



June 11, 2019

Mr. Mike Howard, Superintendent  
Meadows Valley School District  
500 North Miller Avenue  
New Meadows, ID 83654

Dear Mr. Howard,

On April 16, 2019, State Department of Education (SDE) Coordinators Lynda Westphal and Tamara Donovan conducted an Administrative Review of Meadows Valley School District for the following United States Department of Agriculture (USDA) programs:

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

The site reviewed was Meadows Valley Jr/Sr High School.

The State agency (SA) would like to commend the staff of Meadows Valley 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 – Certification and Benefit Issuance

One application (one student) had “four” listed as the number in the household, but had only two names on the application. One application (two students) had no household number listed on the application, so the application was incomplete. One application (two students) had incorrect income determination; the bi-monthly column was used and the bi-weekly column should have been used on the income eligibility guidelines chart. One application (two students) had incorrect income computation; child income was not included. One application (three students) had incorrect income determination, bi-weekly should have been used; the application was also missing social security number information as well as an adult signature. One application (two students) was incomplete, since it was missing an adult signature.

**Corrective Action:** The determining official must contact households, as applicable, gather needed information, document the information, make a benefit determination, and send notification letters to the households if the meal benefit changed. Upload copies of the notification letters sent to the households and a copy of the updated benefit issuance list. Ensure that all students (including those that were not reviewed by the SA) have accurate, updated meal benefit status. Additionally, the determining and confirming officials must complete two online trainings available in the CNP training portal, *NSLP Benefit Issuance* and *Application Determination*. Upload the four training certificates.

**Due Date for CAP Completion:** May 1, 2019, extended to May 8, 2019

**Corrective Action Response:** On April 30, 2019, applications and benefit reduction letters were uploaded as part of corrective action along with the training certificates.

*Based on the administrative error rate of 20.24% associated with certification and benefit issuance, the SFA will be required to conduct a second review of applications beginning school year 2019-20, and continuing until further notice. A second review of applications requires a re-evaluation by the Confirming Official of the eligibility determination made by the Determining Official, based on the information provided by the household on the application. The SFA will be required to complete this process until the next administrative review. A Second Review of Applications Report will need to be filed as well while this requirement is in place. Please reference the Independent Review of Applications section (starting on page 51) in the Eligibility Manual for School Meals, a copy of which is available in MyIdahoCNP Download Forms.*

### Finding 2 – Civil Rights Training

SFA staff interacting with program applicants or participants (i.e., cafeteria staff, Free and Reduced Application approval staff, business manager, hearing official) and their supervisors must have annual USDA civil rights training.

**Corrective Action:** Upload an agenda and dated sign-in sheet to document that USDA civil rights training occurred for the above indicated staff.

**Due Date for CAP Completion:** May 1, 2019, extended to May 8, 2019

**Corrective Action Response:** Uploaded the Civil Rights training taken by Food Service Director and Business Manager dated May 6, 2019.

### **Finding 3 – Civil Rights Non-Discrimination Statement**

The Non-Discrimination Statement (NDS) must accompany any new printed materials and any web-based materials referencing FNS programs. If the 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. An incorrect NDS was noted in the compliance module. Ensure the school food service web page contains the correct USDA NDS; the NDS is available on the SA website under Civil Rights. Make use of the SA template letters available in Download Forms under the *Direct Certification Information* and *Free & Reduced Income Eligibility Forms* sections.

**Corrective Action:** Post the long USDA NDS on the school food service website and include the short statement on online menus. Ensure the correct NDS is used on printed materials and web-based materials referencing the food and nutrition programs. Notify the SA when the website has been revised.

**Due Date for CAP Completion:** May 1, 2019

**Corrective Action Response:** On May 1, 2019, the long USDA NDS was posted to the website. The business manager stated that they have been and will continue to post menus with the short USDA NDS.

