



June 2, 2020

Mr. Marc Gee, Superintendent  
Preston School District  
105 East 2nd South  
Preston, ID 83263

Dear Superintendent Gee,

On February 24, 2020, State Department of Education (SDE) Contractor, Shawna Durbin with CN Resource conducted an on-site review of the meal program, and from April 23 – June 1, 2020 Coordinator Lynda Westphal conducted an off-site Administrative Review of the Preston 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:

- Pioneer Elementary School

The State agency would like to thank Candy Longhurst and the staff of Preston 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 – Local Wellness Policy

While the Local School Wellness Policy (LWP) was updated and adopted by the board December 18, 2019, it is still missing required elements making it noncompliant with the USDA Final Rule established in July 2016, including the requirement that report(s) on the progress towards goals stated in the LWP be publicly available. Technical Assistance (TA) was provided during the last AR (March 8, 2017) advising that LEAs were required to comply fully with the requirements of the final rule by June 30, 2017. Ensure the triennial 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.

**Corrective Action:** Please submit a plan, including timeline, to bring the LWP into compliance and for completing the triennial assessment and making it publicly available.

**CAP Completion:** June 10, 2020

**Corrective Action Response:** Per response June 1, 2020: Our superintendent is aware that we needed to make some changes and is willing to work with me on them. At this point I think we will wait until the beginning of the school year and get the committee together then. The finding is closed.

### Finding 2 – Menu Planning

For the week of menu review, the lunch menu did not meet the minimum weekly requirement for the beans/legumes vegetable subgroup. There were no beans/legumes offered this week.

**Corrective Action:** Provide a written statement that the weekly 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. Secondly, 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.

**CAP Completion:** February 10, 2020

**Corrective Action Response:** One half cup of baked beans was added to the menu and production records. The finding is closed.

## Commendations

- CN Resource contractor said, “Great staff to work with!!”
- CN Resource contractor comment: Outstanding job meeting all meal pattern requirements for breakfast. All daily and weekly meal component requirements were met for the week of menu review.

- Congratulations on having no errors in the selected sample of applications!
- Thank you to Candy 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

- Best practice is that student names (i.e., a current enrollment list) should be run through Direct Certification every week at the beginning of the school year, so that all new students as well as any new matches that may be available will be identified. Based on the DC system report, a list was uploaded at the beginning of the school year, then state matches were used, which is not as robust and will not generate as many matches as uploading a list with more information included.
- One verified application used one Schedule of a tax form to verify income. If a tax form is to be used, the entire tax package must be received and the guidelines used in the *Eligibility Manual for School Meals* for self-employment income must be adhered to. As this review is being completed off-site after the school year has ended, next year when Verification is in progress and a tax form is presented, the State agency must be contacted for guidance about information given.

### 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 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.
  - Subgroups of vegetables must be met for each grade group. The ½ cup weekly bean/legumes vegetable subgroup requirement was not met.
    - Consider serving ½ cup baked beans, pinto beans, or black beans on Monday with the hamburger and PBJ meals.
    - Please note that green beans credit under the “other” vegetable subgroup, not beans/peas. This misidentification resulted in not meeting the required subgroup requirements.

### Civil Rights

- All documents must have the correct Civil Rights statement included. The non-discrimination statement at the bottom of the flyers needs to be updated with the correct short statement. This was corrected on June 1, 2020.

## Professional Standards

- Training standards apply to all school nutrition program employees, regardless of student enrollment in the school district or size of the Local Educational Agency (LEA). Note: If hired January 1 or later, an employee must only complete half of the required training hours.
  - Directors – must complete at least 12 hours of annual continuing education/training. These required hours are in addition to the food safety training required in the first year of employment.
  - Managers - must complete at least 10 hours of annual continuing education/training.
  - Staff working an average of at least 20 hours per week - must complete at least 6 hours of annual continuing education/training.
  - Part time staff working less than 20 hours per week – must complete at least 4 hours annual continuing education/training, regardless of the number of part-time hours worked. (7 CFR 210.30 Professional Standards Regulations).
- The current plan to complete monthly trainings from this point forward will accomplish this. Do not wait until the end of the year to ensure training is completed.

## 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

## 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 in 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 [SDE CNP Smart Snacks web page](#).
- Per Public Law 111-296 as clarified in 7 CFR 210.11, "All Foods Sold in School," vending machines, 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 (SY17-18) benefit issuance was previously validated by the SA on September 7, 2017. The retention of all required Provision 2 documentation was confirmed by the upload of the checklist and two random days of meal counts by student name during the base year. However; the daily meal Transaction Reports were missing eligibility status.
- The current Provision 2 cycle expires at the end of SY21-22. Please ensure all required Provision 2 documentation, including base year **daily meal count records by student name and eligibility**, is maintained per requirements. You have until May 2022 to run these reports and save via paper copy or PDF to ensure you are meeting the requirement to have these documents in a single report.

### On-Site Monitoring

- The Director monitored all breakfast and lunch sites this year. Only half of the breakfast sites must be reviewed each year. While this only amounts to two less reviews, the option is there to lessen the workload.

### Procurement

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

## Your review is now closed.

There is no fiscal action to be assessed for 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,



Lynda Westphal, MHS, SNS  
NSLP Coordinator

cc: Colleen Fillmore, PhD, RDN, LD, SNS, Director, Child Nutrition Programs  
Candy Longhurst, Food Service Supervisor, Preston 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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