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PUBLIC INSTRUCTION

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March 27, 2017

Rob Waite
Shoshone School District
61 E. Hwy 24
Shoshone, ID 83352

Dear Mr. Waite,

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

- National School Lunch Program (NSLP)
- School Breakfast Program (SBP)
- Fresh Fruit and Vegetable Program (FFVP)
- USDA Foods

Shoshone Middle School and Shoshone Elementary School were the sites reviewed.

The State agency (SA) would like to commend Angela Branch and the entire staff of the Shoshone 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 (five students) were incomplete due to missing information. One application (two students) was incorrectly determined and received reduced meal benefits when they should have been denied meal benefits. Contact the household to obtain the missing signature, complete the two other applications with missing information, verify for cause the non-responsive application, and follow procedures for the denied application. 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.

Update the benefit issuance list and upload the notification letter and the completed applications in MyIdahoCNP Review Attachments.

Timeframe for CAP completion: February 21, 2017 **EXTENSION:** March 07, 2017

SFA Response to CAP: While the SA was on-site, the Food Service Director completed and sent all required notification letters, contacted the household for a signature on the incomplete application and had the administration complete the other two applications. The updated benefit issuance list was uploaded on February 21, 2017, after the ten days had passed. The CAP due date was extended to March 7, 2017 to allow for the full 30-day response time for the one application that was verified for cause. An updated benefit issuance list was uploaded on March 9, 2017.

Finding 2- *Civil Rights*

School Foodservice Authority who 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. Rob Waite, Superintendent, is listed as the Hearing Official, and so must have USDA civil rights training. The training video is available on the [SA website](#). Upload a dated sign-in sheet to document that the Hearing Official received civil rights training.

Timeframe for CAP completion: February 21, 2017

SFA Response to CAP: While the SA was on-site, the Food Service Director uploaded a signed copy of the civil rights training agenda that showed the Hearing Official received civil rights training.

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)). Products in the storeroom were assessed for the country of origin and found to be out of compliance; (juices from Chile, Argentina, Brazil, China; cantaloupe from Guatemala; cucumbers from Mexico; tuna from Thailand). If a product is sourced from another country, 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 refused 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 food service purchasing cooperative, Magic Valley Purchasing Co-op, will be meeting in the coming weeks to discuss the upcoming school year bid procurement plan. The Food Service Director, who also serves as the co-ops Area Coordinator, updated the bid specification document to include the Buy American Provision requirement and uploaded a copy into MyIdahoCNP under Review Attachments.

Timeframe for CAP completion: February 21, 2017

SFA Response to CAP: While the SA was on-site, the Food Service Director uploaded a revised copy of the bid specification documents to be used in the upcoming school year for procurement into MyIdahoCNP under the Review Attachments section.

Fiscal Action

Due to benefit issuance errors during a Provision 2 base year, the total fiscal action was \$189.75. Although this amount falls under the \$600 threshold per program, it cannot be disregarded because this is a base year over claim. This amount will be recovered from a future claim.

Commendations

- The Food Service Director does a good job with benefit issuance and took immediate action to correct any errors identified by SA reviewers and has identified ways to improve processes.
- The kitchen manager at Shoshone Elementary School and her staff are very efficient with their processes. The kitchen is well maintained and the team works well with the students and teachers.
- The healthy choice bar looked great - colorful and fresh. Students seemed to enjoy the selection.

Technical Assistance (TA)

Civil Rights

- The SFA's procedure for receiving and processing civil rights complaints should ensure all complaints associated with Child Nutrition Programs are forwarded to the State agency within three (3) working days. (CFR210.15(a)(6)) This information should be kept in a centrally located area for accessibility purposes.
- Ensure the civil rights complaint log is dated annually, with a new log started each year. Keep a civil rights binder up-to-date with all required information and place in a location known to food service staff.

Offer Versus Serve

- Signage must be posted on the service line to assist students in identifying a reimbursable meal. (7 CFR 210.10(a)(2))

Food Safety

- Best practice is to label all food items received with dates (mm/dd/yy) to ensure that the "first in, first out" method for inventory control is being used. For items removed from

original packaging, label for identification as well as inventory dates, especially in regards to a food recall and allergen information.

Special Provision Options

- A Provision 2 Base Year is currently being established (SY16-17). Please ensure all required documentation is maintained per requirements, including daily meal counts by student name and eligibility.

SFA On-Site Monitoring

- Per new requirements with 7 CFR 220.11(d)(1), an updated form titled, *School Food Authority On-Site Review Checklist* is now available in MyIdahoCNP download forms. The new form includes additional site relevant questions and must be used for the on-site review in the future.

Fresh Fruit and Vegetable Program

- The school must widely publicize the FFVP. Please consider ways to inform the parents about this program. During the last administrative review (March 2014), TA was given that the FFVP should be advertised in the monthly newsletter or on the website.

Dietary Specifications Lunch

- Alfredo sauce mix contained trans-fat. The product was marked for after school caterings only and removed from the kitchen dry storage so it wouldn't be mistakenly used in the lunch line. Non whole-grain crackers and penne pasta were in dry storage; please mark these items as "catering".

Meal Components and Quantities Lunch

- Only 1/4 cup of beans were offered during the week of the targeted menu review. The State agency contractor worked with the Food Service Director to correct this on site prior to the meal service. An additional 1/4 cup of refried beans was added to the menu and the nutrient analysis program was updated for future use. The menu complied with calories, sodium, and sat fat for the week with this addition.

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 foods and beverages available during classroom and school celebrations (not sold in the school).
- 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.
- A report on the progress towards goals stated in the Local School Wellness Policy must be publicly available. Posting to the school /district website and/or in a school newsletter would support this requirement.
- 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.

Your review is now closed.

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,



TJ Goodsell, SNS
NSLP Coordinator

Cc: Colleen Fillmore, PhD, RD, LD, SNS, Director, Child Nutrition Programs
Angela Branch, Food Service Director, Shoshone School District

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