



April 6, 2018

Jane Ward, Superintendent
Aberdeen School District
382 W. Washington
Aberdeen, ID 83210

Dear Ms. Ward,

On March 9, 2018, State Department of Education (SDE) Coordinators Tamara Donovan and Lynda Westphal conducted an Administrative Review of Aberdeen 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) – At Aberdeen Middle School
- USDA Foods

The site reviewed was Aberdeen Middle School (operating Provision 2 breakfast and lunch).

The State agency (SA) would like to commend Lisa Hincks and the entire staff of Aberdeen 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, 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:

Findings and Corrective Action Plan (CAP)

Finding 1 Comprehensive 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. The non-program food revenue tool (NPFRT) assesses compliance and must be completed for breakfast (lunch was completed).

Corrective Action: Complete a NPFRT for breakfast for all age-grade groups and upload into MyIdahoCNP Review Attachments; the SA will check for compliance.

Due Date for CAP Completion: March 29, 2018

Corrective Action Response: On March 5 and March 12, 2018, NPFRTs were uploaded and compliant.

Finding 2 Afterschool Snack Program (ASSP)

The ASSP requires documentation of reimbursable snacks taken by students; counts are not based on attendance. Production records must indicate how components are crediting and note number of portions prepared, served, and leftover for every day the ASSP operates. Reimbursable snacks must contain two different components. The daily production record could be used to count snacks to be claimed; all snacks are claimed at the free rate due to area eligible status. The SA provided guidance on a production record to consider using (available in MyIdahoCNP under Download Forms) and directed the Food Service Director to the ASSP reference guide section located on the SA website for ASSP staff training. Additionally, ensure that a USDA non-discrimination poster is displayed and visible to participants during ASSP snack service.

Corrective Action: Upload documentation that ASSP staff have been trained (date and signature) as well as one week's worth of completed ASSP production records to show compliance.

Due Date for CAP Completion: March 29, 2018

Corrective Action Response: On March 28, 2018, documentation of staff training and production records were uploaded. Production records indicated ½ cup fruit portion. Additional technical assistance was provided to remind the SFA that the fruit and vegetable component must be at least ¾ cup in order to credit toward a reimbursable snack. Revised production

records, noting 1 cup fruit, were uploaded on April 5, 2018; the same day the SA emailed the SFA to re-state that the minimum fruit component requirement is $\frac{3}{4}$ cup in the ASSP; serving a larger portion is compliant but may increase food cost.

Finding 3 Meal Counting and Claiming

Breakfast meal counting/claiming for the district is error prone due to manual tallying and the need to reconcile three different counting methods. Consider additional points of service software which would increase claim accuracy and save time or create a less error prone method for counting and reconciling the claim. The January 2018 claim had errors in the number of breakfasts claimed for federal reimbursement on two days resulting in an under-claim of 29 meals.

Corrective Action: Upload a procedure to include an edit check for breakfast participation to ensure accurate monthly claiming.

Due Date for CAP Completion: March 29, 2018

Corrective Action Response: On March 26, 28, and April 5, 2018, breakfast count sheets and counting information were uploaded, including this procedure: *After breakfast, the count sheets are checked for accuracy. The total for each site is listed on the right side of the elementary sheet, and then totaled with a calculator. The total for each site is then entered into the RAC program to ensure the numbers match. If there are any discrepancies, the meal(s) will not be counted in the claim for reimbursement.*

Commendations

- The Food Service Director had an excellent system for retaining documents; all required materials were readily available and complete.
- Independent contractor Shawna Durbin completed the menu review and noted that the menu review items were very organized and everything was ready in a timely manner. No changes to the menus were indicated.
- On the day of SA review, the fresh baked, homemade, whole-grain rolls were beautifully prepared.
- Food service employees and school administration were kind to the students, which added a positive presence and made for a welcoming environment. All worked efficiently and served a lot of students in a short period of time!

Technical Assistance (TA)

Civil Rights

- Ensure the civil rights complaint log contains the required fields. The SA provided guidance and the location of civil rights forms and templates available on the SA civil rights webpage and the SFA printed logs.
- The SFA's procedure for receiving and processing civil rights complaints should ensure all complaints associated with child nutrition programs are forwarded to the SA within three working days. (7 CFR210.15(a)(6)) This was completed on the day of SA review.

Food Components and Quantities

- Student volunteer helpers were provided a choice of food items as a benefit to assisting with the school meals program. Ensure that food options are compliant with your wellness policy; the Smart Snacks calculator is a way to evaluate food and beverage items.

School Breakfast Outreach

- SFAs must send reminders regarding the availability of the SBP multiple times throughout the school year. (7 CFR 210.12 (d)) This could be accomplished through mentioning the SBP in a school newsletter, by sending breakfast menus home, or by publishing information on the website.

