



October 29, 2021

Mr. Dennis Chesnut, Superintendent  
Horseshoe Bend S.D. #073  
398 School Drive  
Horseshoe Bend, ID 83629

Dear Superintendent Chesnut,

On October 12, 2021, State Department of Education (SDE) Coordinators Lynda Westphal, Jennifer Butler and Jamie Gibson conducted an Administrative Review of Horseshoe Bend School District for the following United States Department of Agriculture (USDA) programs:

- National School Lunch Program Seamless Summer Option (SSO)
- School Breakfast Program Seamless Summer Option (SSO)
- USDA Foods

The State agency (SA) reviewed the following sites(s).

- Horseshoe Bend School

The State agency (SA) would like to thank Trudy Carpenter and the entire staff of Horseshoe Bend 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 that State agencies conduct an Administrative Review a minimum of one time during a five-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 – Meal Components and Quantities - Breakfast

- Independent contractor CN Resource completed the menu review and provided the following Corrective Action (CA):

For the week of menu review, the breakfast menu did not meet the minimum weekly requirement for grain. A grain was offered daily, however the weekly minimum requirement was not met.

**Corrective Action Plan (CAP):** Provide a written statement that the weekly grain requirements are now met. Include a detailed statement to describe what specific changes were made to the menu, for the week of review, to correct all menu review findings and bring the menu into compliance.

Submit supporting documentation to demonstrate that the menu findings listed under step 1 are now corrected. This documentation may include menus, production records, nutrition facts labels, Child Nutrition (CN) labels, and recipes. Reference the menu review results report for specific details and suggestions to bring the menu into compliance.

**Due Date for CAP completion:** October 1, 2021

**Corrective Action Response:** The Food Service Director provided the following response, “We do offer toast and cereal or just 2 pc of toast for Elem. The 6-8 can take cheese stick with cereal and oatmeal. The 9-12 can take cheese stick cereal and bar. We do not restrict them taking 2 of the offered grains.”

### Finding 2 – Meal Counting and Claiming

A systemic error was discovered with consistent meal counting practices when using three different methods of recording meal counts during breakfast. A student roster is used for elementary students to capture students that do not use the pin pad for the Point of Service (POS) system. High school student names are recorded on a separate sheet of paper during service and entered into the POS later. The SA determined the manually recorded numbers did not align with the POS reporting totals. Options were discussed to ensure accurate and consistent reporting of numbers to ensure valid totals are entered in the POS for the monthly claim, including using the POS for all students during the time of service as done during lunch service.

**Corrective Action Plan (CAP):** Identify a new practice to ensure that breakfast totals are accurate and the POS is used at the time of service for all meals. Upload a narrative describing the new practice and what steps will be taken to implement new processes

**Due Date for CAP completion:** October 26, 2021

**Corrective Action Response:** On October 26, 2021, the FSD provided a plan for counting the breakfast meals for the first breakfast time in the POS system. “I have trained 2 Para’s that are

in dining area daily at breakfast time to monitor that all student numbers be put into the system, that way we are not missing any students. If the student does not know their number, the para's have the cheat sheet with names and numbers only."

On October 26, 2021, the FSD also provided a plan for counting the breakfast meals in the POS system for the High School Muffin Break. "I am working with NutirKids to get 2 pin pads at the time of Muffin Break. Then each line can put their numbers in to the system and I will be able to look at each student and make sure that is their number. I am worried about running 1 line in the case of bullying from the high school students to the middle school students."

### **Finding 3 – Wellness Policy**

The Local School Wellness Policy must be in compliance by June 30, 2017 per the USDA Final Rule established in July 2016 (7 CFR 210.31). A review of the Local Wellness Policy (LWP) was recently completed by the SFA, however there are still some missing requirements that must be added to the policy. A copy of the Horseshoe Bend School District LWP and the State agency partial evaluation of the LWP was provided during the exit conference. The LWP evaluation should be completed to formally assess compliance of the District's LWP.

**Corrective Action Plan (CAP):** Provide a written plan and timeline describing how and when the Wellness Policy language will be brought into compliance with federal requirements.

**Due Date for CAP Completion:** October 26, 2021

**Corrective Action Response:** The Superintendent advised the Food Service Director that the policy will be completely updated by January 1, 2022.

## **COMMENDATIONS**

- Thank you for your continued hard work in providing meals to children while encountering difficulties due to COVID-19 issues.

### **Site Commendations**

- The school nutrition staff were open to questions and receptive to technical assistance.
- The school nutrition staff provided a friendly meal service environment, addressing many students by name.
- Students were offered fresh melon (honey dew and watermelon) and mixed raw vegetables – a very colorful part of the lunch menu.
- Frequent handwashing was observed – excellent implementation of food safety personal hygiene!
- The state agency staff appreciate food service staff taking the additional time to accommodate spacing of multiple meal service times for social distancing.
- The Food service staff have developed good practices regarding single use trays and utensils due to the pandemic that have made a positive impact to serving meals.

## TECHNICAL ASSISTANCE (TA)

### Certification and Benefit Issuance

- This area was not reviewed based on USDA Guidance *COVID-19: Child Nutrition Response #97* - the requirement under 7 CFR § 210.18(g) (1) is waived regarding certification and benefit issuance and the requirement under 7 CFR § 210.18 (h)(2)(i) (A-E) is waived regarding free and reduced-price processes not applicable to SSO in SY21-22.
- No applications were collected during this school year. Only the Direct Certification lists were collected as of the time of review.

