



May 16, 2023

Neil Nakamura, Detention Manager
Snake River Juvenile Detention Center
650 Addison Ave., West
Suite 3200
Twin Falls, ID 83301

Dear Mr. Nakamura,

On March 16, 2023, State Department of Education (SDE) Coordinators Jennifer Butler and Cambria Steffler conducted an Administrative Review (AR) of Snake River Juvenile Detention Center for the following United States Department of Agriculture (USDA) programs:

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

The site reviewed was the Snake River Juvenile Detention Center

The State agency (SA) would like to commend Peggy Orr and the entire staff of Snake River JDC 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 – Civil Rights – Special Dietary Needs

The special dietary needs accommodation form is required to claim reimbursement for a meal that does not meet the meal pattern due to special dietary needs. The SFA is accommodating juveniles with special dietary needs without using the required medical form. The SFA must have a procedure for staff to follow when a juvenile has a special dietary need to be accommodated. The form that the facility has on file is out of date and will need to be replaced with the current version. The SA's Medical Statement to Request Meal Accommodations form is available in Download Forms.

CAP: Obtain an updated medical statement form to be used for students with special dietary needs and upload a copy along with the procedure staff will follow to accommodate students with special dietary needs.

CAP Completion: Due March 31; returned for correction; completed April 26, 2023

CAP Response: The SFA uploaded copies of current English and Spanish medical statements that will be utilized. A copy of the meal service procedure that specifies expectations for addressing Special Diets including the use of the Medical Statement to Request Meal Accommodations form was also uploaded.

Finding 2 – Professional Standards

Per 7 CFR 210.30(b)(1)(v), food service directors must complete eight hours of food safety training every 5 years. A free, online course, Food Safety in Schools is available through the [Institute of Child Nutrition \(ICN\)](#) and can be used to meet this requirement.

CAP: Upload a training certificate indicating successful completion of at least eight hours food safety training into MyIdahoCNP.

CAP Completion: Due March 31; completed March 24, 2023

CAP Response: A certificate indicating completion of Food Safety in Schools on 3/24/2023 was uploaded.

Finding 3 – Food Safety - HACCP

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). SFAs are required to update HACCP-based food safety programs to cover any facility where food is stored, prepared or served for the purposes of the NSLP, SBP or other FNS programs. The SFA has a 2017 HACCP manual that references the 2013 food code. The outdated HACCP manual must be updated

with more current SOPs.

CAP: Upload a narrative describing actions taken to obtain an updated and personalized HACCP manual including all required elements. Provide training to all food prep, transporting, and delivery staff on the HACCP manual and upload a sign-in sheet documenting who has received training.

CAP Completion: Due March 31; returned for correction; completed April 26, 2023

CAP Response: The SFA uploaded a letter explaining that the ICN HACCP Manual was downloaded for use. All kitchen and applicable detention staff were trained on the manual contents along with other food safety and serving points. An agenda and sign-in sheet for this training was also uploaded.

Finding 4 – 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 canned pineapple from Thailand and mandarin oranges from China were not available during the AR.

CAP: Complete the “Buy American Exception Form” for all food products requiring documentation and upload a copy.

CAP Completion: Due March 31; returned for correction; completed April 25, 2023

CAP Response: The SFA uploaded completed Buy American forms for pineapple and mandarin oranges.

Finding 5 – Food Components and Quantities

As the SFA begins working with a new contractor for vended meals, steps must be taken to ensure appropriate oversight of contractual obligations and expectations between the SFA and contractor related to responsibility of all requirements for the NSLP, SBP, and ASSP to ensure program compliance. Responsibility and expectations to be addressed include meeting the Federal meal pattern and food crediting requirements found in [7 CFR 210.10](#) and [7 CFR 220.8](#), Buy American Provision requirements found in [7 CFR 210.21\(d\)](#), food safety, paperwork completion, and record retention.

CAP: Hold a meeting between the SFA and the new vended meal contractor and create a plan outlining expectations and responsibilities to ensure contract obligations and Federal requirements are met. Upload a narrative outlining the outcome of that meeting.

CAP Completion: Due and completed March 31, 2023

CAP Response: The SFA met with the new vended meal contractor on March 31, 2023. They discussed the importance of communication, contractual obligations, and expectation related to meal requirements. The vendor will be utilizing a new production record and participating in NSLP trainings.

Finding 6 – Production Records

Per CFR [7 CFR 210.10\(a\)\(3\)](#), SFAs must keep production and menu records for the meals they produce. These records must show how the meals offered contribute to the required food components and food quantities for each age/grade group every day. Currently, the

production records provided by the vended meal contractor do not contain the required meal component crediting information, nor are served condiments listed.

CAP: Add the missing information to the production record or utilize the SA's production record included in Download Forms. Upload a copy of the new production record to be used moving forward.

CAP Completion: Due and completed March 31, 2023

CAP Response: The SFA, in agreement with their vended meal contractor, will switch to utilizing the SA's production record template and ensure all required information is documented.

