

April 21, 2023

Patricia Frahm, Superintendent
Canyon-Owyhee School Service Agency
109 Penny Lane
Wilder, ID 83676

Dear Superintendent Frahm,

On February 16, 2023, State Department of Education (SDE) Coordinators Cambria Steffler and Jamie Gibson and Child Nutrition Director Lynda Westphal conducted an Administrative Review (AR) of Canyon-Owyhee Service School Agency for the following United States Department of Agriculture (USDA) programs:

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

The site reviewed was the Canyon-Owyhee Service School Agency (COSSA).

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 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:

Findings and Corrective Action Plan (CAP)

Independent contractor Child Nutrition Resource (CNR) completed the menu review for the week of January 9-12, 2023 and identified the following findings and CAP.

Finding 1 – Lunch Meal Components and Quantities – Vegetable Component

The federal regulations at 7 CFR 210.10 (c) require a minimum of 3/4 cup of vegetable to be offered each day for grades 6-8 and 1 cup for grades 9-12. This requirement was not met on Thursday with a total of 5/8 cup served to all grades. The weekly minimum of 4 cups vegetables was not met for grades 9-12.

CAP: Provide a written statement that describes the specific changes made to the menu to bring the daily and weekly minimum vegetable requirements into compliance. Submit supporting documentation to demonstrate that this is now corrected. This documentation may include: menus, production records, nutrition facts labels, Child Nutrition (CN) labels, and recipes.

Date of CAP completion: Due February 1, 2023, Submitted February 6, 2023, Returned for correction and technical assistance given, Submitted February 28, Accepted March 2, 2023

Corrective Action Response: The SFA provided production records showing the minimum amount of vegetables were offered.

Finding 2 – Lunch Meal Components and Quantities – Vegetable Subgroup: Beans/Legumes

Per Federal Regulations at 7 CFR 210.10, subgroups of vegetables must be met for each grade group. The ½ cup weekly bean/legumes vegetable subgroup requirement was not met for grades 7-8 and 9-12. No beans/legumes were offered this week.

CAP: Provide a written statement that describes the specific changes made to the menu to bring the bean/legume vegetable subgroup into compliance. Submit supporting documentation to demonstrate that this is now corrected. This documentation may include: menus, production records, nutrition facts labels, Child Nutrition (CN) labels, and recipes.

Date of CAP completion: Due February 1, 2023, Submitted February 6, 2023, Returned for correction and technical assistance given, Submitted February 17, 2023, Accepted February 22, 2023

Corrective Action Response: The SFA provided production records showing the minimum ½ cup beans were offered.

Finding 3 – Lunch Meal Components and Quantities – Vegetable Subgroup: Red/Orange

Per Federal Regulations at 7 CFR 210.10, subgroups of vegetables must be met for each grade group. The 3/4 cup weekly red/orange vegetable subgroup requirement was not met for grades 7-8 and the 1-1/4 cup weekly red/orange vegetable subgroup requirement was not met for grades 9-12 with only 1/8 cup served for all grades.

CAP: Provide a written statement that describes the specific changes made to the menu to bring the red/orange vegetable subgroup into compliance. The supporting documentation was

submitted to reviewers to demonstrate that this is now corrected. This documentation may include: menus, production records, nutrition facts labels, Child Nutrition (CN) labels, and recipes.

Date of CAP completion: Due February 1, 2023, Submitted February 6, 2023, Returned several times for correction and technical assistance given, Submitted March 6, 2023, Accepted March 6, 2023

Corrective Action Response: The SFA provided production records showing the minimum 1 ¼ cup of red/orange vegetables were offered.

Finding 4 – Lunch Meal Components and Quantities – Grain Component

The federal regulations require menus to be planned that meet the minimum daily 2-ounce equivalent grain requirement for grades 9-12. This requirement was not met on two days. The weekly requirement of 8 oz. eq. was not met for grades 9-12. The menu offered a minimum of 7.5 oz. eq. of grain throughout the week. On Monday only 1 oz. eq. grain was offered with the fish stick. On Wednesday only 1.5 oz. eq. grain was offered with the 1/2 cup rice and 0.5 oz. eq. grain from the tangerine chicken.

CAP: Provide a written statement that describes the specific changes made to the menu to bring the daily and weekly minimum grain requirements into compliance. Submit supporting documentation to demonstrate that this is now corrected. This documentation may include: menus, production records, nutrition facts labels, Child Nutrition (CN) labels, and recipes.

