



October 11, 2017

Mr. Nicky Chavez, Director
5-County Juvenile Detention & Youth Rehab Center
423 N 2300 E
St. Anthony, ID 83445

Dear Director Chavez,

On September 6, 2017, State Department of Education (S.D.E.) Coordinator Jennifer Butler conducted an Administrative Review of 5-County Juvenile Detention and Youth Rehab Center for the following United States Department of Agriculture (U.S.D.A.) programs:

- National School Lunch Program (N.S.L.P.)
- School Breakfast Program (S.B.P.)
- U.S.D.A. Foods
- Afterschool Snack Program (A.S.S.P.)

The site reviewed was the 5-County Juvenile Detention and Youth Rehab Center.

The State agency (S.A.) would like to commend Ida Butigan and the entire staff of 5-County Juvenile Detention and Youth Rehab Center 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, requires a unified accountability system designed to ensure that participating school food authorities (S.F.A.) comply with U.S.D.A. requirements. The objectives of the Administrative Review are to:

- Determine whether the S.F.A. 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 S.A. determined findings and the S.F.A. response to the findings:

Findings and Corrective Action Plan (C.A.P.)

Finding 1 – Meal Components and Quantities - Fruit

A minimum of 1 cup fruit must be offered at breakfast for all grade groups, and at lunch for grades 9-12. *This was technical assistance provided during the last review. A repeat finding in this area requires fiscal action.* Two days in July only had $\frac{3}{4}$ cup fresh fruit served at breakfast. Cranberry juice was served those two days and since it was not 100% fruit juice, it could not count toward the fruit component those days resulting in the 1 cup minimum serving not being met. Also, only $\frac{3}{4}$ cup was served for lunch one day and only $\frac{7}{8}$ cup on two days. These five days resulted in insufficient quantities of fruit served; fiscal action is determined below. As part of the menu review, adjustments were made to increase portion sizes and to ensure 100% fruit juice will be served.

CAP: Upload a statement advising of the plan to ensure that a full 1 cup serving is served to students at each meal and that only 100% juice is served if included to meet the 1 cup requirement. Consider what steps to implement and monitor the plan will occur and how will any new staff be trained on the requirement.

Timeframe for CAP completion: September 27, 2017

Sponsor Response to CAP: A statement was uploaded indicating that two pieces of fruit will be served to ensure the 1 cup total is met, $\frac{1}{2}$ cup of 100% Apple, Orange, or Grape juice only will be served at breakfast, and all kitchen staff has been trained on the serving requirements.

Finding 2 – Meal Components and Quantities - Whole Grain-Rich

All grains served must be whole grain-rich (W.G.R.). *This was a finding during the last review that required corrective action. A repeat finding in this area requires fiscal action.* It was found that on three days in July W.G.R. items were not served at lunch. Also, August 24, the day of review, the pizza crust was not W.G.R. The four lunch menus served that were missing the required W.G.R. component are not reimbursable; fiscal action is determined below. As part of the menu review, W.G.R. products have been identified to replace the non-W.G.R. items being served.

CAP: 1) Upload certificates of completion for the online Whole Grain-Rich training located on the [online training digital portal](#). **2)** Upload a statement advising of the plan to ensure that only W.G.R. products are procured and served for the N.S.L.P., S.B.P., and A.S.S.P. Consider what steps to implement and monitor the plan will occur and how will any new staff be trained on the requirement.

Timeframe for CAP completion: September 27, 2017

Sponsor Response to CAP: 1) Certificates of completion for the online Whole Grain-Rich training were uploaded. **2)** A statement was uploaded indicating a training protocol has been implemented for all kitchen staff to complete W.G.R. training that includes how to read labels and utilize the Whole Grain Resource Guide, all stocked items were checked to ensure compliance, and identified noncompliant items were replaced.

Finding 3 – Civil Rights

Foodservice Authority staff who interact with program applicants or participants and their supervisors, must have annual civil rights training. The facility director administrative assistant must have annual U.S.D.A. civil rights training. Training is available on the S.A. website:

CAP: Upload a dated sign in sheet to provide documentation of civil rights training.

Timeframe for CAP completion: September 27, 2017

Sponsor Response to CAP: Certificates of Completion for the online Civil Rights Training were uploaded.

Finding 4 – Afterschool Snack Program (A.S.S.P.)

