



May 30, 2018

Brian Kress, Superintendent  
Blackfoot School District  
440 West Judicial Street  
Blackfoot, ID 83221

**Certified Mail No. 7013 1710 0000 9755 9610**

Dear Mr. Kress,

On March 14-16, 2018, State Department of Education (SDE) Coordinators Teresa Goodsell and Jennifer Butler conducted an Administrative Review of Blackfoot 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)
- Fresh Fruit and Vegetable Program (FFVP)
- Special Milk Program (SMP)
- USDA Foods

The State agency (SA) would like to commend Laurel Brummond and the entire staff of Blackfoot 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 – Certification and Benefit Issuance

One application (three students) was determined incorrectly due to a math error resulting in a reduction of benefits from reduced to paid status. One application (three students) was initially determined correctly as reduced based on income; however, the application was included in the verification pool selection and incorrectly re-determined as free by the SFA. Based on income documentation provided by the household, the SA determined the application should have been changed to paid status. One application, which was part of the benefit issuance statistical sample, (two students) was initially determined correctly as free based on income; however, the application was included in the verification pool selection and should have been changed to paid status based on non-response. The Benefit Issuance List (BIL) was not updated to reflect the paid status and the students continued to receive free meals.

**Corrective Action:** Notify the household(s) of the reduction in meal benefits (see SA notification letter in Download Forms) allowing ten calendar days prior to updating the BIL. Upload a copy of the updated BIL to ensure all students' status are accurate once the ten days have passed. To help support understanding, the Foodservice Director and Foodservice Secretary will need to complete the online *Benefit Issuance* and *Application Determination* courses available in the Idaho CNP training portal. Upload certifications of completion of both online courses into MyIdahoCNP.

**Timeframe for CAP Completion:** April 6, 2018

**Sponsor Response to CAP:** On March 30, 2018, the SFA uploaded copies of all the appropriate notification letters, updated BIL, and certifications of completion for both online courses.

### Finding 2 – Verification

Several issues were identified with the Verification process. To help support understanding, the Foodservice Director and Foodservice Secretary will need to complete the online *Verification* course available in the Idaho CNP training portal.

**Corrective Action:** Upload certifications of completion of the online *Verification* course into MyIdahoCNP.

**Timeframe for CAP completion:** April 6, 2018

**Sponsor Response to CAP:** On March 26, 2018, the SFA uploaded copies of certificates of completion for the online course.

### Finding 3 – Verification

Two applications (affecting five students) were incorrectly determined during Verification. One application was verified as free and should have been reduced. The error was due to the verification official incorrectly calculating income based on Net pay rather than Gross

income. The other application was verified as reduced, but should have been considered incomplete because income documentation was only received for one adult household member listed as earning income. The income documentation that was received was incorrectly calculated based on Net pay rather than Gross income.

**Corrective Action:** Send a letter of adverse action to the household whose income was incorrectly verified and change the benefits in 10 calendar days. Upload a copy of benefit issuance documentation showing the changes have been made. For the household that did not fully respond to verification, send a letter requesting missing income documentation. Update benefits as necessary based on the response.

**Timeframe for CAP completion:** April 6, 2018; extended to May 9, 2018

**Sponsor Response to CAP:** On April 18, 2018, the SFA uploaded a copy of an updated BIL; however, the adverse action letter was not provided and several of the affected students' status had not been updated to reflect corrected benefit status. SA determined the proper procedure for notifying households regarding changes in benefit status had not been followed. On May 9, 2018, the SFA uploaded corrected documentation as outlined above, which reflected the correct eligibility status for all students into MICNP.

#### **Finding 4 – Meal Counting and Claiming**

Six school sites have questionable claim totals. The SFA deducted the meal counts of three separate sites from three different sites even though the POS system prints a claim report for all sites that includes meal counts. This effort seems unnecessary and could result in claiming errors. The SFA advised this practice has always occurred, but was unsure of the reasoning for compiling claim data in this manner. A better understanding of how the electronic POS system calculates totals for all sites and how employees should be entering counts at the POS at each site is required.

