



March 26, 2024

Mrs. Marita Diffenbaugh, Superintendent
Elevate Academy North
3716 E. Killdeer Avenue
Post Falls, ID 83858

Dear Superintendent Diffenbaugh,

On November 2, 2023, Idaho Department of Education Coordinators Cassandra Thompson and Cambria Steffler conducted an Administrative Review (AR) of Elevate Academy North 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 Elevate Academy North.

The State agency (SA) would like to commend Cammie Kielkowski and the entire staff of Elevate Academy North 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 an alternate 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

A statistical sample of 100 students resulted in a 13.00% error rate. Twelve applications, affecting 13 students, required changes in benefits. Two applications were miscalculated and resulted in 2 students changing from reduced to paid. Five applications did not accurately reflect the total household members and 7 applications were missing the social security number (or box checked if no SS# was available).

CAP: The SFA is required to contact all families whose applications were incomplete. The SFA should then enter the correct data in a different color ink, document the conversation, and initial/date the note. Additionally, upload a new benefit issuance list noting that the according students now have the correct benefit.

Due Date: December 1, 2023; completed November 30, 2023.

Response: The SFA appropriately contacted all families whose applications were incomplete and entered the missing data in a different colored ink, documented the conversation and initialed/dated the conversation. Additionally, new benefit documentation was uploaded showing that the correct benefits are now being issued.

Based on the administrative error rate over 10% associated with certification and benefit issuance, the SFA will be required to conduct a second review of applications beginning school year 2024-2025 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 will need to be filed as well 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 2 – Certification and Benefit Issuance

When a household submits an application indicating an Assistance Program, the determining official should compare the applications with case numbers to the direct certification list to determine if any children listed on the application are on that list. When a match is not found, the LEA should contact the household for further clarification; or verify the application for cause. [Eligibility Manual for School Meals (July 2017)]. Four applications were submitted with case numbers and determined to be categorically eligible with no follow up by the determining official, although it was identified that the student names were not listed on the State DC list.

CAP: Contact the households to ask about the case number. If case numbers are not correct, households should resubmit applications with income. Once determined, update benefit. If households do not resubmit, you may select applications for verification for cause.

Due Date: November 17, 2023; Completed November 10, 2023

Response: The SFA contacted households to inquire about their case number and updated applications with income when necessary to document accurate data. Benefits were updated appropriately as needed. The SFA also created a procedure that included Medicaid does not qualify students for free or reduced meals.

Finding 3 – Certification and Benefit Issuance

One application was denied incorrectly. The application submitted has three household members listed on the application, but two were listed in the total household members' box. When calculating their benefit, the SA noted that, if using two household members, the benefit is paid, but if using three household members, the benefit is reduced. It is best practice to call and confirm information when discrepancies like this occur.

CAP: Contact the household to confirm household size. If applicable, change the benefit from paid to reduced immediately.

Due Date: November 1, 2023; Completed November 8, 2023

Response: The SFA contacted the household to confirm the household size. The number in the total household members box was changed from two to three. The student was changed from free to reduced.

Finding 4 – Meal Counting and Claiming

Prior to the submission of a monthly claim for reimbursement, the SFA must review the meal count data for each school to ensure the accuracy of the claim per CFR 210.8(a)(2). While reviewing the claim, the SA noted some discrepancies. The SFA has been using the Daily Transaction Summary Report to check their claim prior to submission. While the SA was on-site, it was noted that this report did not have the same meal counts as the edit check report generated from the software.

CAP: Develop a plan on how meal counts will be reviewed prior to submitting a claim, including what report(s) will be used, who will complete this review, and when the review will be completed.

Due Date: November 17, 2023; Completed November 4, 2023

Response: We have removed the transaction Summary Report and replaced it with the Edit Check report. We have also updated the step-by-step process in our manual. We were also able to correct this for Octobers claims as they had not been processed yet.

Finding 5 – Meal Components and Quantities – Lunch

For the week of menu review, the 6-8 & 9-12 lunch menus did not meet the whole grain-rich requirements. At least 80% of the grains offered weekly must be whole grain-rich to meet requirements.

- The menu met 75.86% whole grains for the week of review for grades 6-8 and 68.93% whole grains for the week of review for grades 9-12.

CAP:

1. Provide a written statement that the whole grain-rich 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.
2. Submit supporting documentation to demonstrate that the menu findings listed under step 1 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.
3. Submit the position title(s) of the School Food Authority representative(s) that will oversee this area and ensure future compliance.