The S.F.A. must conduct a self-review of each afterschool snack operation twice per year that follows these guidelines: The S.F.A. conducts the first self-review during the first four weeks that the afterschool snack program begins each school year (after July 1); and conducts the second self-review of the afterschool snack program prior to the end of each school year (before June 30).

CAP: Upload a completed A.S.S.P. review form

Timeframe for CAP completion: September 27, 2017

Sponsor Response to CAP: The A.S.S.P. Review Form completed on September 6, 2017 was uploaded.

Commendations

- All off-site modules were answered in a timely manner, including uploading supporting documentation.
- Staff works as a team and encourages a supportive environment in which all were eager to learn of modifications and corrections in order to abide by regulations.
- The lunch meal smelled and looked delicious; the care in food quality is evident.

Technical Assistance (T.A.)

Dietary Specifications and Nutrient Analysis

S.A. contractor Kerry McKaig, R.D.N. conducted the menu analysis for review week and discovered the following for the week of July 9-15, 2017:

- Production records (P.R.) should be filled out completely and correctly. P.R. must show the planned number of milk by type, the planned number of adults to be served, and any leftovers.
- Any substitutions should be noted on the P.R.
- Leftovers were only recorded on 7/12. Any leftovers are saved for the evening adult staff.
- Cooked time and temperature not recorded on P.R. on 07/12/17 and 07/13/17.
- No cooked or start of service line temperatures or leftovers were recorded on the P.R. on 07/14/17.
- Cooked temperature for cream of wheat was not recorded on 07/13/17 because hot water is sent to each unit to make their own.
- Ranch dressing was on the menu but not on the P.R. on 07/11/17.

- Condiments (mayo, lettuce, tomato, pickles) for Chicken sandwich on 07/13/17 not recorded on P.R.
- P.R. shows prepared servings for actual count but recipes are for 35 portions. 20 to 31 served per day. Ida is in the process of adjusting all of the recipes to 30 portions.
- Recipes, production records and NutriKids (N.K.) information should all match and be entered accurately.
- Planned portion for butter is listed on P.R. as 2.64 oz which is 1/3 cup. Label shows one foil wrapped pat (7.5 g/1.59 tsp/.26 oz) is used as 1 serving. The P.R. (and N.K.) should correctly list butter serving as .26 not 2.64. This error has been corrected for the week of review (cycle 3) and will be corrected for the other three weeks in the cycle menu and in N.K.
- Remember to check calories, sodium, and saturated fat when increasing meat portions.
- All standardized recipes should include step by step preparation instructions and portion sizes for accuracy regardless of who is cooking.

Meal Components and Quantities

- Ensure that all meal components and items are served to all students at each meal.
- S.A. contractor Kerry McKaig, R.D.N. conducted the menu analysis for review week and discovered the following for the week of July 9-15, 2017:
 - All grains served must be whole grain –rich (W.G.R.).
 - The Cream of Wheat served is not whole grain rich according to the label with farina as the first ingredient. The cycle menu was changed replacing the cream of wheat with Kix cereal which has whole grain corn as the first ingredient making it whole grain rich. As W.G.R. bread was also served with this meal, a creditable grain was served on this day, although in an insufficient quantity.
 - The roll served on 7/12 and 7/14 was not W.G.R. according to the label. A W.G.R. roll was found from the supplier and will be used instead.
 - The Gehl’s tortilla chips served on 7/15 with the taco salad were not W.G.R. according to the label. These will be replaced with wholegrain rich baked tortilla chips.
 - On August 24, the day of review, the pizza crust was not W.G.R. resulting in no creditable grains served making the meals non-reimbursable.
 - During school year 2017-18, Idaho C.N.P. may approve an S.F.A.’s exemption request for specific W.G.R. products/requirements if the S.F.A. can demonstrate hardship in procuring, preparing, or serving compliant products that are accepted by students (Public Law 115-31 Section 747 of the Appropriations Act).
 - Instruction on how to tell if a grain is whole grain rich was provided by reviewing how to read labels and utilize the Whole Grain Resource guide.
 - Fruit is measured in cups for the N.S.L.P. and S.B.P. meal pattern and 1 cup is required. An average fresh fruit portion is less than 1 cup may require two fresh fruits to be served to make the 1 cup minimum requirement.
 - Cranberry juice is not 100% fruit juice and cannot be counted as a fruit equivalent for breakfast on 7/9 and 7/15. On 7/9, the 1 cup minimum fruit requirement for breakfast was not met with cranberry juice and ¾ cup red grapes and on 7/15 with cranberry juice and ¾ cup fresh orange. The cycle 3 menu was changed replacing the cranberry juice with 100% grape juice and 100% apple juice.
 - 72 count fresh oranges = .86 cup of fruit credits as ¾ cup on 7/13 and 7/14. A peeled orange weighs 6 oz.
 - Honeydew needs to be at least 1 cup to meet the requirement on 7/10.