**Corrective Action:** Contact the software vendor and inquire how the software is intended to operate for sites who transport meals to another site and how meal counts should be entered for each site. Advise the vendor of current practices and explore how the system is generating meal counts for claiming. Upload a narrative describing the explanation provided by the vendor and what changes will be made to ensure accurate meal counts for each site.

**Timeframe for CAP completion:** April 6, 2018

**Sponsor Response to CAP:** On April 2, 2018, the SFA uploaded a narrative describing POS reporting capacity that supports meal consolidation based on conversation with POS vendor. The SFA provided a written plan for incorporating the vendor recommendation in order to alleviate potential claiming issues in the future.

#### **Finding 5 – Meal Counting and Claiming**

A systemic error was discovered; there were inaccuracies in monthly claim totals across all program areas. Similar concerns were identified during the 2015 administrative review resulting in technical assistance. Since the issue was not corrected prior to the current administrative review, the problem rises to finding status. The SA determined that the SFA inadvertently re-submitted January claim totals for February for the Afterschool snack program. Additionally, errors across multiple programs were discovered for the March claim. The Food Service Director will develop a plan to ensure accurate meal and snack counting to support monthly

claims. Applicable employees will need to be trained on counting procedures. Fiscal action will be calculated for identified over claiming resulting from math errors.

**Corrective Action:**

Upload a plan of changes to meal and snack counting to limit math errors as well as documentation of staff training into MyIdahoCNP Review Attachments. Provide SA with edit check documents that support how claiming totals were derived for the entire month of March for all meal service programs. The SA will calculate fiscal action for inaccurate claims.

**Timeframe for CAP completion:** April 6, 2018; extended to April 30 and again to May 21, 2018

**Sponsor Response to CAP:** On April 2, 2018, a sign in sheet and agenda for kitchen manager meal counting and claiming training was uploaded into MyIdahoCNP. On April 30, 2018, additional documentation specific to ASSP training was uploaded. On May 2, 2018, production records, attendance records and supporting claim documents for March were provided to SA. On May 2, 2018, all supporting documentation for the February claim was submitted. During the extensive review of both February and March claims, the SA found systemic counting and claiming issues continued across several programs. As a result, SA provided further written guidance and extended the scope of claim reviews to include April to ensure the SFA had integrated all outlined practices in the plan submitted for resolving Finding #4 and Finding #5 – Meal Counting. On May 21, 2018, the SFA uploaded April documentation and the SA review confirmed meal counting and claiming errors had been satisfactorily resolved.

### **Finding 6 – Civil Rights**

Adequate Civil Right (CR) documentation, hard copy or electronic file, was not maintained at two of the reviewed sites. The Civil Rights binder must, at the very least, contain a copy of the SFA's complaint procedure, complaint forms (English and Spanish), and an annual complaint log. This binder should be accessible by all SFA employees at each site in order to accept a complaint. All required documentation was printed from the Idaho CNP website in order to make copies to disseminate to all sites.

**Corrective Action:** At the next manager's meeting, discuss expectations of documentation to be included in the Civil Rights binder and the purpose of each document. Ensure that binders contain all required documents and are in place at each site in a location accessible by all foodservice employees. Upload a copy of the meeting agenda showing that CR documentation expectations was covered. Also, upload a narrative describing how each year a new complaint log will be included in the binder along with any updated forms.

**Timeframe for CAP completion:** April 6, 2018

**Sponsor Response to CAP:** On April 2, 2018, the SFA uploaded a copy of the March 28<sup>th</sup> Manager's Meeting agenda, which covered CR requirements at all sites in addition to a narrative that addresses maintaining updated CR logs and dissemination of materials.

### **Finding 7 – 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. The superintendent is listed as the Hearing Official, so must have USDA civil rights training. Training is available on the SA website.

**Corrective Action:** Upload a dated sign in sheet into MyIdahoCNP to provide documentation that the Hearing Official completed civil rights training.

