



April 10, 2020

Javier Castaneda, Executive Director  
Heritage Community Charter School  
1803 E. Ustick Rd  
Caldwell, ID 83605

Dear Director Castaneda,

On January 22, 2020, State Department of Education (SDE) Coordinators Heather Blume and Lynda Westphal conducted an Administrative Review of Heritage Community Charter School for the following United States Department of Agriculture (USDA) programs:

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

The State agency (SA) would like to commend Miguel Ramirez, Paul Hoy, and the staff of Heritage Community Charter School 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, 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:

## Findings and Corrective Action Plan (CAP)

### Finding 1 – Certification and Benefit Issuance

In a number of cases it was identified that students without new applications continued to receive the prior year's eligibility status.

**CAP:** Correct the eligibility status of all students without a new determination for SY19-20, send each household a letter informing them of the change in eligibility status, and update the benefit issuance list after sending the notice. Upload the letter sent to each family and the updated benefit issuance list once all changes are made. Additionally, write a plan to prevent this error from occurring in the future.

**Due Date for CAP Completion:** February 6, 2020

**Corrective Action Response:** Initial documentation was provided on February 6, 2020 and additional information was provided in Review Attachments on February 12, 2020.

### Finding 2 – Certification and Benefit Issuance

Two applications were identified as incomplete - one was missing an income frequency and the other was missing the last four digits of the signer's SSN.

**CAP:** Contact the family and collect the missing information. Update the eligibility status in the benefit issuance list, if a change in status occurs. Should the status change, send the family the appropriate household notification letter. Upload the corrected benefit issuance list and household letters into MyIdahoCNP.

**Due Date for CAP Completion:** February 6, 2020

**Corrective Action Response:** Applications that included the missing information and the corrected statuses were uploaded in Review Attachments on February 12, 2020.

### Finding 3 – Meal Components and Quantities

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.

**CAP:** Provide a written statement that the weekly grain requirements are now met. Include details to describe what specific changes were made to the menu to correct all menu review findings and bring the menu into compliance.

**Due Date for CAP Completion:** Completed December 18, 2019

**Corrective Action Response:** This was completed prior to the SA on-site review.

### Finding 4 – Verification

A confirmation review indicated a different eligibility status was determined for one application (impacting two students) and the status was not corrected from the original erroneous determination.

**CAP:** Correct the eligibility status of the two children from free to reduced, effective 8/19/19.

**Due Date for CAP Completion:** February 6, 2020

**Corrective Action Response:** The corrected school meal status was communicated to the family and documentation of the change in eligibility status was uploaded into MyIdahoCNP on February 12, 2020.

### **Finding 5 – Verification**

One application (one student) was selected for verification and family did not respond. The student was moved to paid status, but the family submitted a new application two days later. Verification documentation should have been required before the new application was accepted and approved at reduced.

**CAP:** The child must be moved to paid status effective 11-13-19 and the new application disregarded until verification documentation is submitted and the appropriate eligibility status determined.

**Due Date for CAP Completion:** February 6, 2020

**Corrective Action Response:** Documentation was provided by the SFA on February 4, 2020, however additional information was needed. Final clarification was provided on March 10, 2020.

### **Finding 6 – Civil Rights**

The full nondiscrimination statement is not listed on the Heritage Community Charter School Child Nutrition webpage and the nondiscrimination statement on the menu posted online is not the current short statement.

**CAP:** Please update the website to include the full statement and the menu to say, "This institution is an equal opportunity provider."

**Due Date for CAP Completion:** A menu with the correct short nondiscrimination statement was uploaded on February 6, 2020 and the website was updated with the correct nondiscrimination statement as well.

### **Finding 7 – Revenue from Nonprogram Foods**

The alternate assessment to the Nonprogram Food Revenue Tool was completed for SY18-19, however it appears that a la carte food sales occurred.

**CAP:** Please complete the newly updated Nonprogram Food Revenue Tool for the week selected for the targeted menu.

**Due Date for CAP Completion:** February 6, 2020

**Corrective Action Response:** A Nonprogram Food Revenue Tool was uploaded into MyIdahoCNP Review Attachments on March 6, 2020.

## **Commendations**

- The Child Nutrition Manager was open and receptive to suggestions and best practice ideas. Records were organized and readily available for review.
- Excellent work meeting all lunch meal pattern requirements for the week of menu review!
- Meals were served in a warm and friendly environment. Students are offered fresh fruit daily at breakfast. Lunch includes a colorful salad bar with a variety of fresh choices.

- The kitchen staff was observed following food safety practices throughout the day of meal preparation and service. The facility is clean and organized.
- The entire staff did a good job of washing trays after every meal using the three compartment sanitizing sink.
- Excellent job tracking on-the-job trainings as they occur.
- Good work writing a compliant wellness policy and measuring its implementation!

