



January 3, 2018

Mr. George Boland, Superintendent
Idaho Falls School District
530 W. 21st
Idaho Falls, ID 83402

Dear Mr. Boland,

On November 14, 2017, State Department of Education (SDE) Coordinators Heather Blume and Lynda Westphal conducted an Administrative Review of Idaho Falls School District 91 for the following United States Department of Agriculture (USDA) programs:

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

The sites reviewed were Dora Erickson Elementary, Foxhollow Elementary, and Taylorview Junior High School.

The State agency (SA) would like to commend Faye Olsen and the entire staff of Idaho Falls School District 91 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—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: [Idaho Child Nutrition Program Wellness Policy Resources](#)

Required Corrective Action:

District #91 must complete the *Idaho Wellness Policy Progress Report*, or equivalent form, for all school sites and post the results to the District #91 website to inform the public of the progress made in attaining the goals identified in the wellness policy. Ensure that all school sites are aware of the newly updated wellness policy and are implementing the Federal requirements by completing these reports.

Due Date for CAP Completion: December 7, 2017

Sponsor Response to CAP:

The Wellness Policy Progress Report was completed for each school in the district and submitted to the State agency via MyIdahoCNP on December 6, 2017. The reports were posted to the district website and the link emailed to the State agency on January 2, 2018.

Finding 2 – Applications and Benefit Issuance

Several applications were found to be in error, which resulted in a 0.86% application error rate.

Due Date for CAP Completion: December 7, 2017

Sponsor Response to CAP

All application errors were corrected while the State agency was onsite.

Fiscal Action

Due to application and claiming errors, the Idaho Falls NSLP had fiscal action amounting in \$166.44 and fiscal action of \$55.83 for the SBP. However, both of these amounts are less than the State agency disregard threshold, so no claim adjustments will be made.

Commendations

District Staff

- Daniele is always very organized and provides all the menus, recipes, labels, and production records needed.
- Sarena did an excellent job organizing the applications and finding the documentation requested.
- Faye was able to incorporate the "Civil Rights Training for Frontline Staff" into the district employee handbook for all district employees to review.
- Faye worked well with the district to provide the resources necessary to bring the district wellness policy into compliance with USDA Federal regulations.
- Dareta did a great job filling in for staff that were sick and answering questions about FFVP.
- Ruffin did a great job compiling the invoices needed for the Non-Program Food Revenue Tool.

Dora Erickson Elementary School

- Angie did a wonderful job engaging the students that came through during the breakfast and lunch lines. The students really appreciated her compliments and enjoyed the interaction.
- The cafeteria at Dora Erickson Elementary was well managed and the children went through the line quickly and smoothly.
- The water cooler that was set out for the students was extremely popular and well-utilized.

Foxhollow Elementary School

- The Offer versus Serve PowerPoint sheets were at the end of the line making it easy for the staff to identify a reimbursable meal. This could be very helpful for staff.

Taylorview Jr. High School

- Taylorview Jr. High has five posters of "*What's for Breakfast*" and the staff flips through the charts depending on the day to avoid having to change the wording on the poster every day. This is a good practice.
- Taylorview Jr. High lunchroom has the health inspection posted on each wall so the students at either line can see that they have been inspected with zero violations. This is a good practice.
- The food service staff at Taylorview work together as a team to prepare and serve the students nutritious meals efficiently. They were especially helpful to the special education students in selecting a reimbursable meal.
- The staff at Taylorview Jr. High was able to serve about 180 students in less than 10 minutes during the lunch service.

Technical Assistance (TA)

Verification

- Overtime and holiday pay should be included when validating check stubs for the verification process.

Meal Counting and Claiming

- Worked with the district staff to locate an application that updated the status of two children during October. This application was processed after the claim report was printed, which caused the district to under-claim five free meals and over-claim five paid meals. State agency provided TA that better communication is needed to ensure the monthly claim report is printed after all applications have been processed for the month.

Meal Components and Quantities

- Contractor Kerry McKaig informed the menu planner of the need to correct errors on component calculations for the ham and cheese hoagie, ham and mozzarella cheese hoagie, and the ham/turkey/cheese hoagie by adding 0.5 Meat/Meat Alternate (M/MA) to totals on the recipe and updating the weekly certification worksheet for the sandwich line. The whole grain rich roll served with the potato bowl on the pizza line on 10/9/17 was credited as 1.5 grain equivalent but is only 1.25 grain equivalent. The recipe and the pizza line weekly certification worksheet was updated. The 1 ounce (oz.) shredded cheese served with the "mini chimi" offered on 10/13/17 on the elementary and middle school hot line was correctly calculated on the production record but was incorrect on the recipe as 0.5 oz. per slice. The recipe was corrected to read 1 oz. per 2 slices.

Food Safety

- It was observed that a cashier handled money, and then removed food from the oven without washing hands in between activities. It is recommended that someone be designated to remove pans using the potholders and not touch the food.

Civil Rights

- Please post the current "*And Justice for All*" poster. FNS Instruction 113-1 requires that participating schools prominently display the USDA nondiscrimination poster "*And Justice for All*". The poster must be placed in a location that enables program participants to read the text of the poster without obstruction. This was corrected while State agency staff were onsite.

Procurement

- 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)). Frozen broccoli and tomatoes from Mexico were found onsite. 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).

School Breakfast and Summer Food Service Program (SFSP) Outreach

- If a nearby district operating the SFSP asks District 91 to distribute flyers, they would have to distribute for them in the targeted schools.

Your review is now closed.

The fiscal action of \$166.44 for the NSLP and \$55.83 for the SBP has been disregarded as these amounts are under the State agency threshold. Should you wish to appeal any of these findings please follow the appeal procedures on the *State Agency Appeal Procedures* document at the end of 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,

Heather Blume, MS, RD, LD, SNS
NSLP Coordinator

cc: Colleen Fillmore, PhD, RDN, LD, SNS, Director, Child Nutrition Programs
Faye Olsen, Child Nutrition Director, Idaho Falls District 91

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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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To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (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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