**Timeframe for CAP completion:** April 6, 2018; extended to April 30, 2018

**Sponsor Response to CAP:** On April 30, 2018, the SFA uploaded a copy of the sign in sheet indicating the Hearing Official completed CR training.

### **Finding 8 – Special Provisions**

Per 7CFR 245.9(f)(4)(iv) Household applications. A local educational agency (LEA), group of schools, or school must not collect applications for free and reduced price school meals on behalf of children in schools participating in the community eligibility provision (CEP). Any LEA seeking to obtain socioeconomic data from children receiving free meals under this section must develop, conduct, and fund this effort entirely separate from, and not under the auspices of, the National School Lunch Program or School Breakfast Program. All school sites within the LEA sought to obtain free and reduced lunch meal applications, and benefits were assigned to all students enrolled in the district based on these applications. Five school sites operate under the CEP provision and are in direct violation of this federal regulation. If the LEA decides it is necessary to receive income information to allocate education funding, they may do so on an alternate income form. The cost of creating, distributing, and processing the alternate income form may not be paid from the non-profit school food service account and the forms may not mention or be associated with school meals.

**Corrective Action:** Read SP54-2016: Community Eligibility Provision: Guidance and Updated Q&A, and identify a plan to ensure that free and reduced lunch applications will not be collected for students enrolled in the five CEP sites in the next school year. Address any creation, processing, and payment of costs associated with any alternate income form created by the LEA. Upload a narrative describing this plan.

**Timeframe for CAP completion:** April 6, 2018; extended to April 25, 2018

**Sponsor Response to CAP:** On April 25, 2018, the SFA uploaded a statement acknowledging understanding of the requirements under SP54-2016 along with written confirmation that administration for the school district would not use USDA Free and Reduced applications at sites operating CEP for any purposes.

### **Finding 9 – Food Safety**

The most recent food safety inspection report must be posted in a location visible to the public (7 CFR 210.13(b)). The SA was advised that IT Stoddard ES did not have the most recent report because the Health Inspector was not able to print and provide a copy at the time of the inspection. When this occurs, extra measures must to be taken to get a printed copy for posting.

**Corrective Action:** The latest IT Stoddard Health Inspection report must be printed and provided to the school site for posting in a public location. Upload a digital photo displaying the report and the location where it has been posted.

**Timeframe for CAP completion:** April 6, 2018; extended to April 25, 2018

**Sponsor Response to CAP:** On March 16, 2018, the SFA uploaded a copy of the most recent health inspection report; however, no photo showing the documenting being posted in a visible location was provided. On April 25, 2018, the SFA uploaded the photo.

### **Finding 10 – Fresh Fruit and Vegetable**

Multiple areas of concern were identified with the Fresh Fruit and Vegetable Program (FFVP) involving serving unallowable dip, unsafe food handling practices, no program promotion, and limited structure and control of program service. These concerns could impact future FFVP grant awards. The Food Service Director and Menu Planner completed the mandatory on-line training when the grant was awarded, but should reinforce their understanding of program requirements by reviewing the training and *FFVP Handbook for Schools* available on the CNP FFVP website.

**Corrective Action:** At the next manager's meeting, discuss FFVP expectations with the kitchen managers of the four sites operating the FFVP. Upload a narrative describing the expectations for changes to the FFVP operation including enrolling the support of administration to assist in meeting the program requirements.

**Timeframe for CAP completion:** April 6, 2018; extended to April 25, 2018

**Sponsor Response to CAP:** On April 2, 2018, the SFA uploaded a copy of the March 28<sup>th</sup> Manager's Meeting agenda, which covered FFVP requirements. On April 25, 2018, a narrative that addresses FFVP operations and the importance of food safety was uploaded.

### **Finding 11 –Afterschool Snack Program**

Concerns were identified with the operation of the Afterschool Snack Program (ASSP). Inadequate record keeping (daily production records to document the day's menu with totals of prepared, served, and returned snacks and daily rosters to identify students who selected a full reimbursable snack) was identified. Additionally, ineligible students who attend a morning daycare program (Jumpstart) were claimed. Counting errors were identified and fiscal action will be assessed for an over claim of snacks served in the ASSP during the review period.

