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February 16, 2017

Superintendent Kevin Barker
New Plymouth School District
704 S. Plymouth Ave.
New Plymouth, ID 83655

Dear Mr. Barker,

On December 9, 2016, State Department of Education (SDE) Coordinators Jennifer Butler and Lynda Westphal conducted an Administrative Review of New Plymouth 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

New Plymouth Elementary was the school site reviewed.

The State agency (SA) would like to commend Bonnie Ramsey and the entire staff of the New Plymouth 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- Benefit Issuance

Several benefit issuance errors were discovered that need to be corrected.

- Three applications, affecting 3 students, listed income that was not included in the total income calculations. The addition of the missing income resulted in the benefits changing from free to reduced. Send letters of adverse action to the three households notifying them of the change in benefit and update software to reflect the changes for each student. Upload the household notification letters into MyIdahoCNP.
- One student eligible for free benefits was found to be receiving reduced benefits. Update software to reflect the correct benefit for this student.
- Nine applications, affecting 17 students, were found to be incomplete because the household total box did not match the total number of names listed on the application. The household totals should match the names listed on the application in order to account for all household income. During the onsite review, phone calls were made to all nine households to obtain the missing information. All but one household was available to provide the missing names and income, resulting in no changes in the previous determinations. A message was left for the one household that was unavailable. Please be aware of the need to follow up with families as applications are submitted when items are incomplete. In the future, these applications should be considered denied as incomplete until all required information is obtained. One application needs to be recalculated after receiving additional information regarding the total household members and any additional income. Upload the revised application into MyIdahoCNP and make benefit issuance changes as necessary.

Timeframe for CAP completion: January 9, 2017

SFA Response to CAP: All required corrective action was completed and uploaded by December 21, 2016.

Based on the administrative error rate (8.27%) associated with certification and benefit issuance, and the hiring of a new director that will change the benefit issuance determination process currently in place, the SFA will be required to conduct a second review of applications beginning school year 2017-18, and continuing until further notice. A second review of applications requires a re-evaluation by the Confirming Official of the eligibility determination made by the Determining Official, based on the information provided by the household on the application. Depending on the outcomes of this second review, the SFA may be required to

complete this process until the next administrative review. A Second Review of Applications Report will need to be filed as well while this requirement is in place. Please reference the Independent Review of Applications section in the Eligibility Manual, a copy of which is available in MyIdahoCNP Download Forms.

Finding 2- Verification

One application was verified using unallowable documentation. Tax statements and returns are not allowable proof of income sources without a collateral contact. It is the responsibility of the household to provide adequate information so that the district can properly complete the verification activity. This enables the district to follow up with the household and to ask further questions, or to rely on the collateral contact information (obtained in writing or verbally with the household's permission) to determine the gross income amount. Please use the most current information available for a more accurate view of the family income and reference the most current Eligibility Manual for guidance. Notify household of the need for acceptable documentation and re-verify based on allowable documentation. Make changes to benefits as necessary and notify the SA in writing of the results.

Timeframe for CAP completion: January 9, 2017

SFA Response to CAP: The SFA spoke to the household advising them of the need for allowable documentation to be submitted for verification. The household stated they would not be providing additional documentation. On December 16, 2016, the notice of adverse action, sent to the household advising them of the change to paid status, was uploaded.

Finding 3- Verification

One household was incorrectly verified. Based on the income documentation provided, the application should have been changed from reduced to paid. Send letter of adverse action to the household and update software with correct benefit.

Timeframe for CAP completion: January 9, 2017

SFA Response to CAP: On December 16, 2016, the SFA uploaded a notice sent to household advising of reduced benefits. The SFA apparently misunderstood the required corrective action. During a phone call, the SA again explained the miscalculation error during verification and the SFA was told to issue new letter. On December 21, 2016, the SFA uploaded an adverse action notice advising of denied benefits effective December 31, 2016.

Finding 4- Civil Rights

All School Foodservice Authority staff that interacts 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. Training is available at the [SA Civil Rights website](#). Ensure that all foodservice staff, including the hearing official, receives the required annual Civil Rights training. Upload into MyIdahoCNP a dated sign in sheet to provide documentation that the Hearing Official received civil rights training.

Timeframe for CAP completion: January 9, 2017

SFA Response to CAP: On December 16, the SFA uploaded a CR training sign-in sheet documenting that four employees, including the hearing official, watched the Civil Rights Video on December 12, 2016.

