



January 7, 2019

Mrs. Alicia Holthaus, Superintendent
St. Maries Jt. SD #041
240 S 11th Street, PO Box 384
St. Maries, ID 83861

Certified Mail: 7016 1370 0000 2344 4754

Dear Mrs. Holthaus,

On December 12, 2018, State Department of Education (SDE) Coordinators Lynda Westphal and Tamara Donovan conducted an Administrative Review of St. Maries Jt. School District for the following United States Department of Agriculture (USDA) programs:

- National School Lunch Program (NSLP)
- School Breakfast Program (SBP)
- After School Snack Program (ASSP) (Upriver Elem-Jr. High School – paperwork only)
- USDA Foods

The site reviewed was Heyburn Elementary School and Upriver Elem/Jr. High School (ASSP only). The State agency (SA) would like to commend Sylvia Eberlin and the staff of St. Maries 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

Per the Administrative Review Manual, the long USDA Non-Discrimination Statement must be included on documents referencing USDA Child Nutrition Programs if the long statement fits. The notification letter generated by the software company requires updates.

Corrective Action: Update benefit notification letters to reflect information found on the SA template. Upload copies into MyIdahoCNP Review Attachments.

Due Date for CAP completion: January 4, 2019

Corrective Action Response: On the day of SA on-site review, the form was updated and a copy provided to the reviewers.

Finding 2 – Verification

One application selected for verification used year to date income vs current income which led to a benefit change from free to reduced price status. Based on the current pay stubs, the household should be free meal status.

Corrective Action: Return students in the household to free status, send the family a notification letter, and update the benefit issuance list within three operating days. Provide a copy of the notification letter and a copy showing the students' benefit change to the SA. Upload into MyIdahoCNP Review Attachments.

Due Date for CAP completion: January 4, 2019

Corrective Action Response A copy of the notification letter and a document showing the students' benefit change was uploaded on the day of SA on-site review.

Finding 3 – Civil Rights – Dietary Modifications

The SFA's Dietary Modification Request procedure must be revised to list authorized medical personnel (in the state of Idaho this is: licensed physician, physician assistant, nurse practitioner, or dentist) to document the student is disabled and request the special meal or accommodation.

Corrective Action: Update the procedure to bring it into compliance and provide a copy to the SA.

Due Date for CAP completion: January 4, 2019

Corrective Action Response On the day of SA on-site review, the form was updated and a copy provided to the reviewers.

Finding 4 – Civil Rights Nondiscrimination Statement

The incorrect USDA non-discrimination statement is in use

Corrective Action: Update the non-discrimination statement on the school food service website to the correct USDA non-discrimination statement, available at the SA website. Ensure the correct nondiscrimination statement is used on printed materials and web-based materials referencing the food and nutrition programs. Notify the SA when the web-site has been revised.

Due Date for CAP completion: January 4, 2019

Corrective Action Response The website was updated to the current NDS on the day of SA on-site review.

Finding 5 – Provision 2 documentation

During the Provision 2 base year review it was discovered that four students did *not* have their benefits reduced as was indicated in the letters. Due to these errors, claiming percentages must be adjusted and funds recovered for claims that have been paid from the beginning of school year 2018-19 districtwide. Fiscal action cannot be disregarded for Provision 2 percentage errors.

Corrective Action: The SA will update the claiming percentages and apply them to the claims from the beginning of the school year.

Due Date for CAP completion: N/A

Corrective Action Response: The percentages were adjusted as follows: The percentage claiming Free went from 70.5% to 70.1%; Reduced went from 11.4% to 11.3% and Paid went from 18.1% to 18.6%. This resulted in \$231.63 being recovered from Sept through November claims.

Commendations

- Outstanding job meeting all meal pattern requirements. All daily and weekly meal component and food quantity requirements were met for the week of menu review.
- I liked how the kitchen had specific signage identifying HACCP/high risk areas. The food safety and sanitation are obviously taken very seriously at this school.
- There were no errors in meal benefit determination, nice job!
- The staff at the Elementary School were good with the children and really knew the offer versus serve regulations. All trays were reimbursable.

