



May 8, 2020

Mr. Chad Williams, Superintendent  
Shelley School District  
545 Seminary Ave.  
Shelley, ID 83274

Dear Superintendent Williams,

On February 13, 2020, State Department of Education (SDE) Contractor, Kerry McKaig, with CN Resource, conducted an on-site review of the meal program, and from April 28-May 7, 2020, Coordinator Jennifer Butler conducted an off-site review process for the Administrative Review of the Shelley School District due to the current 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 Shelley Sr. High School.

The State agency would like to thank Barbara Pearson, Chelsea Duncan, and the staff of Shelley 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 (AR) 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 AR 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 Meal Components and Quantities

Independent contractor CN Resource (CNR) conducted the menu review and found that for the week of review, the lunch menu did not meet the minimum weekly requirement for the red/orange vegetable subgroup. Red/orange vegetables were offered, but not in large enough quantities to meet the weekly requirement.

**CAP:** Provide a written statement that the weekly red/orange vegetable subgroup requirements are now met and provide documentation demonstrating the correction.

**Completed:** January 30, 2020.

**CAP Response:** The SFA added ½ cup carrots on the Hot ‘n Ready line on Monday’s menu. Production records were uploaded to show this increase.

## Commendations

- The foodservice director was very diligent in preparing for the AR and completed all off-site modules in a timely manner. The hard work continued after the AR was changed to a desk review, requiring additional paperwork to be scanned and uploaded. The effort put into this review during a stressful time is greatly appreciated.
- Congratulations to Sunrise Elementary School for being awarded \$6,654.50 for a Steam Jacketed Kettle and Stand as part of a USDA Equipment Grant. The initiative in applying for this grant is appreciated and shows commitment to students.
- The Food Services website has a lot of educational and promotional information, including nutrition and fitness, smart snacks, menus, and meal payment options.
- Independent contractor CNR provided the following commendations:
  - Excellent work meeting all breakfast meal pattern requirements for the week of menu review.
  - Great work maintaining the HACCP manual. Laura and her team were great to work with and do a fantastic job with correct portions and serving the students quickly.

## Technical Assistance (TA)

### Certification and Benefit Issuance

- If a household experiences a change in income resulting in a decrease in benefits after initial determination, the LEA must explain to the household the change is not required and will only go into effect if the household requests the change [7 CFR 245.6(c)(3)(i)]. If benefits are voluntarily decreased, the LEA must send a notice of adverse action that includes: written confirmation of the action; an indication that the change was made at

the request of the household; and an explanation of the household's right to continue receiving free or reduced price benefits, should the household choose to do so. Please refer to the Eligibility Manual for School Meals for additional information.

### Dietary Specifications and Nutrient Analysis

Independent contractor CNR completed the menu review and provided the following TA:

- The results of the menu review were provided to the SFA in a detailed Menu Review Results Report. Recommendations were included to bring all areas into compliance. 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.
- Vegetable subgroups must be met for each grade group on each service line. The 1 ¼-cup weekly red/orange vegetable subgroup requirement was not met on the Hot-N-Ready service line. Only 7/8 cup red/orange vegetable are offered on this service line over the course of the week. Consider increasing the serving size of the carrots to ½ cup on Wednesday and on Friday to ¾ cup, or add at least 3/8 cup red bell pepper strips or sweet potatoes to the Hot-N-Ready service line on any day of the week.
- The Child Nutrition (CN) Label submitted for the spicy chicken sandwich patty included a watermark. Please secure for your records the actual CN label from the product packaging, without the watermark.
- The amount of beans in the Baked Beans recipe served on Monday credited at just slightly under ½ cup per serving, using the Food Buying Guide for calculations. Increase the amount of beans used in the recipe to ensure ½ cup beans are included per serving. You may need to increase the serving size slightly as well.