Finding 5- Special Provision Options (Provision 2 Breakfast)

Per USDA memo SP-46-2015 dated September 18, 2015, the SA must review Provision 2 base year certification documents. The SA could not complete the process of validating Provision 2 Base Year 2004-2005 records while onsite due to the daily meal count sheets or software back up documentation not being located before reviewing applications for determination validation. The SFA was given a due date of January 9, 2017, to locate and submit records to the SA. Since the required base year records have not been maintained, the SA would generally require the district to immediately return to standard counting and claiming procedures and calculate fiscal action. However, the SA is extending previous USDA guidance and allowing the SFA to continue their claiming procedure through the end of February. On March 1, 2017, the SFA will need to return to a standard counting and claiming procedure. If the SFA wishes to participate in Provision 2 Breakfast next school year, they will need to establish a new base year during the next school year (SY 2017-18). Notify the SA prior to January 9, 2016, if the missing base year records have been located. If records are not located, begin standard counting and claiming procedures in March 2017. By February 1, 2017, upload into MyIdahoCNP the notification letter sent to families advising them of the change with the Provision 2 breakfast option, or advise how district will handle the breakfast meal charges.

Timeframe for CAP completion: January 9 and February 1, extended to February 15, 2017

SFA Response to CAP: On January 9, 2017, the SFA advised that the missing Provision 2 records could not be located. The SFA was given until February 1 to provide a plan for returning to regular counting and claiming. A plan for general funds to cover the breakfast meal charges was uploaded on January 31, 2017, but following a phone conversation with the superintendent on February 2, 2017, the corrective action was extended to February 15, 2017, to allow for time to address a change of plans. On February 13, 2017, the letter sent to households advising them of the need to pay for the breakfast meal for the duration of the year was uploaded. The SFA was removed from Provision 2 breakfast and placed on regular counting and claiming effective March 1, 2017. The SFA advises they plan to conduct a new Provision 2 base year in school year 2017-18.

Fiscal Action

Due to incorrectly determined benefits, the fiscal action for lunch results in \$18.76. The SA also discovered that the October 2016 claim was short by 253 meals because one day's meals were not entered from the manual count into the POS system. This resulted in the SFA missing out on \$335.52 in claim reimbursement. The SA has elected to reimburse the SFA for the breakfast meals not claimed in October minus the fiscal action for lunch. The total amount to be paid to the SFA is \$316.76. This total was calculated by taking the \$335.52 available from the short claim minus \$18.76 in fiscal action for incorrect lunch benefits.

Commendations

- Bonnie was prepared for the review and open to feedback provided by the SA reviewers.
- Dixie was very helpful to reviewers and took immediate action to address incomplete applications.

Technical Assistance (TA)

Certification and Benefit Issuance

- If the household provided only annual income on an application, the LEA 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, who spoke with, information collected, and initial).
- Per the Eligibility Manual, when determining Free and Reduced Applications, income should not be converted unless various income frequencies are reported. Please make use of the Income Eligibility Guidelines chart.
- Last school year's eligibility status can carry over 30 operating days into the new school year, allowing time for households to reapply without interruption of benefits. However, the carryover period is not intended to allow schools to delay the processing of applications. Failure to reapply during the carryover period is not a denial of benefits for the current school year. LEAs are not required to notify families or send reminders. A notice of adverse action is not required as eligibility was not established for the current school year (7CFR 245.6).
- Applications are considered to be incomplete if missing names of household members, household total, social security number, or adult signature. Incomplete applications are denied until complete and benefits should not be determined without the required information. It is advised to contact the families and give them an opportunity to complete the income prior to denying benefits.
- The "For School Use Only" section must be completed fully when determining applications.
- As each site determines their own application and enters their own students' benefits in the computer, it was discovered that some differences in benefits existed within households due to some schools not receiving applications because the application was submitted at another school. It is advised that someone confirm that all households receive the correct benefit.

Verification

- When performing Verification of Free and Reduced Applications, the Confirming Official cannot be the same person as the Determining Official (the person who approves the application). There must be another person checking the application prior to sending out the letter for Verification. Verification must be in line with requirements outlined in 7 CFR 245.6a.

- Per the Administrative Review Manual, the USDA Non-Discrimination Statement must be included on all public documents dealing with USDA Child Nutrition Programs. The short statement, "This institution is an equal opportunity provider", is for use on documents less than one page (double-sided) in length; the long statement is for use on longer documents and can be found on the CNP website under Civil Rights. The incorrect non-discrimination statement was included on the letters to the household. Update POS software to reflect the correct statements.

Meal Counting and Claiming

- The SA discovered that the October 2016 claim was short by 253 meals because one day's meals were not entered into the POS system. The SA recommends that a second person checks the daily numbers entered into the system to avoid this situation in the future.
- The SA recommends that the second chance breakfast (served at 10:00 AM) be eliminated at the elementary school because the children who eat at this time are not hungry at lunch time and limits the lunch participation. If the school feels that the 8:00 a.m. breakfast is too early, there are other considerations such as *Breakfast after the Bell* or *Breakfast in the Classroom* that could be considered that would likely lessen the negative impact on lunch participation.

