



January 30, 2018

Dr. Mary Ann Ranells
West Ada School District
1303 East Central Drive
Meridian, ID 83642

Dear Dr. Ranells,

From January 8 through January 12, 2018 State Department of Education (SDE) staff Heather Blume, Tamara Donovan, Lynda Westphal, Jennifer Butler, and Melissa Cook conducted an Administrative Review of the West Ada School District. Representatives from the United States Department of Agriculture (USDA) Western Regional Office also participated in review activities for the following USDA programs:

- National School Lunch Program (NSLP)—Victory Middle School, Galileo Elementary School, Gateway Elementary School, Ustick Elementary School, Meridian High School, Desert Sage Elementary (operating CEP)
- School Breakfast Program (SBP)—Victory Middle School, Desert Sage Elementary School, Meridian High School
- Afterschool Snack Program (ASSP) –Gateway Elementary School
- Fresh Fruit and Vegetable Program (FFVP)— Ustick Elementary School
- Special Milk Program—Desert Sage Elementary School
- USDA Food—Sysco Warehouse and on-site storage for reviewed schools

The State agency (SA) would like to commend Jean Dean and the entire staff of the West Ada 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-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: [Idaho Child Nutrition Program Wellness Policy Resources](#)

Required Corrective Action:

Please provide a plan for how and when the wellness policy language will be brought into compliance with Federal requirements and make each school's wellness assessment available to the public.

Due Date for CAP Completion: January 26, 2017

Corrective Action Response:

The SFA submitted the plan that the Wellness Committee will hold a meeting on February 7 to update the policy incorporating 2016 rules per HHFKA of 2010. The timeline below will be followed:

- First reading of new policy – Feb 13 board meeting
- Second reading of new policy – March 13 board meeting
- Wellness Committee meeting April 3, 2018
- Third reading/approval of new policy – April 10 board meeting
- New policy communicated to staff and patrons
- Survey sent out to buildings May 1, due May 4
- Survey results reviewed by Wellness Committee, May 8, 2018, meeting
- Survey results communicated to patrons on district web page

Finding 2- Food Safety

The SA did a comparison of the items West Ada S.D. ordered and received during school year 2017-2018 versus the items viewed in inventory at Sysco on January 8, 2018. It would appear from this comparison that West Ada S.D. possesses in inventory several USDA Foods products that were received prior to the current school year. Please note this determination is based solely on the last dates that product was ordered in MyIdahoCNP and could not be confirmed through actual dates on the products themselves that were (or in many cases were not) physically visible in the warehouse inventory review. A list of the items in question (all of which vary in quantities) are as follows and are separated into two distinct categories; direct delivered USDA Foods products and further processed USDA Foods products:

Direct Delivered

- Apple Slices, Canned (Royal brand name on the label) – last ordered through USDA Foods for 11/2016 delivery
- Broccoli, Frozen – last ordered through USDA Foods for 11/2016 delivery
- Chicken, Fajita Strips, Frozen – last ordered through USDA Foods for 3/2017 delivery
- Pinto Beans, Canned (Michigan Made brand name on the label) – last ordered through USDA Foods for 12/2016 delivery
- Rolled Oats – last ordered through USDA Foods for 9/2015 delivery
- Salsa, Canned – last ordered through USDA Foods for 10/2016 delivery

Further Processed

- JTM Fully Cooked Seasoned Beef Philly Steak, Frozen – last ordered through USDA Foods for 12/2016 delivery
- Rich’s Naturally Smoked Hand Pulled Pork, Frozen – last ordered through USDA Foods for 9/2016 delivery
- Sunny Fresh Grilled Egg Patties, Frozen – last ordered through USDA Foods for 3/2016 delivery
- Sunny Fresh Pre-Cooked Scrambled Eggs, Frozen – last ordered through USDA Foods for 5/2017 delivery

Required Corrective Action:

Confirm whether the products listed above are USDA Foods and, if they are not, identify the source; ensure products are within food safety dates. Additionally, USDA recommends that inventory levels not exceed the amount needed for a 6-month period.