### **Finding 4 – Wellness Policy**

The Local School Wellness Policy must be in compliance with the USDA Final Rule established in July 2016, including the requirement that report(s) on the progress towards goals stated in the wellness policy be publicly available. The final rule requires LEAs to fully comply with the requirements of the final rule by June 30, 2017. The school district's wellness policy posted to their website notes an adoption date of August 21, 2006, and is out of compliance with Federal regulations; a wellness policy with an adoption date of January 10, 2017, was uploaded into MyIdahoCNP for this administrative review, and this is also out of compliance (e.g., it contains highlighted sections that have incomplete measureable goals). A wellness policy that does not demonstrate compliance with FNS requirements is a repeat finding from the last administrative review, when the corrective action plan that was provided stated that the wellness policy would be updated, with a meeting scheduled for April 12, 2016. The SDE wellness web page contains resources, including a model wellness policy. Utilizing current ISBA Wellness Policy Sections and Titles including the below would help ensure compliance with wellness policy regulations.

- Policy 2305- Nutrition Services (helpful to consider how nutrition may be integrated into other arenas of the school environment and promote healthy minds and bodies. The

wellness policy regulations do not address special dietary needs, meal accommodation guidance is found under Civil Rights regulations)

- Policy 2310- Nutrition Education
- Policy 2315- Physical Activity Opportunities and Education
- Policy 7310- Advertising in Schools/Revenue Enhancements
- Policy 8200- Local School Wellness
- Policy 8210- District Nutrition Committee
- Policy 8230- Nutrition Standards
- Policy 8235- Water Consumption/Water Bottle Policy
- Policy 8240- School Meals
- Policy 8250- Guidelines for Food and Beverages Sales

**Corrective Action:** Provide a plan for how and when the wellness policy language will be brought into compliance with Federal requirements. Ensure the wellness policy is available to the public; posting to the school /district website and/or in a school newsletter would support this requirement.

**Due Date for CAP Completion:** May 1, 2019

**Corrective Action Response:** On April 23, 2019, the Food Service Director emailed the State agency: “[The Business Manager] has put together the items for review and to be discussed at the next school board meeting those include the wellness policy, nutrition services, nutrition education, nutrition committee, nutrition standards, water bottle policy, school meals, guidelines for food and beverage sales will all be discussed at the next school board meeting on May 14, 2019

### **Finding 5 – Professional Standards**

The United States Department of Agriculture has established minimum Professional Standards for school nutrition professionals who manage and operate the National School Lunch and School Breakfast Programs, effective July 1, 2015. The standards provide annual training requirements for all school nutrition professionals. It is required that some form of documentation be kept on file to show Professional Standards compliance; options include the FNS online tracking tool and two Professional Standards tracking resources available under Download Forms.

**Corrective Action:** Develop a plan for tracking training hours in order to comply with the Professional Standards requirements. Explain this plan and the frequency of the tracking (monthly, quarterly, etc.) system to the SA in writing (an email will suffice) and upload the tracking form that will be used.

**Due Date for CAP Completion:** May 1, 2019, extended to May 8, 2019

**Corrective Action Response:** On May 2, 2019, the FSD uploaded a professional standards tracking log template that will be used and noted training records will be kept on each and every one who is required to have these trainings.

### **Finding 6 – Resource Management – Nonprogram Foods**

Under subsection 12(q) of the Richard B. Russell National School Lunch Act and 7 CFR 210.14(f), SFAs are required to ensure that all revenue from the sale of non-program foods accrues to the non-profit school food service account; and that revenue available to support the production of

reimbursable school meals does not subsidize the sale of non-program foods. SP 20-2016 *Nonprofit School Food Service Account Nonprogram Food Revenue Requirements* memorandum provides guidance on the revenue requirements including options for assessing compliance to fulfill the requirements in section 206 of the Healthy, Hunger-Free Kids Act of 2010. While reviewing food service financials for SY 2017-18, it was discovered that the SFA purchased food items and sold them to an entity (Associated Student Body) outside of food service. The costs must include a sufficient markup to cover the cost of the food, labor, storage, and delivery of the products sold. ICN recommends a 38% markup when selling food to any organization outside food service to account for the time ordering, preparing, and/or storing foods.

