



April 5, 2018

Mr. Daniel Wendt, Administrator
Taylor's Crossing Public Charter School
1445 North Wood River Drive
Idaho Falls, ID 83401

Certified Mail: 7013 1710 0000 9755 9580

Dear Mr. Wendt,

On March 6, 2018, State Department of Education (SDE) Coordinators Lynda Westphal and Tamara Donovan conducted an Administrative Review of Taylor's Crossing Public Charter School for the following United States Department of Agriculture (USDA) programs:

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

The State agency (SA) would like to commend Beth Long and the entire staff of Taylor's Crossing Public Charter School 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 Verification

One application (one student) selected for verification should have been changed from reduced to free status based on income documentation received.

Due Date for CAP Completion: March 21, 2018

Corrective Action Response:

Ensure the meal benefit status is changed on the benefit issuance list within three days and send a letter to notify the household of the revised benefits. Documentation provided on the day of SA review.

Finding 2 Nonprogram Food Revenue

A la carte entrees and seconds sold along with the snacks to the reading program are considered non-program foods; therefore the Nonprogram Food Revenue Tool must be completed. 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.

Due Date for CAP Completion: March 21, 2018, Extended to April 2, 2018

Corrective Action Response: The Nonprogram Food Revenue Tool was completed and uploaded on April 1, 2018. This tool showed that the school was in compliance and may be used for renewal documentation.

Finding 3 Professional Standards

Food Service Directors must have at least eight hours of food safety training. The Food Service Director is in the process of obtaining certification.

Due Date for CAP Completion: March 21, 2018

Corrective Action Response: The director took and passed the ServSafe test on March 7, 2018.

Finding 4 Certification and Benefit Issuance

On the day of review, students enrolled and their previous status from a few years ago carried over. If a family does not have an application from the current year, they must receive paid status until their application is approved. This practice must change to not provide eligibility from previous years outside of the carryover period. Both Application and Verification errors resulted in a 3.59% error rate which due to this being your base year will result in \$31.29 being withheld from your breakfast claims from October-January 2018.

Due Date for CAP Completion: March 21, 2018, extended to April 1, 2018

Corrective Action Response: A procedure on how to ameliorate this was uploaded into MyIdahoCNP on April 1, 2018.

Fiscal Action

Due to application and verification errors, fiscal action was \$40.32 for lunch (which will be disregarded, as it is below the \$600 threshold) and \$31.29 for breakfast which cannot be disregarded due to this being your base year for Provision 2.

Commendations

- The Food Service Director was receptive to state agency input, completing many tasks while the reviewers were on-site. Records were organized and easily accessed.
- It was nice to see the students being so well mannered and helpful in the lunch program.

Technical Assistance (TA)

Certification and Benefit Issuance

- A free and reduced application from another state was in use. The application has several references to unallowable provisions. Please only use the prototype application from the Idaho State Department of Education, which will be available in each year in May or June, depending upon when the USDA releases the income guidelines.
- During the Provision 2 base year review in October 2017, the SA identified that the notice of adverse action letter utilized by the SFA did not include all the required elements. The SFA was advised to edit the letter using the elements indicated in the Eligibility Manual for School Meals or to use the SA template.

Verification

- After performing verification of Free and Reduced Applications, make use of the “Official Use Only” box. Verification must be in line with requirements outlined in 7 CFR 245.6a.
- The Food Service Director was reminded to make notes on applications to document information obtained from the household via conversation; include the date, the name of the household member spoken with, the information collected, and the initial of person who collected the information.
- Ensure notification letters inform households of who to contact with questions (the Determining or Confirming Official), which differs from who to contact regarding an appeal (the NSLP Hearing Official).
- As part of verification, before the notification letter is sent to the household, attempt to directly certify students.
- When performing Verification of Free and Reduced Applications, there must be another person, the Confirming Official, checking the application prior to sending out the letter for Verification. Verification must be in line with requirements outlined in 7 CFR 245.6a.

