



April 12, 2019

Dr. Nancy Larsen, Superintendent  
Kellogg SD #341  
800 Bunker Avenue  
Kellogg, ID 83837

Dear Dr. Larsen,

On December 13, 2018, State Department of Education (SDE) Coordinators Lynda Westphal and Tamara Donovan conducted an Administrative Review of Kellogg 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) (Pinehurst Elementary School)
- Fresh Fruit and Vegetable Program (FFVP) (Pinehurst Elementary School)
- USDA Foods

The site reviewed was Pinehurst Elementary School. The State agency (SA) would like to commend Scot Cummings and the staff of Kellogg 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

School foodservice authority staff who interact with program applicants or participants (i.e., cafeteria staff, Free and Reduced Application approval staff) and their supervisors as well as the Hearing, Determining, and Confirming Officials must have annual USDA civil rights training. Superintendent Nancy Larson is listed as the Hearing Official so must have USDA civil rights training. All food service staff and ASSP facilitators must complete annual civil rights training. Training is available at the SA website.

**Corrective Action:** Upload, into MyIdahoCNP Review Attachments, a dated sign in sheet to provide documentation that the Hearing Official and all food service staff and ASSP facilitators received civil rights training.

**Due Date for CAP completion:** January 11, 2019, extended to January 18, 2019

**Corrective Action Response:** Attendance for staff receiving Civil Rights training on various dates was uploaded into MyIdahoCNP on January 18, 2019.

### Finding 2 – Civil Rights

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 11, 2019

**Corrective Action Response** The website was updated on January 11, 2019.

### Finding 3 – Food Safety

Update the HACCP manual to include Employee Exclusions and a new Bodily Fluid cleanup procedure, if contacting the custodian is required. Also train staff on the new plan. Training must be completed on an annual basis.

**Corrective Action:** Update the HACCP Plan and train staff. Provide a copy of the sign-in sheet showing that all staff received training.

**Due Date for CAP completion:** January 11, 2019, extended to January 18, 2019

**Corrective Action Response:** A copy of the HACCP plan was e-mailed to the SA and a training sign-in sheet was uploaded in MyIdahoCNP on January 17, 2019.

#### **Finding 4 – Offer versus Serve (OVS)**

All serving-line staff (all sites) must be trained annually on OVS. Staff training must be maintained on file at the SFA for three years plus the current year. OVS training is available through the SA training portal.

**Corrective Action:** All food service breakfast and lunch serving line staff must complete the online *OVS Breakfast* and *OVS Lunch Training* available on the CNP training portal. Upload the staff's individual training certificates into MyIdahoCNP Review Attachments.

**Due Date for CAP completion:** January 11, 2019, extended to January 18, 2019

**Corrective Action Response:** Attendance documentation for staff receiving Offer versus Serve training on various dates was uploaded into MyIdahoCNP on January 18, 2019.

#### **Finding 5 – After School Snack**

Afterschool snacks must contain at least two different components from the following four components and students must select at least two different components (in minimum quantities) to have a reimbursable snack:

- A serving (8 ounces) of 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:
- A serving (1 ounce equivalent) of meat or meat alternate
- A serving (1 ounce equivalent) of whole grain or enriched bread, cereal, or other grain, or an equivalent quantity of any combination of these foods
- A serving (3/4 cup) of vegetable(s) or fruit(s) or 100% vegetable or fruit juice (6 fl. oz.), or an equivalent quantity of any combination of these foods

Some snacks served in October 2018 may not meet the 1 oz. eq. minimum serving, so the snacks may not be reimbursable. If valid product formulation statements (PFS) can justify that the grains met the 1 oz. eq., or that adequate portion sizes were served per Exhibit A, then the snacks would be reimbursable.

**Corrective Action:** Upload PFS for Notables cheddar pretzels and Notables chocolate graham used in the ASSP during the review month of October 2018. If PFS are not available, notify the SA. Upload snack meal count sheets for October 2018 and December 13, 2018.

**Due Date for CAP Completion:** January 11, 2019, extended to January 18, 2018

**Corrective Action Response:** All Product Formulation Statements were uploaded January 18, 2019, and did comply with the meal pattern. Please keep documentation of all products used from this point forward.

#### **Finding 6 - Wellness Policy**

The District Wellness policy is out of compliance.

**Corrective Action:** Please develop a plan to bring the policy into compliance. Upload the plan into the Review Attachments.