**Corrective Action:** Using the ASSP Training Quick Sheet provided by SA reviewers, train district personnel responsible for implementation of the 21st Century grant, including ASSP and Jumpstart. As ASSP will only be in operation for a few more weeks, create a training plan for all individuals involved in planning, preparing, and serving with the ASSP to be used next year. Upload a copy of the signed training quick sheets for the two employees overseeing ASSP and Jumpstart, as well as a narrative describing the training plan for next school year.

**Timeframe for CAP completion:** April 6, 2018; extended to April 27, 2018

**Sponsor Response to CAP:** On April 27, 2018, the SFA uploaded a copy of signed training sheet.

### **Finding 12 – Smart Snacks**

Schools must meet the minimum requirements 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. All foods and beverages sold on the school campus (excluding reimbursable meals) during the school day (defined as 12 am on a day of instruction to 30 minutes after the end of the official school day), must meet regulatory requirements. This includes a la carte items sold during meals, and foods/beverages sold in vending machines, school stores, and any other venue; and fundraising limits established by the State agency are observed. Multiple sources indicated that the school store at Mountain View Middle School, known as the Bears Den, operates sales of compliant and non-compliant snacks during the breakfast meal service, lunch service and immediately afterschool. SA

reviewers identified students entering the afterschool snack program with items purchased from the store. The official end of the school day is 3:35 p.m. and the afterschool snack program begins at 3:45 p.m.; therefore, the school store is not compliant with Smart Snack regulations. A fundraising tracking log for the site was provided that had incongruences. The site has reached the maximum number of allowable exempted fundraisers for the school year and must discontinue sales of noncompliant snacks. A vending machine with unallowable marketing and beverages exceeding the allowable 12 oz. portion size for the middle school was observed by State agency reviewers.

**Corrective Action:** Many of the school sites completed the Wellness Policy Progress Report to support the assessment requirement; however, MVMS was not one of those sites. Please work with the district administration to revisit sites that may not be following all requirements for Smart Snacks. Provide a written narrative of the collaborative plan for correcting the non-compliant site to ensure the food service program is not negatively impacted financially by unallowable sales that compete with school meal service as well as ensuring the Wellness Policy is implemented consistently throughout the district.

**Timeframe for CAP completion:** April 6, 2018; extended to May 2 and again to May 9, 2018

**Sponsor Response to CAP:** On May 2, 2018, the SFA uploaded a narrative of the plan for correcting noncompliance of the Smart Snack regulations. The SA requested further clarification, which was uploaded into MyIdahoCNP on May 9, 2018.

### **Finding 13 – Special Milk Program**

Multiple concerns were identified with the operation of the Special Milk Program (SMP) involving the intent and purpose of the program impacting student payments and unallowable participation. Inadequate milk counts were being maintained and the cost and amount of milk purchased for the program were not accurately entered in the claim. Fiscal action will be assessed for an over claim of milk served in the SMP during the review period.

**Corrective Action:** Review the SMP section of the Idaho CNP Reference Guide and write a narrative describing changes to be made to the program to align with program expectations. The SFA may also elect to not participate in the SMP and instead conduct a catering "snack" service.

**Timeframe for CAP completion:** April 6, 2018; extended to April 25, 2018

**Sponsor Response to CAP:** On April 25, 2018, the SFA uploaded a narrative describing change in program operations for SMP. The SFA is electing to discontinue claiming for reimbursement.

### **Fiscal Action**

The combined total over claim of \$5,275.13 must be recovered. Blackfoot School District must remit a check to the State Agency within 30-calendar day of the receipt of this notification. The check should be made payable to the Idaho State Department of Education.

