

April 21, 2023

Emily Downey, Director of Finance and Operations  
Forge International School  
208 S Hartley Lane  
Middleton, ID 83644

Dear Director Downey,

On February 7, 2023, State Department of Education (SDE) Coordinators Jax Dunham and Jennifer Butler conducted an Administrative Review (AR) of Forge International School 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 Forge International School.

The State agency (SA) would like to commend Gina Fairchild and the entire staff of Forge International 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 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)

### Finding 1 – Certification and Benefit Issuance

Four applications affecting six students contain errors that require or may require changes in eligibility determinations.

- One application affecting one student, though determined as reduced, was incorrectly transferred to the benefit issuance list as free. This household must be sent an adverse action letter informing them that their benefits will be changed from free to reduced in 10 operating days.
- One application affecting one student is incomplete and requires additional information to confirm that the correct determination has been made.
- One student with an application determined as free was incorrectly transferred to the benefit issuance list as reduced. This student should immediately be changed from reduced to free.
- One student was incorrectly given the reduced status of another student due to the software connecting the students under one profile. This student should be changed from reduced to paid benefit immediately, and no adverse action letter is required since this household did not apply for benefits.

**CAP:** Upload the adverse action letter sent to the household who will be dropping in benefit, a copy of the incomplete application once completed, along with a change in determination as applicable, and an updated benefit issuance list showing the changes in benefits above.

**Date for CAP completion:** Due March 10, 2023; submitted March 7, 2023; completed March 9, 2023

**Corrective Action Response:** The SFA uploaded the adverse action letter, the completed application, and an updated benefit issuance list showing that the correct benefits are now applied.

### Finding 2 – Certification and Benefit Issuance

The SFA's benefit issuance list included 37 students receiving free or reduced meal benefits from a previous year's eligibility that did not change to paid when the 30-day carryover period ended on October 4, 2022. This error resulted in 18 students changing from reduced to paid eligibility and 19 students changing from free to paid eligibility. Since these households did not submit any documentation to support these 37 students receiving free and reduced meal benefits, no adverse action letters are required to notify them of the reduction in benefit. The SFA must reduce the benefit of these 37 students to paid immediately.

**CAP:** Upload an updated benefit issuance list demonstrating that the 37 specified students have been switched to paid eligibility. Provide a narrative describing how the SFA will ensure moving forward that student benefits will be changed to paid after the 30-day carryover period in the benefit issuance and POS software system.

**ate for CAP completion:** Due March 10, 2023; submitted March 7, 2023; completed March 7, 2023

**Corrective Action Response:** The SFA uploaded an updated benefit issuance list showing that the correct benefits are now being applied. Additionally, a narrative was provided describing how the SFA will ensure that no student receives a benefit from the previous year past the 30-day carryover period.

*Based on the administrative error of 36.72% associated with certification and benefit issuance, the SFA will be required to conduct a second review of applications beginning school year 2023-2024, and continuing until further notice. A second review of applications requires a re-evaluation by the Confirming Official of the eligibility determination made by the Determining Official, based on the information provided by the household on the application. Depending on the outcomes of this second review, the SFA may be required to complete this process until the next administrative review. A Second Review of Applications Report must be filed while this requirement is in place. Please reference the Independent Review of Applications section in the Eligibility Manual, a copy of which is available in MyIdahoCNP Download Forms.*

### **Finding 3 – Civil Rights**

The English and Spanish USDA non-discrimination statements (NDS) included on the food service webpage are outdated. The most current nondiscrimination statement (NDS) must accompany any printed and web-based materials referencing FNS programs. Web pages associated with program operation should list the full USDA NDS with details on participants' right to file a complaint. The full NDS is available in both English and Spanish on the SA website under [Civil Rights](#).

**CAP:** Post the full USDA English and Spanish NDS on the school food service webpage to replace the outdated NDS. Notify the SA when the website has been updated.

