



May 15, 2019

Ms. Kylee Morris, Superintendent
Midvale School District #433
56 School Road
Midvale, ID 83645

Dear Ms. Morris,

On February 28, 2019, State Department of Education (SDE) Coordinators Lynda Westphal and Tamara Donovan conducted an Administrative Review of Midvale School District for the following United States Department of Agriculture (USDA) programs:

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

The site reviewed was Midvale School.

The State agency (SA) would like to commend Sandarah Cornwell and the staff of Midvale 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 responses to the findings:

Finding and Corrective Action Plan (CAP)

Finding 1 – Meal Components and Quantities - Breakfast

Contractor CN Resources conducted the menu review and found for the week of review that the breakfast menu did not meet the following requirements:

1. The minimum weekly requirement for grain was not met. A grain was offered daily, however the weekly minimum requirement was not met. Meat/meat alternate products may credit towards the weekly grain requirement, once the daily grain requirement is met.
2. The milk requirements were not met. Regulations require that a variety of at least two milk types are offered with each meal daily. Only one milk type was offered at breakfast.

Corrective Action:

1. Provide a written statement that the weekly grain and milk requirements are now met. Include details to describe what specific changes were made to the menu to correct all menu review findings and bring the menu into compliance.
2. Submit any necessary documentation to demonstrate that the menu findings listed under step 1 are now corrected. This documentation may include: production records, nutrition facts labels, Child Nutrition (CN) labels, and recipes. Reference the menu review results report for specific details and suggestions to bring the menu into compliance.

Due Date for CAP Completion: February 1, 2019

Corrective Action Response: The SFA uploaded required attachments prior to the on-site review, including updated production records confirming the weekly grain and milk requirements were met.

Finding 2 – Meal Components and Quantities - Lunch

Contractor CN Resources conducted the menu review and found for the week of review that the lunch menu did not meet the following requirements:

1. The minimum daily vegetable requirement was not met. Vegetables were offered daily, however the minimum required portion size was not met.
2. The minimum weekly requirement for the starchy vegetable subgroup was not met.

Corrective Action: 1. Provide a written statement that the daily vegetable and starchy vegetable subgroup requirements are now met. Include details to describe what specific changes were made to the menu to correct all menu review findings and bring the menu into compliance.

2. Submit any necessary documentation to demonstrate that the menu findings listed under step 1 are now corrected. This documentation may include: production records, nutrition facts labels, Child Nutrition (CN) labels, and recipes. Reference the menu review results report for specific details and suggestions to bring the menu into compliance.

Due Date for CAP Completion: February 1, 2019

Corrective Action Response: The SFA uploaded required attachments prior to the on-site review, including updated production records confirming the daily vegetable and weekly starchy vegetable subgroup requirements were met.

Finding 3 – Wellness Policy

The Wellness Policy is out of compliance. A copy of suggested changes was given to the sponsor and uploaded in the Review Attachments of MyIdahoCNP.

Corrective Action: Upload a plan to bring the Wellness Policy into compliance.

Due Date for CAP Completion: March 15, 2019

Corrective Action Response: The SFA brought an updated policy to the Board meeting on March 18, 2019.

Finding 4 – Meal Counting and Claiming

Systemic errors were discovered; there were inaccuracies in the January 2019 claim between the daily meal counts used to validate the claim and the monthly meal count summary report from the software system used to report the claim numbers. The claim was derived by manually separating out elementary and middle/high schools to enter into MyIdahoCNP. This continued back to the previous month, so a review of past claims in SY 2018-19 must be completed to see if claim adjustments for additional reimbursement are indicated.

Corrective Action: The Food Service Director will develop a plan to ensure accurate meal claiming and will train other applicable employees. Upload the plan and documentation of training into MyIdahoCNP. Submit the February 2019 meal count documentation for Midvale Elementary and Midvale Junior Senior High School to the SA for review and validation prior to submitting the February claim. Upload, into MyIdahoCNP, August 2018 through January 2019 counting and claiming documentation if a claim adjustment is pursued.

Due Date for CAP Completion: March 15, 2019

Corrective Action Response: An Excel spreadsheet with corrected claim numbers for each month was uploaded into MyIdahoCNP. The claims were consolidated into Midvale School to take out the additional step of manually separating Elementary from Middle/Senior High students for claiming in MyIdahoCNP starting in February 2019. While reconciling the months, it was found that the teachers who work in the kitchen, and receive free meals paid by the district, were included in the claim and the Alternative school was inadvertently left out of October 2018's claim. The SFA worked with Tyler Student Information System (SIS) to get adult coding corrected, and add a new field for exempt teachers to record their meals so this does not occur in the future. The adult coding has been corrected from May forward. The October 2018 claim was adjusted to include the Alternative School. All of these errors combined resulted in the district being paid an additional \$788.72 for August 2018-January 2019.

Finding 5 – Civil Rights

The USDA non-discrimination statement (NDS) must accompany any printed and web-based materials referencing Food and Nutrition Services programs. The school district's website needs to have the long non-discrimination statement posted. The statement is available on the SA website under Civil Rights.

Corrective Action: Post the full USDA NDS on the school food service webpage. Notify the SA when the website has been updated.

Due Date for CAP Completion: March 15, 2019

Corrective Action Response: The Civil Rights long NDS was put on the Notices portion of the web site on the day of on-site SA review.