Due Date: September 28, 2023; Completed September 28, 2023

Response: The labels provided for the new whole grain roll and whole grain croutons changed the whole grain weekly amount to reflect 100%. These changes made to the menu put the whole grain rich requirement for the week in compliance for both grades 6-8 & 9-12. CN Resources accepted the response of the SFA on October 4, 2023.

Finding 6 – Meal Components and Quantities – Lunch

For the week of menu review, the 6-8 & 9-12 lunch menus did not meet the minimum weekly requirement for the dark green vegetable subgroup. Dark green vegetables were offered, but not in large enough quantities to meet the weekly requirement.

- The ½ cup weekly dark green vegetable subgroup requirement was not met for grades 6-8 & 9-12, with only 1/4 cup offered.

CAP:

1. Provide a written statement that the dark green vegetable subgroup 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.
2. Submit supporting documentation to demonstrate that the menu findings listed under step 1 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.
3. Submit the position title(s) of the School Food Authority representative(s) that will oversee this area and ensure future compliance.

Due Date: September 28, 2023; Completed September 28, 2023

Response: The new salad bar recipe reflects a 1/2 cup of romaine lettuce will be served daily on the daily salad bar which fulfills the weekly requirement of the Dark Green Vegetable subgroup. The SFA uploaded supporting documentation to demonstrate that the menu findings are now corrected (CN labels). CN Resources accepted the response of the SFA on October 4, 2023.

Finding 7 – Meal Components and Quantities – Lunch

For the week of menu review, the 9-12 lunch menu did not meet the minimum daily requirements for grain. 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 Tuesday 9/19/23 with only 1.75 oz. eq. offered.

CAP:

1. Provide a written statement that the 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.
2. Submit supporting documentation to demonstrate that the menu findings listed under step 1 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.
3. Submit the position title(s) of the School Food Authority representative(s) that will oversee this area and ensure future compliance.

Due Date: September 28, 2023; Completed September 28, 2023

Response: The SFA uploaded labels for the larger 2oz. eq. bag of Doritos for Tuesday, September 19, 2023. This action brought the menu into compliance for the week of September 18, 2023-September 21, 2023. CN Resources accepted the response of the SFA on October 4, 2023.

Finding 8 – Meal Components and Quantities – Lunch

For the week of menu review, the 6-8 & 9-12 lunch menus did not meet the minimum weekly requirement for the beans/legume's vegetable subgroup.

- There were no beans/legumes offered this week.

CAP:

1. Provide a written statement that the beans/legumes vegetable subgroup 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.
2. Submit supporting documentation to demonstrate that the menu findings listed under step 1 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.

3. Submit the position title(s) of the School Food Authority representative(s) that will oversee this area and ensure future compliance.

Due Date: September 28, 2023; Completed September 28, 2023

Response: The SFA uploaded supporting documentation to demonstrate that the menu findings are now corrected (CN labels). CN Resources accepted the response of the SFA on September 28, 2023.

Finding 9 – Local School Wellness Policy (LWP)

The current wellness policy does not include all required elements identified in 7 CFR 210.31. There is no verbiage to address nutrition guidelines for all food/beverages available during the school day. For more information on the local wellness policy requirements, visit the Idaho CNP School Wellness webpage.

CAP: Upload a plan identifying who at the LEA will be responsible to ensure the LWP is compliant with Federal regulations, how the policy will be updated, and when a compliant policy will be available to the public.

Due Date: December 1, 2023; Completed November 12, 2023

Response: The SFA uploaded their wellness policy that identified the required corrective action, as well as who at the LEA will be responsible to ensure the local wellness policy is compliant (Wellness Coordinator/Board of Directors, Elevate C.O.O.). The policy will be updated by the Wellness Coordinator at a minimum of once a year after being reviewed by the Board of Directors. A member of the wellness committee will be present at every family/parent night and the Local Wellness Policy will be promoted using social media and newsletters.

Finding 10 – Local School Wellness Policy (LWP)

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). Per 7 CFR 210.31(e)(2).

CAP: Upload a plan identifying who at the LEA will be responsible for completing the triennial assessment(s), how the assessment(s) will be completed, what steps will be taken to ensure this requirement is met on a triennial basis, and how this assessment will be made available to the public in an easily understood manner.

Due Date: December 1, 2023; Completed December 19, 2023

Response: Elevate Academy Board members will review and vote on the Elevate Academy North Wellness Policy every three years after evaluating if the policy goals for Nutrition Promotion, Nutrition Education, and Physical education are met. Once the board has voted and approved the policy, it is updated within 48 hours using Elevate Academy Board Doc's website and is made available to the public.

Finding 11 – 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, then the SFA must have documentation that the domestic product is significantly higher in price or not available in sufficient quantities.

