



December 12, 2017

Dr. Robert Donaldson, Superintendent  
Lewiston School District  
3317 12th Street  
Lewiston, ID 83501

Dear Dr. Donaldson,

On December 6-7, 2017, State Department of Education (SDE) Coordinators Tamara Donovan and Teresa Goodsell conducted an Administrative Review of Lewiston School District for the following United States Department of Agriculture (USDA) programs:

- National School Lunch Program (NSLP)
- School Breakfast Program (SBP)
- Special Milk Program (SMP) at Webster Elementary School
- USDA Foods

The sites reviewed were Webster Elementary, Jenifer Junior High, and Lewiston Senior High Schools.

The State agency (SA) would like to commend Jodi Hoff and the entire staff of Lewiston 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.

## Commendations

- The Food Service Director demonstrated commitment to operating compliant child nutrition programs that meet student needs. She was responsive to requests for information and was a pleasure to work with during the off-site and on-site sections of the Administrative Review. All files and documents were organized and readily available.
- There were no errors in benefit issuance and application determination - excellent job.
- SA Independent Contractor Renee Legan conducted the menu compliance review for the targeted week and found no areas of concern. All meal pattern requirements were met in the 12 worksheets that were completed. Keep up the great work!
- The Food Service Director was outstanding in the implementation of the child nutrition program. She was knowledgeable, thorough, and receptive to SA input.
- Webster Elementary School kitchen manager and staff were extremely efficient and organized. They had great rapport with students, teachers, administration, and the custodian. Student lunch helpers were very respectful, well trained and eager to assist with meal service cleaning duties. It was a pleasure to see the collaborative efforts of the entire school staff being utilized to support the child nutrition program goals.
- The Jenifer Junior High School kitchen was very organized and clean. The food service employees exhibited teamwork and dedication to providing fresh, appealing meals.
- The Lewiston Senior High School food service employees were efficient in their job duties and were warm to the students. A sincere "thank you" was given to nearly every student coming through the line.

## Technical Assistance (TA)

### Meal Components and Quantities

- The Independent Contractor noted that the Food Service Director was working on obtaining a brand of soy milk with adequate protein content. A compliant product was obtained prior to the day of SA review.

### Buy American Provision

- 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)). Malibu vegetable blend and grape tomatoes from Mexico were in 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, such as exorbitant pricing or product shortages. The Food Service Director communicated with the vendor on the day of SA review; proper documentation was received.

### **Procurement**

- A separate procurement review was completed by Keddington & Christensen, LLC; please follow the guidance previously provided.

### **School Breakfast Program Outreach**

- SFAs must inform eligible families of the availability of reimbursable breakfasts served under the School Breakfast Program at the beginning of the school year and must provide reminders regarding the availability of the SBP multiple times throughout the school year (7 CFR 210.12 (d)). The SFA provided households with information at the beginning of the school year and, as of the day of SA review, resumed posting breakfast menus on the district website; posting the breakfast monthly menu is to continue for the remainder of the school year.

### **Special Milk Program**

- The SA determined that a small number of milk cartons served in the Review Month of October 2017 were not counted and claimed (totaling \$1.62). Additionally, the milk count on the day of SA review reported less milk cartons taken than what the SA reviewer observed. Review the SMP counting process and train staff to ensure accurate counting and claiming.
- As a reminder, the SMP allows a student to select more than one carton of milk per day to be counted and claimed for reimbursement.

### **Your review is now closed**

There is no fiscal action resulting from this Administrative Review. If you would like clarification on any topics, please contact me at (208) 332-6820. Thank you for your continued support of the Child Nutrition Programs.

Sincerely,



Tamara Donovan, RD, LD, SNS  
NSLP Coordinator

cc: Colleen Fillmore, PhD, RD, LD, SNS, Director, Child Nutrition Programs  
Jodi Hoff, Food Service Director, Lewiston 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](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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