Dietary Specifications and Nutrient Analysis

Lynda Westphal conducted the menu compliance for the targeted week of review and provided the following TA:

- Most days you serve a different breakfast for Second Breakfast, making your calories go out of range.
- Most of the completed production records have fruit and juice combined on the PR, this needs to be broken out to show how many of each were put out and how many were returned and discarded.
- The PR should have differing numbers for prepared, served, and leftovers.
- The crediting on the production records does not match the recipes and needs to be fixed.
- If you are using the Meal Compliance Certification Sheets to make sure you are in compliance with the meal pattern *and* the Nutrient Assessment, make sure the Simplified Nutrient Assessment is completed for all foods offered. Lunch on two days has a dessert; however, this is not included in the Simplified Nutrient Assessment. Also, the ranch dressing was not included and it was offered twice. After adding these in, the lunch calories are over by about 68. The bread stick from Chicken Noodle day was not added as it would make it go even more out of compliance.
- Remember, unless the Meal Compliance Worksheet is out of the range for meat, grain, vegetable subgroups, fruit or milk, this nutrient assessment is not necessary.

Offer versus Serve (OVS)

- It is required to train staff on OVS annually. All staff training should include an agenda and sign-in sheet and training documentation should be maintained on file at the SFA for three years plus the current year. OVS webinars are available on the State agency website and may be used for training.

SFA On Site Monitoring

- According to 7 CFR 210.8 (a)(1) and 7 CFR 220.11 (d)(1), each SFA with two or more feeding sites must perform no less than one on-site review of the meal counting and claiming system and the readily observable general areas of review identified under 7 CFR 210.18(h) in each school operating NSLP and 50% of schools operating SBP under its jurisdiction prior to February 1, each school year.

Food Safety, Storage, and Buy American

- Each SFA is required to purchase domestic agricultural commodities or products that are produced and processed in the United States substantially using agricultural commodities that are produced in the United States or territories, as applicable (7 CFR 210.21(d)). Saf-Instant yeast is a product of Mexico. Please be aware of products purchased from outside the country. You need documentation showing that a domestic product is significantly higher in price in order to justify the purchase.
- The most recent food safety inspection report must be posted in a location visible to the public (7 CFR 210.13(b)). This was corrected at the elementary school on the day of review. Please check the other schools for compliance.

Resource Management

- Under subsection 12(q) of the Richard B. Russell National School Lunch Act and 7 CFR 210.14(f), SFAs are required to ensure that all revenue from the sale of non-program foods accrues to the non-profit school food service account; and that revenue available to support the production of reimbursable school meals does not subsidize the sale of non-program foods. SP 20-2016 Nonprofit School Food Service Account Non-Program Food Revenue Requirements memorandum provides guidance on the revenue requirements including options for assessing compliance to fulfill the requirements in section 206 of the Healthy, Hunger-Free Kids Act of 2010.

Civil Rights

- Please update your non-discrimination statement to the correct USDA non-discrimination statement available at the [SA Civil Rights website](#). The current short non-discrimination statement is, "This institution is an equal opportunity provider."
- An old "And Justice for All Poster" was up by the serving line. This outdated poster needs to be removed and only the new posters (as of December 2015) are to be up. Please check the other schools for the old posters with 12/99 in the bottom right corner, and remove them if found and ensure the current poster is displayed.

Local School Wellness Policy

- 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 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](#).

Smart Snacks

- All fundraisers, both exempted and compliant, must be tracked. Per state policy, a maximum of 10 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 10 must be pre-approved by the State agency using the Request form (7CFR 210 (b)(2)). Details available at <http://www.sde.idaho.gov/cnp/sch-mp/snacks.html>

Professional Standards

- Professional Standards provide annual training requirements for all school nutrition professionals. It is required that some form of documentation be kept on file by employee to show Professional Standards compliance; options include the [FNS online tracking tool](#) and two Professional Standards tracking resources available in MyIdahoCNP under Download Forms in the Professional Standards section.

School Breakfast Program Outreach

- SFAs must inform eligible families of the availability of reimbursable breakfasts served under the School Breakfast Program (SBP) at the beginning of the school year as well as provide reminders multiple times throughout the school year (7 CFR 210.12 (d)).

Special Provision Options

- If the SFA wishes to participate in Provision 2 Breakfast next school year, a new base year will need to be established during the next school year (SY 2017-18).

Afterschool Snack Program (ASSP)

- The ASSP was not in operation at the time of the Administrative Review, so was not reviewed. However, the SFA was reminded that each ASSP must be reviewed by the SFA two times per year. The SFA must make the initial review during the first four weeks of snack service each school year. The second review can occur any time before the program ends or June 30th for year round schools. These reviews must assess each site's compliance with counting and claiming procedures, and the snack meal pattern. The required review form is under the Download Forms in MyIdahoCNP.

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,



Jennifer Butler, MEd, SNS
NSLP Coordinator

Cc: Colleen Fillmore, PhD, RD, LD, SNS, Director, Child Nutrition Programs
Bonnie Ramsey, Food Service Director, New Plymouth School District

“This institution is an equal opportunity provider”