### Verification

- Applications were not collected this year
- Although in Nationwide Waiver #97 FNS included verification as one of the sections that is not applicable to SSO ARs in SY2021-22, FNS strongly encourages State agencies to ensure that SFAs collecting applications during SY 21-22 are implementing verification processes in line with Federal Regulations.

### Meal Counting and Claiming

- During breakfast for the HS/MS, staff were not checking for reimbursable meals and five students left the line without the required three components. These disallowed meals total \$12.3125.
- Please look at Finding 2 for the systemic finding in claiming.

### Dietary Specification and Nutrient Analysis

- CN Resource completed the menu review and provided the following TA:
  - The pre-portioned recipe for condiments, listed the ketchup as a 1Tbsp portion. On the day of review there were 2-3 Tbsp in the 2-fluid oz. condiment container. Recommendations were provided to either increase the portion size in the recipe to 2 Tbsp or decrease the amount provided in each cup.

### Meal Components and Quantities

- Independent Contractor CN Resource completed the menu review and provided the following TA with a detailed Menu Review Results Report:
- All menus served must meet all daily and weekly meal pattern requirements for the specific grade group. The sponsor was encouraged to provide training as needed to ensure compliance.

#### Breakfast

- The federal regulations require weekly minimum amounts of grains to be served. The weekly requirement for grades K-5, 6-8 and 9-12 was not met. **(REPEAT FINDING)** The menu offered a minimum of 4 oz. eq. of grain throughout the week for all grades, K-12. The cold cereal, toast and cereal bars all only provide 1 oz. eq.

bread/grains. Because these are offered daily and are able to be taken on their own, the weekly grains minimum is below the requirement.

- Although weekly requirement for grains served is a repeat finding, the SA did not apply fiscal action due to supply chain issues impacting the meal pattern. This flexibility is based on USDA guidance *COVID-19: Child Nutrition Response #100*. If this repeat violation is discovered in future ARs, it may result in fiscal action.

### Lunch

- Please keep in mind that the daily fruit requirement in high school is 1 cup fruit. All high school students must be offered at least 2 of the 1/2 cup fruit offerings to meet the daily 1 cup fruit requirement. For the purposes of this review, 1 cup fruit was counted towards all meals served to high school since the students are allowed to take more than 1 of the 1/2 cup fruit offerings.
- Secure a Child Nutrition (CN) Label or Product Formulation Statement (PFS) for the egg roll served on Wednesday. The spec sheet submitted included a meal pattern crediting statement but was not an official CN Label or PFS. It was stated on the Information Request Form responses that the CN label on the product box would not be able to be attained until the day before service when the product arrives. Please secure this documentation for your records at that time. Reference the link below for more information on labeling. <https://www.fns.usda.gov/cn/labeling-program>.

### Buy American

- During the review, Buy American requirements were discussed with the SFA. SFAs must review products and delivery invoices or receipts to ensure the domestic food solicited and awarded is the food that is received. TA was given to include purchases made at a grocery store (bananas), canned Mandarin Oranges from China, and canned Pineapple from Thailand in documentation to cover when produce delivery is not received or sufficient for meal needs. If delivered non-domestic produce is accepted by the SFA, then the Buy American exception form must be filled out and back-up documentation should be provided by the vendor.

### Offer Versus Serve (OVS)

- Ensure staff have OVS training and understands how to identify a reimbursable meal at breakfast and lunch.

### Nonprofit Food Service Account

- **The ending balance in the Fund 290 account is over the statutorily allowed 3 months.** Please upload the plan in the Financial Report Module for reducing the amount to come within regulations.

### Local School Wellness Policy

- FNS is waiving statutory and regulatory requirements at 7 CFR § 210.31 and providing a new first triennial assessment deadline of June 30, 2022, for states that

opt in to: *COVID-19: Child Nutrition Response #98 Nationwide Waiver of Local Wellness Policy Triennial Assessments in the National School Lunch and School Breakfast Programs.*

- LWP assessment is not evaluated during an AR.
- 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. Ensure the wellness assessment (e.g., Idaho Wellness Policy Progress Report) is available to the public; posting to the school /district website and/or in a school newsletter would support this requirement.

## Resource Management

### Paid Lunch Equity

- This area was not reviewed based on USDA Guidance *COVID-19: Child Nutrition Response #97* in which the requirement under 7 CFR § 210.18(h) (1)(ii) is waived regarding the requirements for pricing paid lunches in 210.14(e) that are not applicable to SSO in SY21-22.
- Per USDA, the SY 2020-21 Weighted Average Price equal to or above the target price of \$3.18 is compliant for SY 2021-22. \$3.18 is the difference between the Free and Paid reimbursement rates for SY 2020-21.

## Procurement

- A separate procurement review was completed by Kathrine Forstie in SY20-21 with a SA closure letter sent following completion of CA (if needed); please follow the guidance provided.
  - Follow up for these documents was completed during the AR review to ensure the inclusion of the necessary changes to thresholds and the Buy American language.

## 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,

*Lynda Westphal*

Electronically Signed

Lynda Westphal, MHS, SNS  
Coordinator, NSLP

cc: Colleen Fillmore, PhD, RDN, LD, SNS, Director, Child Nutrition Programs  
Trudy Carpenter, Child Nutrition Director, Horseshoe Bend SD

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