



December 19, 2017

Jim Norton, Superintendent  
Parma School District  
805 E McConnell  
Parma, ID 83660

Dear Mr. Norton,

On November 29, 2017, State Department of Education (SDE) Coordinators Tamara Donovan and Teresa Goodsell conducted an Administrative Review of Parma School District for the following United States Department of Agriculture (USDA) programs:

- National School Lunch Program (NSLP) operating Provision 2 Breakfast
- School Breakfast Program (SBP)
- Fresh Fruit and Vegetable Program (FFVP)
- USDA Foods

The site reviewed was Maxine Johnson Elementary School.

The State agency (SA) would like to commend Jeanette Warren and the entire staff of Parma 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

A statistical sample of applications was reviewed resulting in a 1.71% error rate.

One application was determined incorrectly due to child income not being included when the application was determined. The household should have received reduced benefits instead of free benefits. This application was selected for verification and benefits were changed to paid status due to no response.

One application was determined incorrectly due to using the incorrect income frequency when calculating income; bi-weekly pay period (x26) was used instead of twice monthly pay period (x24). Also, the student was on the September 12, 2017, direct certification list which would also confer free meal benefit status. The student withdrew on October 10, 2017.

One application noted five in the household, but only four names were listed.

**CAP:** Contact the household to obtain the correct household number and any additional income information, determine the application, and update the benefit issuance list and send a benefit status notification letter as applicable.

**Timeframe for CAP completion:** December 13, 2017

**Sponsor Response to CAP:** On December 12, 2017, documentation was uploaded showing an additional name was added to the application after the household was contacted. There was no income change, so no change in meal benefit status.

### Finding 2: Verification

One application selected for verification noted six in the household, but only five names were listed (an adult household member received the verification letter addressed specifically to them; however, that person was not listed on the actual application).

**CAP:** Contact the household to obtain the correct household number and any additional income information, determine the application, verify any new income, and update the benefit issuance list and send a benefit status notification letter as applicable.

**Timeframe for CAP completion:** December 13, 2017

**Sponsor Response to CAP:** On November 30, 2017, documentation was uploaded showing an additional name was added to application after the household was contacted. There was no income change, so no change in meal benefit status.

### Finding 3: 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, which includes

adult meals. Only adults who work in food service may receive meals at no charge. During lunch service at Maxine Johnson Elementary School, an adult received a meal and did not pay for it. During follow up it was stated that this is a regular occurrence for a couple of teachers and that the district had agreed to cover the cost.

**CAP:** Establish a written procedure for handling adults who do not pay for their meals (e.g., keeping a list at the point of service and billing the district monthly). Upload a copy of the procedure into MyIdahoCNP.

Fund 290 journal entry 044214 notes \$141.00 in expenses for "repair A/C in gym lobby". The Food Service Director will work with the district financial department to ensure a refund.

**CAP:** Provide documentation to the State agency that \$141.00 was deposited into the Food Service Fund 290.

**Timeframe for CAP completion:** December 13, 2017; Extension: December 20, 2017

**Sponsor Response to CAP:** On December 12, 2017, an adult meal policy for adults was uploaded into MyIdahoCNP. The policy pertains to the situation in which an adult/teacher, who is helping with an individual student at meal time, receives a meal that will be paid for with General Funds. The policy outlines that these adult meals will be tracked and that a notice for payment will be sent to the district clerk at the end of each month. A CAP extension of one week was approved due to a change in the district staff; more time was needed to transfer the funds. On December 18, 2017, documentation of a December 15, 2017, journal entry was provided to the SA showing a transfer of \$141.00 from the General Funds into the Food Service account.

## Fiscal Action

Due to benefit issuance errors, fiscal action results in \$9.20. However, since this amount falls under the \$600 threshold, the fiscal action will be disregarded and no financial adjustment will occur.

## Commendations

- The Food Service Director was organized and the files were complete and accessible. She was calm and helpful on the day of State agency review.
- The teamwork of the nutrition staff at Maxine Johnson Elementary School was impressive. The manager and team members were new to their positions and some were new to school nutrition, yet they functioned similar to a seasoned, experienced team.
- An abundance of freshly prepared food, including homemade whole grain breads, and a nice variety of fruits and vegetables were available.
- Maxine Johnson Elementary School had a clean, efficient, positive environment and a great looking, nutritious lunch! The administration and teachers at the school were helpful to students and contribute to the overall success of the child nutrition programs.

## Technical Assistance (TA)

### Certification and Benefit Issuance

- The State agency recommended that free and reduced applications be date stamped upon receipt to allow students to receive benefits as of the date of receipt as opposed to the date of determination (SP11-2014). Additionally, the date stamp will document that eligibility was determined within the ten operating day window.
- Several denied applications were converted to an annual income based income frequencies. The calculation for converting from twice monthly pay period (x24) was used in place of conversion from a bi-weekly pay periods (x26) and vice versa. While this did not affect the denied eligibility determinations on the applications that the SA reviewed, ensure calculations are performed accurately moving forward.

