



March 23, 2018

Luke Schroeder, Superintendent
Kimberly School District
141 Center Street West
Kimberly, ID 83341

Dear Mr. Schroeder,

On February 15, 2018, State Department of Education (SDE) Coordinators Lynda Westphal and Tamara Donovan conducted an Administrative Review of Kimberly School District for the following United States Department of Agriculture (USDA) programs:

- National School Lunch Program (NSLP)
- School Breakfast Program (SBP)
- USDA Foods

The site reviewed was Kimberly Elementary School.

The State agency (SA) would like to commend Roxanne Mumm, and the entire staff of Kimberly 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:

Finding and Corrective Action Plan (CAP)

Finding 1 Benefit Issuance

Two students had benefit issuance errors and had received free meal benefits when they should have been at paid status. Change the students to paid status and inform the households. One income application was missing social security information so is considered incomplete. Contact the family to obtain social security information. One student received free meal benefits, but the income application was determined as denied/paid. Meal benefit status was changed to free based on a household member's communication with the administration. The student may continue to receive meals at no charge as long as the General Fund pays for the student's meals. Change the student's benefit status to paid so that Federal reimbursement will be claimed at the paid amount. All errors resulted in a 1.26% error rate with a potential of \$211.47 in fiscal action, which is below the \$600 threshold and will be disregarded.

Corrective Action Response:

On the day of SA review, the family was contacted to obtain social security information and all benefit issuance updates were made.

Finding 2 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.

Corrective Action Response:

The Administration will bring the Wellness Policy update to the March 2018 school board for approval.

Finding 3 Nonprogram Food

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 memo 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.

Corrective Action Response:

The Non-Program Food Revenue Tool Option 2 was completed and uploaded on March 19, 2018, and the tool shows that all schools in the district are in compliance.

Commendations

- The Food Service Director was available to the SA reviewers and had documentation ready for the day.
- All students and staff that we interacted with were pleasant and polite.
- The food service staff was quick to recognize the need to prepare more food and had little wait time for students to get the hamburgers.

Technical Assistance (TA)

Meal Counting and Claiming

- Gave TA that for the next few months, she should complete the FS-4 monthly count sheet and run the Power School end of month report to compare totals. If they come out identical, then that report can be used for the claim backup.

Dietary Specifications and Nutrient Analysis

- Independent contractor Kerry McKaig completed the menu review and provided the following TA:
 - The legume subgroup had insufficient quantities for the week of review. Chili was offered on Thursday which has pinto beans in it but the recipe was crediting the beans as a Meat/Meat Alternative (M/MA). The legume contribution in the chili from the pinto beans is less than 1/8 cup. Ideas were discussed for increasing the amount of legumes to that week of the cycle menu. One half cup of pinto beans will be added to the Wednesday menu to meet the weekly requirement for the legume subgroup. The chili recipe crediting was corrected to 2 M/MA per half cup. Students are served a ¾ cup portion of chili with ½ ounce of shredded cheddar cheese for a total of 3.5 ounce M/MA.
 - The corn on Wednesday was moved to Thursday.
 - TA was given by the reviewer to provide the smaller children half of a hamburger to those who request it to avoid food waste.

Meal Components and Quantities

- Gave TA that all items (including condiments) must be tracked on the production record, including amount prepared, leftover and what was done with the leftovers.
- Update all production records and recipes with correct menu components and portions for each menu item and condiment served.
- 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)). (pepperoncini from Greece and sugar snap peas from Mexico) 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 they do not comply with the Buy American provision, unless there is documentation to justify the exception (exorbitant pricing or product shortages).

- The Food Service Director was reminded to have the most current label on file for all food products.

Resource Management

- TA was given that if food is sold that is non-reimbursable, it falls under the Non-Program Food Revenue category.

Civil Rights

- The SFA's procedure for receiving and processing Civil Rights complaints should ensure all complaints associated with Child Nutrition Programs are forwarded to the State agency within three (3) working days. (7 CFR 210.15(a)(6))
- The Americans with Disabilities Act (ADA) Amendments Act of 2008 made important changes to the meaning and interpretation of the term "disability." Students who meet definitions may receive special meal accommodations from school meal programs. In order for school food service staff to accommodate these requests and maintain the required documentation, a Medical Statement Form must be completed for each student requesting special accommodations. Food service staff is required to have this documentation on file in order to safely follow the accommodation. Ensure the proper documentation is on file. If a student has a Medical Statement Form currently on file (signed by an authorized medical authority and indicating foods to omit and acceptable foods to substitute), a new form does not need to be completed and submitted.. Additionally, the Medical Statement Form does not need to be renewed on a yearly basis; however, it should be updated to reflect the current medical and/or nutritional needs of the participant.
- The SA provided guidance on milk substitutes.

Professional Standards

- Ensure the training log includes applicable key codes and topic areas; the SA provided professional standards links and guidance.

Reporting and Recordkeeping

- Food service records must be maintained for three years plus the current year to document compliance with program regulations and the service of reimbursable meals. Disposal of records prior to the 2014-15 school year is acceptable; however, check with the finance department to see if they need some records.

Procurement

- A separate procurement review was completed by Keddington & Christensen, LLC; please follow the guidance previously provided to update the procurement policy to come into compliance with 2 CFR 200 for federal programs before the next administrative review.

Your review is now closed.

Fiscal action in the amount of \$211.47 will be disregarded. 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,



Lynda Westphal, MHS, SNS
NSLP Coordinator

cc: Colleen Fillmore, Ph.D., R.D.N., L.D., S.N.S., Director, Child Nutrition Programs
Roxanne Mumm, Child Nutrition Director, Kimberly School District

Civil Rights

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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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For Questions Contact

Child Nutrition Programs
Idaho State Department of Education
650 W State Street, Boise, ID 83702
208 332 6820 | www.sde.idaho.gov