- Documentation for tropical fruit mix from Thailand was not available during the AR, and back up documentation showing limited supply or high costs were not included with any exception form.

CAP: Complete the Buy American Provision training in the training portal and upload a certificate of completion.

Due Date: November 17, 2023; Completed November 8, 2023

Response: The Food Service Director completed the Buy American Provision training in the training portal and uploaded her certificate of completion. The Food Service Director also uploaded the missing Buy American form for the fruit mix from Thailand and demonstrated via an upload that the Food Service Director is aware how to obtain the required back-up documentation.

Finding 12 – Food Safety

The most recent food safety inspection report must be posted in a location visible to the public (7 CFR 210.13(b)). The current food safety inspection is hanging in the kitchen which is not a publicly assessable location.

CAP: Relocate health inspection to a publicly visible location.

Due Date: November 17, 2023; Completed November 4, 2023

Response: The current food safety inspection report was moved to a visible area underneath the “And Justice for All” Poster in the cafeteria.

COMMENDATIONS

- Elevate Academy North’s kitchen was spotless! The SA appreciated how organized she was and her ability to locate any type of documentation that the SA needed. The SA appreciated the FSD’s flexibility and willingness to listen to suggestions to implement. The SA also appreciated the exceptional hospitality received during the AR. You are appreciated!

TECHNICAL ASSISTANCE (TA)

Meal Components and Quantities - Breakfast

- During the Administrative Review the results of the menu review were provided to the sponsor in a detailed Menu Review Results Report. Independent contractor CN Resource completed the menu review and provided the following TA:
 - Banana Bread is planned for Friday per the menu and correspondence with SFA. Update the production record for Friday, 9/22/23, accordingly.
 - A Child Nutrition Label or Product Formulation Statement was not submitted for all processed menu items. This documentation was secured for the menu items to confirm meal pattern crediting and documentation. The documentation was uploaded to MyIdahoCNP. A sponsor should maintain this documentation on file to document meal pattern requirements as met.
 - The Breakfast Tornado meat/meat alternate Product Formulation Statement has been secured. The Product Formulation Statement for Grains was the only label received from the sponsor.
 - Secure an updated Child Nutrition (CN) Label or Product Formulation Statement (PFS) for the following product. (The document submitted has an issue date that is more than 5 years old)
 - ❖ Breakfast Pizza. The specification sheet submitted included a CN number and meal pattern crediting statement but was not an official CN Label or PFS. The CN number was verified as active on the USDA CN Label Verification Report.

Meal Components and Quantities - Lunch

- During the Administrative Review the results of the menu review were provided to the sponsor 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. Independent contractor CN Resource completed the menu review and provided the following TA:
 - At least 80% of grains offered must be whole grain-rich to meet requirements. The menu met 75.86% whole grains for the week of review for grades 6-8. The menu met 68.93% whole grains for the week of review for grades 9-12. Consider switching the roll served with the beef finger steak on Monday 9/18/23 and Chicken Nuggets on Wednesday 9/20/23 to a whole grain rich roll. The daily salad croutons were also not whole grain rich. Consider switching the croutons to a whole grain rich crouton. 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.

- Subgroups of vegetables must be met for each grade group. The ½ cup weekly dark green vegetable subgroup requirement was not met for grades 9-12, with only 1/4 cup offered. The daily salad offered is a lettuce blend of Iceberg Lettuce and Cabbage, which is considered an “Other” vegetable. Consider adding to or replacing the lettuce to incorporate a dark green vegetable such as romaine and spinach blend lettuce. The only dark green vegetable offered during the week was a ¼ cup broccoli from the broccoli/cauliflower mixed vegetable blend. Consider increasing the portion to 1 cup to fulfill the ½ cup of dark green vegetable or add an additional dark green vegetable to your menu for the week.
- A Child Nutrition Label or Product Formulation Statement can be used to determine how processed food items contribute to the meal pattern. Without this documentation it may be difficult to determine if the meal component was satisfied.
- Secure a Child Nutrition (CN) Label or Product Formulation Statement (PFS) for Beef Fingers. The specification sheet submitted included a CN number and meal pattern crediting statement but was not an official CN Label or PFS. The CN number was verified as active on the USDA CN Label Verification Report.
- Secure a Child Nutrition (CN) Label or Product Formulation Statement (PFS) for Chicken Nuggets. The specification sheet submitted included an expired CN number and meal pattern crediting statement but was not an official CN Label or PFS. The new specification sheet was secured, and the new CN number was verified as active on the USDA CN Label Verification Report.
- Secure a Child Nutrition (CN) Label or Product Formulation Statement (PFS) for the Corn Dog, Hot Pocket, and Mini Corn Dogs. The specification sheet submitted included a meal pattern crediting statement but was not an official CN Label or PFS.
- 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.
- The Walking Taco Recipe was not clear in quantity served and labels provided for the recipes were not included in the recipe, such as cheese. Cheese was not counted toward the meat/meat alternate contribution for the Walking Taco recipe, as it was not on the recipe. Please include the amount of cheese and any sub recipe that may be needed to properly credit this menu item.
- Update the quantity of grapes in the MS-HS Salad Bar recipe to 25 cups. The instructions indicate portioning grapes in ½ cup portions. However, 12 ½ cups for 50 portions equals ¼ cup fruit not ½ cup.
- 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.
- Carrot sticks are planned on Wednesday 9/20 & Friday 9/22. When asked in the Information Request Form, it was noted by the sponsor that the carrots planned are 1.6oz baby carrot bags which equal 1/4 cup Red/Orange vegetable. In order to meet a ½ cup red/orange, the sponsor should plan to serve to 2 bags or order the larger sized bag of baby carrots. Update production records to include baby carrots, serving size, and appropriate crediting.
- The labels submitted for most items were generated by the distributor or vendor. Obtain labels directly from the manufacturer of the product or from the product packaging and keep them on file, so they can easily be referenced when determining menu compliance.