- 1 apple on 7/11 only equals 7/8 cup fruit.
- 4 oz. Yogurt counts as 1 oz. M/M.A. not as fruit on P.R.
- Instant Oatmeal counts as 1.5 oz. eq. grains according to Exhibit A on 7/11.
- 1 cup of Cinnamon Toasters weighs 2 oz. which equals 1 oz. eq. grains not 2 on 7/12.
- ½ cup granola is 2 oz., which equals 1 oz. eq. grains on 7/14.
- 1 cup of cheerios weighs 1 oz. which equals 1 oz. eq. grains not 2 on P.R. on 7/15.
- 1 cup cooked brown rice equals 2 oz. eq. grains not 1 on 7/9.
- The daily M/M.A. minimum requirement for lunch is 2 oz.
 - A recipe analysis worksheet for the hamburger stew served on 7/14 calculated the M/M.A. as 1.69 oz that rounded down to 1.5oz. The recipe uses 5# ground beef and was adjusted to use 8# ground beef increasing the M/M.A. to 2 oz. (10# ground beef increases the M/M.A. to 3 oz.)
 - Hamburger stew portion on P.R. is 16 oz. and 20 oz. on recipe. Recipe was changed to 16 oz. because that is the portion served.
 - The portion for roast beef on 7/12 is 3.5 oz. The recipe was updated.
 - Grilled chicken portion served on 7/13 is 3.5 oz. N.K. and P.R. was updated.
 - 2 oz. eq. W.G.R. spaghetti is served, 3.37 oz. M/M.A. from sauce
 - Recipe for tuna melt on 7/11 credits as 3.4 M/M.A., 2 oz. eq. W.G.R. bread, recipe updated for 30.

Nutrient Analysis

Due to repeat findings, a nutrient analysis was required. S.A. contractor Kerry McKaig, R.D.N. conducted the nutrient analysis and determined the following edits to be made in Cycle 3:

- Increase Pork Carnitas to 4oz from 3
- Increase mixed blend vegetables to 1.5 cup
- Decrease Acorn Squash to .5 cup because of calories; consider replacing it with 1 cup of a dark green vegetable like broccoli (27 calories).
- Add a second whole grain roll on Wednesday to meet calories
- Switch milk to fat free chocolate on Thursday to meet calories
- Adjust Tuna Melt, Hamburger Stew, and Taco Bowl recipes
- Recommend adjusting all recipe and menu portions for fruit and vegetables to cups instead of ounces to make it easier to serve correct portions and comply with S.B.P. and N.S.L.P. standards.
- Offer 2 fresh fruits (especially when offering apples and oranges) for each child to meet the one cup minimum serving of fruit. Melon must be a 1 cup serving.
- Always double check the nutrition facts labels from U.S. Foods since several were found to be inaccurate.
- Consider using a product like Edibowl (baked whole grain shell) for the taco salad if it meets the minimum daily grain requirement of 2 oz. eq.
- Switch to a whole grain rich pizza crust.

Civil Rights

- Ensure the Civil Rights complaint log is dated annually, with a new log started each year. If no complaints were received, best practice is to write "No complaints" on last year's log and keep this on file (three years plus the current year).
- Keep a civil rights binder folder up-to-date with all required information (log, complaint forms, and complaint procedure) in a location known and available to food service staff.
- Remove the old poster and ensure the current "And Justice for All" poster is posted in prominent locations as discussed. Two additional posters provided while on-site.

- Ensure the new Medical Statement form for special dietary needs is being used.

