



December 17, 2018

Susan Buescher, Superintendent
Mackay School District
530 E Spruce
Mackay, ID 83251

Dear Superintendent Buescher,

On November 14, 2018, State Department of Education (SDE) Coordinators Jennifer Butler and Lynda Westphal conducted an Administrative Review of Mackay School District for the following United States Department of Agriculture (USDA) programs:

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

The site reviewed was Mackay Schools

The State agency (SA) would like to commend Nettie Montierth and the entire staff of Mackay 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

One application was incorrectly determined due to income frequency conversion miscalculations requiring student eligibility to be changed from free to reduced price.

Corrective Action: Notify the household of the change in benefits and edit the benefit issuance list following the 10 day period for adverse action.

Due Date for CAP Completion: Due November 30, 2018; completed November 26.

Corrective Action Response: A notice of adverse action was sent to the household on November 15. A benefit issuance list showing the changes to eligibility was uploaded.

Finding 2: Certification and Benefit Issuance

Last school year's eligibility status can carry over for *30 operating days* into the new school year, allowing time for households to reapply without interruption of benefits. Student eligibility changes when a new determination for the school year has been made even if the determination is made within the carry-over period. The student handbook advised, "Lunch applications that were approved from last year will be in effect until September 30th." However, the end of the carry-over period was actually October 10. August 20 was the first day of school, the SFA only operates four days a week, and there was no school held on Labor Day.

Corrective Action: Upload a statement describing how the carryover period will be calculated and eligibility status changes implemented, also describe assurances that the student handbook will be correct next school year. Additional information can be found in the *Eligibility Manual for School Meals*.

Due Date for CAP Completion: Due November 30, 2018; completed November 29.

Corrective Action Response: A statement identifying the calculation of 30 operating days based on a 4-day operating week and excluding the Labor Day holiday and was uploaded along with new wording to be used in the student handbook each year that does not specify a date for the end of carry-over.

Finding 3: Verification

One application was incorrectly calculated as part of the Verification requirements due to being calculated on net pay rather than gross income requiring student eligibility to be changed from free to reduced price.

Corrective Action: Notify the household of the change in benefits and edit the benefit issuance list following the 10 day period for adverse action.

Due Date for CAP Completion: Due November 30, 2018, completed November 26.

Corrective Action Response: A notice of adverse action was sent to the household on November 15. A benefit issuance list showing the changes to eligibility was uploaded.

Based on the administrative error rate of 8.33% associated with certification and benefit issuance, the SFA will be required to continue with the requirement to conduct a second review of applications until further notice. This 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. Depending on the outcomes of this second review, the SFA may be required to complete this process until the next administrative review. A Second Review of Applications Report must be filed as well while this requirement is in place. Please reference the Independent Review of Applications section in the Eligibility Manual, a copy of which is available in MyIdahoCNP Download Forms.

Finding 4: Professional Standards

All newly hired Food Service Directors must have at least eight hours of food safety training, either not more than five years prior to their starting date or completed within 30 days of their starting date. A free, online course, [Food Safety in Schools](#) is available through the Institute of Child Nutrition (ICN) and can be used to meet this requirement. However, this training will not fulfill the Idaho Health Code for a person in charge to be certified, which has not yet occurred.

Corrective Action: Upload a training certificate indicating successful completion of at least eight hours food safety training into MICNP Review Attachments.

Due Date for CAP Completion: Due November 30, 2018; completed November 28.

Corrective Action Response: A certificate of completion for the recommended ICN course was provided.

Finding 5: Offer versus Serve (OVS)

All kitchen staff must be trained on Offer vs Serve (OVS) annually. All staff training should include an agenda and sign-in sheet or employee training certificate. Training documentation must be maintained on file at the SFA for three years plus the current year. OVS training is available through the [State agency training portal](#).

Corrective Action: Upload a certificate of completion to demonstrate assistant has completed training.

Due Date for CAP Completion: Due November 30, 2018; completed November 29.

Corrective Action Response: Certificates of completion for the online OVS breakfast and OVS lunch courses were provided.

Finding 6: Dietary Specifications and Nutrient Analysis - Breakfast

Contractor CN Resources (CNR) conducted the menu review and identified that for the week of menu review, the breakfast menu did not meet the minimum daily 1 ounce equivalent requirement for grain. A grain was offered daily; however the minimum required portion size was not met.

Corrective Action: Upload a certificate of completion for the *Online: Intro to NSLP Menus: Breakfast Meal Pattern* course located in the CNP training portal. CNR required documentation demonstrating that the menu findings have been corrected and these items were uploaded on October 18, 2018.