## Technical Assistance (TA)

### Verification

- Be sure to document the required follow-up communication with households selected for verification, should they not respond to the initial notice.
- When conducting a confirmation review of applications, sign and date the "Confirming Official Signature" field, rather than the "Verifying Official Signature"
- On notices of adverse action, the individual listed to contact should be the hearing official, not the determining official.

### Food Safety

- During the review, the food safety plan was discussed with the SFA. The SFA must have a complete food safety plan that includes all of the required sections as specified by USDA. Be sure to update the standard operating procedures in the written food safety plan to customize it to Heritage Community Charter School and to include dates and signatures for review, implementation, and revision of the written food safety plan.

### Dietary Specifications and Nutrient Analysis

- Independent contractor CN Resource completed the menu review and provided the following TA:
  - Secure a Child Nutrition Label (CN) or Product Formulation Statement (PFS) for the corn dog, egg roll, and beef patty. The specification sheet submitted included a meal pattern crediting statement but was not an official CN Label or PFS. For more information, refer to: <https://fns-prod.azureedge.net/sites/default/files/cn/TA07-2010v3os.pdf>.
  - The Child Nutrition (CN) Label submitted for the chicken nuggets included a watermark. Please secure for your records the actual CN label from the product packaging, without the watermark.

### Meal Components and Quantities

- Independent contractor CN Resource completed the menu review and provided the following TA:
  - During the Administrative Review the results of the menu review were provided in a detailed Menu Review Results Report. All menus served within the SFA must meet all daily and weekly meal pattern requirements for the specific grade group. The SFA was encouraged to provide training as needed to ensure

compliance. Please note that per USDA guidance any repeat menu findings in future Administrative Reviews, may result in fiscal action.

- The breakfast cereal offered daily only meets 1 oz. eq. which fulfills the daily grain requirements but would only offer 5 oz. eq. for the week with this meal choice. The federal regulations require weekly minimum of 8 oz eq. of grains to be served. Serve another grain with the cereal such as a slice of toast (28g), graham cracker (28g), or offer a meat/meat alternate such as yogurt (4oz) or a cheese stick (1oz).
- The Child Nutrition (CN) Label submitted for the bean burrito included a watermark. Please secure the official CN label from the product packaging, without the watermark, for your records.
- Secure a CN Label or Product Formulation Statement (PFS) for the breakfast pizza. The specification sheet submitted included a meal pattern crediting statement but was not an official CN Label or PFS.

### **Buy American Provision**

- During the review, Buy American requirements were discussed with the SFA. The SFA must purchase, to the maximum extent practicable, domestic commodities or products. “Domestic commodity or product” is defined as an agricultural commodity that is produced in the U.S. and a food product that is processed in the U.S. substantially using agricultural commodities produced in the U.S. There are limited exceptions to the Buy American provision which allow for the purchase of foods not meeting the “domestic” standard in circumstances when use of domestic foods is truly not practicable. The SFA must keep documentation justifying the limited exception(s). These exceptions, as determined by the SFA, are:
  - The product is not produced or manufactured in the U.S. in sufficient and reasonably available quantities of a satisfactory quality; or
  - Competitive bids reveal the costs of a U.S. product are significantly higher than the non-domestic product. Item observed was bananas.
- Use the “X-Change” spreadsheet on the Child Nutrition, USDA foods web page to order additional USDA foods that are available from other sponsors.

### **Civil Rights**

- Be sure to include the appropriate date on the complaint log for each school year.

### **Professional Standards**

- It is required that all staff be trained on civil rights procedures, food safety, and offer versus serve (OVS) each year. While documentation for food safety and civil rights training was found, no record of OVS training was provided. Be sure to train on all these topics and document annually.

### **School Breakfast and SFSP Outreach**

- The Child Nutrition webpage has misinformation posted. Please correct the statement regarding the number of components required at lunch to three, one of which is a serving of fruit or a vegetable. Additionally, please remove the statement regarding 2<sup>nd</sup>

Choice meals, as these are no longer allowable per USDA. Lastly, we recommend adding the meal service times for breakfast to make this program more apparent to families.

### **Resource Management Comprehensive Review**

- Nonprofit Food School Food Service Account
  - Bad Debt can only be paid from General funds and cannot be encumbered from student accounts.

### **Procurement**

- A separate procurement review was completed this year. Please follow the guidance provided in a separate closure letter.

### **Fiscal Action**

Due to the error-rate in approving applications, fiscal action for the review amounted to \$426.72 for the National School Lunch Program and \$137.36 for the School Breakfast Program. As each of these programs have a \$600 disregard threshold, fiscal action will not be taken for this review.

### **Your review is now closed.**

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,



Heather Blume, MS, RD, LD, SNS  
NSLP Coordinator

cc: Colleen Fillmore, PhD, RDN, LD, SNS, Director, Child Nutrition Programs  
Miguel Ramirez, Food Service Manager, Heritage Charter School

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

This institution is an equal opportunity provider.