Technical Assistance (TA)

Provision 2 records

- Provision 2 Base Year (SY 2007-08) benefit issuance was previously validated by the SA on 11/10/2015. The retention of Provision 2 documentation was confirmed during the administrative review. Daily meal count records by student name and eligibility are maintained on a thumb drive and all other Base Year records are kept in a box in the “dungeon”.
- The base year verification file had copies of the notification of benefit change letters that were sent to the households; daily meal counts were checked to verify that student benefits were revised as indicated based on verification results.

- The current Provision 2 cycle expires at the end of SY18-19. If you wish to continue with Provision 2 breakfast, you must contact the SA prior to the expiration date to see if you qualify for an extension.
- The documentation needed to obtain an extension at the end of this school year was discussed. This will be due during renewal (by site, the number of Directly Certified students with a Health and Welfare letter, and the total student enrollment at each school for the base year, and the DC list and enrollment for the current school year).

Certification and Benefit Issuance

- When making notes on applications, please include the initial of the person who collected the information.

Resource Management

- 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)). (Pineapple from China and Mandarin Oranges from the Philippines) 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. 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).

SFA On-Site Monitoring

- Breakfast POS (point of service) on-site reviews are covered in 7 CFR 220.11(d)(1) which states: every school year, each school food authority with more than one school shall perform no less than one on-site review of the breakfast counting and claiming system and the readily observable general areas of review identified under 210.18(h) of this chapter, as specified by FNS, for a minimum of 50 percent of schools under its jurisdiction with every school within the jurisdiction being reviewed at least once every two years. The on-site review shall take place prior to February 1 of each school year. Further, if the review discloses problems with a school's meal counting or claiming procedures or general review areas, the school food authority shall ensure that the school implements corrective action, and within 45 days of the review, conduct a follow-up on-site review to determine that the corrective action resolved the problems. Each on-site review shall ensure that the school's claim is based on the counting system and that the counting system, as implemented, yields the actual number of reimbursable free, reduced price and paid breakfasts, respectively, served for each day of operation.

Local School Wellness Policy

- On July 29, 2016, the USDA Food and Nutrition Service (FNS) finalized regulations to create a framework and guidelines for written wellness policies established by LEAs. The final rule requires LEAs to fully comply with the requirements of the final rule by June 30, 2017. Federal legislation requires school districts to implement a local wellness policy that must include language:

- Permitting parents, students, school board, PE teachers, school health professionals, school food service staff, administrators, and community members to participate in the development, implementation, review, and update of the local wellness policy.
 - Identifying wellness policy leadership of one or more LEA and/or school official(s) who have the authority and responsibility to ensure each school complies with the wellness policy.
 - Specifying 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.
 - Addressing 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.
 - Identifying nutrition standards for non-sold foods and beverages available during classroom and school celebrations.
 - Stating 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.
 - Addressing an evaluation conducted once every three years of the wellness policy and the extent to which schools are in compliance, how the district policy compares to model wellness policies, and the progress made in attaining local wellness policy goals by 2020.
 - Identifying a way to share the wellness policy content and implementation with the public.
- For more information regarding local wellness policies, please visit the Idaho SDE Child Nutrition Programs School Wellness website.

Reporting and Recordkeeping

- Make sure to keep all records and documentation for three years plus the current school year.

Procurement

- A separate procurement review will be completed by contractors (currently Keddington & Christensen, LLC) in 2019-20 with a State Agency closure letter sent following completion of corrective action (if needed); please follow the guidance provided.

Your review is now closed.

Fiscal action in the amount of \$231.63 will be recovered from Sept through November claims resulting from the Provision 2 portion of the review. You have a right to appeal this finding. The appeal procedures are 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,



Lynda Westphal
NSLP Coordinator

cc: Colleen Fillmore, PhD, RDN, LD, SNS, Director, Child Nutrition Programs
Sylvia Eberlin, Food Service Director, St. Maries Jt. SD #041

Civil Rights

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

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.

This institution is an equal opportunity provider.