

April 27, 2023

Spencer Barzee, Superintendent
West Side School District #202
775 N. Westside Hwy.
Dayton, ID 83232

Dear Superintendent Barzee,

On November 17, 2022, State Department of Education (SDE) Coordinators Jamie Gibson and Jax Dunham conducted an Administrative Review (AR) of West Side School District for the following United States Department of Agriculture (USDA) programs:

- National School Lunch Program (NSLP)
- School Breakfast Program (SBP)
- Afterschool Snack Program (ASSP)
- Fresh Fruit and Vegetable Program (FFVP)
- USDA Foods

The sites reviewed were the Beutler Middle School and Harold B Lee Elementary School (implementing ASSP and the FFVP).

The State agency (SA) would like to commend Jamie Hodges and the entire staff of West Side 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 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

The state agency was not able to complete validation of the statistical sample provided to the SFA during the on-site review. It was determined the online application being used by West Side School District does include all of the required components but lacks the ability for a determining official to determine benefits.

CAP: The SFA will work with the District IT Specialist to modify application reports to have the capability to determine applications. Once complete, applications included on the statistical sample must be uploaded for SA validation.

CAP Completed: Ongoing from November 17, 2022 until March 21, 2023

Corrective Action Response: The SFA compiled copies of applications which include all required information for validation, including the ability for the determining official to certify their determination on the application. The SFA has modified the application determination process to produce paper applications that can be reviewed individually and uploaded the necessary applications for the SA to review.

Finding 2 – Certification and Benefit Issuance

A statistical sample of 191 students was reviewed by the state agency, resulting in an 8.38% error rate. Five students increased from reduced to free benefits due to benefit issuance errors, and eight students decreased from free to reduced benefits due to benefit issuance errors. In addition, two applications were incomplete with one missing SSN information and the other missing household member information. Both applications were corrected while the SA was on-site.

CAP: The SFA must correct both benefit issuance errors and incomplete application errors. Contact households with incomplete applications and determine eligibility as applicable. Adverse action letters must be sent to households with a decrease in benefits. Adverse action letters must be uploaded in addition to corrected applications and a current benefit issuance list.

CAP Completed: Ongoing from November 17, 2022 until March 21, 2023

Corrective Action Response: The SFA uploaded an updated benefit issuance list indicating that the correct benefits are now being issued. The SFA uploaded adverse action letters that were sent to applicable households as well as the required applications with the appropriate corrections.

Finding 3 – Certification and Benefit Issuance

The income frequency listed on the application must be used to determine the application. If multiple frequencies are listed then all income must be converted to an annual amount per USDA regulations. PowerSchool requires all income to be converted to a monthly amount and does not comply with USDA requirements. The income eligibility guidelines should be used to determine applications.

CAP: The SFA will need to work with the district IT specialist to modify the code to not convert income to a monthly basis. The SFA should be able to review all information submitted through the online application, including all household members listed to confirm household number, all incomes reported, and income frequency.

CAP Completed: January 13, 2023

Corrective Action Response: Applications uploaded for SA review still did include the monthly calculation conversion on the application, but the determination was made for the frequency and income provided on the application. No benefits required changes as a result of the initial incorrect conversion of income frequency. The SFA will be able to review the reported income and validate the determination made for each application received.

Finding 4 – Verification

Applications selected for verification did not include the required signatures. The confirming official, who must be a different individual than the determining official, must review an application prior to beginning the verification process. This ensures the application eligibility was determined correctly. Both officials complete the “Official Use Only” box on the free and reduced meal application that has been selected for verification. Once the verification process has been completed and results have been determined, the verifying official, who can be either the confirming or determining official, must complete the “Official Use Only” box on the free and reduced application. The hearing official is a separate individual with supervisory authority over the other officials that would oversee the hearing process and settle the eligibility if the confirmed original determination is disputed.

CAP: A confirming official is listed in MyIdahoCNP; implement a process for completing the verification process for next school year. Submit a narrative included how the determining and confirming official will complete the verification process.

CAP Completed: December 9, 2022

Corrective Action Response: A district staff member has been trained on the verification process. Each application will be initially determined with a confirming official review completed of each application selected for verification before the verification process begins.

Finding 5 – Verification

Copies of original applications and all notification letters sent to households as part of the verification process must be kept with the application and supporting verification documentation for a complete record. Copies of the original letter of eligibility, the original application, and the letter of results were not included in the verification folder provided to the State agency.

