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March 23, 2017

Dr. N. Shalene French  
Caldwell School District  
1502 Fillmore Street  
Caldwell, ID 83605

Dear Dr. French,

On March 1-2, 2017, State Department of Education (SDE) Coordinators Jennifer Butler Heather Blume, TJ Goodsell, Tamara Donovan and Lynda Westphal conducted an Administrative Review of Caldwell School District for the following United States Department of Agriculture (USDA) programs:

- National School Lunch Program (NSLP) – Community Eligibility Provision
- School Breakfast Program (SBP) – Community Eligibility Provision
- Fresh Fruit and Vegetable Program (FFVP) at Jefferson Middle School
- USDA Foods

The sites reviewed were Caldwell Senior High and Jefferson Middle Schools.

The State agency (SA) would like to thank April Burton, CFO, Vicky Blankenship and the entire staff of the Caldwell 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- Procurement – Buy American Provision*

Barilla Oven Ready Lasagna is an 'imported' product from Italy and does not meet the provision and is also not a whole grain pasta. Documentation to support this product should be acquired.

**Timeframe for CAP completion:** March 15, 2017

**SFA Response to CAP:** Per e-mail dated March 6, 2017, a return authorization was supplied and a label for a new, compliant, whole-grain rich product was sent to the State agency.

## Commendations

- The Food Service Office is well organized and was receptive to necessary changes, especially in reference to financial management. Reconciliation of food service bank statements will be another way to monitor income and expenses.
- Central office staff was very organized with information, receptive to TA, and timely with follow up, especially given the number of school closure days.
- All staff wore appropriate hair restraints as required per Idaho Food Code.
- Food service staff was friendly and pleasant to the students as well as to each other. Several of the students at the HS said "thank you for the meal" to the staff, which was a pleasure to observe.
- The Caldwell Senior High School cafeteria was well organized and had good food safety and civil rights procedures on-site. The thermometer holding Tupperware was a unique way to organize the dropped thermometers until they could be calibrated. That is a good use of their time.
- The high school food service employees were very helpful even though it was an unusually busy morning on 12/19. The previous day of school was canceled due to weather, affecting delivery of supplies. They were managing to prepare fresh food as supplies were delivered (such as frozen ground beef for the homemade chili) and managing to receive weekly supplies while answering review questions. Also, they were covering the workload of an employee absent due to injury, a very good example of team work.

## Technical Assistance (TA)

### **Dietary Specifications and Nutrient Analysis**

- State agency independent contractor Laura Thomas provided the following information:
  - TA given on updating NutriKids meal compliance worksheets to accurately reflect juice at breakfast, whole-grain rich items and given on completing production records. TA was also given on weekly components and how NutriKids weekly requirements are calculated.

- TA given that all components in credited amounts was a best practice as that while upper limits were not in effect, calorie limits were. It was noted that servings of meat/meat alternate and grains that exceed daily minimums by several servings could indicate calorie or other dietary specifications may be exceeded. Usually it was only one line with limited participation (50 to 100 meals, 5-10% of daily service) that offered more than 2 oz. equivalent of grains or meat/meat alternate daily. The total impact of additional calories is not as great as when additional servings are on the hot line that serves about half of the students.
- TA given on standardized recipes and completion of production records on site. The recipe for the emergency meal Nachos shows different crediting than the site production record. However, the meal was not prepared so this was a technical issue.
- During review of labels for documenting meals, central office staff noted that chow mein noodle label contained trans-fat. District staff reported product was removed immediately from kitchen inventory. Menu planner made decision to remove chow mein noodle from ingredients in recipes to avoid situation in future. TA given to review all product labels during receiving to assure a product substitution by supplier does not inadvertently contain trans-fat.
- TA also given that sodium targets will move to Target 2 levels next school year and efforts need to be made for further sodium reduction.
- TA given on ideas for expanding choice of raw vegetable at every line from baby carrots daily to a variety of subgroups.

### **Meal Components and Quantities**

- The independent contractor suggested ways to encourage students to participate in the salad bar, and if it is monitored will fulfill weekly vegetable subgroups.

