



May 20, 2020

Mr. Shane Williams, Superintendent
West Jefferson School District
1272 E. 1500 N.
Terreton, ID 83450

Dear Superintendent Williams,

On February 10, 2020, State Department of Education (SDE) Contractor, Kerry McKaig with CN Resource conducted an on-site review of the meal program, and from April 23 – May 20, 2020 Coordinator Lynda Westphal conducted an off-site Administrative Review of the West Jefferson School District due to the COVID-19 pandemic for the following United States Department of Agriculture (USDA) programs:

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

The SA reviewed the following sites:

- Terreton Elementary-Jr High School

The State agency would like to thank Lisa Ward and the staff of West Jefferson 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 fund

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, however Idaho has received a waiver to conduct reviews on a five-year schedule 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:

Finding and Corrective Action Plan (CAP)

Finding 1 – Benefit Issuance

One application had listed five household members with only four names written on the form.

Corrective Action: Follow up with the family to find out who the other family member is and if they have income.

Due Date for CAP: Completion: May 15, 2020

Corrective Action Response: The family was contacted and the other household member was indicated with no income received. The finding is closed.

Based on the administrative error of 1.10% associated with certification and benefit issuance, the SFA will NOT be required to conduct a second review of applications beginning school year 2020-21.

Finding 2 – Civil Rights

The Hearing Official had not taken the required annual Civil Rights training.

Corrective Action: Have the Hearing official watch the CNP Civil Rights video, or the Safe Schools Civil Rights in Food Service video and acknowledge that the training has been taken.

Due Date for CAP: Completion: May 25, 2020

Corrective Action Response: The Hearing official watched the appropriate Civil Rights training on May 20, 2020. The finding is closed.

Commendations

- CN Resource contractor commended Lisa by saying “Lisa and her team were great to work with and always want to do their best. They are NSLP champions!”
- CN Resource contractor comment: Outstanding job meeting all meal pattern requirements for breakfast and lunch. All daily and weekly meal component requirements were met for the week of menu review.
- Thank you to Lisa for getting all of the paperwork uploaded in a timely manner during this stressful time. Her hard work was appreciated.

Technical Assistance (TA)

Certification and Benefit Issuance

- Power Lunch is being used to enter determinations into the system. This program is requiring the amount to be recorded as monthly unnecessarily. By requiring this conversion, errors may creep into the system. The district should seek out a POS system that handles applications appropriately.

- One application had no notes on it regarding child support (there was a question mark in the box). Gave TA that there should be documentation on the applications to avoid questions from anyone reviewing the application information if additional information is given verbally.

Meal Counting and Claiming

- The breakfast count was off at either the Elementary or Middle School. Since those two are combined, the reviewer could not identify where the error occurred, making it a systemic error. The Reviewer recommends that you enter the breakfast number into the system so it comes out automatically and errors could be identified (keep the meal daily breakfast count sheet as backup).

Meal Components and Quantities

- Independent contractor CN Resource completed the menu review and provided the following TA:
 - During the review, 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.
 - The labeling submitted for the following products were not official Product Formulation Statements (PFS). An official Child Nutrition (CN) Label from the product packaging or a complete PFS, should be secured from the manufacturer to confirm meal pattern crediting. This documentation was secured for the menu items listed below and shared with the SFA, in order to confirm meal pattern crediting.
 - Crispito
 - Doritos (documentation submitted was outdated)
 - Bean Burrito
 - The labeling submitted for the churro was not an official Product Formulation Statement (PFS). The spec sheet submitted was used to credit this item. An official PFS, should be secured from the manufacturer to confirm meal pattern crediting.
- Reference the links below for additional guidance on evaluating processed product documentation.
- <https://fns-prod.azureedge.net/sites/default/files/cn/manufacturerPFStipsheet.pdf>
- <https://fns-prod.azureedge.net/sites/default/files/cn/TA07-2010v3os.pdf>

Civil Rights

- All Food Service staff as well as the Determining, Confirming and Hearing official must complete Civil Rights training annually. All other staff who interact with program participants, such as teachers, must receive the one-page handout annually and sign the training agenda associated with the one-page training form.