**Date for CAP completion:** Due February 28, 2023; submitted February 16, 2023; completed February 24, 2023

**Corrective Action Response:** The foodservice website for Forge International School now includes the current full English and Spanish NDS.

### **Finding 4 – Civil Rights**

The incorrect and outdated full non-discrimination statement (NDS) is included on household notification letters. Update template letters to include the correct NDS.

**CAP:** Update all template letters, including eligibility, DC notification, verification, and adverse action letters, to include the correct NDS. Upload copies of these letters for SA review.

**Date for CAP completion:** Due March 10, 2023; submitted March 7, 2023; completed March 7, 2023

**Corrective Action Response:** All template letters were updated and submitted showing that the correct full NDS is now included.

### Finding 5 – Civil Rights

The SFA did not have any previous or current Civil Rights Complaint Logs on file to document civil rights complaints. Ensure the Civil Rights Complaint Log is dated annually, with a new log started each year. If no complaints were received during the school year, write "no complaints" on the log at the end of the school year and retain the documentation for three years plus the current year. Writing "no complaints" documents what occurred during the school year and helps to ensure the log is the final log and not an extra copy.

**CAP:** Upload a copy of the Civil Rights Complaint Log for the current year.

**Date for CAP completion:** Due February 28, 2023; submitted February 16, 2023; completed February 24, 2023

**Corrective Action Response:** A Civil Rights Complaint Log for the current school year was uploaded and is now on file.

### Finding 6 – Professional Standards

The SFA staff has not completed a food safety/HACCP training for SY 2022-2023. The SFA must train staff annually on food safety and procedures included in the HACCP manual. All staff training should include an agenda and sign-in sheet, and training documentation should be maintained on file at the SFA for three years plus the current year.

**CAP:** Provide a narrative detailing that a staff food safety training will be completed with a date that the training will be held.

**Date for CAP Completion:** Due February 28, 2023; submitted February 16, 2023; completed February 24, 2023

**Corrective Action Response:** The food safety training agenda and sign-in form was uploaded detailing that the food safety training was completed on February 16, 2023.

### Finding 7 – 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 [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. Documentation for grapes from Chile and gluten free pasta from Italy were not available during the AR. Complete and retain the SA's "Buy American Exception Form" for all food products requiring documentation.

**CAP:** Complete the SA's Buy American Exception Form for the grapes from Chile and the gluten free pasta from Italy. Once completed, submit these forms to the SA for review.

**Date for CAP Completion:** Due March 16, 2023; submitted March 14, 2023; completed March 14, 2023

**Corrective Action Response:** The completed Buy American Exception Forms for the aforementioned foods were uploaded and retained on file.

### Finding 8 – Meal Components and Quantities – Lunch

For the week of menu review, the menu did not meet the following requirements:

- The 9-12 lunch menu did not meet the minimum daily 2 oz. eq. grain requirement on Wednesday.

- The 9-12 lunch menu did not meet the minimum daily 1 cup and weekly 4 cup requirements for fruit as the minimum was not met on Monday.
- The K-8 lunch menu did not meet the minimum daily 3/4 cup requirements for vegetables on Monday, and the 9-12 lunch menu did not meet the minimum 1 cup requirement for vegetables on Monday.

**CAP:** Provide a written statement that the fruit, vegetable, and daily grain requirements are now met. Include a detailed statement to describe what specific changes were made to the menu, for the week of review, to correct all menu review findings and bring the menu into compliance. Submit supporting documentation to demonstrate that the menu findings are now corrected. This documentation may include: menus, 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. Additionally, submit the position title(s) of the School Food Authority representative(s) that will oversee this area and ensure future compliance.

**Date for CAP Completion:** Due December 7, 2022; submitted December 31, 2023; completed January 3, 2023

**Corrective Action Response:** Documentation showing that the fruit, vegetable, and grain requirements have been met was uploaded.