**Corrective Action:** Develop a procedure to adequately apply a cost mark up to all catered/sold foods (and for any individual a la carte items sold during meal service) to cover all costs or stop selling nonprogram foods moving forward. Either upload a procedure or send the SA an email explaining that the only nonprogram foods to be sold are milk a la carte and adult meals. Complete the Nonprogram Food Revenue Tool (NPFRT) to submit as part of the SY 2019-20 NSLP renewal packet.

**Due Date for CAP Completion:** May 1, 2019

**Corrective Action Response:** On May 1, 2019, the Food Service Director (FSD) notified the SA via email that, the Meadows Valley food service program will only sell ala carte milk and adult meals. No snacks or food items will be sold through the Food Service Program.

### **Finding 7 – Food Safety**

Each SFA must have a written food safety plan for compliance with Hazard Analysis Critical Control Point (HACCP) program criteria found in 7 CFR 210.13(c). SFAs are required to have HACCP-based food safety programs to cover any facility where food is stored, prepared, or served for the purposes of the NSLP, SBP, or other FNS programs. A sample food safety manual is available in Download Forms. Ensure that employees who have food service duties are trained annually and as needed. Keep a record of trainings for three years plus the current year.

**Corrective Action:** Upload a site-specific food safety manual and documentation of food safety training.

**Due Date for CAP Completion:** May 1, 2019, extended to May 8, 2019

**Corrective Action Response:** On May 2, 2019, the ICN Food Safety template (HACCP) with the Health Department Employee Exclusion sheet was uploaded for corrective action. Ensure training records are kept on each and every one who is required to have HACCP trainings.

### **Finding 8 Meal Counting and Claiming**

Each student must be counted at the point of service (POS) only after the POS person has confirmed that the student selected a reimbursable meal; meal counts are used to claim federal reimbursement. Counting after the meal service period is over based on recollection of a student going through the line or counting before a student selects a reimbursable meal by looking down the line is not allowable.

**Corrective Action:** Upload a written POS meal count procedure to ensure that only reimbursable meals are being counted and claimed for reimbursement.

**Due Date for CAP Completion:** May 1, 2019

**Corrective Action Response:** Per May 1, 2019, procedure uploaded as part of corrective Action: “Procedure to be put in place for point of service will [sic] that all students will only be marked down for reimbursable meals when they pass through the line.”

## Commendations

- The Food Service Director (FSD) was receptive to SA recommendations and proactive in ways to improve the child nutrition program; as a new FSD she reached out to another FSD for direction.
- Outstanding job meeting all meal pattern requirements for the breakfast and lunch menus. All daily and weekly meal component and food quantity requirements were met for the week of menu review.
- Meadows Valley had an excellent salad bar that was available to all grade levels. It had a great variety of fruits and vegetables, and the students really seemed to enjoy it.

## Technical Assistance (TA)

### Certification and Benefit Issuance

- The SA recommends that Free and Reduced Applications be date stamped upon receipt to allow students to receive benefits as of the date of receipt as opposed to the date of determination (SP11-2014). Additionally, the date stamp will document that eligibility was determined within the ten-operating-day window.
- Make notes on applications to document additional information obtained from the household, including the date, the name of the household member spoken with, the information collected, and the initial of person who collected the information.
- Ensure that application determination uses correct computation: bi-monthly (twice monthly) is X 24 and bi-weekly (every two weeks) is X 26 to get annual income.
- Per the Eligibility Manual, when determining applications, income should not be converted unless various income frequencies are reported. Please make use of the Income Eligibility Guidelines chart.
- The SFA must send a qualifying household a DC notification letter to help identify other students in the household that may qualify for free meal benefits through household extension. Please make use of the DC notification template letter found in Download Forms.
- If benefits are decreased, a notice of adverse action must be sent. SFAs must provide ten calendar 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)].
- The SA demonstrated location of the online CNP training portal and encouraged usage of the Idaho School Nutrition Reference Guide resource located on the SDE website.