Due Date for CAP Completion: January 26, 2017

Corrective Action Response:

The SFA stated that the products listed were USDA products. A visit to the warehouse at Sysco was done and FIFO is being followed and the procedure they have will not allow for items to be pulled out of order of receipt. Because of the limited availability at times of USDA foods, larger quantities of different items were ordered. Also, the sizes of the cases were much larger than normal which led to over- ordering. The SFA has planned new recipes and all inventory should be dispersed within 3 months. The SFA will search for smaller cases that can be monitored more easily.

The SFA submitted the following plan to manage inventory:

- Apples, Sliced –have been discarded
- Broccoli, frozen – cases will be sent to all schools and they will be offered as a second vegetable
- Chicken, Fajita – delivered to 3 schools
- Pinto Beans – will discard
- Rolled Oats – will discard
- Salsa, canned – jalapeños will be added to increase flavor; delivered some to secondary schools and will discard extra
- JTM Philly Steak - working to obtain clarification from manufacturer - two new recipes were added on winter/spring cycle
- Rich’s Pulled Pork –asked the manufacturer for an extension letter
- Sunny Fresh Grilled Egg Patties – pack size increased to 369 per case, which is a large amount for one case. Will add a breakfast for lunch at high school and use egg patties where we were serving scrambled eggs.
- Sunny Fresh Scrambled Eggs – added fried rice recipe this cycle – already delivered out to schools

Finding 3- Food Safety

Food items were seen in food storage that do not adhere to the USDA Buy American provision. These items included canned jalapeños from Mexico, dried mango from Thailand, tomatoes, grape tomatoes from Mexico, and apple juice, grape juice, and orange juice.

Required Corrective Action:

Ensure that vendors are adhering to the Buy American provision per procurement and contract language.

Due Date for CAP Completion: January 26, 2017

Corrective Action Response:

New language has been added to the bid specifications. Bid meetings will be held with produce and prime vendor suppliers to discuss the availability of produce and importance of documentation. Documentation will be required on all items that are not grown in America.

Finding 4-Benefit Issuance

The online application did not request applicants provide racial/ethnic data. Per the Office of Civil Rights, in instances where demographic data, particularly racial and ethnic data, is collected via an online system, provisions must be made for program applicants to self-identify. Once the data is collected via the online system, the program applicant must be able to verify the correctness of the data by signing some type of summary report of this information or attesting to the correctness and accuracy of the data in some manner.

Required Corrective Action:

Please add a question to the online application to collect the racial/ethnic data of applicants.

Due Date for CAP Completion: January 26, 2017

Corrective Action Response:

This issue was corrected while reviewers were on-site and the "Race and Ethnicity Report" was provided.

Finding 5- Verification

The sponsor accepted the parents' word for pay frequency and this information must come from the employer.

Required Corrective Action:

Contact the family and request the needed documentation.

Due Date for CAP Completion: January 26, 2017

Corrective Action Response:

This issue was resolved on January 12, 2018. The district received notification from the parent's employer that the paycheck was bi-weekly and sent the communication to the State agency on January 12, 2018.

Finding 6-Supplemental Special Milk Program (SMP)

Milk counts must be taken at point of service on a daily basis. The program at Desert Sage is recording the amount of milk picked up from the kitchen.

Required Corrective Action:

Take daily counts as the students select milk.

Due Date for CAP Completion: January 26, 2017

Corrective Action Response:

The K-Milk standard operating procedure (SOP) was updated to read that milk must be taken daily and not stored in classroom refrigerator. The updated SOP was uploaded on MyIdahoCNP.

Finding 7-Offer versus Serve

Annual Offer versus Serve (OVS) training is required for those on the serving line and Point of Service (POS) who are responsible for identifying a reimbursable meal. This was not documented to have occurred. The district advises that OVS conversations and refreshers occur periodically throughout the year, but no formal training is implemented or documented.

