



April 11, 2019

Josh Femreite, Chief Operating Officer
Gem Prep: Nampa
310 W. Iowa Avenue
Nampa, ID 83686

Dear Mr. Femreite,

On February 15, 2019, State Department of Education (SDE) Coordinators Jennifer Butler and Lynda Westphal conducted an Administrative Review of Gem Prep: Nampa for the following United States Department of Agriculture (USDA) programs:

- National School Lunch Program (NSLP)
- School Breakfast Program (SBP)

The site reviewed was Gem Prep: Nampa (grades K-6).

The State agency (SA) would like to commend Brenda Pina and the entire staff of Gem Prep: Nampa 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 – Verification

One application selected for verification was determined incorrectly due to not enough information obtained from the household to verify the household income adequately.

Corrective Action: Contact the household and obtain additional documentation in order to determine eligibility. Send appropriate household notification letters as applicable. Upload all received income documentation, household notification, and benefit issuance list showing final eligibility determination.

CAP Completion: Due March 6, 2019; Completed March 6, 2019.

Corrective Action Response: Complete income documentation was received and calculated resulting in a change of benefits. An adverse action notice was sent to the household and the student’s benefit changed from free to reduced. All requested documentation, including the updated benefit issuance list was uploaded.

Commendations

- Congratulations on your first year as a NSLP sponsor. Your hard work and dedication in implementing child nutrition programs is appreciated.
- Brenda was diligent in preparing for the administrative review and maintains organized records. Her efforts in completing the off-site modules in a timely manner and in gathering documentation prior to the review were greatly appreciated.
- Elaine and Nancy are very friendly and positive with students.
- Contractor CN Resource provided the following commendations:
 - Gem Prep: Nampa contracts with Nampa School District for meals. Both operations follow food safety practices and prepare and serve meals with care.
 - 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.
 - Students are served the planned menu (not OVS) and were observed enjoying the meals. The atmosphere in the cafeteria is warm and friendly.

Technical Assistance (TA)

Verification

- The SA provided USDA guidance on receiving tax forms during verification via email. According to the eligibility manual, if selected for verification, it is the responsibility of the household (burden of proof is on the one being verified) to provide adequate information so that the district can properly complete the verification activity.
- Maintain a complete record of all verification documentation in one location, including all household notification letters, pay stubs, communication, and a copy of the application selected for verification, etc.
- 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.

Dietary Specifications and Nutrient Analysis

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

- Meals are vended from Nampa School District. A nutrient analysis was received from that district to validate the results. The weekly calorie range was low at 593 (required range 600-650 calories). Additionally, some menu items entered in the lunch nutrient analysis did not match the nutrition facts submitted and needed to be updated. This information was provided to Nampa School District and the menu was updated to increase calories in their software program to bring the menu into compliance. No further action on this is required.

Meal Components and Quantities

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

- The SFA must ensure that signage is posted near or at the beginning of the serving line identifying what constitutes a reimbursable meal. The School operates Serve style meal service (not Offer versus Serve) thus listing foods is for nutrition education purposes as all meals are reimbursable when the planned menu is served in the required amounts. This was corrected immediately, and no further action is required.
- Consider having additional reserve food on hand in the event of emergency, such as a dropped pan of vegetables, to assure all meals would include required served portion. For example, baby carrots or canned baked beans that could be opened and served for back up, if needed.
- The SFA must ensure that all meals counted for reimbursement contain the required components in the minimum portion size required for the specific grade group. When implementing the Serve style meal option (not Offer versus Serve), all students must be served the meal pattern, which includes 3/4 cup vegetable. Site

- initially had a 4 fl. oz. scoop set out for corn before meal service; however, this was corrected and a 6 fl. oz. scoop was ultimately used to portion.
- Include all items offered on the production record, even if they are not part of the planned menu. Production records should be completed accurately. The number of delivered meals was 155 and the total number served was listed as 156. Please make sure that to include any additional gluten free (or other special dietary needs meal) to the total number of meals delivered.
 - Accurate and complete production records must be maintained. The records must be completed throughout meal service and maintained every day. At a minimum, the production records should include the name of the item, the recipe or item number, the portion size, the number of planned portions, the component contribution amount and the number of actual servings. All kitchen staff should be trained on completing productions records so that everyone can complete the records.

Meal Counting and Claiming

- A student may be exempt from taking all required food components for a reimbursable meal and still be claimed for reimbursement, if the SFA has an individualized education program (IEP) on file for the student indicating a need for this nutrition services accommodation.

Food Safety and Buy American Provision

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

- Modify food safety SOPs to reflect actual practices and remove SOPs that do not apply to vended meal service operation. Work with the health department and vendor to assure all necessary temperature records are on file (example: one temperature recorded for multiple pans of food, find out if that meets health department needs in case of food borne illness outbreak). This was corrected prior to the SA onsite review.
- The SFA must post a copy of the most recent food safety inspection in a publicly visible location at the site. Current inspection was posted in place of initial operational inspection. This was corrected prior to the SA onsite review.
- Avoiding cross contact when temping meals, including gluten free option, at both food prep and serving site.
- 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.
- The SFA must ensure that all food is stored at least six (6) inches off the floor. A box of bananas was moved to a shelf after being found on the floor.
- SFAs are 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)]. 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. As the SFA has a vended meal contract, the SFA should ensure that appropriate Buy American wording is included in the contract. Wording should

require the contractor to follow the Buy American provision and provide documentation for exemptions when applicable.

Civil Rights

- The nondiscrimination statement (NDS) must accompany all printed and web-based materials referencing FNS programs. The monthly breakfast and lunch menus posted to the LEA website do not include the NDS. Update the menu templates to ensure the NDS is included on all menus going forward.
- If printed material is too small to contain the full statement, the material at 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 [full statement](#) is available on the SA website under Civil Rights.

Local School Wellness Policy (LWP)

- The current policy, posted on the website, is not dated. An approved and/or revised date should be included so that the triennial assessment requirements can be monitored. All LEAs must assess their wellness policy at least once every three years on the extent to which schools are in compliance with the district policy, the extent to which the local wellness policy compares to model local school wellness policies, and the progress made in attaining the goals of the local wellness policy. LEAs must make this assessment available to the public. The SA has a template progress report available on the [School Wellness page](#) of the CNP website.

Professional Standards

- The Food Service Director was hired after July 1, 2015. A Professional Standards questionnaire was completed to document education and experience. The Professional Standards for School Nutrition Program Employees brochure was provided.
- Professional standards training tracking logs for each employee must contain the required elements including key area and key topic codes, training title/subject, completion date, and creditable training time. The SFA maintains training records, but did not accurately record key area and key topic codes on the tracking log. The SA recommends a training plan be identified at the beginning of the year with a timeline to hold employees accountable to reaching required hours. Ensure that all required annual training (civil rights and food safety) occur at the beginning of the year.

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 a benefit issuance error, fiscal action results in \$15.60. 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
Brenda Pina, Child Nutrition Director, Gem Prep: Nampa

Civil Rights

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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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