Food Safety

- Though the SFA has a current HACCP manual available for staff, the manual is missing an employee exclusion standard operating procedure (SOP) that is required by Idaho Food Code. A sample employee exclusion SOP is available in MyIdahoCNP's Download Forms.

Local School Wellness Policy

- Federal legislation requires school districts to implement a local wellness policy that must include language:
 - Permitting parents, students, school board, PE teachers, school health professionals, school food service staff, administrators, and community members to participate in the development, implementation, review, and update of the local wellness policy.
 - Identifying wellness policy leadership of one or more LEA and/or school official(s) who have the authority and responsibility to ensure each school complies with the wellness policy.
 - Specifying measurable goals for nutrition education, nutrition promotion, physical activity, and other school-based activities to promote student wellness that are written with consideration for evidence-based strategies.
 - Addressing nutrition guidelines for all foods and beverages sold on the school campus during the school day and for providing school meals that adhere to Federal meal pattern requirements.
 - Identifying nutrition standards for non-sold foods and beverages available during classroom and school celebrations.
 - Stating a policy for food and beverage marketing that allows the marketing and advertising of only those foods and beverages that meet Smart Snacks in School nutrition standards.
 - Addressing an evaluation conducted once every three years of the wellness policy and the extent to which schools are in compliance, how the district policy compares to model wellness policies, and the progress made in attaining local wellness policy goals. 7 CFR §210.31(c)

Verification

- The household notification letters must include the full USDA Non-Discrimination Statement (NDS) when advising of approval or denial of benefits (7 CFR § 210.23). Although the full NDS was on the letter, the font on the NDS must be the same size as the font in the actual letter. Review all template letters, including eligibility, DC notification, verification, and adverse action letters, to ensure the font size is the same for the entire letter.

School Breakfast and SFSP Outreach

- SFAs must cooperate with Summer Food Service Program (SFSP) sponsors to distribute materials to inform families of the availability and location of free SFSP meals for students when school is not in session [7 CFR 210.12 (d)(2)]. SFAs should promote locating summer meal locations by advertising the Summer Meal Site Finder (<https://www.fns.usda.gov/meals4kids>) or texting the word “FOOD” or “COMIDA”; to 304-304 to see nearby options. Best practice is to include SFSP promotion and ways to locate meals on the SFA’s website.

RMCR – Paid Lunch Equity

- Consistent with 7 CFR 210.14(e)(4)(i), SFAs are not required to raise their paid lunch price by more than 10 cents for SY 2023-24 from the last year they charged for paid lunches. SFAs can still choose to raise the price by more than 10 cents. The target weighted average lunch price for SY 2023-2024 is \$3.56. The SA recommends evaluating the current paid lunch prices in preparation for increasing prices for SY 2024-2025.

FISCAL ACTION

Due to 14 benefit issuance errors, fiscal action results in **\$389.54**. However, since this amount falls under the \$600 threshold, the fiscal action will be disregarded, and no financial adjustment will occur.

YOUR REVIEW IS NOW CLOSED.

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,

C. Thompson

Cassandra Thompson

NSLP Coordinator

cc: Lynda Westphal, MHS, SNS, Director, Idaho Child Nutrition Programs

Camie Kielkowski, Child Nutrition Director

Lisa Velasquez, COO

Diane Alvarado, Consultant

CIVIL RIGHTS NONDISCRIMINATION STATEMENT

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotope, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

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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