Food Safety and Buy American Provision

- Various food safety procedures were available and trained on, but no complete food safety manual (H.A.C.C.P.) was located in the kitchen. Ida and Vail will work on customizing a complete H.A.C.C.P manual for the kitchen. Continue to train all staff on H.A.C.C.P. procedures to insure the service of safe food. (C.F.R. 210.13(c)). The completed kitchen manual will serve as a guide for the training and outline the policies and procedures utilized by 5 County Juvenile Detention and Youth Rehabilitation Center.
- Starting July 1, 2018, the Idaho Food Code requires a Person in Charge to demonstrate knowledge of food safety practices by completion of one the examinations and courses that meets the demonstration of knowledge requirements in Section 2-102.11 of the Idaho Food Code. A list of approved courses can be found on the [Department of Health and Welfare website](#).
- Each S.F.A. is required to purchase domestic agricultural commodities or products that are produced and processed substantially in the United States or territories, as applicable (7 C.F.R. 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. Include the Buy American Provision in S.F.A. 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).

Local School Wellness Policy

- The Local Wellness Policy must include language 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.
- All Local Education Authorities (L.E.A.) must assess their wellness policy at least once every three years on the extent to which schools are in compliance with the district policy, the extent to which the local wellness policy compares to model local school wellness policies, and the progress made in attaining the goals of the local wellness policy. L.E.A. must make this assessment available to the public. Posting to the school /district website and/or in a school newsletter would support this requirement. Idaho has a progress report available for use located on the [CNP website](#).

School Breakfast Outreach

- Edit the current website wording to remove the reference to "Provision 2 Free Breakfast and Lunch program".

Professional Standards

- Food Service Directors must have at least eight hours of food safety training, either not more than five years prior to their starting date or completed within 30 days of their starting date. (7 C.F.R. 210.30 Professional Standards Regulations). See Idaho Food Code requirements under Food Safety.

Reporting and Recordkeeping

- Edit the current Food Service/Menus and Records policy (3-3) to reflect the requirement to retain records for a minimum of three-years plus the current, or longer, if in dispute.

Procurement

- S.A. Contractor Keddington and Christensen, L.L.C. conducted the Procurement Review and provided the following T.A.:
 - The S.F.A. should amend their procurement policy to include the procedures and thresholds as required by 2 C.F.R. 200.320 for Micro purchases (\$0-\$3,500) and include the approved method and threshold for Small Purchases (\$3,500-\$25,000), the latter of which should include at least 2 verbal quotes. The State of Idaho has created a table that illustrates appropriate thresholds and procedures that may be incorporated into the S.F.A.'s procurement policy.
 - The S.F.A. should update their procurement policy to include a prohibition of the acquisition of unnecessary or duplicative items.
 - The S.F.A. takes affirmative steps as in 2 C.F.R. 200.321 to assure that small, minority and women's businesses enterprises and labor surplus firms are used when possible. These steps include:
 - Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
 - Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
 - Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
 - Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
 - Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development of Commerce; and
 - Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed above.

Fiscal Action

During the menu review, repeat findings of the requirement to serve whole grain-rich items and to meet the minimum serving for the fruit component resulted in fiscal action for both the breakfast and lunch programs.

A total of four lunch menu days were found to not include a whole grain-rich component and therefore are not reimbursable. This resulted in 50 resident meals being non-reimbursable in July (a total of 16 meals on July 12 and 17 meals on both July 14 and 15) and 15 resident meals non-reimbursable on August 24. Additionally, 49 resident meals in July were found to have insufficient quantities of fruit served in three lunch menus (a total of 18 meals on July 10, 16 meals on July 11, and 15 meals on July 13).

The meal pattern was also not met for a total of two breakfast menus found to have insufficient quantities of fruit. In July, 34 resident breakfasts had only $\frac{3}{4}$ cup of creditable fruit (a total of 17 meals on both July 9 and July 15).

Fiscal action was calculated for non-reimbursable meals. The total fiscal action calculated for breakfast was \$71.06 and for lunch was \$377.34. However, since these amounts fall under the \$600 threshold, the fiscal action will be disregarded and no financial adjustment will occur.

Your review is now closed.

Should you wish to appeal any of these findings please follow the appeal procedures on the [State Agency Appeal Procedures](#) document located on the Idaho Child Nutrition Programs website.

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,



Jennifer H. Butler, M.Ed, S.N.S.
N.S.L.P. Coordinator

cc: Colleen Fillmore, P.h.D., R.D.N., L.D., S.N.S., Director, Child Nutrition Programs
Kristi Richards, Child Nutrition Director, 5-County Juvenile Detention & Youth Rehab

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