



April 23, 2019

Douglas Howell, Superintendent
Pocatello School District
3115 Poleline Road
Pocatello, ID 83201

Dear Mr. Howell,

On March 13-15, 2019, State Department of Education (SDE) Coordinators Tamara Donovan, Teresa Goodsell, and Heather Blume conducted an Administrative Review of Pocatello School District for the following United States Department of Agriculture (USDA) programs:

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

The sites reviewed were Jefferson Elementary School (operating the ASSP and the FFVP), Highland Senior High School, Lewis and Clark Elementary School, Greenacres Elementary School, and Lincoln Preschool Center (operating the SMP only).

The State agency (SA) would like to commend Tom Wilson, Dawn Stone, and the staff of Pocatello 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 Civil Rights

The USDA nondiscrimination statement (NDS) must accompany any newly printed materials and any web-based materials referencing USDA Food and Nutrition (FNS) programs. A number of food service web pages had an incorrect, incomplete, or absent NDS. The civil rights complaint form had an incorrect long NDS. If the material is too small to contain the full statement, the material, at a minimum, must include the following statement: “This institution is an equal opportunity provider.” The full statement must be included on outreach material when notifying potentially-eligible participants how to apply for benefits or when informing participants about their right to file a complaint. The NDS is available on the SA website under Civil Rights.

Corrective Action: Ensure that a correct, complete USDA NDS is used when FNS programs are mentioned. Notify the SA when the web pages and household notification letters have been revised and upload a corrected civil rights complaint form.

Due Date for CAP Completion: April 5, 2019

Corrective Action Response: These corrections were taken care of during the SA on-site review.

Finding 2 Certification and Benefit Issuance

Fifteen applications (thirty-five students) were missing household number information so were considered incomplete.

Corrective Action: Contact each household to confirm the number in the household and the income, determine benefit status, and, as applicable, send a benefit change notification letter to the household and update the benefit issuance list. Upload a copy of the updated application, and, as applicable, the notification letter and the benefit issuance list showing the benefit change.

Due Date for CAP Completion: April 5, 2019

Corrective Action Response: All households were contacted and requested documentation uploaded during the SA on-site review; there were no changes in benefit issuance.

Finding 3 Verification

Incorrect hearing official information was listed on the verification notification of adverse action letter. Also, the appeal rights section of the letter indicated families had ten operating days, rather than ten calendar days, to request a hearing.

Corrective Action: Update the notice of appeal rights to list the correct hearing official and indicate ten calendar days for the household to request a hearing.

Due Date for CAP Completion: April 5, 2019

Corrective Action Response: These corrections were taken care of during the SA on-site review.

Finding 4 Afterschool Snack Program

A snack consisting of one serving from two different components qualifies for reimbursement. The SA noticed that the ASSP cycle menu listed "juice" and "apple", which are fruit/vegetable components, on one menu day (not on the day of review or period of review) and brought this to the SFA's attention.

Corrective Action: The SFA must update the ASSP cycle menu and production records to ensure two different components are served.

Due Date for CAP Completion: April 5, 2019

Corrective Action Response: During the SA on-site review, the SFA corrected the ASSP cycle menu and production records for all sites operating the ASSP and emailed staff to notify them that the changes are effective immediately.

Finding 5 Special Milk Program Civil Rights

Staff members at Lincoln Preschool who interact with SMP participants must have annual civil rights training; the one page civil rights training document located in Download Forms or the civil rights training video available at the SA website may be used.

Corrective Action: Upload a dated sign-in sheet to document that employees at Lincoln Preschool who interact with program participants received USDA civil rights training.

Due Date for CAP Completion: April 5, 2019

Corrective Action Response: On March 29, 2019, a USDA civil rights training sign-in sheet for Lincoln Preschool employees who interact with SMP participants was uploaded.

Finding 6 Special Milk Program Counting

The Lincoln Preschool Center's SMP counting procedure had a systemic error. The milk count was based on the number of milk cartons removed from the milk cooler by each of the five preschool teachers who then brought the milk to their classrooms for student participation, leading to unused milk being counted each day. Subsequently, at the end of the month, milk that was not selected by students was claimed for reimbursement. In the SMP, the milk count must be based on milk selected by students and this count is used in the monthly claim.

Corrective Action: Upload an updated milk count sheet template and a written procedure to ensure an accurate milk counting and claiming process.

Due Date for CAP Completion: April 5, 2019

Corrective Action Response: During the SA review, an updated milk count sheet template and a written procedure were uploaded and training was implemented.