Date of CAP completion: Due February 1, 2023, Submitted February 6, 2023, Returned for correction and technical assistance given, Submitted February 28, 2023, Accepted March 2, 2023

Corrective Action Response: The SFA provided production records showing a minimum of 2 oz equivalents were served daily meeting the daily and weekly minimums.

The State agency conducted the on-site review on February 16, 2023, and identified the following findings and CAP.

Finding 5 – Lunch Meal Components and Quantities – Vegetable Subgroups

Meals served in the NSLP must meet a minimum daily and weekly vegetable subgroup serving found in 7 CFR 210.10 (c). Based on menu observations during the week of review, the vegetable subgroup requirements were not met for the bean/legume and red/orange vegetables. Due to a vegetable subgroup not being served during the week of menu review, documentation showing vegetable subgroup compliance is needed. A vegetable subgroup handout has been provided to the Food Service Director to help with meal planning.

CAP: Complete and upload the vegetable subgroup planner worksheet for one week of menus for each grade group showing vegetable subgroup compliance for the week of February 27-March 2.

Date of CAP completion: Due date March 3, 2023, Submitted March 8, 2023, Returned for correction several times and technical assistance given, Submitted April 17, 2023, Accepted April 17, 2023

Corrective Action Response: SFA provided a completed vegetable subgroup planner meeting daily and weekly minimums.

Finding 6 – Lunch Meal Components and Quantities – Grain [REPEAT FINDING]

Meals served in the NSLP must meet a minimum daily and weekly grain serving found in 7 CFR 210.10 (c). Based menu observations during the week of review and repeat finding from the AR during SY18-19, a systemic issue has been identified in grain crediting. Due to this being a repeat finding from the last AR, fiscal action is required. The lunch meals for grades 9-12 on Monday and Wednesday of the week of review will be disallowed. The total number of meals is 107 totaling \$388.57.

CAP: Upload a written statement describing the process for menus to be checked for meal pattern compliance.

Date of CAP completion: Due March 3, 2023, Submitted March 8, 2023, Returned for correction several times and technical assistance given, Submitted April 13, 2023, Accepted April 13, 2023

Corrective Action Response: The SFA uploaded an Excel spreadsheet and a written statement with a procedure that the Excel spreadsheet will be completed to track all grain ounce equivalents prior to the week of meal service.

Finding 7 – Production Records [REPEAT FINDING]

The federal regulations at 7 CFR 210.10 (a)(3) require school food authorities to maintain complete and accurate production records. During the week of menu review, the production records submitted did not contain the required information. This was a finding from the last AR during SY18-19. The production records did not include:

- The types of fruits served daily and the serving sizes
- The types of milk with planned and actual amount served for each milk type.
- All condiments are recorded on planned and served production records. –

The production records included grades 7-12, however only grades 9-12 were documented as served. Grades are combined into grade groups that are not appropriate to meet meal pattern requirements. Grades 7-12 were combined together and they should separate into 6-8 and 9-12 grade groups to meet the individual meal patterns.

CAP: Upload one week of completed production records for all meal services delineating all grades covered.

Date of CAP completion: Due February 24, 2023, Submitted March 2, 2023, Returned for correction and technical assistance given, Submitted March 16, 2023, Accepted March 16, 2023

Corrective Action Response: The SFA uploaded a week of completed production records delineating all grades served.

Finding 8 – Civil Rights

The special dietary needs accommodation form on the website is outdated. Update your special dietary needs accommodations form with the required information. It is recommended that the SFA uses the State agency Medical Statement to Request Special Meals form available in Download Forms.

CAP: Update the special dietary needs accommodation form on the school district's website. Provide a link to the updated form.

Date of CAP completion: Due March 3, 2023, Returned for correction, Accepted March 27, 2023

Corrective Action Response: The special dietary needs accommodation form on the website was updated.

Finding 9 – Civil Rights

Per FNS Instruction 113-1, SFA staff who interact with program applicants or participants (i.e., cafeteria staff) must complete the civil rights training annually. All staff have read and signed the front-line staff training, but the employees that assist with meal service in the cafeteria have not completed the full civil rights training. Training is available on the SA training portal.

CAP: Complete a civil rights training for all applicable employees. Upload an agenda and sign in sheet or certificate of completion.