Professional Standards

- While Lisa has files for each employee to store their certificates, it is recommended that there be a training log so Lisa can validate that the employee is meeting their annual requirement at a glance.
- Employee training tracking Logs must include the 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](#)
- Please train staff annually on OVS. All staff training should include an agenda and sign-in sheet and training documentation should be maintained on file at the SFA for three years plus the current year. OVS training is available through the State agency training portal and a training log is available in MyIdahoCNP Download Forms.

Buy American Provision

- The State agency did not complete an on-site review due to the COVID-19 pandemic. The below verbiage is included to remind all sponsors receiving an off-site review of this requirement.
 - Per 7 CFR 210.21 (d) Sponsors must purchase, to the maximum extent practicable, domestic commodities and products for use in the NSLP.
 - A domestic commodity or product is an agricultural commodity produced in the US and a food product that is processed in the US using substantial; agricultural commodities.
 - Applies to all food/beverage products purchased using funds from the non-profit food service account.
 - Limited exception (to be used as a last resort with documentation)
 - When a product is not produced or manufactured in the US in sufficient and reasonable quantities of satisfactory quality
 - When competitive quotes, bids, or proposals reveal the cost of a US product is significantly higher than the foreign product

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. (§210.30). The final rule requires that LEAs 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. This document was completed prior to the on-site review and must be made publicly available.

Smart Snacks

- The State agency did not complete an on-site review due to the COVID-19 pandemic. The below verbiage is included to remind all sponsors receiving an off-site review of this requirement.

- Schools must meet the minimum requirement in 7 CFR 210.11, for all foods and beverages sold in school (also known as Smart Snacks in School) to increase consumption of healthful foods during the school day and support a healthy school environment. Food and beverages sold to students must either comply with Smart Snack specific nutrition standards, be tracked as exempt fundraiser(s), or be inaccessible during the school day (defined as midnight the day before until 30 minutes after the school day ends). Refer to [A Guide to Smart Snacks School](#) available at the USDA website. All fundraisers, both exempted and compliant, including non-food sales, must be tracked. Per state policy, the school administrator may approve a maximum of ten exempted fundraisers, per school site, per year. An exempted fundraiser can be for a maximum of four consecutive school days. All exempted fundraisers beyond ten must be pre-approved by the SA using the Request form (7CFR 210 (b)(2)). Details and a tracking form are available on the [SDE CNP Smart Snacks web page](#).
- Per 7 CFR 210.11, the school should have knowledge of and keep a written record of (track) food sales that occur within the school day, but outside of food service. Only foods sold in school and intended for consumption during the school day (from midnight until 30 minutes after the end of school) fall under Smart Snacks regulations. Smart Snacks information and resources, including a sample site tracking form, can be found at <http://www.sde.idaho.gov/cnp/sch-mp/snacks.html>
- 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 selling of non-compliant snacks during the lunch meal time puts reimbursement in jeopardy.

Provision

- Provision 2 Base Year (SY16-17) benefit issuance was previously validated by the SA on November 9, 2016, during the last AR. The retention of all required Provision 2 documentation was confirmed. The current Provision 2 cycle expires at the end of SY19-20. The Elementary School and Jr. High School qualified for an extension, the High School did not qualify and will be discontinuing Provision 2 starting school year 20-21. Please ensure all required Provision 2 documentation, including base year daily meal count records by student name and eligibility, is maintained per requirements.

Procurement

- A procurement review is currently being completed. Please follow the guidance provided in a separate closure letter.

Your review is now closed.

Fiscal action in the amount of \$6.92 is to be assessed from this review, however it is below the \$600 threshold set by USDA so 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, MHS, SNS
NSLP Coordinator

cc: Colleen Fillmore, PhD, RDN, LD, SNS, Director, Child Nutrition Programs
Lisa Ward, Food Service Supervisor, West Jefferson School District

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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