



May 1, 2019

Steven Cook, Superintendent  
Coeur D'Alene School District  
1242 E. Best Ave.  
Coeur D'Alene, ID 83814

Dear Superintendent Cook,

On March 13-15, 2019, State Department of Education (SDE) Coordinators Jennifer Butler and Lynda Westphal conducted an Administrative Review of Coeur D'Alene School District for the following United States Department of Agriculture (USDA) programs:

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

The sites reviewed were Fernan Elementary School (implementing FFVP and ASSP), Canfield Middle School, and Venture High School.

The State agency would like to thank Ed Ducar, Becky Elmore, Laura Corbin, Allison Modine and the staff of Coeur D'Alene 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 – Certification and Benefit Issuance

A statistical sample of 560 applications resulted in a 0.58% error rate. Five applications, affecting seven students, required changes in benefits. Three applications were miscalculated and resulted in changes of reduced to free, reduced to denied, and free to reduced. Two applications did not accurately reflect the household and when corrected resulted in changes of free to denied.

**Corrective Action:** Change student benefits as required and send household notification. The increase in benefits for the application changing from reduced to free was applied immediately. Notices of adverse action were sent to the household for the other four applications; requiring changes following the 10-day period. Upload status change documentation showing that the required benefit changes took effect on March 24, 2019.

**Date for CAP completion:** Due March 29, 2019; completed March 25, 2019.

**Corrective Action Response:** Benefits were changed for all applicable students and screenshots of student profiles showing new meal benefit and effective date were uploaded.

### Finding 2 – Smart Snacks (Competitive Foods)

Schools must meet the minimum requirement in 7 CFR 210.11, for all foods and beverages sold in school (also known as Smart Snacks in School) to increase consumption of healthful foods during the school day and support a healthy school environment. Food and beverages sold to students must either comply with Smart Snack specific nutrition standards, be tracked as exempt fundraiser(s), or be inaccessible during the school day (defined as midnight the day before until 30 minutes after the school day ends). Refer to [A Guide to Smart Snacks School](#) available at the USDA website. All fundraisers, both exempted and compliant, including non-food sales, must be tracked. Per state policy, the school administrator may approve a maximum of ten exempted fundraisers, per school site, per year. An exempted fundraiser can be for a maximum of four consecutive school days. All exempted fundraisers beyond ten must be pre-approved by the SA using the Request form (7CFR 210 (b)(2)). Details and a tracking form are available on the [SDE CNP Smart Snacks web page](#).

At Canfield MS, the SA briefly discussed Smart Snacks regulations with the PTA personnel selling Jamba Juice in the lunchroom as well as the school secretary.

- If food or beverage items are not compliant and sold during the school day, they must count toward the 10 exempt fundraisers allowed. At Canfield MS, the Cougar Corner

Store is open from 7:30-7:45 a.m. before school and during both lunch periods on Tuesday, Wednesday, and Thursday each week. None of the items sold meet Smart Snack nutrition guidelines. As this food fundraiser has occurred three times each week since October, the 10 exemptions Idaho allows for non-compliant food fundraisers have been exceeded at Canfield MS for the school year.

- During the last review, technical assistance was provided advising that exempted fundraisers may not be sold in competition with school meals in the food service area during meal service. This unallowable practice was observed at Canfield MS with the PTA Jamba Juice fundraiser sold in the cafeteria during lunch service (when questioned, the staff could not give compliance records, nor the calories of the product making it unallowable due to lack of information). All sites must be reminded that the practice of exempted or non-compliant fundraising in the cafeteria during meal service is not allowed and food service meal participation and reimbursements are at risk when fundraisers occur in competition with school meals.
- The food and beverage vending machines at Canfield MS were Smart Snacks compliant.

As part of the required annual SFA on-site monitoring reviews, it was identified that a majority of the middle and high schools had non-compliant fundraising occurring during the school day. Additionally, the observed fundraising practices are in violation of the LEA's Local Wellness Policy.

**Corrective Action:** Provide written documentation from the Superintendent, or designee, describing how all Coeur d'Alene middle and high schools will comply with Smart Snacks regulations, including a process to track all fundraisers occurring at the schools. Additionally, provide written documentation from the Principal at Canfield MS, or designee, addressing steps to be taken to get the Cougar Corner Store sales in compliance with Smart Snack regulations and the Wellness policy, and to ensure competitive fundraisers will not occur in the cafeteria during meal service.