## Commendations

- The monthly menu listed creative names, which is a best practice for promoting participation. Names such as savory pears, juicy peaches, golden mashed potatoes, and crunchy carrot sticks were noted. Keep up the good work of writing appealing menus.
- The Menu Planner's initiative in attending the NSLP 202 - Crafting Cycle Menus training is appreciated.
- The cafeteria at I.T. Stoddard Elementary School included seasonal décor that made the atmosphere inviting and homey.
- Kitchen staff at Mountain View Middle School found an ingenious way to store and reuse hair restraints by using a clear plastic hanging shoe holder labeled with each individual's name.
- The Accounts Payable/Secretary did a really good job providing information for over 475 free/reduced priced eligible students and had a really low error rate when approving applications.
- Kitchen staff at Wapello worked great together and it was obvious they are passionate about their work.
- The Director does a great job documenting training to ensure that professional standards training requirements are met annually.

## Technical Assistance (TA)

### Meal Counting and Claiming

- When calculating claims for SMP and ASSP, the foodservice director uses served amounts from production records. A month worth of counts are added and entered for the claim. When validating the claim amounts, the SA found computation errors resulting in over claiming. It is recommended that instead of adding a months' worth of counts at once, counts are done weekly so smaller groups of numbers can be totaled to limit calculation errors. Additionally, the SA discovered that rosters for the ASSP were not submitted. These rosters must be obtained as they contain a count of students who accepted a full snack. When the SA obtained some rosters for validating purposes, it was discovered that roster counts often differed from the production record counts. Site staff should check daily that production record and roster counts align before submitting both documents to the SFA. The SA recommends obtaining both of these documents on weekly basis.

### SFA On Site Monitoring

- All required breakfast and lunch SFA On-Site Monitoring reviews were conducted prior to February 1, but be sure that all responses accurately reflect the observations. SFA reviewers identified some areas of concern that differed from the response on the monitoring form. Consider using the required form as a communication and educational tool for kitchen managers to fully understand the expectations of their school site.

## Verification

- When conducting verification, the Official Use Only box should be completed by the confirmation official prior to informing the household that they must verify their income. After determining the results of verification, the verifying official must sign and date in the Official Use Only box. The SY17-18 applications subject to verification were incorrectly completed in the Official Use Only box.
- The Confirming Official, who must be a different individual than the Determining Official or may be a POS software system, must review an application prior to beginning the Verification process. This ensures that the application eligibility was determined correctly. The Confirming Official must complete the Official Use Only box on the free and reduced application that has been selected for verification. Once the verification process has been completed and results determined, the Verification Official, who can be either the Confirming or Determining Official, must complete the Official Use Only box on the F/R application. Verification must be in line with requirements outlined in 7 CFR 245.6(a).
- 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/software checking the application prior to sending out the letter for Verification. On site it was noted that the determining official signed the back of the application as both the determining and confirming official. The sponsor application was checked to see who was listed as the confirming official and an employee no longer working for child nutrition was listed. The off-site module responses indicated that the NutriKids software was the confirming official. This would be allowable and should be noted as the confirming official on the back of applications during the confirming process. As the sponsor application also listed the incorrect hearing official, instruction was given to correct the names of the officials in the sponsor application. Verification must be in line with requirements outlined in 7 CFR 245.6(a).
- Error prone applications are applications that document a monthly income within \$100 of the Income Eligibility Guidelines. Error prone applications must be a priority when selecting households for verification.
- Hard copies of all notification letters sent to households as part of the verification process must be kept with the application and supporting verification documentation for a complete record. Copies of the original notification of verification letters along with copies of the 2nd attempt letter and final notice letters were not on file.
- The final notice letter indicated that two prior letters were sent to the household with no response. A new due date was provided with a warning that if no response was received that a loss of benefit would occur on a specified date. The specified loss of benefits date was 26 calendar days after the final due date and should have been no longer than 10 calendar days.

## Dietary Specification and Nutrient Analysis

- The production records indicated some preparation amounts that were not beneficial to kitchen staff and their limited time in calculating the needed amounts. For example,

canned vegetables were listed as needing 400 1/2 cups, or fresh vegetables listed as 1.5 gallons. Kitchen managers indicated they would need to reference the Food Buying Guide to calculate the amount to prepare, but some do not have access to the online Food Buying Guide and the old printed versions in the kitchen offices are outdated and would not provide accurate amounts. Continue to work on editing production records to provide more usable information from the onset.