Date of CAP completion: Due March 3, 2023, Submitted March 7, 2023, Returned for Correction, Submitted March 16, 2023, Accepted March 23, 2023

Corrective Action Response: The SFA provided a certificate of completion and sign in sheet for the civil rights training.

Finding 10 – Professional Standards

7 CFR 210.30 (g)(2) requires documentation to establish employees are meeting the professional standards requirements. The Food Service Director does not have a professional standards tracking log. Professional standards training tracking logs in both Word and Excel are located in Download Forms.

CAP: Complete and upload a Professional Standards log for the Food Service Director.

Date of CAP completion: Due March 3, 2023, Submitted March 8, 2023, Returned for correction, Submitted March 16, 2023, Accepted March 16, 2023

Corrective Action Response: The SFA uploaded a professional standards training Excel sheet for the FSD.

Finding 11 – Offer vs Serve [REPEAT FINDING]

Per 7 CFR 210.10 (b)(1)(iii) student meals must have the required number of food components and include at least one fruit or vegetable to be reimbursable. This was a repeat finding from the last AR during SY18-19. On the day of SA review, there were nine students who did not take the required components for a reimbursable meal during the breakfast meal service. These students did not take a fruit or only took two items. These students should be charged the a la carte price for the individual items. The nine meals will be disallowed for a total of \$19.69.

CAP: Upload a description of steps to be taken to ensure this will not occur in the future at the SFA and the process for charging students for a la carte items when a reimbursable meal is not selected.

Date of CAP completion: Due March 3, 2023, Submitted March 8, 2023, Accepted March 16, 2023

Corrective Action Response: The SFA uploaded a written statement outlining the procedure of charging students a la carte prices if they do not take a reimbursable meal.

Finding 12 – Offer vs Serve

Offer versus serve (OVS) is required for high school lunch meal service per 7 CFR 210.10(e). While CNR was on site during the menu review, OVS was not being implemented during the

lunch service. Students were given a tray with all 5 components in the required amounts. The Food Service Director did not show clear understanding of OVS requirements.

CAP: Complete the Breakfast OVS and Lunch OVS trainings available in the CNP training portal and upload certificates of completion for both courses.

Date of CAP completion: Due March 3, 2023, Submitted March 8, 2023, Accepted March 16, 2023

Corrective Action Response: The SFA uploaded a certificate of completion for the Breakfast OVS training and Lunch OVS training.

Finding 13 – Food Safety

Each SFA must have a written food safety plan for compliance with Hazard Analysis Critical Control Point (HACCP) program criteria found in 7 CFR 210.13(c). An outdated HACCP manual (2005 NFSMI) was located and must be updated with more current SOPs that are applicable to the kitchen. A template manual can be located at <https://theicn.org/icn-resources-a-z/standard-operating-procedures/>. Kitchen and cafeteria staff must be trained on these food safety elements each year per 7 CFR 210.30(d). Ensure an attendance sheet for HACCP training is a completed with staff members that help in the kitchen. Annually training/ review of the manual should be recorded and saved for three years plus current.

CAP: Upload a training agenda and sign-in sheet when the HACCP manual is completed and staff members working in the kitchen have been trained on all updates.

Date of CAP completion: Due March 3, 2023, Submitted March 8, 2023, Accepted March 16, 2023

Corrective Action Response: The SFA uploaded an agenda and sign in sheet for the HACCP training.

Finding 14 – Buy American Provision

SFAs are required to purchase domestic agricultural commodities or products that are produced and processed substantially in the United States or territories, as applicable per 7 CFR 210.21 (d). If a product from another country is sourced, then the SFA must have documentation that the domestic product is significantly higher in price or not available in sufficient quantities. The out of compliance product observed was tomatoes from Mexico, cucumbers from Mexico, green bell peppers from Mexico, canned tropical fruit from Thailand. The limited exception form is located in Download Forms.

CAP: Complete and upload the Buy American Exception form for each product procured outside of the United States for each item.

Date of CAP completion: Due March 3, 2023, Submitted March 9, 2023, Returned for correction, Submitted March 16, 2023, Accepted March 16, 2023

Corrective Action Response: The SFA uploaded Buy American Exception documents for each out of compliant food product.