CAP: Household letters to families informing of eligibility status need to be included in the verification file. Verification result letters had not been sent out for applications that had been

verified. The State agency provided the template letter in download forms to send out to families on the day of review. Upload copies of these letters to confirm that these letters have been mailed out.

CAP Completed: December 9, 2022

Corrective Action Response: Household letters to families informing of eligibility status were created and sent. Copies were uploaded and retained on file.

Finding 6 – Food Safety

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, the SFA must have documentation that the domestic product is significantly higher in price or not available in sufficient quantities. Documentation for bananas, avocados from Mexico, black olives from Portugal, mandarin oranges from China, and blueberries from Peru were not available during the AR. Complete and retain the SA's "Buy American Exception Form" for all food products requiring documentation.

CAP: Upload documentation showing the Buy American Exception forms for the aforementioned products have been completed. Additionally, include a description of the procedure that will be implemented to ensure that correct Buy American processes are followed in the future.

CAP Completed: December 9, 2022

Corrective Action Response: Buy American Exemption Forms were completed and uploaded for the identified items. Moving forward the director will review items ordered and complete the form with applicable back-up documentation as applicable for both NSLP and FFVP operations.

Finding 7 – 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). Required by Idaho Food Code, the Food Safety plan (HACCP) must have an employee exclusion element. The HACCP binder reviewed on site did not include this section. The Institute of Child Nutrition's website can serve as a reference point.

CAP: Update your HACCP binder at each site to include the employee exclusion SOP and notify staff of the new addition. Upon update, please upload a copy of the new HACCP plan.

CAP Completed: December 9, 2022

Corrective Action Response: The employee exclusion element was included in all binders, and foodservice staff was informed of the update to the HACCP manual at each site.

Finding 8 – After School Snack Program

The Afterschool Snack Program (ASSP) must maintain records, including production records (documenting changes or substitutions as applicable), to show component compliance and note the number of portions prepared, served, and left over for every day the ASSP operates. The menu and required portion sizes listed on the production record should be completed by foodservice employees as food is provided for program operation. Enrichment coordinators may fill in the total snacks served and left over. Production records should be sent to food service for review and record keeping.

CAP: Provide 5 days of production records for ASSP operation.

CAP Completed: January 13, 2023

Corrective Action Response: The SFA uploaded 5 days of complete ASSP production records.

Finding 9 – After School Snack Program

The SFA did not complete the first ASSP self-review at the beginning of the school year. The SFA must conduct a self-review of each afterschool snack operation twice per year that follows the following guidelines:

- The SFA conducts the first self-review during the first four weeks that the ASSP begins each school year
- Conduct the second self-review of the afterschool snack program prior to the end of each school year.

CAP: Conduct a self-review of the ASSP operation and upload a copy of the review.

CAP Completed: January 13, 2023

Corrective Action Response: The SFA completed and uploaded documentation showing that the first ASSP self-review was completed.

Commendations

- The Food Service Director was receptive to suggestions and readily accepted any feedback provided by SA reviewers.
- The system implemented to ensure that each child received a reimbursable meal was well done. The students were required to go by the salad bar before receiving the entree. Given that a staff member was standing at the end of the salad bar, it was easy to ensure that a fruit or vegetable component was received with each reimbursable meal.
- Independent contractor CN Resource provided the following commendations:
 - Outstanding job meeting meal pattern requirements and serving a large variety of food.
 - Great job keeping organized records and food storage compartments.

Technical Assistance (TA)

Certification and Benefit Issuance

- One paper application was found that did not match the benefit issuance list. After further review, there was an online application on file for the particular student. The eligibility status was updated on the benefit issuance list correctly. The SFA should retain all applications collected and note on applications if a new application has been received and processed.
- If benefits are decreased, except in the case of benefit changes after the 30-day carryover period, a notice of adverse action must be sent. LEAs must provide 10 days advance notification to households that are to receive a reduction or termination of benefits prior to the actual reduction or termination [7 CFR 245.6a(j)].

Meal Components and Quantities

Independent contractor CN Resource completed the menu review and provided the following TA:

- Ensure there is signage for what constitutes a reimbursable breakfast and lunch during meal service.
- An “And Justice for All” poster should be posted where meals are served and where money is exchanged for meals.
- An official manufacturer's Child Nutrition Label or Product Formulation Statement was not submitted for all processed menu items. SFAs should maintain this documentation on file to document meal pattern requirements are being met.
- Production records should clearly state the portion size for all items being served to limit any confusion while preparing and serving meals.