Finding 7 – Afterschool Snack Program (ASSP)

The granola bar planned to be served for ASSP on the day of review only credited for 1/2 ounce equivalent (oz eq). The detention center substituted another item to meet the minimum 1 oz eq requirements once this was brought to their attention by the SA. However, the detention center does not have a process for assuring that the snack meets the required serving sizes per [7 CFR 210.10\(o\)\(2\)](#).

CAP: Develop a process to make sure the ASSP will meet the requirements for reimbursement. Incorporate a plan that addressing that all snack items delivered by contractor must meet the required serving size and a process that involves staff confirming the creditable amounts and serving sizes prior to serving.

CAP Completion: Due and completed on March 31, 2023

CAP Response: The SFA met with the vended meal contractor and discussed the importance of ensuring that federal requirements are met. The contractor will participate in training to cover meal pattern, crediting, and portion size requirements. Additionally, detention staff will undergo training to identify a reimbursable snack.

Finding 8 – Whole Grain Rich (WGR)

Independent contractor CN Resource (CNR) identified that for the week of menu review, the breakfast menu did not meet the whole grain-rich requirement. At least 80% of the grains offered weekly must be whole grain-rich to meet requirements. The menu met 66.10% whole grains for the week of review for grades 5-12.

CAP: Provide a written statement that weekly grain requirements are now met and provide documentation demonstrating the correction.

CAP Response: Production records show 1 cup oatmeal (2 oz eq WGR) is served instead of cream of wheat and whole wheat French toast (2 oz eq WGR) is served instead of multigrain pancakes. The 5-12 breakfast menu now meets the 80% whole grain rich requirement and provides 100% whole grain rich for the week.

Date Completed: Due March 10; completed March 8, 2023

CAP Response: Production records show 1 cup oatmeal (2 oz eq WGR) is served instead of cream of wheat and whole wheat French toast (2 oz eq WGR) is served instead of multigrain pancakes. The 5-12 breakfast menu now meets the 80% whole grain rich requirement and provides 100% whole grain rich for the week.

Finding 9– Meal Components and Quantities - Meat/Meat Alternate [Repeat Finding]

CNR identified that for the week of menu review, the lunch menu did not meet the minimum daily requirements for meat/meat alternate. The 9-12 meal pattern is being served to all grades

as allowed per [USDA memo SP 48-2013: Extending Flexibility for RCCIs in the National School Lunch Program](#). The federal regulations require menus to be planned that meet the daily minimum 2 oz. eq. meat/meat alternate requirement for grades 9-12. This requirement was not met on Monday, 2/13/2023. Only 1.25 oz eq meat/meat alternate was served on that day.

- This is a repeat finding from the last AR. Fiscal action will not be taken at this time, but if inadequate portions of meat/meat alternate are found during the next AR, fiscal action may be taken.

CAP: Provide a written statement that daily meat/meat alternate requirements are now met and provide documentation demonstrating the correction.

CAP Completion: Due March 10; completed March 8, 2023

CAP Response: The updated sirloin tips recipe shows 5.5 lbs. beef for 28 8-oz servings. 88 oz/28 servings= 3.14 oz meat per 8 oz serving, which credits as 3 oz eq meat/meat alternate. All days now meet the minimum requirement of 2 oz eq meat/meat alternate.

Finding 10 – Meal Components and Quantities - Grain

CNR identified for the week of menu review, the lunch menu did not meet the minimum daily and weekly requirements for grain. The 9-12 meal pattern is being served to all grades as allowed per memo 48-2013. The federal regulations require menus to be planned that meet the daily minimum 2 oz. eq. grain requirement for grades 9-12. This requirement was not met on Tuesday (2/14/23), Wednesday (2/15/23), and Thursday (2/16/23). On Sunday (2/19/23), no grain was offered as part of the reimbursable meal for grades 5-12. The Product Formulation Statement for the chicken strips did not include a grain crediting statement. The weekly requirement of 14 oz. eq. was not met for grades 9-12. The menu offered a minimum of 12.75 oz. eq. of grain throughout the week.

- As the grain component was missing for the lunch meal on February 19, 2023, a total of 14 meals will be disallowed.

CAP: Provide a written statement that daily and weekly grain requirements are now met and provide documentation demonstrating the correction.

CAP Completion: Due March 10; completed March 9, 2023

CAP Response: Production records show that 2 slices of whole wheat bread will be served Wednesday and Sunday to meet the 2 oz eq grain requirement. The nutrition facts label for a new bun on Thursday shows that it weighs 58g which credits as 2 oz eq grain. Production records and written statement show that an Empanada will be served instead of the beef and bean burrito and that 1 cup of whole grain rice will also be served on Tuesday. The PFS for the Empanada shows it credits as 2 oz eq meat/meat alternate and 2 oz eq whole grain rich. 1 cup whole grain rice credits as 2 oz eq whole grain rich. The daily and weekly grain requirements are now met.

Finding 11 – Civil Rights - NDS

The JDC's web page included a link to an old And Justice for All poster instead of a link to the current full Nondiscrimination Statement (NDS).

CAP: Update the link to access the correct full NDS.

CAP Response: The link on the website was corrected to go to the current NDS.