Due Date for CAP Completion: Due November 30, 2018, completed November 15.

Corrective Action Response: A certificate of completion for the required online course was provided.

Finding 7: Dietary Specifications and Nutrient Analysis - Lunch

CNR conducted the menu review and identified the following for the week of menu review: 1) the K-12 lunch menu did not meet the minimum daily vegetable requirement. Vegetables were offered daily, however the minimum required portion size was not met; 2) the 9-12 lunch menu did not meet the minimum daily fruit requirement. Fruit was offered daily, however the minimum required portion size was not met; 3) the 9-12 lunch menu did not meet the minimum daily requirement for meat/meat alternate. A meat/meat alternate was offered daily, however the minimum required portion size was not met; 4) the 9-12 lunch menu did not meet the minimum daily and weekly requirements for grain. A grain was offered daily, however the minimum daily and weekly requirements were not met; 5) the 9-12 lunch menu did not meet the minimum weekly requirement for the other vegetable subgroup. These issues are repeat findings from the last review and if found again may result in the disallowance of meals with fiscal action.

Corrective Action: Upload certificates of completion for 1) *Online: Intro to NSLP Menus: Lunch Meal Pattern* and 2) *Online: Nutrition and Vegetable Sub Groups* courses located in the CNP training portal. CNR required documentation demonstrating that the menu findings have been corrected and these items were uploaded on October 18, 2018.

Due Date for CAP Completion: Due November 30, 2018; completed November 15.

Corrective Action Response: Certificates of completion for the required online courses were provided.

Commendations

- During the menu review, the CNR contractor advised, “Nettie has a great, positive attitude about learning all she needs to know. She is amazing! Sherry, the substitute, prepares wonderful meals.”
- It is evident that Nettie has worked diligently to ensure accurate benefit issuance and claiming by conducting manual edit checks to ensure the software system contains correct data.
- The SA appreciated the effort in preparing for the Administrative Review by both Nettie and Theresa.
- Nettie was open to all feedback and recommendations provided by the State agency. She demonstrates enthusiasm to operate compliant programs.

Technical Assistance (TA)

Certification and Benefit Issuance

- Free and reduced meal applications missing required elements are considered incomplete and should not be determined for meal benefits until missing information is

obtained from the household. One application was missing the required social security number information, which was obtained while SA reviewers were onsite.

- The income frequency listed on the application must be used to determine the application. Please make use of the frequencies listed on the Income Eligibility Guidelines chart when making determinations. If multiple frequencies are indicated then all income must be converted to an annual amount per USDA regulations.
- For up to 30 operating days into the new school year (or until a new eligibility determination is made, whichever comes first) an individual child's free or reduced price eligibility status from the previous year will continue within the same LEA.
- Based on application errors, the SFA will need to continue conducting a second review of applications as required since the last administration review. This review is intended to assist in identifying miscalculations, missing information, and/or in accurate determination methods.

Verification

- Error Prone applications are applications that document a monthly income within \$100 of the Income Eligibility Guidelines. Best practice is to flag these applications during the determination process and use them from which to select the verification sample.
- 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.

Meal Counting and Claiming

- The person operating the point of service (POS) was guessing the student's ID numbers on the day of review. Also, it appeared that a child was entered for an entire meal, when all they took was the milk. A person trained in POS counting and procedures must be the person responsible for entering the meals into the system.

Dietary Specifications and Nutrient Analysis

CNR completed the menu review and provided the following TA:

- The following documents were provided to the SFA, to assist with menu planning to meet meal pattern requirements:
 - School meal patterns for school year 2018/2019
 - 4-day school week meal component adjustments.

Meal Components and Quantities

CNR completed the menu review and provided the following TA:

- The SFA was informed that the meal signage should be filled out daily with the current menu. The importance of signage was discussed with the SFA. The SFA must ensure that signage is posted near or at the beginning of the serving line identifying what

constitutes a reimbursable meal. On the day of review, the SA reviewers observed the signage was completed with the daily menu as required.

