Potatoes D420 – Credits pasta, yet does not have any pasta in recipe. Also Turkey ham in recipe equals 1 oz. eq m/ma (not 2). The onions and potatoes together will only give 3/8 cup vegetable since you cannot round up. Could give 3/8 cup “other vegetable”
 - Jelly label sent is blank – still have no label, however analyzed with generic jelly
 - Salad recipe just says lettuce – which type?
 - Iceberg Identified via e-mail, however recipes not changed

- Several days on the cycle menu it says 1 1/2 shredded lettuce – is this 1 1/2 cups shredded iceberg? That is credited only for 3/4 cup.
 - New menus have changed this
- **Questions on Labels**
 - Product formulation statements **MUST** be on manufacturers' letterheads and must include everything in the attached documentation. Most of the documents have "I further certify that the above..." without a signature, date, phone number, or even where it is from - this is not allowed.
 - Some new products were obtained that were CN Labeled for week of analysis
 - Classic Turkey Breast has a lot of food starch/fillers – must have a CN Label or product formulation statement from the manufacturer on it.
 - Chicken Patty – has VPP and no product formulation statement – if this is correct – cannot use the product
 - New label sent and the breaded chicken patties are CN labeled
 - Turkey Franks – need a valid product formulation statement or cannot serve them
 - Label sent and they are now CN Labeled

Production records do require work

- Milk is not notated for which type is being sent – corrected by day of review. Now need to list types selected
- Seasoned Brown Rice is on the PR; however brown was scratched off on the week of review. The jail staff indicated verbally they served brown rice; if that is the case do not scratch it off the production records.
- 3 ounce seasoned taco meat is listed as being 2.9 meats on the 7-15 PR – it is not.
 - Recipe correct, production record still needs to be updated
- Juice is listed for breakfast – corrected by day of review
- 7-14 substituted spinach for carrots – this may alter compliance with your vegetable subgroups for the week.
- 7-10 beans listed as a grain/bread – these are a vegetable.

Offer versus Serve (OVS)

- Use the OVS at Breakfast training toolkit (and count as training) to ensure you are giving children a reimbursable meal which should include fruit. Visit the [Idaho National School Lunch Program](#) webpage to find the resource. The link can be found here:

Food Safety

- Several Recipes say to heat ground turkey until no longer pink. This is incorrect as pink meat can be at temp and non-pink meat can still harbor pathogens. Must have food safe temperature guidelines on recipes.

- In talking to the chef at the jail – this was purposely done because the meat is added to a dish that is finished in an oven then the temperature is taken
- HACCP Plan states that they must complete the production records, which need some attention to come into compliance. They need to state what type of milk and the number or cartons sent.
 - These have been changed as of date of review

Afterschool Snack

- Two Afterschool Snack Program reviews must be done every year. Would recommend putting on a calendar and doing it the same time every year. (See above finding)

Civil Rights

- Make sure the Civil Rights statement is updated on the Wellness Policy and check all other documents.

Local School Wellness Policy

- The Local Wellness Policy needs the civil rights statement updated and review the new regulation which was codified on 7/26/16 and is due by 7/1/17. The new guidelines can be found in Download Forms in MyIdahoCNP.

Procurement

- Handed out the Procurement Standards to clarify requirements that the jail contract must go out to bid, or they must solicit for services due to receipt of federal dollars.

Your review is now closed.

At this time there will be no fiscal action. Should you wish 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 support of the Child Nutrition programs.

Sincerely,

Lynda Westphal, MHS, SNS
NSLP Coordinator

Cc: Colleen Fillmore, PhD, RD, LD, SNS, Director, Child Nutrition Programs
Liz Vogel, Food Service Director, Bonner County Juvenile Detention

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