Date Completed: Due March 16; completed January 24, 2023

Commendations

- The food service director was very well prepared and organized for this review. Documentation was provided well in advance, and her attention to detail with the paperwork organization was impressive. She was open to feedback from the SA, and has shown initiative in implementing changes.
- The staff at the JDC was incredibly welcoming and accommodating to the SA during the review. They helped answer questions about the procedures for the facility.
- The shift lead and the detention manager were attentive to detail when serving the meals, and the trays looked very nice when served to the students.

Technical Assistance (TA)

Verification

- A corrective action plan was required for missing the verification reporting due date. The response indicated that the director will include an automatic reminder on her computer along as well as add the due date to a calendar. Be sure to reference the NSLP calendar posted on the SA's website each year identifying important due dates.

Dietary Specifications and Nutrient Analysis

CNR provided the results of the menu review in a detailed Menu Review Results Report.

Recommendations were included to bring all areas into compliance.

- All menus served must meet all daily and weekly meal pattern requirements for the specific grade group. The sponsor 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 components of the meal patterns were discussed with the sponsor. The sponsor must ensure that all meals counted for reimbursement contain the required components in the minimum portion size required for the specific grade group.
- At least 80% of grains offered must be whole grain-rich to meet requirements. To be considered whole grain-rich, the product must be comprised of at least 50% whole grain ingredients, with the remaining grain ingredients enriched. An easy way to determine this is by looking at the ingredient list. The product would be considered whole grain-rich if the primary ingredient is a whole grain, such as: whole wheat flour, graham flour, whole corn, or oatmeal.
- A standardized recipe is a recipe that has been carefully adapted and tested to ensure that it will produce a consistent product each time it is prepared. The recipes submitted were not always written in standardized format with complete information. Standardize the recipes so that true yields and portion sizes can be determined. To be standardized recipes must include at a minimum the following:
 - All ingredients in the recipe.
 - Correct volume or weighted measure of each ingredient.
 - Serving/portion sizes for each grade group.

- The true yield made by the recipe.
- Clear and complete preparation steps and directions.

Meal Components and Quantities

- Production records are a written record demonstrating that a reimbursable meal was served. They also provide valuable information for planning and forecasting menus. Production records with planned numbers for each item should be accessible before each meal service.
- Additional information on production record requirements can be found in the [Production Records](#) section of the Idaho School Nutrition Reference Guide.
- RCCIs are required to offer a variety of milk, however an RCCI may offer flavored, nonfat milk on some days of the week, and unflavored, low-fat milk on other days (Memo SP 05-2022).

Civil Rights

- SFAs must obtain a written medical statement from a State licensed health care professional in order to receive reimbursement for meal modifications when the modified meal does not meet the Program meal pattern requirements (7 CFR 210.10).
- Schools may receive reimbursement for a meal modification request without a medical statement when the accommodation can be made within the Program meal pattern. For example, if a child has a common allergy to one fruit or vegetable, the school food service can simply substitute another fruit or vegetable. Milk substitutes must be nutritionally equivalent to milk and provide specific levels of calcium, protein, vitamins A and D, magnesium, phosphorus, potassium, riboflavin, and vitamin B-12.

Food Safety

- The Institute of Child Nutrition has a HACCP manual found at <https://theicn.org/icn-resources-a-z/standard-operating-procedures/> that can be used to personalize SOPs for the vended meal contractor and facility needs, including food transportation. Additionally, the Idaho Food Code requires an Employee Exclusion Policy and a template policy is located in Download Forms.
- Ensure all food prep, transporting, and delivery staff are trained on these food safety elements each year.
- CNR provided TA to ensure product is dated on box when received and cans are dated, with date on box, when removed from box to ensure that all food items are used in a “first-in, first-out” method.

Buy American Provision

- If a product from another country is sourced, then the food service must have proof that the domestic product is significantly higher in price or not available in sufficient quantities. Include the Buy American provision in SFA solicitation documents for the purchase of commercial foods. The SFA should require suppliers to attest that their final food products are either 100% domestic commodities or a food product containing over 51% domestic food components, by weight or volume.
- Products must be checked upon receipt and not accepted if the products do not comply with the Buy American provision, unless there is documentation to justify the exception (exorbitant pricing or product shortages. The SFA must keep documentation justifying the limited exception(s); make use of the document available in Download Forms.
- Refer to Buy American training and guidance resources for more information.

Procurement

- A separate procurement review will be conducted by Kat Forstie, Procurement Specialist. Purchasing policies will be reviewed at that time.

Fiscal Action

Due to 14 non-reimbursable meals claimed in February, fiscal action results in \$62.02. However, since this amount falls under the \$600 threshold, the fiscal action will be disregarded and no financial adjustment will occur. If repeat meal pattern findings are discovered during the next AR, fiscal action may be taken.

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 [electronic signature]

Jennifer Butler

NSLP Coordinator

cc: Lynda Westphal, MHS, SNS, Director, Idaho Child Nutrition Programs
Peggy Orr, Child Nutrition Director, Snake River Juvenile Detention Center

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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; or
2. **fax:**
(833) 256-1665 or (202) 690-7442; or
3. **email:**
Program.Intake@usda.gov

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