*Based on the administrative error of 0% associated with certification and benefit issuance, the SFA will **NOT** be required to continue to conduct a second review of applications beginning school year 2019-20.*

Commendations

- Congratulations on being awarded \$32,153.76 for a Walk-in Cooler/Freezer in 2016 as part of a USDA Equipment Grant. Your initiative in applying for this grant is appreciated and shows your commitment to your students
- Lisa and her staff are so friendly. They all have the nicest interactions with their students. This was such a cheerful school.
- The food service team works well together in a supportive manner with the regulations and students in mind.
- The meal on the day of review was tasty and well presented.
- Sandarah was very well organized for the review. This made the review go faster and it gave us some more time to discuss issues and questions that came up.
- There were no application errors, which does not happen often during Administrative Reviews.

Technical Assistance (TA)

Certification and Benefit Issuance

- When a student is certified by the appropriate liaison as Homeless, the free meal status benefit remains for the entire year. Do not request an application as the student has already been directly certified.

Meal Components and Quantities

- CN Resource completed the menu review and provided the following TA:
 - During the Administrative Review the results of the menu review were provided to the SFA in a detailed Menu Review Results Report. Recommendations were included to bring all areas into compliance. All menus served within the SFA must meet all daily and weekly meal pattern requirements for the specific grade group. The SFA was encouraged to provide training as needed to ensure compliance. Please note that per USDA guidance any repeat menu findings in future Administrative Reviews, may result in fiscal action.
 - The federal regulations require menus to be planned that meet the minimum weekly grain requirement of 5 oz. eq. per week. The planned menu offers 4 oz. eq. for the week. After the daily 1 oz. eq. minimum is met, the weekly minimum can be met with additional grains or meat/meat alternates.

- The menu did not meet milk requirements. Regulations require that a variety of at least two milk types are offered with each meal daily. Only one milk type was offered. Consider offering an assortment of at least two milk types from 1% or fat free flavored or 1% or fat free unflavored milk. Low fat or fat free lactose free milk is also an option.
- During the Administrative Review the results of the menu review were provided to the SFA in a detailed Menu Review Results Report. Recommendations were included to bring all areas into compliance. All menus served within the SFA must meet all daily and weekly meal pattern requirements for the specific grade group. The SFA was encouraged to provide training as needed to ensure compliance. Please note that per USDA guidance any repeat menu findings in future Administrative Reviews, may result in fiscal action.
 - The federal regulations require a minimum of 3/4 cup of vegetable to be offered each day for grades K-5. This was not met on 3 days. The current menu offers ½ cup vegetable on Monday, 5/8 cup on Tuesday, and ½ cup on Wednesday.
 - Subgroups of vegetables must be met for each grade group. The ½ cup weekly starchy vegetable subgroup requirement was not met as the current menu offers 3/8 cup on Tuesday. Consider increasing the serving size of the diced potatoes to ½ cup to meet the weekly ½ cup requirement.

Offer versus Serve (OVS)

- Ensure signage explaining what constitutes a reimbursable meal to students is fully completed before meal service.

Food Safety

- 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 product observed was canned pineapple from the Philippines. 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). The SFA must keep documentation justifying the limited exception(s); make use of the document available in MyIdahoCNP Download Forms.
- For items removed from original packaging, best practice is to label them with the product name for ease of identification in case of a food recall and so that allergen information may be identified.
- Include employee exclusions and restrictions in the food safety manual and train on the procedure. This was added to the manual and the food service staff was trained on the day of SA on-site review.

Civil Rights

- A procedure for receiving and processing civil rights complaints must be in the civil rights file located in the kitchen; the procedure located on the State agency civil rights web page was printed and added to the file on the day of SA on-site review. (7 CFR 210.15(a)(6))

Local School Wellness Policy (LWP)

- 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. 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.

Smart Snacks

- As per 7 CFR 210.11(b)(2), the school district should have knowledge of and keep a written record of (track) food sales that occur within the school day, but outside of food service. Only foods sold in school and intended for consumption during the school day (from midnight until 30 minutes after the end of school) fall under Smart Snacks regulations. Smart Snacks information and resources, including a sample site tracking

form, can be found at the SA website. On the day of SA on-site review, a tracking form was printed for use.

School Breakfast and SFSP Outreach

- SFAs must inform eligible families of the availability of reimbursable breakfasts served under the School Breakfast Program. Menus containing only the main breakfast entrée are posted to the school district website; please add milk and the fruit selection(s) to the posted menus.

Special Provision Options – Community Eligibility Provision (CEP)

- Maintenance of CEP records for SY 2017-18 (data year) and SY 2018-19 (first cycle year) were previously validated by the SA using April 1, 2018, data for Midvale Alternative School. The current CEP approval expires at the end of SY 2021-22. Records have been retained; ensure all CEP records continue to be maintained as per requirements.
- Reminder that Direct Certification reports for April 1 data must be run each year.

Procurement

- Follow guidance provided in the separate procurement review closure letter for the upcoming review scheduled for SY 2019-20.

Fiscal Action

Due to the Systemic Meal Counting and Claiming found during the review, the State agency calculated that the district is owed \$788.72 and will be released when this closure letter is sent.

Your review is now closed.

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, PhD, RDN, LD, SNS, Director, Child Nutrition Programs
Sandarah Cornwell, Food Service Director, Midvale School District

Civil Rights

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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.

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