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

- Although the school identified a pick up time between 9:30 or 10:00 AM for the FFVP offering, it was observed that some classes returned their FFVP bag to the kitchen during this time or even during lunch service requesting the day's offering. The procedure is that classes are to return their bags to the kitchen by the end of the day so that they are available for FFVP preparation. This issue had been previously raised. It is imperative that school administration and staff support the needs of the FFVP and follow the direction of the kitchen so that workers' limited time on task completion is best utilized.
- HACCP principles must be followed by kitchen staff and classroom teachers. On the day of review, it was observed that cut oranges were placed in the reusable FFVP transport bag without being protected. Direction was given to order baggies for cut fruits and vegetables before placing them in transport bag. Teachers should also be reminded of the need to follow food safety practices in the classroom.
- The FFVP allows dip for vegetables only; the dip must be either low fat or fat-free and no larger than two tablespoons. It was discovered that peanut butter is being served with apples, which is unallowable. Dip cannot be served with fruit and the peanut butter is not low fat.
- Schools must widely publicize the FFVP. This can be done through posting the grant award on the school website, creating a bulletin board, or writing a short statement for the school newsletter.

### **Food Safety**

- The most recent food safety inspection report must be posted in a location visible to the public. (7 CFR 210.13(b)).
- Temperature logs were maintained correctly; however, maximum temperature limits for food safety and food quality were noted on two pieces of equipment. When this occurs, the concern should be immediately reported as it may be an indication of equipment beginning to fail (CFR210.13(d)). The log utilized by the school listed a recommended temperature of <0 F for the freezer and 32-40 F for the cooler. The SA noted multiple days in which one freezer was recorded as 10 F and 41 F was recorded for the cooler.
- A food safety manual (HACCP) was located in the kitchen but is not customized to reflect the actual needs of the kitchen. The manual was the 2016 NFSMI sample SOP's which includes old references to the 2013 Food Code. An updated ICN version is available in Download Forms that includes other required elements, not available in the previous version, such as employee exclusions and bodily fluid cleanup. This updated manual should be obtained and personalized for each service site.

- Clarify share table food safety expectations with the local health department. Food items that were placed on the share table were returned to the service line without being sanitized.
- Discard outdated foods that will not be used for the program. Foods that are safe to consume can be donated to a 501c3 private non-profit organization. Multiple items no longer being utilized were located in the storeroom that had a 2014 or 2015 received date. Discarding these items would provide more storage availability.

### Meal Components and Quantities - Lunch

- Independent contractor Kerry McKaig completed the menu review and provided the following TA:
  - The 1-cup portion of Romaine blend served on February 12, 15, and 16 was credited as  $\frac{1}{2}$  cup in the dark green vegetable subgroup. Information from the supplier (Nicholas) shows the blend is 55% Romaine, 35% Iceberg, 5% Carrot, and 5% Shredded Cabbage. The crediting for the salad needs to be changed to  $\frac{1}{4}$ -cup dark green and  $\frac{1}{8}$  cup other vegetable subgroups. This correction resulted in the total vegetables served on February 12 to be short  $\frac{1}{8}$  cup of the  $\frac{3}{4}$ -cup minimum requirement. The error was corrected by adding  $\frac{1}{8}$  cup carrots to the menu.
  - The vegetable total on Tuesday, February 13, at the middle school third line is  $\frac{5}{8}$  cup, which doesn't meet the minimum requirement of  $\frac{3}{4}$  cup. Recommend adding/increasing  $\frac{1}{8}$  to  $\frac{1}{4}$  cup of fresh vegetables to the celery already offered on the menu.  $\frac{1}{4}$ -cup carrots were added. Make sure all production records are updated as changes are made.
  - The "What's for Breakfast" and "What's for Lunch" posters were on a wall not visible to both line entrances. The breakfast poster was not filled out on the day of review when the contractor was reviewing menus. The posters were moved to the wall between both entrances making them more visible and the lunch poster was filled out with the menu.