### **Offer versus Serve**

- There were a few students observed leaving the line without a fruit or vegetable. Please have the person at the end of the line check trays (or pockets) for these items to ensure a reimbursable meal is taken.
  - The total number of meals observed to be out of compliance totaled \$22.61 which is below the \$600 threshold, so will be disregarded.

### **Civil Rights**

- School Foodservice Authority staff who interact with program applicants or participants (i.e., cafeteria staff, Free and Reduced Application approval staff) and their supervisors as well as the Hearing Official must have annual civil rights training. April Burton is listed as the Hearing Official so must have USDA civil rights training. Training is available at the [State Agency website](#). However, since the district is CEP, it was suggested that Cathy be counted as the determining official, NutriKids be the confirming official and Vicky be the Hearing Official. This can change if the district moves to regular counting and claiming.

## **Resource Management**

- Food service will be required to reconcile their bank account and submit that report to the business office on a monthly basis.
- All budget transfers are to be submitted to the business office for appropriateness and be approved or changed prior to approval.
- Invoices purchasing for multiple sub-objects will be broken out on the invoice prior to submission (e.g., pan sales will be broken out from pans used in the food service operation on the vendor invoices).

## **Food Safety**

- The person serving potato wedges was handling the pot holders and the handles of the warming cart and not changing gloves and washing hands in between. The issue should be addressed at training.
- Several products in the warehouse were discovered to be past the Best if Used by Date:
  - Cinnamon (two– 1-Gallon tubs) dated 2014
  - Cream of Chicken Soup (one can) dated August, 2015; an open case of the same product was dated 2016.
  - Rotini and Spaghetti (Whole grain) products dated July, 2015 and 2016.

## **Local School Wellness Policy**

- The Caldwell Wellness Committee has been meeting to update the content of the Local Wellness Policy (1-25-17 and 2-15-17) and will present the changes to the Board for approval. As a reminder, please make sure the following items are addressed in the final policy and implementation.
- On July 29, 2016, the USDA Food and Nutrition Service (FNS) 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. 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 foods and beverages available, but not sold, 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 website: [Child Nutrition Programs School Wellness](#).

### **Procurement**

- Recommend including RFP language that asks for country of origin for their products and if the product is sourced from outside of the USA, then the responder must include prices of American products, or that the product is not produced in the USA. Please refer to Guidance Memo SP24-2016.
- 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)). 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. The Buy American Provision was included in SFA solicitation documents for the purchase of commercial foods; however, some products in the warehouse do not follow the provision. Food 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). Saf Yeast from Mexico has been discovered, however documentation to support this product was shared with SFA's previously in the year. Tuna from the Philippines should be used as soon as possible.

### **Smart Snacks**

- Schools must meet the minimum requirement in 7 CFR 210.11, for all foods and beverages sold in school (also known as Smart Snacks in School) to increase consumption of healthful foods during the school day and support a healthy school environment. Vending, school stores, and fundraising need to comply with specific nutrition standards; at this time there is no fiscal action if a SFA/LEA is found out of compliance with Smart Snacks requirements, however this may change at any time. As the nutrient guidelines for Smart Snacks changed slightly with the publication of the final rule, please ensure that products are in compliance with the current nutrient standards.
- A high protein milk shake available in the high school vending machine is not Smart Snacks compliant and should not be sold to students during the school day.

### **Fresh Fruit and Vegetable Program**

- The food service office is allowing the vendor to choose the fruit and vegetables to be served in the Fresh Fruit and Vegetable program (FFVP). This is not allowed. The Supervisor needs to take control of what is offered to always get the best value possible.
- The School must widely publicize the FFVP. This is a competitive grant award and parents and students should be made aware of it. It was discussed that promotion could be added to the monthly menu, the school website, a school newsletter, or a comment added to e-mails sent from the school to the family.

## Your review is now closed.

Thee total withholding is \$22.61 which is below the \$600 threshold, so there will be no fiscal action. Should you wish to appeal any of 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,

A handwritten signature in black ink that reads "Lynda Westphal". The signature is written in a cursive style.

Lynda Westphal, MHS, SNS  
NSLP Coordinator

Cc: Colleen Fillmore, PhD, RD, LD, SNS, Director, Child Nutrition Programs  
Vicky Blankenship, Food Service Director, Caldwell School District

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