### Verification

- After performing verification of free and reduced applications, the verifying official should sign the “Official Use” box. Verification must be in line with requirements outlined in 7 CFR 245.6a.

### Meal Components and Quantities

- Independent contractor Laura Thomas completed the menu review and provided the following TA:
  - Reminded that the “planned” section of the production record must be completed for the Pre-K menu. The menu planner must note the Pre-K meal pattern portion sizes to ensure compliance, help limit food waste, and control cost.
  - Discussed the importance of controlling the types of foods purchased and using standardized recipes. Non-whole grain donuts were served to students on October 12, 2017; the vendor provided the wrong product and the food service accepted it (previous deliveries were whole grain donuts). Food service must ensure that all student meals have the appropriate ounce equivalent (oz eq) of whole grain for each age-grade group. In the event of the delivery of a non-compliant product, the food service must reject the delivery and ensure that the correct product and correct billing is received. In the event that a whole grain product was not delivered, the food service must serve a whole grain substitute, such as whole grain cereal or whole grain bread, and note the substitution on the production record. Non whole grain products do not credit toward a reimbursable meal, but may be included in the menu as an “extra” and are included in the dietary specifications. On November 10, 2017, a whole grain donut product formulation statement was uploaded into MyIdahoCNP.
  - Corrected crediting of chicken strips in a recipe (1.5 oz eq meat/meat alternate and .5 oz eq grain). Daily and weekly minimums were met after the correction.
  - Reviewed the requirement that bid specifications include the need for products to be whole grain, contain no non-naturally occurring trans-fat, and comply with the Buy American provision.

- Emphasized the importance of following the USDA meal patterns to meet daily and weekly food component minimums. The menu planner thought the October 11, 2017, daily menu was too high in calories, so reduced size of whole grain roll to 1 ounce, making the weekly whole grain requirement short by ½ oz eq; however, the menu did have non-whole grain, enriched noodles. Discussed pursuing a waiver for the non-whole grain noodles. Reminded that priority should not be placed on meeting the dietary specifications (calories, total fat, saturated fat, and sodium) before meeting the basic meal pattern requirements. Nutrient analysis software is a nice tool, but it should not drive menu decisions; components and meal pattern requirements must come first.
- Encouraged the use of a cycle menu to limit the amount of time needed to create menus each week.
- Suggested packaging fresh fruit and offering smaller pre-packaged grain portions at breakfast to allow for less food waste.

#### Offer versus Serve

- Ensure the "What's for Breakfast" poster is completed prior to the start of service each day to explain to students what constitutes a reimbursable meal.

#### Food Safety

- Individualize the written food safety plan for each school site. For example, at Maxine Johnson Elementary School, follow the health department recommendation for sanitizing surfaces.
- Ensure recipes note accurate critical control points (CCPs). For example, the chicken and noodle recipe final temperature should be 165°F, not 150°F.
- Recipes must reflect the actual products used with the appropriate descriptive label to represent the actual food (such as cooked beef crumbles versus raw ground beef) and the amount of the ingredients and total yield. Multiple recipe versions must be available if ingredients differ so that the recipe corresponds to the ingredients on hand to help ensure proper CCP temperatures for food safety and for yield/meal pattern compliance.
- Train staff regarding the standard operating procedure for receiving items. Include the need to check for correct products: whole grain, no non-naturally occurring trans-fat, and Buy American compliant.
- At Maxine Johnson Elementary School, one dry storage shelf was less than 6" off the floor allowing product bags placed on the shelf to touch the floor; consider the use of some type of riser on the bottom shelf.

#### Civil Rights

- The SFA's procedure for receiving and processing civil rights complaints ensuring that all complaints associated with Child Nutrition Programs are forwarded to the State agency within three working days must be in the civil rights folders at each school site (CFR210.15(a)(6)).

### Local School Wellness Policy (LWP)

- The final rule on wellness policies (§210.31) required LEAs to be in compliance by June 30, 2017. The LEA's current LWP noted an amended date of March 10, 2015. The wellness policy committee must ensure the LWP is compliant with the final rule.
- For more information regarding local wellness policies, please visit the Idaho SDE Child Nutrition Programs School Wellness website.

### Procurement

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

### Special Provision Option CEP

- Provision 2 Base Year (SY15-16) benefit issuance was validated by the SA on April 1, 2016. The retention of all required Provision 2 documentation was confirmed during the administrative review. Daily meal count records by student name and eligibility are maintained on a thumb drive and all other Base Year records are kept in a box at the elementary school. The current Provision 2 cycle expires at the end of SY18-19; to continue with Provision 2 breakfast, contact the SA prior to the expiration date regarding extension qualification.

### Your review is now closed

The fiscal action identified above 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,



Tamara Donovan, RD, LD, SNS  
NSLP Coordinator

cc: Colleen Fillmore, PhD, RD, LD, SNS, Director, Child Nutrition Programs  
Jeanette Warren, Food Service Director, Parma 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)

### **USDA Nondiscrimination Statement**

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

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