### Verification

- When performing verification of Free and Reduced Applications, there must be another person (the confirming official) checking the application and documenting this step in the “official use only” section of the application prior to sending out the verification

notification letter to the household. Verification must be in line with requirements outlined in 7 CFR 245.6a.

- Make copies of the applications selected for verification and keep with the verification file.

### **Meal Counting and Claiming**

- Discussed usage of the meal counting Excel forms available in Download Forms to decrease printing costs and reduce human error when transferring information to multiple forms.

### **Meal Components and Quantities**

Independent contractor CN Resources completed the menu review and provided the following TA:

- Ensure accurate and complete production records are kept for all meals produced. The records must be completed throughout meal service and maintained every day. At a minimum the production records must 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

### **Offer versus Serve**

- Reminder that, at breakfast, four items (from the grain, fruit, and milk components) must be offered in their required portion sizes. For a reimbursable meal, the student must take three items, and one item must be at least  $\frac{1}{2}$  cup fruit/vegetable.
- A student may select two items from the same meal component (such as two slices of 1 oz. eq. whole grain toast) and  $\frac{1}{2}$  cup of fruit (such as 4 fluid ounces of 100% fruit juice) to count as three items in a reimbursable meal.
- Selection of milk is not required in order for a meal to be reimbursable.

All line staff must be trained on OVS annually. Online OVS training is available through the [SA training portal](#) and provides a certificate of completion.

### **Food Safety**

Independent contractor CN Resources provided the following TA:

- Temperature logs must be maintained for all food storage areas.

### **Reporting and Recordkeeping**

- A new FSD was hired in March 2018; prior years' records were incomplete and/or missing. The SFA was reminded that food service records must be maintained for three years plus the current year to document compliance with program regulations and the service of reimbursable meals.

### **Civil Rights**

- Explained the Meal Accommodation form available in Download Forms. This form is used to document special dietary needs, such as a student with a food allergy. Meal Accommodation forms for students with special dietary needs must be completed and

signed by a recognized medical authority in the State of Idaho in order to be able to deviate from the meal pattern and still claim the meal for reimbursement.

### **Buy American Provision**

- 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)). 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. The SFA should require suppliers to attest that their final food products are either 100% domestic commodities or a food product containing over 51% domestic food components, by weight or volume. 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 Download Forms. The out of compliance product observed was canned mandarin oranges from China.

### **Smart Snacks**

- Per Public Law 111-296 as clarified in 7 CFR 210.11, "All Foods Sold in School," vending, school stores, and fundraising need to comply with specific nutrition standards. These Smart Snacks standards can be found at the State Department of Education, Child Nutrition Programs, School Meal Programs, Smart Snacks website. The vending machine had items that were not compliant with grades K-8.
- All fundraisers, both exempted and compliant, must be tracked. Per state policy, a maximum of ten exempted fundraisers per school site per year may be approved by the school administrator. An exempted fundraiser can be for a maximum of four consecutive school days. All exempted fundraisers beyond ten must be pre-approved by the State agency using the Request form (7CFR 210 (b)(2)). A fundraiser tracking form is available on the SA website.
- The SA provided "A Guide to Smart Snacks in Schools" booklet and reviewed Smart Snacks information and options with the FSD.

### **Professional Standards**

- The FSD was hired after July 1, 2015. A Professional Standards questionnaire was completed to document education and or experience. The Professional Standards for School Nutrition Program Employees brochure was provided.

### **Procurement**

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

### **Fiscal Action**

Due to the meal counting and claiming errors, fiscal action of \$125.80 will be disregarded due to it being below the \$600 threshold set by USDA.

## 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  
Tracy Zindler, Food Service Director  
Carol Whitney, Business Manager

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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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