Technical Assistance (TA)

Dietary Specifications and Nutrient Analysis

Meal Components and Quantities

- CNR completed the menu review and provided the following TA:
 - The Kix cereal choice credits at 0.5 oz. eq. per bowl pack and would not meet the daily 1 oz. eq. grain requirement if taken alone. The sponsor removed this cereal choice, stating it would not be served anymore.
 - A Child Nutrition Label or Product Formulation Statement was either not submitted or outdated for several processed menu items. A sponsor should maintain this documentation on file to document meal pattern requirements as met.
 - Make sure salad mix meets the daily requirement, or another vegetable is added to the meal service with the salad mix to meet the daily requirement.

Food Safety

- CNR provided the following TA:
 - Ensure product in boxes is dated and visible to school nutrition staff as well as product that is removed from boxes to ensure that all food items are used in a “first-in, first-out” method.
 - Edit the current food safety plan to be specific to the site. Update your HACCP Food Safety Plan and Standard Operating Procedures to fit your individual facilities’ needs.

Buy American Provision

- 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.
- The Buy American Provision applies to all food/beverage products purchased using funds from the non-profit food service account. A limited exception (to be used as a last resort with documentation) may be utilized when a product is not produced or manufactured in the US in sufficient and reasonable quantities of satisfactory quality, or when competitive quotes, bids, or proposals reveal the cost of a US product is significantly higher than the foreign product. Documentation must be maintained to support the qualifying exemption.

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) per 7 CFR 210.30.
 - 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.

Local School Wellness Policy

- Per 7 CFR 210.31(e)(2), LEAs must assess their wellness policy at least once every three years on the extent to which schools are in compliance with the district policy, the extent to which the local wellness policy compares to model local school wellness policies, and a description of the progress made in attaining the goals of the local wellness policy. LEAs must make this assessment available to the public in an easily understood manner (7 CFR 210.31(d)(3)).
 - The SFA has opted into a waiver that extends the requirement of completing the triennial assessment to June 30, 2023. A progress report needs to be completed and made available to the public when the triennial assessment is completed.

Reporting and Recordkeeping

- Per 7 CFR 210.23 (c), SFA records shall be retained for a period of 3 years after submission of the final Claim for Reimbursement for the fiscal year, or, if audit findings have not been resolved, the records shall be retained beyond the 3-year period as long as required for the resolution of the issues raised by the audit.
 - Records for the past three years are disorganized, production records with some claim information was located, food labels were also located for more than the past three years. The director has a procedure for recorded keeping moving forward that includes all information by month. The SA advised keeping all records together if that process works, such as production records, claim information, and temperature logs.

School Breakfast and SFSP Outreach

- SFAs must inform eligible families of the availability of reimbursable breakfasts served under the School Breakfast Program (SBP) and Summer Food Service Program (SFSP). At the beginning of the school year, the SFA must send all households informational packets with Free and Reduced Meal Applications. In addition, schools must send reminders regarding the availability of the SBP multiple times throughout the school year per 7 CFR 210.12 (d).
 - At this time, the SFA informs the community by having information on the school website. The SA advised additional outreach could be done at the beginning of the school year with beginning of the school year packets. The director also brought up possible outreach being done through the local newspaper.

Special Provision Options

- The Community Eligibility Provision (CEP) has an annual requirement to document the Identified Student Population and student enrollment as of April 1st. The SA provided detailed instructions to the Food Service Director while onsite, as to how to complete this requirement.

Resource Management

- The Supply Chain Assistance funds were reconciled to receipts and no further action is needed for these funds.

Procurement

- A procurement review was put on hold so the SFA could focus on the AR. Kat Forstie, Procurement Specialist, has resumed the Procurement Review and will complete shortly. A separate letter will come with results of the Procurement Review.

Fiscal Action

Due to the menu review and breakfast service on the day of review, fiscal action results in \$408.26.

Your review is now closed.

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,

Cambria Steffler
Cambria Steffler, MS, RD
NSLP Coordinator

cc: Lynda Westphal, MHS, SNS, Director, Idaho Child Nutrition Programs
Jennifer Butler, MEd, SNS, Lead NSLP Coordinator, Idaho Child Nutrition Programs
Thomas Moreno, Child Nutrition Director, Canyon-Owyhee School Service Agency

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To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online

at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted 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; or
2. **fax:**
(833) 256-1665 or (202) 690-7442; or
3. **email:**
Program.Intake@usda.gov

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