Required Corrective Action:

Develop an annual training plan to include OVS training. Upload a narrative describing this training plan, including implementation and documentation. OVS training is always available through the State agency training portal and template agendas are available in MyIdahoCNP Download Forms.

Due Date for CAP Completion: January 26, 2017

Corrective Action Response:

The SFA provided a statement that identified that an OVS training video and document will be included on the employee sign off sheet with other required training.

Finding 8-Meal Component Crediting

While the district has conducted yield studies in the past, the documentation needed to validate the amount of fruit credited in the smoothies could not be located.

Required Corrective Action:

Ensure that documentation is maintained for yield studies, in particular for the crediting of juice puree in the smoothies.

Due Date for CAP Completion: January 26, 2017

Corrective Action Response:

Yield studies were conducted to validate the amount of fruit credited in the smoothies and filed in the SFA office. Recipes were changed if additional fruit was needed. Photos of the study were uploaded into MyIdahoCNP.

Finding 9-Civil Rights

The online application had the incorrect nondiscrimination statement and the template for the letter to deny benefits did not have the correct short statement.

Required Corrective Action:

Update the non-discrimination statement to the correct USDA non-discrimination statement available at the State agency website.

Due Date for CAP Completion: January 26, 2017

Corrective Action Response:

This issue was corrected while reviewers were on-site.

Fiscal Action

No benefit issuance errors were discovered during the review. However, the claiming errors in the SMP resulted in 158 milks being disallowed. This amounted to \$26.88, which is below the State agency \$600 disregard threshold, so no fiscal action will be taken at this time.

Commendations

District Staff

- Jean and her staff were very well organized and prepared to answer questions about a wide range of topics
- Michelle does an excellent job with verification; she is thorough and pays attention to detail. She is persistent in ensuring that she gets a response from all families selected for verification. She keeps a binder organized with all paperwork and instructions for completing verification correctly and timely.
- Jessica was very organized and had a practical approach to the non-program foods revenue tool. She is also helpful and supportive of Michelle in her verification efforts. In addition, she organizes and maintains claim documentation so that she can access it readily.
- Elsa, Mechelle, and Vicky were very helpful during the site reviews answering questions and gathering additional documentation to support the review process.
- Amber, the West Ada Dietitian, was prepared to answer questions about the menu and worked hard to gather the required documentation to support the crediting of the fruit component in the smoothies the district serves.
- Student workers at the different schools were very helpful and seemed to enjoy their jobs. The opportunity for a paycheck, work experience, and additional responsibility is a great educational experience.

Desert Sage

- The staff members at Desert Sage enjoyed their jobs and were proud of the product they served to the children.

Gateway

- The Gateway Elementary School staff members were courteous to the students. A useful color-coded tray system was in place for recognizing entrée choice which helped to quickly serve the students. The students were polite and enthusiastic during the lunch meal service; an elementary student warmly interacted with the food service staff when receiving their meal, "Have a nice day!"

Ustick

- Staff at Ustick Elementary had a positive attitude and interacted well with students.

Victory Middle School

- Staff works well together keeping an organized kitchen and service lines running efficiently.

Galileo

- The staff at Galileo presented the menu in a visually appealing manner and displayed the choices for the day using pictures of the food to be served.

Meridian High School

- The staff at the high school was very efficient and served almost 500 meals in a 20 minute window, leaving the students with plenty of time to eat the food they selected.

Technical Assistance (TA)

Benefit Issuance

- One application with a Limited English Proficiency (LEP) family was determined by the Liaison as free based on an adult household member's food stamp number. The Liaison needs to determine if the family is considered one economic unit in order to be able to use her Food Stamp number. The LEP Liaison is working with the family to complete a corrected application.

Verification

- When performing verification of Free and Reduced Applications, put a note in the comments that validate a confirmation review took place. Verification must be in line with requirements outlined in 7 CFR 245.6a.