- The SFA must ensure that all sites are keeping accurate and complete production records for the meals they produce. 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 production records so that everyone can complete the records. Be sure to retain for validation of reimbursable meals.
- The federal regulations require daily and weekly minimum amounts of grains and meat/meat alternates to be served.
 - The Breakfast Bar only provides .25 oz. eq. whole grain-rich grains and therefore does not meet the 1 oz. eq. daily grain requirement. Recommend serving a whole grain-rich product with the Breakfast Bar, which provides at least .75 oz. eq. grains, such as a slice of toast or cereal. A Breakfast Bar providing at least 1 oz. eq. grain per serving could be served.
 - Planned menu does not meet the minimum weekly 8 oz. eq. requirement for grains. Only 7.5 oz. eq. are served. The Burrito only provides 1.5 oz. eq. grains per serving. Consider serving a .5 oz. serving of whole grain-rich tortilla chips or ¼ cup brown rice to this grade group to meet the 2 oz. eq. requirement with the Burrito. The bun used for the Rib B Que only provides 1.75 oz. eq. grains. Consider using a bun that provides at least 2 oz. eq. per serving to this grade group. If the changes above are implemented, the weekly requirement will also be met.
 - The planned menu does not meet the daily minimum 2 oz. eq. requirement for Tuesday. The burrito served this day only provides 1.5 oz. eq. meat/meat alternate per serving. Consider adding a 1 oz. cheese stick or another meat/meat alternate option to the menu for this grade group to meet requirements.
- After the daily 1 oz. eq. minimum is met, the weekly minimum can be met with additional grains or meat/meat alternates.
- The federal regulations require a minimum of 1 cup of fruit to be offered each day for grades 9-12 which was not met on all days. Increase the amount fruit offered to grades 9-12 to 1 cup daily
- The federal regulations require a minimum of 3/4 cup of vegetable to be offered each day for grades K-8 and 1 cup for grades 9-12. This was not met one day.
- Leafy vegetables are creditable at half volume. A 1 cup serving of lettuce is creditable at ½ cup vegetable. Consider increasing the serving size for the lettuce or adding additional vegetable such as carrots, tomatoes or cucumbers (or a combination) to the salad.
- Subgroups of vegetables must be met for each grade group. The ¾ cup weekly “other” vegetable subgroup requirement was not met. Only 1/2 cup was served during the week.

Food Safety

- Update the HACCP (food safety) plan to be more detailed regarding bodily fluid cleanup and employee exclusion policies and train all staff on the new plan.
- The SFA must post a copy of the most recent food safety inspection in a publicly visible location at the site. This was corrected and the inspection was posted during CN Resource's on-site review.

Civil Rights

- Only teachers, secretaries, and custodians can complete Civil Rights training using the Frontline Staff handout. All foodservice staff and the determining, confirming, and hearing officials must watch the full video training. Civil rights training must occur at the beginning of each school year and ongoing as necessary, including for any new employees.
 - If the district participates in Safe Schools training, there is a module for civil rights in foodservice that can be utilized to meet this requirement.
- A new complaint log must be started for each school year. Record the school year on the form, so it is clear to which year it applies. At the end of the year if no complaints have been received, write "No Complaints" and begin a new log for the new school year. Save all complaint logs for at least three years plus the current.

Local School Wellness Policy (LWP)

- The current LWP was revised January 10, 2017, and is compliant with the requirements of the final rule. All ten (10) applicable ISBA sections are posted on the website and available to the public. Ensure that a triennial assessment of the policy is completed and made publically available.

Smart Snacks

- Vending machines in the schools are currently empty, however if there is a time when someone at the SFA takes the responsibility to fill the machines, ensure that they are following the Smart Snacks in Schools regulations with appropriate documentation or food service funding will be in jeopardy.

Professional Standards

- The Food Service Director 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.
- Training hours must be tracked on a training log showing current training hours, key area/topics, and training subjects completed with certificates, agendas, and sign-in sheets retained for backup. The SA has made available a template tracking log prompting this information and Professional Standards Learning Objectives and Topics with Codes which can be found on the USDA Professional Standards Website.

Reporting and Recordkeeping

- Ensure that paperwork is kept for three years plus the current year. When organizing paperwork, place in a box clearly marked with the year of the paperwork; consider adding the date to be destroyed.

Special Milk Program (SMP)

- The Special Milk Program (SMP) is only available to enrolled children that do not have access to the school meal programs. The SFA's renewal application was approved to operate a non-pricing program for SMP to PK students which means that students are not charged for milk. Foodservice cannot cover the cost of milk provided for free in a non-pricing program. The milk costs must be covered by tuition, donations, or general funds. No claim for reimbursement has been filed for the SMP. It was identified that some PK students do have access and are currently participating in meals, therefore making the operation of SMP unallowable. The site application was revised to remove the program.

Procurement

- A separate procurement review will be completed by contractors (currently Keddington & Christensen, LLC) 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 \$44.60. 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, P.h.D., R.D.N., L.D., S.N.S., Director, Child Nutrition Programs
Nettie Montierth, Child Nutrition Director, Mackay 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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