## Commendations

- The SFA was very well organized. The professional standards tracking file was easy to follow and provided great detail.
- The salad bar provided to the students offered an array of nutritious and fresh items.
- The kitchen staff showed a good understanding of offer versus serve practices and showcased great rapport with the students.
- The Food Service Director was very receptive to feedback and demonstrated determination in operating a successful program.
- Independent contractor CN Resource completed the menu review and provided the following commendations:
  - Storage compartments were nice and very well organized. These compartments were accompanied by daily temperature logs which demonstrated good food safety practices.

## Technical Assistance (TA)

### Certification and Benefit Issuance

- The income frequency listed on the application must be used to determine the application. Do not convert to an annual amount unless multiple frequencies are listed; then, all income must be converted to an annual amount per USDA regulations.
- Last school year's eligibility status can carry over 30 operating days into the new school year, allowing time for households to reapply without interruption of benefits. Failure to

reapply during the carryover period is not a denial of benefits for the current school year. LEAs are not required to notify families or send reminders. A notice of adverse action is not required as eligibility was not established for the current school year. (7CFR 245.6). As of the date of the review, 37 students were still receiving benefits from previous years.

- Notice of direct certification (DC) letters should be sent out as soon as a child is directly certified. The DC list should be run after July 1 each school year in order to identify students and notify household in a timely manner so that the household knows they do not need to complete a free and reduced meal application.
- The LEA's designated homeless liaison is responsible for determining if a student meets the requirements of the McKinney-Vento Act. In order for the SFA to identify a student as eligible for free meals, the student's name must be included on a list signed and dated by the homeless liaison for the SFA to retain. This information must be provided to the SFA in a valid format (date and validating signature) in a timely manner so that students can receive free meals as soon as that information is determined.

### Verification

- The SFA's current software used for verification led to a delay in the initial verification correspondence sent to the household. The SFA should contact their software vendor to determine how verification notices are sent to households to avoid delays in verification in the future.
- The LEA must make at least one attempt to contact the household when the household does not adequately respond to the request for verification [7 CFR 245.6a(f)(6)]. While the required follow-up attempt may be in writing (mail or e-mail) or by telephone, make sure to document any attempt to contact the household.

### Meal Components and Quantities

- Independent contractor CN Resource completed the menu review and provided the following TA:
  - If the POS is at the beginning of the line, an adult must be at the end of the line to ensure a minimum portion is selected for a reimbursable meal.
  - The submitted production records did not provide adequate information. It is a requirement to maintain complete and accurate production records. Production records with planned numbers for each item should be accessible before each meal service.

### Professional Standards

- Consider implementing a process that ensures the required trainings (food safety, offer versus serve, and civil rights) are conducted at the beginning of each school year and adequately documented. When new employees are hired ensure necessary training is received within the first 30 days.

### Resource Management Comprehensive Review

- Value of Commodities Received Report - Balance sheets should reflect the receipt of USDA Commodities received to reflect the valuation of the product. The SFA should be

coding the product as an asset using account code 115000 (inventories). You can run reports for the Value of Commodities from WBSCM and The DoD allocation in FFAVORS. Please contact the State agency if you need help running these reports.

## **Fiscal Action**

Due to benefit issuance errors, fiscal action results in \$2,815.70 for lunch and \$774.93 for breakfast, totaling \$3,590.63. This fiscal action of \$3,590.63 will be withheld from future claims.

## **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,

*Jax Dunham*

Jax Dunham, BS, RDN  
NSLP Coordinator

cc: Lynda Westphal, MHS, SNS, Director, Idaho Child Nutrition Programs  
Jennifer Butler, MEd, SNS, NSLP Coordinator, Idaho Child Nutrition Programs  
Gina Fairchild, Child Nutrition Director, Forge International School  
Darci Stelzner, Head of School, Forge International School

## **Civil Rights Nondiscrimination Statement**

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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](mailto:Program.Intake@usda.gov)

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