### Water

- Potable water must be available at no charge during breakfast (7 CFR 220.8(1) as well as lunch (7 CFR 210.10(a)(i)). A water cooler and cups is set up in the cafeteria for lunch, but water is not available during breakfast. The drinking fountain in the cafeteria is not functional and students are not to be wandering the halls to access the drinking fountain located near the front office.

### Afterschool Snack Program

- The Afterschool Snack Program must maintain records including production records (documenting changes or substitutions as applicable) to show component compliance and note number of portions prepared, served, and leftover for every day the ASSP operates. The menu and required portion sizes listed on the production record should be completed by foodservice employees as food is provided for program operation. Enrichment coordinators can complete the total snacks served and leftover. Production records should be returned to foodservice for record keeping.

- The ASSP applies to schools that provide care for children after their school day has ended. Under no circumstances may a school be reimbursed for snacks served in programs operated before or during the child's school day. Children's eligibility is based on when their scheduled school day ends whether or not the school continues in session. The Jumpstart programs in operation at Stalker ES and IT Stoddard ES are divided by a morning session and an afternoon session. Only the afternoon session of the Jumpstart program would be eligible for snacks reimbursed under the ASSP, as their scheduled kindergarten school day has ended. The morning session comprised of students who have not yet attended their scheduled school day (afternoon kindergarten) do not qualify for a snack to be reimbursed under this program and should not be included in any ASSP claim.
- Schools may claim reimbursement for one full snack, per child, per day. Seconds and adult snacks cannot be claimed. Only a full snack (one serving from two different components) qualifies as reimbursable.
- The Afterschool Snack Program (ASSP) operates similar to the NSLP in that schools that take part in the ASSP receive funds from the U.S. Department of Agriculture (USDA) for each reimbursable snack served. Sites must serve snacks that meet Federal requirements for the ASSP meal pattern and serving sizes.

### Special Milk Program

- The Special Milk Program provides milk to children in half-day pre-kindergarten and kindergarten programs where children do not have access to the school meal programs. When participating in the program, schools and institutions receive reimbursement from the United States Department of Agriculture (USDA) for each half pint of milk served. It was discovered that in two of the three SMP sites, the morning kindergarten students have access to breakfast but are still served a milk as part of the SMP.
- The SMP allows children without access to school breakfast and/or school lunch programs the ability to receive milk, a beverage that contributes many important nutrients to the growing child's body.
- It was discovered that sites operating the SMP are also providing a food snack. Households are charged a \$55 annual "snack" fee, but it is not clear how the cost is determined. The SMP was designed to provide only milk for consumption, not to be incorporated with a food snack. On the day of review, SA witnessed 12 milks served, but the teacher marked "0" because no "snacks" were served that day because a parent brought in cupcakes to celebrate a birthday. For the purposes of the SMP, only served milks should be counted and claimed.
- Student paid milk prices should be set by comparing the Federal reimbursement rate (.2075 in SY17-18), the cost of milk from the dairy for the school, and the administrative/supply costs to operate the SMP. The cost of milk from the dairy will be added to the administrative/supply cost per milk served, and then the Federal reimbursement rate (.2075) will be subtracted from that total to determine the student cost for milk. Because both FF chocolate and 1% white milk was being served, milk costs are variable.

## **Your review is now closed**

The combined total over claim of \$5,275.13 must be recovered. Blackfoot School District must remit a check to the State Agency within 30-calendar days of the receipt of this notification. The check should be made payable to the Idaho State Department of Education. Please send a check to the address below:

Idaho State Department of Education  
Child Nutrition Programs  
650 West State Street  
Boise, Idaho 83702

Should you wish to appeal any of these 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,



Teresa Goodsell, BS, SNS  
NSLP Coordinator

cc: Colleen Fillmore, Ph.D., R.D.N., L.D., S.N.S., Director, Child Nutrition Programs  
Laurel Brummond, Child Nutrition Director, Blackfoot School District

**This institution is an equal opportunity provider.**



# 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](mailto: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](mailto:program.intake@usda.gov).

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