Food Safety

- 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)). Jalapenos from Mexico and mushrooms from China were in food storage. 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 SFA 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) obtained prior to purchase. On the day of SA review, documentation to justify the jalapenos was uploaded; the Food Service Director was awaiting information from the vendor regarding the canned mushrooms.
- Non-food service staff assists with meal service. There is documentation of USDA civil rights training; ensure these individuals receive applicable food safety training per the HACCP manual (hand washing, hygiene, etc.) as well and keep a record of training.

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 machines need to comply with specific nutrition standards or must be off during the school day (defined as midnight the day before until 30 minutes after the school day ends). The middle school vending machines contained non-compliant items and were in operation on the day of SA on-site review. A Guide to Smart Snacks in School was provided to the SFA.

Special Provisions

- Provision 2 Base Year (SY 15-16) benefit issuance was previously validated by the SA in December 2015 for breakfast for Aberdeen ES, Aberdeen MS, and Aberdeen HS. Provision 2 Base Year (SY 16-17) benefit issuance was previously validated by the SA in September 2016 for lunch for Aberdeen ES, Aberdeen MS, and Aberdeen HS. The retention of all required Provision 2 documentation was confirmed during the

administrative review. The current Provision 2 cycle expires at the end of SY 18-19 for breakfast and SY 19-20 for lunch. If you wish to continue with Provision 2 breakfast and/or lunch, you must contact the SA prior to the expiration dates to see if you qualify for an extension.

Comprehensive Resource Management

- Please include USDA Foods (formerly known as commodities) revenue and expense as journal entries in the Fund 290. The SA provided guidance in locating the USDA Foods value of commodities shipped report in MyIdahoCNP.
- All foods purchased by the food service department to be used as non-program food sales must be marked up to account for the cost of the food, labor, storage, and delivery of the products. Food service cannot order for non-USDA programs without marking up the price; ensure that non-program foods are priced sufficiently to result in a profit (cannot sell at cost).
- Include the six cents performance-based reimbursement in the lunch NPFRT.

Procurement

- A separate NSLP procurement review was completed by Keddington & Christensen, LLC; please follow the guidance provided and ensure your procurement procedures are in compliance with federal regulations prior to the next review.

Your review is now closed.

There is no fiscal action. Should you wish to appeal any findings, please follow the appeal procedures found on the State Agency Appeal Procedures document attached to this letter.

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,



Tamara Donovan, RDN, LD, SNS
NSLP Coordinator

cc: Colleen Fillmore, PhD, RD, LD, SNS, Director, Child Nutrition Programs
Lisa Hincks, Child Nutrition Director, Aberdeen School District

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State Agency Appeal Procedures

School Meal Programs – Administrative or Follow-up Review

School food authorities may appeal the denial of all or part of a Claim for Reimbursement or withholding payment arising from administrative or follow-up review activity conducted by the State Agency under 210.18 of this part.

The appeal process outlined in 7 CFR 210.18 (p) reads as follows:

1. The written request for a review shall be postmarked within 15 calendar days of the date the appellant received the notice of the denial of all or a part of the Claim for Reimbursement or withholding of payment, and the state agency shall acknowledge the receipt of the request for appeal within 10 calendar days;
2. The appellant may refute the action specified in the notice in person and by written documentation to the review official. In order to be considered, written documentation must be filed with the review official not later than 30 calendar days after the appellant received the notice. The appellant may retain legal counsel, or may be represented by another person. A hearing shall be held by the review official in addition to, or in lieu of, a review of written information submitted by the appellant only if the appellant so specified in the letter of request for review. Failure of the appellant school food authority's representative to appear at a scheduled hearing shall constitute the appellant school food authority's waiver of the right to a personal appearance before the review official, unless the review official agrees to reschedule the hearing. A representative of the state agency shall be allowed to attend the hearing to respond to the appellant's testimony and to answer questions posed by the review official;
3. If the appellant has requested a hearing, the appellant and the state agency shall be provided with at least 10 calendar days advance written notice, sent by certified mail, return receipt requested, of the time, date and place of the hearing;
4. Any information on which the state agency's action was based shall be available to the appellant for inspection from the date of receipt of the request for review;
5. The review official shall be an independent and impartial official other than, and not accountable to, any person authorized to make decisions that are subject to appeal under the provisions of this section;
6. The review official shall make a determination based on information provided by the state agency and the appellant, and on Program regulations;
7. Within 60 calendar days of the state agency's receipt of the request for review, by written notice, sent by certified mail, return receipt requested, the review official shall inform the state agency and the appellant of the determination of the review official. The final determination shall take effect upon receipt of the written notice of the final decision by the school food authority;
8. The state agency's actions remain in effect during the appeal process;
9. The determination by the state review official is the final administrative determination to be afforded to the appellant.

Appeals must be directed to:
Brandon Phillips
Financial Specialist, Public School Finance
State Department of Education
PO Box 83720
Boise, Idaho 83720-0027
(208) 332-6983
E-mail: bcphillips@sde.idaho.gov

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- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

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