



February 20, 2018

Certified Return Receipt #7013 1710 0000 9755 9542

Donna Gordon, Principal
St. Mark's School
7503 Northview
Bliss, ID 83704

Dear Principal Gordon,

On December 18, 2017, State Department of Education (SDE) Coordinators Tamara Donovan and Teresa Goodsell conducted an Administrative Review of St. Mark's School for the following United States Department of Agriculture (USDA) programs:

- Special Milk Program (SMP)

The State agency (SA) would like to thank Bobbi Rivas and Rena VanPaeppegem for their hard work operating the Special Milk Program.

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

These were the SA determined findings and the SFA response to the findings:

Findings and Corrective Action Plan (CAP)

Finding 1 Counting

The point of service (POS) was located at the beginning of the service line, which caused confusion when manually counting milks served. Consider moving the POS to the end of the service line and allow students who only want milk (no meal) to form a separate line. Develop a written procedure to ensure accurate milk counts; continue to count milk participation independent of meal participation. A new meal counting software system was to be implemented after the day of SA review.

Corrective Action:

Upload a written procedure to explain the service line milk count process, including how the POS software will be used, to help ensure accurate milk counts. Upload a procedure to ensure an accurate milk count for the pre-K students as well.

Due Date for CAP Completion: February 15, 2018

Corrective Action Response:

The original CAP due date of January 25, 2018, was extended to February 15, 2018, due to school breaks, St. Mark's staff availability, and the amount of follow up required. On January 25, 2018, a compliant milk counting procedure was uploaded; an electronic POS system will be used to track milk participation. On February 15, 2018, a milk counting procedure was uploaded for the pre-K students.

Finding 2 Claiming

Only milk served to students can be claimed for reimbursement. The sponsor claimed milk based on attendance not on actual milk served for August, September, and October 2017. As the review progressed it became apparent that November and December 2017 claims may be inaccurate. Claims will need to be adjusted and an accurate counting/claiming procedure based on actual milk participation for pre-K through 8th grade will need to be followed.

Corrective Action:

Upload a written procedure outlining how claims will be handled moving forward. Upload milk receipts from the beginning of the school year through December 2017 and upload the monthly totals of milk sold to adults. The SA will adjust future claims for re-imbusement based on the inventory used to support the children's participation in the SMP.

Due Date for CAP Completion: February 15, 2018

Corrective Action Response:

The CAP due date was ultimately extended to February 15, 2018. The SA validated the August through December 2017 milk inventory based on receipts uploaded on February 6, 2018, and derived monthly milk counts for the claim. The SA noted the following 2017 claim adjustments:

- August \$95.83 over-claimed
- September \$315.17 over-claimed
- October \$211.01 over-claimed
- November \$92.86 under-claimed (which reduced recovery amount)
- December \$83.86 over-claimed

Total fiscal action is \$613.01

Finding 3 Civil Rights

USDA civil rights training is required for School Foodservice Authority staff who interact with program applicants or participants (e.g., individuals who hand out/count milk, Free and Reduced Application approval staff) and their supervisors as well as the Determining, Confirming, and Hearing Officials.

Corrective Action:

Upload into MyIdahoCNP > Compliance > Review Attachments, documentation that applicable staff and volunteers received civil rights training.

Due Date for CAP Completion: February 15, 2018

Corrective Action Response:

The CAP due date was ultimately extended to February 15, 2018. On January 16, 2018, documentation of civil rights training was uploaded. On February 15, 2018, the SFA uploaded documentation of training for those involved with pre-K SMP.

Fiscal Action

Total fiscal action of \$613.01 will be withheld from future claims for reimbursement.

Commendations

- The staff at St. Mark's had positive attitudes and seemed receptive to SA input.

Technical Assistance (TA)

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". All posters must be 11" x 17". The poster must be placed in a location that enables program participants to read the text of the poster without obstruction.

Certification and Benefit Issuance

- Please use the "Official Use Only" section on the Free and Reduced Application to document the date of determination and the date that a notification letter was sent.
- Use the sample letters available in MyIdahoCNP Download Forms to notify households when they qualify for free milk benefits through an income application determination or through a direct certification state match. Direct certification extends benefits to students in the household.

Reporting and Recordkeeping

- Food service records must be maintained for three years plus the current year to document compliance with program regulations and to support milk counting and claiming. Records are stored in the attic above the kitchen area. Records for school year 2016-2017 were located while the SA was on-site; records for school year 2014-2015 and school year 2015-2016 were located at a later date.

Your review is now closed.

The SA calculated milk served to students for August through December 2017 based on inventory using milk receipts. Total fiscal action of \$613.01 will be withheld from future claims for reimbursement.

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,

A handwritten signature in blue ink that reads "Tamara".

Tamara Donovan, RDN, LD, SNS
NSLP Coordinator

cc: Colleen Fillmore, PhD, RD, LD, SNS, Director, Child Nutrition Programs
Rena Vanpaepeghem, Secretary, St. Mark's School
Bobbi Rivas, Secretary, St. Mark's School

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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

USDA Nondiscrimination Statement

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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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