**Date for CAP completion:** Due April 12, 2019; extended to April 19, completed April 26, 2019.

**Corrective Action Response:** Director of Operations Jeff Voeller and Director of Secondary Education Trina Caudle will work with the schools to ensure compliance with the wellness policy and Smart Snacks compliance. Procedures were provided that indicate Smart Snacks tracking forms will be used to track and maintain records for all school fundraisers, that non-compliant competitive fundraising will not be allowed in the cafeteria during meal service, and school and DECA stores shall only sell documented Smart Snacks compliant items during the school day. Additionally, the Canfield MS Cougar Store has used the Smart Snacks calculator to identify compliant products to be sold during the school day. The non-compliant inventory will be sold during evening functions only. Nutritional information for Jamba Juice has been requested to determine compliance, but competitive foods will no longer be sold in the cafeteria during meal service.

### **Finding 3 - Dietary Specifications and Nutrient Analysis**

Contractor CN Resources conducted the menu review, and found that for the week of review, the weekly grain based dessert allowance was exceeded for lunch. No more than 2-ounce equivalents of grain-based desserts may be offered weekly.

**Corrective Action:** Provide a written statement identifying how the weekly grain-based dessert requirement will be met and provide supporting documentation of corrections.

**Date for CAP Completion:** Due February 15; completed February 12, 2019

**Corrective Action Response:** The SFA discontinued the graham cracker (sweet crackers /grain-based dessert) from the menu and replaced it with a whole grain-rich Goldfish Cracker (savory cracker).

## Commendations

- Ed, Becky, Allison, and Laura's efforts in preparing for the review are greatly appreciated. All records were organized and ready for review making it easy for reviewers to work efficiently. All were friendly and receptive to suggestions provided by the SA.
- Ed understands how to operate an efficient and successful food service program. His work in calculating the fiscal impacts of operating special provisions has been a model example for the State.
- Becky does a great job creating nutritionally sound menus and being a resource for sites and employees.
- Laura did a great job with benefit issuance and her efforts in organizing the applications for the review was wonderful.
- The Nutrition Services webpages contain a variety of useful information and helpful links. Providing the link to the Smart Snacks calculator and other healthy school and child links is a leading example to others.
- Staff and students displayed a good understanding of Offer versus Serve. Students knew what was expected from them and easily selected reimbursable meals.
- The ASSP folder containing program information and monthly reimbursement counts is a great idea and will be recommended to others as a best practice.
- The salad bar at Fernan ES on the day of review was full of vibrant fruits and vegetables and the students seemed to truly enjoy all of the various offerings. Fundraisers were tracked as required.
- Val and MaryBeth at Venture HS are amazing with the students; it is evident they enjoy what they do and are very proud of the students they work with. It was impressive to see students be part of the kitchen at this site; it was evident the students enjoy the opportunity and appreciate the skills they learn. One student, while going through the lunch line, told the SA reviewer, "The food is so good here because it is made with love." A la carte items available for sale met Smart Snack regulations.
- Sunshine and her team at Canfield MS offer multiple food options during lunch. The wide variety of fruits and vegetables was nice to see and the students made selections they intended to eat.
- During the menu review, the CN Resource contractor provided the following commendations:
  - Chandra and her team at Fernan ES had a beautiful presentation with their fruit and vegetable set up at lunch. The students were given a wide variety of fresh

fruits and veggies to choose from, and it was great to see all the students choosing these items without any need for prompting!

## Technical Assistance (TA)

### Certification and Benefit Issuance

- Schools may not require households to complete and submit an application. It is the household's choice to complete and submit an application for meal benefits. The SA received a complaint that a school was holding a classroom contest based on application submissions, and the current enrollment process for Venture HS requires a completed application. This practice of schools requiring or monitoring meal applications must stop.
- If benefits are decreased, a notice of adverse action must be sent. LEAs must provide 10 days advance notification to households that are to receive a reduction or termination of benefits, prior to the actual reduction or termination [7 CFR 245.6a(j)].
- Be consistent with practice of writing clarification notes on the application during the determination process. When the household is contacted for information, be sure to include the name of household member who provided the information and sign and date all notes added to the application. When information is changed, draw a line through incorrect information and notate updated information; do not use Wite-Out or any other means to completely cover the original information included on the application submitted by the household.
- For the purpose of making an eligibility determination for free and reduced priced benefits, household composition is based on an economic unit. An economic unit is a group of related or unrelated individuals who are not residents of an institution or boarding house but who are living as one economic unit, and whose members share housing, significant income, and expenses [7 CFR 245.2].
  - In cases where the child is living with one parent, relative, or friend, the child is considered to be a member of the household with whom the child resides.
  - A child living alone or as a separate economic unit is considered to be a household of one. If an emancipated child lives alone as a household of one, or as a member of a household with no adult household members, the emancipated child must sign the application.
  - Children living within a household and paying for room and board are usually paying a token amount, and are not economically independent of the household. Therefore, in most situations, these children are not considered to be a household of one and are instead included in the larger household for purposes of determining eligibility.
- Other Source Categorically Eligible Status must be confirmed through documentation prior to certifying the child's eligibility for free meals. Acceptable documentation [7 CFR 245.2] to establish eligibility based on homelessness includes the name of the child; a statement certifying that the child has been determined eligible for that program, the signature of the official from the program who is authorized to provide such