Dietary Specifications and Nutrient Analysis

- Independent contractor Kerry McKaig completed the menu review and provided the following TA:
 - On Tuesday, 1/9/2018, of the review week, the bean & cheese burrito credits as 1.5 ounce equivalent (oz. eq.) M/MA and 1.5 oz. eq. Grain according the product formulation statement. It was incorrectly credited on the production record as 2 M/MA and 2 grains. The minimum daily requirement for M/MA for grades 9-12 is 2 oz. eq. Recommended adding a 1 ounce cheese stick to this meal. The CN information on the PFS stated it expired 7/9/2017. Recommend contacting the supplier for a current PFS/CN label.
 - A new product was obtained with 2M/2G and was served on the day of review.
 - On Wednesday, 1/10/2018, of the review week, the WW roll served with the Chef Salad was incorrectly credited as 1.5 oz. eq. Grain. The WW roll credits as 1.25 oz. eq. Grain according the PFS but weighs 1.5 oz. The minimum daily Grain requirement for grades 9-12 is 2 oz. eq.
 - On Thursday, 1/11/2018, of the review week, the Doritos served with the Walking Taco credit as 1.5 oz. eq. Grain. The minimum daily Grain requirement for grades 9-12 is 2 oz. eq.
 - On Friday, 1/12/2018, of the review week, the PB & J Jamwich credits as 2 oz. eq. M/MA and 1 oz. eq. Grain. The minimum daily Grain requirement for grades 9-12 is 2 oz. eq. Recommend adding a second cookie (.75 Grain), or a bag of Sun Chips (1.0 Grain) or a WW roll (1.25 Grain).

Food Safety

- The Health Inspection should be posted where the students can easily see it; consider posting in the hall above the “And Justice for All” poster.
- 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)). The following food items were in located: fresh tomatoes, fresh cucumbers, and canned green chili peppers 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 the products do not comply with the Buy American Provision, unless there is documentation to justify the exception (exorbitant pricing or product shortages).

Resource Management

- See Finding 2 above. The Nonprogram Food Revenue tool must be completed on an annual basis for all food sold a la carte, seconds, adult meals, or catering events.

Civil Rights

- Please post the current "And Justice for All" poster in a location that enables program participants to read the text of the poster without obstruction (the posters were visible, but too distant for readability). FNS Instruction 113-1 requires that participating schools prominently display the USDA nondiscrimination poster "And Justice for All".
- The non-discrimination statement must be used on the second letter to households' notification of verification letter. The short non-discrimination statement is appropriate since the letter is one page in length.

SFA On-Site Monitoring

- When two points of service are operating, an On-Site monitoring review must be done every year by the first operating day of February. Review forms are available in Download Forms in MyIdahoCNP.

Local School 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.
- March 16, 2016, is the policy on the website; however there was a Wellness Committee meeting held on March 13, 2017, please make sure the most updated policy is posted on the website if there are any changes made.

Professional Standards

- The United States Department of Agriculture has established minimum Professional Standards for school nutrition professionals who manage and operate the National School Lunch and School Breakfast Programs, effective July 1, 2015. The standards provide annual training requirements for all school nutrition professionals. It is required that some form of documentation be kept on file to show Professional Standards compliance; options include the FNS online tracking tool and two Professional Standards tracking resources available in MyIdahoCNP under Download Forms. The SFA had printed training tracking documents, but had not logged trainings. Ensure the training log includes applicable key codes and topic areas; the SA provided professional standards links and guidance.

Procurement

- A separate procurement review was completed by Keddington & Christensen, LLC; please follow the guidance previously provided to bring the District's Procurement Policies in line with federal regulations prior to the next review.

School Breakfast and SFSP Outreach

- In the event that a school district(s) around you implement the Summer Food Service Program and provide flyers to the school, your school is required to assist with the flyer distribution to your families.

Special Provision Options

- Provision 2 Base Year (SY 17-18) benefit issuance was previously validated by the SA on October 4, 2017. The retention of all required Provision 2 documentation was confirmed during the administrative review. The current Provision 2 cycle expires at the end of SY 20-21. If you wish to continue with Provision 2 breakfast, you must contact the SA prior to the expiration date to see if you qualify for an extension.
- During the base year review, the SA identified that both AM and PM Kindergarten classes were being served the breakfast meal at no cost under Provision 2. For all intents and purposes, the SBP is meant to be a morning meal for students. The SFA was directed to discontinue serving free breakfast to the PM Kindergarten class when those students could participate in NSLP. The meal counts were removed prior to the September claim being filed.
- This is a base year for Provision 2 Breakfast. Due to this you are currently at 35.71% free, 14.6% reduced and 49.69% paid through January. This is unsustainable and the general funds will have to make up the difference in money that foodservice is

losing. The school is allowed to stop the Provision 2 breakfast at any time, and thoughtful consideration should be made to move to regular counting and claiming.

Your review is now closed

Fiscal action in the amount of \$31.29 will be withheld from your breakfast claims. 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
Beth Long, Child Nutrition Director, Taylor's Crossing Public Charter School

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.

This institution is an equal opportunity provider.

For Questions Contact

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