Professional Standards

- For ease of tracking Key Topic and Key Area codes on training log, add learning codes to district developed certificates of completion. These codes should also be added to the "Certification of Policy Review" video and policy sign-off sheet as well as the total training hours to be credited for professional standards.

Food Safety

- Bagged, raw, frozen chicken breasts were in storage on top of cases of cheese. It appeared that the case of chicken fell and split open on top of the cheese cases. Ensure proper storage for food safety and inventory control.
- A site used cardboard from another product to separate pre-portioned salad dressings. Since this cardboard can't be cleaned, and the salad dressing is not capped, this practice must stop as it could contaminate the food. Also observed a serving of chicken parmesan placed on the tray, then taken off and given to another student—this too is a food safety issue and must stop.
- Food safety training should be ongoing, and all applicable HACCP topics should be covered annually.
- While observing the serving line, food was removed from a tray and placed back with other foods for service and gloved hands touched fruit and juice cartons selected and placed on tray by a student and not changed before continuing to serve food. Please review the HACCP regarding hygiene and food safety. (CFR210.13(a))

Meal Counting and Claiming

- Telling a student, in front of other students while in line, that they owe money is considered overt identification. This was observed to have occurred onsite even though the district has a standard of practice and training regarding disclosure of this type of information. An automated system calls the household nightly. The SFA advises they will remind staff of district expectations.

Meal Components and Quantities

- Water sign reads, "Water is an option if you choose not to drink milk. Water cups available at the register." Though not intended to promote drinking water over milk, the sign could be confusing to students. The suggestion was made to change the wording of the sign to, "Water cups available at the register."
- Please get a CN label for the pepperoni pizza in order to validate the meat/meat (m/ma) alternate crediting.
- There is signage about taking a reimbursable meal; however, it does not explain the correct components of a reimbursable meal. Gave TA that they should list the meal at the Middle School with a notation next to it such as Chili (m/ma) so the children can identify what they are receiving. This issue was also observed at Meridian High School, so TA was provided to identify the items/components associated with foods listed.

Afterschool Snack Program (ASSP)

- The counting of student participation in the ASSP at Gateway Elementary School employs two people to count (one with a student list and one with a tally sheet) and one person to hand out the snack, but the process is hectic and may lead to errors in claiming. On the day of SA on site review, the two counts did not initially match; however, the discrepancy was resolved immediately. Consider revising the serving line counting process so that the students proceed through the line in the following order: receive reimbursable snack, get counted by name, and get counted via tally. Continue to compare counts and reconcile at end of ASSP service.
- Best practice is to follow up with the school nurse regarding students that may need accommodations for school meals and the afterschool snack program. Food service staff stated that school nurses have been informed of the medical statement form used by food service to document a disability.

Fresh Fruit and Vegetable Program (FFVP)

- The FFVP is also subject to the "Buy American" provision. Consider the cost and availability of produce when procuring produce for this program. The USDA Market News website link was provided as a tool to research this information.

Supplemental Special Milk Program (SMP)

- Milk counts must be the actual milk taken/consumed by the students; milk counts are not based on the amount of milk that was picked up for service. There was no accounting for what was returned.

Special Provision Options

- Maintenance of Community Eligibility Provision (CEP) records for Desert Sage ES, Frontier ES, and Meridian ES were validated by the SA August 2015 using data as of April 1, 2014. The current CEP approval expires April 1, 2019.

Your review is now closed.

No benefit issuance errors were discovered during the review. However, the claiming errors in the SMP resulted in 158 milks being disallowed. This amounted to \$26.88, which is below the State agency \$600 disregard threshold, so no fiscal action will be taken at this time. 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,



Heather Blume, MS, RD, LD, SNS
NSLP Coordinator

cc: Colleen Fillmore, PhD, RDN, LD, SNS, Director, Child Nutrition Programs
Jean Dean, Child Nutrition Director, West Ada 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

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, 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.

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