Finding 7 Local School Wellness Policy

The local school wellness policy must be in compliance with the USDA Final Rule established in July 2016, which requires LEAs to fully comply with the requirements by June 30, 2017. The wellness policy, showing a revision date of December 2018, was reviewed. The policy must: include language permitting school board members to participate the development, implementation, review, and update of the local wellness policy; specify 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; address 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; state 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.

Corrective Action: Provide a plan for how and when the wellness policy language will be brought into compliance with Federal requirements.

Due Date for CAP Completion: April 5, 2019

Corrective Action Response: On April 3, 2019, a copy of the May 9, 2019, District Curriculum Committee Meeting agenda was uploaded; the agenda listed the wellness policy as an item to address.

Commendations

- Food service administrators were responsive to SA requests, providing information immediately and showing integrity in program implementation.
- The food service staff at Jefferson Elementary School was well organized and did a great job during all observed meal services. Weather on the day of observations required indoor recess and physical education for students. The food service staff was patient and professional during the entire meal service while students enthusiastically played.
- Highland Senior High School has a great staff! Everyone was very helpful and friendly and the staff was responsive to suggestions and had good organization as they prepared food items and served students.
- Great job with the signage and photos posted on the serving line at Lewis and Clark Elementary School. The practice of using images rather than words is helpful, especially for younger grades.
- The field manager did a tremendous job supporting the staff at Lewis and Clark Elementary School, since they were down a staff member on the day of review. She jumped in to replace food items that were depleted and went to Alameda Middle School during a break to ensure there were enough enchiladas for lunch.
- Excellent food safety practices were in place at the Lincoln Preschool Center. Prior to milk service, staff members washed hands, put on gloves, and took milk temps; children washed their hands, too.

Technical Assistance (TA)

Certification and Benefit Issuance

- Household extension of meal benefits was inconsistently documented. During the SA on-site review, the following procedure was implemented: the SFA will note each household extension on the state match DC document and attach household member documentation obtained from the district software. Information will be kept in a household extension file and retained for three years plus the current year.

Meal Components and Quantities

- Independent contractor CN Resources completed the menu review and provided the following TA:
 - For the week of menu review, 1 ounce equivalent (oz. eq.) meat/meat alternate (m/ma) was offered daily, however the minimum weekly requirement of 8 oz. eq. m/ma was not met; only 7 oz. eq. m/ma were offered over the week since several of the entrees credited for 1 oz. eq. m/ma, including the crispito, the peanut butter and jelly sandwich, and the jamwich. Consider adding an additional m/ma item to these meals, such as a 4 oz. portion of yogurt or a 1 oz. portion of string cheese; the SFA added a 1 oz. cheese stick to compliment the sandwich so that the daily menu provided 2 oz. eq. m/ma and the weekly menu provided 8 oz. eq. m/ma. Note that per USDA guidance, any repeat menu findings in future administrative reviews may result in fiscal action.

Fresh Fruit and Vegetable Program

- The school must widely publicize the FFVP; ideas include providing information in newsletters, family registration packets, on the school district website, or during a school intercom announcement.

Afterschool Snack Program

- A snack must consist of two different components. The ASSP components are:
 - Grain: 1 oz. eq. whole grain or enriched grain/bread
 - Protein: 1 oz. eq. meat or meat alternate
 - Fruit / Vegetable: $\frac{3}{4}$ cup serving of fresh, frozen, canned, or dried, or 6 fl. oz. of 100% fruit or vegetable juice
 - Milk: 8 fl. oz. low-fat plain, or fat free plain or flavored fluid milk; flavored milk is not allowable for children five years old and under unless the children are co-mingled with K-5 students in the same service area at the same time (per SP37-2017: Flexibility for Co-Mingled Preschool Meals: Questions and Answers)
- A snack cannot consist of two fluid servings.

Special Milk Program

- Reminder that it is allowable for children participating in the SMP to select more than one serving of milk for counting and claiming.

Resource Management

- When completing the non-program foods revenue tool (NPFRT) in the future, be sure to include the six cents performance-based reimbursement under the Meal Cost and Revenue Calculation Sheet tab.

Smart Snacks

- As per 7 CFR210.11(b)(2), each school site must keep track of 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.

Professional Standards

- Include the relevant Key Area and Key Topic codes for all training listed on the professional standards tracking form.

Procurement

- Follow guidance provided in the separate procurement review conducted in SY 2018-19.

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,



Tamara Donovan, RD, LD, SNS
NSLP Coordinator

cc: Colleen Fillmore, PhD, RDN, LD, SNS, Director, Child Nutrition Programs
Tom Wilson, Child Nutrition Director, Pocatello School District

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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.

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