Afterschool Snack Program (ASSP)

- The State agency was able to correct the site application for Harold B. Lee Elementary School. The application packet now reflects all students receiving a free snack. The State agency explained the importance of watching eligibility next school year if the ASSP will be operating and claiming snacks based on eligibility.

Fresh Fruit and Vegetable Program (FFVP)

- The school must widely publicize the Fresh Fruit and Vegetable Program. Items procured that have a country of origin outside of the United States must have a Buy American Exception Form on file. This should not limit items served to students, and checking for county of origin should be included as a weekly process while procuring items weekly.

SFA On-Site Monitoring

- According to 7 CFR 210.8 (a)(1) and 7 CFR 220.11 (d)(1), each SFA with two or more feeding sites must perform no less than one on-site review of the meal counting and claiming system and the readily observable general areas of review identified under 7 CFR 210.18(h) in each school operating NSLP and 50% of schools operating SBP under its jurisdiction prior to February 1, each school year. Though the foodservice director stated that each site is routinely reviewed for breakfast and lunch, there is no record that this review occurred for SSO in SY 2021-2022. Ensure that this review is conducted for all feeding sites as indicated no later than February 1 and retain SFA on-site monitoring documentation for three years plus the current year.

Local School Wellness Policy (LWP)

- The Local School Wellness Policy must be in compliance with the USDA Final Rule established in July 2016, including the requirement that report(s) on the progress towards goals stated in the wellness policy be publicly available. The final rule requires LEAs to fully comply with the requirements of the final rule by June 30, 2017. Ensure the wellness 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. Advertising in Schools was not clearly identifiable in the current wellness policy. <https://www.fns.usda.gov/tn/local-school-wellness-policy>

- The SFA opted into *COVID-19: Child Nutrition Response #7 Waiver of Local Wellness Policy Triennial Assessments in the National School Lunch and School Breakfast Programs*, waiving statutory and regulatory requirements at 7 CFR 210.31(e) and providing a new first triennial assessment deadline of June 30, 2023.

Professional Standards

- The Food Service Director is tracking staff training hours but does not have a log completed for herself. One manager also had certificates of completion for trainings that were not included on the log created for her. The SFA must ensure that all foodservice employees have up to date professional standards training logs with appropriate backup documentation for the trainings that have been taken.

Special Provision Options (Provision 2)

- While on-site for the administrative review, a SY 2022-2023 Provision 2 base year review was completed. During this base year review, it was determined that Power School's daily transaction list and a monthly benefit issuance list would be able to satisfy the required documentation for the daily meal counts with detail on student name and eligibility. It was also determined that Power School's daily meal count report would satisfy the required documentation for both the edit check sheets and the daily meal count backup. Please ensure these reports are retained along with the other required Provision 2 base year documentation.
- Provision 2 Base Year (SY22-23) benefit issuance was validated by the SA as part of this AR. The retention requirement of all required Provision 2 documentation was discussed. This new Provision 2 cycle expires at the end of SY25-26. If you wish to continue with Provision 2 breakfast, you must contact the SA prior to the expiration date to see if you qualify for an extension. Ensure all required Provision 2 documentation, including base year daily meal count records by student name and eligibility, is maintained per requirements.
- Because all breakfast meals are served at no charge to children in Provision 2 schools, the school is no longer receiving payment from households who would normally be paying the reduced price and full price for meals. Therefore, the district may need to make up the difference between Federal reimbursement and meal costs. A school considering Provision 2 must evaluate whether the savings in administrative costs associated with simplifying meal counting, cash handling, and claiming procedures under Provision 2 offset the costs of providing breakfast to all children at no charge. A Base Year Attestation for SY 2022-2023 was signed by the food service director and superintendent detailing this information.

Resource Management Comprehensive Review

- The SFA's SY22-23 USDA Paid Lunch Equity (PLE) Tool identified a required weighted average price of \$3.31 (rounded to \$3.30) for student paid lunches. The SFA's prices are below equity with an approved \$2.88 weighted average price. The current \$2.75 and

\$3.00 prices were approved because they were increased at least 10 cents from the last approved prices. Consider an increase greater than 10 cents next year in order to catch up to your weighted average requirement.

Fiscal Action

Due to benefit issuance errors, fiscal action results in \$156.00. However, since this amount falls under the \$600 threshold, the fiscal action will be disregarded and no financial adjustment will occur. If, during the next Administrative Review, there are repeat findings, there will be no disregard of fiscal action.

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,

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
Jamie Hodges, Child Nutrition Director, West Side School District #202

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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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