



May 7, 2020

Mr. Michael Jacobson, Superintendent  
Swan Valley School District  
3389 Swan Valley Highway  
Irwin, ID 83428

Dear Superintendent Jacobson,

On February 20, 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 1, 2020 Coordinator Lynda Westphal conducted an off-site Administrative Review of the Swan Valley 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:

- Swan Valley Elementary School

The State agency would like to thank Joanne Hinks and the staff of Swan Valley 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

For the week of menu review, the breakfast menu did not meet the minimum daily fruit requirement. Fruit was offered daily, however the minimum required portion size was not met.

**Corrective Action:** Provide a written statement that the fruit 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. Submit any necessary documentation to demonstrate that the menu findings are now corrected. This documentation may include: 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: January 31, 2020

**Corrective Action Response:** The CAP responses were uploaded on January 30, 2020 to MyIdahoCNP and found satisfactory. The finding is closed.

### Finding 2

For the week of menu review, the lunch menu did not meet the minimum daily fruit or vegetable subgroup requirements. Fruits and vegetables were offered daily, however the minimum required portion size was not met. Dark green vegetables and beans/legumes were offered, but not in large enough quantities to meet the weekly requirement.

**Corrective Action:** Provide a written statement that the fruit, vegetable, and weekly dark green and beans/legumes vegetable subgroup 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. Submit any necessary documentation to demonstrate that the menu findings listed are now corrected. This documentation may include: 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:** January 31, 2020

**Corrective Action Response:** The CA responses were uploaded on January 30, 2020 to MyIdahoCNP and found satisfactory. The finding is closed.

## Commendations

- CN Resource contractor commended Joanne by saying she “was great to work with and lunch was delicious, especially her homemade cinnamon rolls.”
- Thank you to Joanne 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

- Applications were converted to annual when there was only one income frequency. Remember, when only one frequency is listed on an application, use that frequency to approve the application. Annual conversion is unnecessary.

### Meal Counting and Claiming

- The claim for lunch was off by one in the reduced category while breakfast matched exactly. The state agency could not trace the number back to any day, so it may be a keypunch error. Remember to double check all figures prior to claim submission.

### Meal Components and Quantities

- Independent contractor CN Resource completed the menu review and provided the following TA:
  - Lunch- During the Administrative Review 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.
    - The federal regulations require a minimum of ½ cup of fruit to be offered each day for grades K-8 which was not met on one day.
    - The federal regulations require a minimum of 3/4 cup of vegetable to be offered each day for grades K-8. This was not met on one day.
    - Verify that all recipes are up to date with the most current ingredients, yield and portion sizes. Each recipe must be standardized so that true yields and portion sizes can be determined.
- The Food Buying Guide for Child Nutrition Programs has all the current information in one manual to help determine the specific contribution each food makes toward the meal pattern requirements and purchase the right amount of food and the appropriate type for school meals. <https://www.fns.usda.gov/tn/food-buying-guide-for-child-nutrition-programs>
  - Breakfast- During the Administrative Review 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.
    - The federal regulations require specific serving sizes of fruit/vegetable for breakfast. Servings were sometimes less than the required 1 cup serving.

- Verify that all recipes are up to date with the most current ingredients, yield and portion sizes. Recipes using the 60/40 Whole Wheat Flour should be updated with this ingredient.

### **Food Safety (HACCP)**

- CN Resource completed the menu review and provided the following TA:
  - During the review, storage requirements were discussed with the SFA. The SFA must ensure that milk is rotated using the FIFO inventory method and not used after the "sell by" date on the carton. The SFA should work with the vendor to ensure fresh product is received, check rotation of current inventory, and request a refund for expired milk. Recommended labeling the sugar bin with the date sugar is added to the bin.

### **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)**

- The Wellness Policy Triennial Assessment was completed in September of 2019, however, the assessment is not found on the public website. This document 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.

### 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 \$3.49 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  
Joanne Hinks, Food Service Supervisor, Swan Valley School District

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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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