### Local School Wellness Policy (LWP)

- The current LWP was approved in 2019, so the triennial assessment is not required for two more years. At that time, the LEA must assess their wellness policy on the extent to which schools are following 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. This assessment must be made available to the public.

### Smart Snacks

- The SA was unable to conduct an on-site review of Shelley Sr. HS due to the COVID-19 pandemic. However, a desk review identified areas of non-compliance with Smart Snack regulations. These areas of non-compliance were also in violation of Shelley SD's Local Wellness Policy. Steps must be taken to ensure compliance with regulations.
  - Per Public Law 111-296 as clarified in 7 CFR 210.11 *Competitive food service and standards* (also known as Smart Snacks), all foods and beverages sold in school vending, school stores, and fundraising need to comply with specific nutrition standards to increase consumption of healthful foods during the school day and support a healthy school environment. These Smart Snacks standards and Idaho Smart Snack in School Policy can be found at the SA's [Smart Snacks webpage](#).

- A fundraising tracking log from Shelley Sr. HS indicated that the school exceeded the allowable non-compliant fundraisers for the year without requesting SA approval. Based on the duration four non-compliant fundraisers were held, the four documented fundraisers should have counted as 16 fundraisers. An exempted fundraiser can be held for a maximum of four consecutive school days and be counted as one fundraiser. Per state policy, a maximum of ten exempted fundraisers per school site per year are allowed. All exempted fundraisers beyond ten must be pre-approved by the SA using the request form available on the SA website.
  - All fundraisers, both exempted and compliant, including non-food sales, must be tracked. The [SA fundraiser tracking template](#) includes an option to check “non-food” for ease in tracking those types of sales along with the “compliant” and “exempted” food fundraiser options. The purpose of tracking all fundraising, including both food and non-food, is because the SA requires at least 50% of fundraising to be exempted or non-food related. If the need arises to request an additional exempted fundraiser (beyond the 10 locally approved), the [pre-approval request form](#) must be submitted along with the school’s fundraiser tracking form.
- It was identified that a vending machine at Shelley Sr. HS contains non-compliant beverage items. Food and beverages sold to students must either comply with specific nutrition standards, must be tracked as exempt fundraiser(s), or must 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 for clarification on the minimum nutritional requirements.
  - The [Smart Snacks Product Calculator](#) is a useful tool that produces a report that can be used to confirm and document compliance.

### Civil Rights

- School staff who interact with program applicants or participants must have annual foodservice civil rights training. Non-foodservice staff, such as teachers, secretaries, custodians, and volunteers, can complete Civil Rights training using the Frontline Staff handout rather than the full online video or training. The SFA indicated that non-foodservice staff custodians working in the cafeteria did not receive the required annual training. Create a plan to ensure that all staff completing foodservice related responsibilities complete civil rights training each year.

### Revenue from Nonprogram Foods

- SFAs are required to determine if the percent of total revenue that is generated from their nonprogram food sales is equal to or greater than the percent of total food costs that are attributable to the SFA’s purchase of nonprogram foods (7 CFR210.14(f)). The SFA completed the nonprogram food revenue tool (NPFRT) provided by the SA for 5 days from SY18-19, but completed separate breakfast and lunch tools for grades 9-12 only. When using the simplified approach (5-day period) revenue and expenses for all grades and meals must be included to provide complete information. Although the SA

developed a new tool for SY20-21 renewal, the requirement to complete this tool for renewal has been waived this year due to COVID-19. Next year, please be sure to include breakfast and lunch menus, costs, and revenue for all grade levels in one NPFR.

### Procurement

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

### Fiscal Action

There is no fiscal action resulting from this review.

### Your review is now closed.

There is no fiscal action resulting from this review. 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,



Jennifer Butler, MEd, SNS  
NSLP Coordinator

cc: Barbara Pearson, Food Service Director, Shelley School District  
Colleen Fillmore, PhD, RDN, LD, SNS, Director, Child Nutrition Programs

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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).

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