documentation on behalf of that program and the date that the official signed the certification statement.

- Homeless children remain eligible for free meals for the duration of the current school year, regardless of a change in their living situation, and up to 30 days into the subsequent school year, due to the yearlong eligibility requirement [7 CFR 245.6(c)(1)].

### Verification

- Ensure the Verification portion of the application is completed in full as part of the verification review process.

### Meal Counting and Claiming

- In comparing two separate food service activity reports, it was discovered that one report had adult meals counted in with student paid meals. This was due to an incorrect code entered at the POS when the adult meals were sold. Keep in mind the variations of how the reports present meal counts and retrain POS cashiers on which codes to use.

### Meal Components and Quantities

CN Resource completed the menu review and provided the following TA:

- 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.
- Only 2 oz. eq. of credible grain-based desserts are allowed per week. Keep in mind that sweet crackers, such as animal and graham crackers, credit as a grain-based dessert. The graham crackers served daily with meals contribute to the grain-based desserts weekly total. At Canfield MS, consider serving whole grain-rich savory crackers or chips with the fruit and vegetable tray. At Venture HS, consider serving another grain such as whole grain-rich savory crackers, breadstick, roll, or chips with the salad bar meal.

### Offer versus Serve (OVS)

- There is no documentation that annual training on Offer Versus Serve (OVS) took place for all applicable line staff. Be sure to identify specific topics, especially the required refreshers of OVS, civil rights, and food safety. OVS training should specifically identify that "OVS breakfast" and/or "OVS lunch", as applicable, was part of the training agenda.

### Food Safety and Buy American Provision

- Per 7 CFR 210.21 (d), if a product from another country is sourced, then the SFA must have documentation that the domestic product is significantly higher in price or not available in sufficient quantities. The SFA had documentation from vendors that listed specific fresh produce items, country of origin, and months those food items would be from those countries due to insufficient quantities available in the US. Non-domestic canned fruit and fresh produce are available. Continue to obtain and retain documentation for all applicable food items.

## Fresh Fruit and Vegetable Program (FFVP)

- The “Buy American” requirement in the National School Lunch Program (as provided in 7 CFR 210.21(d)) applies to purchases made with FFVP funds. Retain documentation for specific fruits and vegetables.

## Resource Management

- A Capital Expenditure Request must be submitted for review and approval prior to the purchase of any item over \$5,000, including annual maintenance fees of previously procured software.

## Civil Rights

- Web pages associated with program operation should list the full, long USDA Non-Discrimination Statement (NDS) with details on participants’ right to file a complaint. Please work toward having the full NDS statement included on the Nutrition Services homepage. Currently the short NDS is included on the LEAs [Contact Us](#) page, but the full NDS should be on the [Welcome](#) page as it serves as the homepage. Along with the full statement, it is recommended to include a link to the statement in a variety of languages. The suggested link is located on the [FNS USDA nondiscrimination statement page](#).

## Procurement

- A separate procurement review will be completed in 2019-2020 with a State Agency closure letter sent following completion of corrective action (if needed); please follow the guidance provided.

## Fiscal Action

Due to benefit issuance errors, fiscal action results in \$202.80. However, since this amount falls under the \$600 threshold, the fiscal action will be disregarded and no financial adjustment will occur.

## 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,

Jennifer Butler, MEd, SNS  
NSLP Coordinator

cc: Colleen Fillmore, PhD, RDN, LD, SNS, Director, Child Nutrition Programs  
Ed Ducar, Child Nutrition Director, Coeur D' Alene 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](mailto:program.intake@usda.gov).

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