



February 4, 2019

Norm Stewart, Superintendent
Marsing School District
211 Hwy 78
Marsing, ID 83639

Dear Superintendent Stewart,

On January 24, 2019, State Department of Education (SDE) Coordinators Teresa Goodsell and Jennifer Butler conducted an Administrative Review of Marsing School District for the following United States Department of Agriculture (USDA) programs:

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

The State agency (SA) would like to commend Teresa Bettleyon and the entire staff of Marsing 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.

This was the SA determined finding and the SFA response to the finding:

Findings and Corrective Action Plan (CAP)

Finding 1 – Local Wellness Policy (LWP)

In July 2016, the regulations on wellness policies (§210.31) was finalized and required LEAs to be in compliance by June 30, 2017. The LEA's current LWP provided to the public on the school district website is incomplete and therefore missing required elements, making it noncompliant. If using the ISBA policy, please note ten separate policies must be adopted to meet all requirements of the final rule. The wellness policy committee must work to get the LWP compliant with the final rule requirements. For more information, please visit the [Idaho SDE Child Nutrition Programs School Wellness website](#).

Corrective Action: Please upload a narrative describing the plan for how and when the LWP will be brought into compliance with Federal requirements.

Due Date for CAP Completion: February 8, 2019

Corrective Action Response: On February 4, 2019, the SFA uploaded a plan for bringing the LWP into compliance. The school district board will be meeting in the month of February to review and adopt all available sections of the Idaho School Board Association's model wellness policy. Once adopted, the SFA will publicly post the policy as required.

Commendations

- The school nutrition program director is very organized with all menus, CN labels, and product formulation statements available for all menus. Records for temperature logs are organized – excellent organization of support documents.
- Students are served in a warm, friendly environment with many choices, including a colorful salad bar and fresh fruits and vegetables on the serving line. Wonderful smells through the lunch service!
- This school nutrition program is implementing their HACCP program beginning at receiving food items. They have temperature records of received foods and follow a process for rejecting foods received outside of the correct temperature range. Accolades for the implementation of HACCP throughout the program! Other school nutrition programs could learn from their implementation model.
- Outstanding job meeting all the requirements for the meal pattern. All daily and weekly meal component and food quantity requirements were met for the week of menu review.
- The time spend preparing for administrative review is greatly appreciated and made the review day go seamlessly. The SFA runs a great program. All staff had positive attitudes and were open to all feedback and input provided by reviewers.

Technical Assistance (TA)

Resource Management

- SFAs may offer gifts/bonuses/incentives to food service staff provided they are for the purposes of rewarding efficient and reliable performance and are awarded in sound financial judgment. These costs may be allowable under 2 CFR 200.437 and 200.430 as long as the SFA has documented policies to do so and deems such practice to be beneficial for the operation of NSLP. The costs must be reasonable and be applied in a consistent manner to all food service employees, unless the gift is based on individual performance with a documented evaluation criteria.
- Marsing school district is undergoing considerable construction, therefore it is important to be aware of the allowable versus unallowable costs associated with school meal programs. The following is from the Indirect Costs allowable and unallowable cost guidance manual:

Actual indirect costs such as utility bills, janitorial services, trash services, etc., are often paid from the school district's general fund and then billed to the nonprofit school food service account. For example, unless the school district has separate meters or utility lines to serve the school food service, assigning the charges through indirect costs may be the only way to identify them as costs allocable to the nonprofit school food service. Additionally, a cost such as utilities that is typically an indirect cost could be charged as a direct cost if the SFA can substantiate through proper documentation the portion that is specifically attributed to the SMPs (e.g., if there was a separate meter for the kitchen and cafeteria). However, a cost item must be treated consistently as direct or indirect in all activities of the SFA unless legislation, regulations, or guidance from an awarding agency dictates otherwise. A cost may not be assigned to a Federal award as a direct cost if the same cost incurred for the same purpose, in similar circumstances, has been allocated to other awards as an indirect cost.

Verification

- The Confirming Official, who must be a different individual than the Determining Official, must review an application prior to beginning the Verification process. This ensures the application eligibility was determined correctly. Both officials complete the "Official Use Only" box on the free and reduced meal application that has been selected for verification. Once the verification process has been completed and results determined, the Verification Official, who can be either the Confirming or Determining Official, must complete the "Official Use Only" box on the meal application.
- Reminder to attempt to directly certify students that are selected for verification prior to the confirmation review.

Fresh Fruit and Vegetable Program

- The school must widely publicize the FFVP. Promoting this competitive grant on the school's website or newsletter would meet this requirement.

Certification and Benefit Issuance

- Last school year's eligibility status can carry over 30 operating days into the new school year, allowing time for households to reapply without interruption of benefits. LEAs are not required to notify families or send reminders. The parent letter currently states the end of the 30 day carryover; this notification should be removed. A notice of adverse action is not required as eligibility was not established for the current school year. (7CFR 245.6)

Food Safety and Buy American Provision

- 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. Documentation for bananas was not available during the AR. Complete and retain the SA's "Buy American Exemption Form" for all food products requiring documentation.
- The SFA must maintain temperature logs for all food storage areas, in accordance with the requirements of the local health department. The completed temperature logs must be kept on file for a minimum of six (6) months. Refrigeration log was missing a few temperatures.

Special Provision Options

- Provision 2 Breakfast base year (SY09-10) benefit issuance was previously validated by the SA on July 27, 2017. The retention of all required Provision 2 documentation was confirmed during the administrative review. Documents are kept in a 3-ring binder and banker box, and are clearly labeled. The current Provision 2 cycle expires at the end of SY20-21. 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.

Procurement

- A separate procurement review will be completed during school year 2020-21. The State Agency will provide a closure letter following completion of corrective action (if needed); please follow the guidance provided.

Your review is now closed.

There is no fiscal action resulting from this review. Should you wish to appeal any of these findings please follow the appeal procedures on the State Agency Appeal Procedures document located on [the SDE web page](#).

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,



Teresa Goodsell, B.S., S.N.S.
NSLP Coordinator

cc: Colleen Fillmore, Ph.D., R.D.N., L.D., S.N.S., Director, Child Nutrition Programs
Teresa Bettleyon, Food Service Director, Marsing School District

Civil Rights

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at [the USDA website](#), 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.

This institution is an equal opportunity provider.