**Due Date for CAP Completion:** January 11, 2019, extended to January 18, 2019

**Corrective Action Response:** The district Wellness Committee met on January 15, 2018, to readdress the policy and craft recommendations to present to the board to ensure wellness policy compliance prior to the end of the school year.

### **Finding 7 - Benefit Issuance**

Several applications were found to be in error, and free meal benefits based on foster status were erroneously extended to additional non-foster students in the household.

**Corrective Action:** Correct the benefit status for the impacted students and upload a copy of the Benefit Issuance List into MyIdahoCNP showing the updated benefit status.

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

**Corrective Action Response:** A free and reduced application was submitted by the household. The application determination resulted in paid status for affected students. An updated benefits issuance list was uploaded.

### **Commendations**

- The cafeteria is bright and cheery with numerous fun and colorful signs that promote healthy eating. The students all seemed to really enjoy their mealtimes here!
- Outstanding job meeting all requirements for the meal pattern. All daily and weekly meal component and food quantity requirements were met for the week of menu review.

### **Technical Assistance (TA)**

#### **Certification and Benefit Issuance**

- The State agency 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.
- Extended eligibility only applies to student's whose household is receiving Food Stamps, TAFI and FDPIR. Migrant, Runaway, Foster, or Homeless students do not confer eligibility to other family members.
- The use of overrides in the Point of Service (POS) system should be carefully determined. One family had both a free and reduced child due to an incorrect eligibility status change in the software.
- If an application has a food stamp number on it, a Social Security Number (SSN) is not required. One application status was affected, resulting in a change from denied to free.

#### **Verification**

- Ensure households receive 10 calendar days' notice when a reduction in benefits occurs, thus allowing the household an opportunity to appeal the determination.

### **Meal Counting and Claiming**

- Print and retain meal counts and claiming documentation that supports monthly reimbursements. . October 2018 reports could not be located and the meal counts and claim had to be re-established by SA.

### **Meal Components and Quantities**

- "What's for Breakfast" and "What's for Lunch" posters must be completed daily to help students understand what comprises a reimbursable meal.
- CN Resource completed the menu review and provided the following TA:
  - The documentation for the scrambled eggs served on Monday is a watermarked Child Nutrition (CN) label. Please retain an official CN label from the actual product packaging and retain on file.

### **Offer versus Serve (OVS)**

- Under OVS, at least 1/2 cup of fruit and / or vegetable must be selected (1/2 c fruit OR 1/2 vegetable OR 1/4 c fruit plus 1/4 c vegetable, PLUS two other components is a reimbursable meal). Serving staff at Pinehurst Elementary School needed clarification regarding what food components a student could declining in order to have a reimbursable meal.

### **Food Safety**

- Provide food safety training to the teachers who facilitate the Fresh Fruit and Vegetable Program to ensure fruits and cooked vegetables do not sit out too long.

### **Resource Management**

- The adult meal prices are too low. Please ensure the adult meal prices meet the minimum price requirements as set forth by the SA (CFR210.14(e)).

### **Civil Rights**

- Keep a civil rights binder folder up-to-date with all required information and place in a location known to food service staff at each school. A civil rights complaint log was needed at Pinehurst Elementary School.
- Meal accommodations that deviate from the meal pattern must be supported by a Special Dietary Needs Form signed by a recognized medical authority (not a RN or ND, who do not have prescriptive authority in the State of Idaho).

### **Local School Wellness Policy (LWP)**

- 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 by July 2020, how the district policy compares to model wellness policies, and the progress made in attaining local wellness policy goals.
- 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.

### **Smart Snacks**

- All fundraisers, both exempted and compliant, must be tracked. At Pinehurst Elementary School, fundraisers were not being tracked. Per state policy, a maximum of 10 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 10 must be pre-approved by the State agency using the Request form. (7CFR 210 (b)(2)) Details available at the SDE website on the Smart Snacks page, including a fundraiser tracking form.

### **Professional Standards**

- A tracking log should be completed for each employee to track training hours. This can be accomplished by each employee and updated with the food service director on a quarterly basis to ensure staff are meeting annual training requirements.

### **Reporting and Recordkeeping**

- 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.

### **Procurement**

- A separate procurement review will be completed in 2019-20 with an additional closure letter sent following completion of corrective action (if needed); please follow the guidance provided.

Fiscal action in the amount of \$123.54 is below the \$600 threshold and will be disregarded. 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  
Scot Cummings, Food Service Director, Kellogg SD #391

## 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](mailto:program.intake@usda.gov).

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