



Idaho Department of Education

November 18, 2024

Mr. Norm Stewart, Superintendent
Marsing Joint School District #363
209 Hwy 78
Marsing, ID 83639

Dear Superintendent Stewart,

On October 30, 2024, Idaho Department of Education Child Nutrition Director, Lynda Westphal and Coordinator Kat Forstie conducted an Administrative Review (AR) of Marsing Jt. SD for the following United States Department of Agriculture (USDA) programs:

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

The site reviewed was the Marsing School.

The State agency (SA) would like to commend Teresa Bettleyon and the entire staff of Marsing Jt. 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 an alternate schedule to evaluate Critical and General Areas of Review, including:

- Performance Standard 1: Meal Access and Reimbursement

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- 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 – Meal Components and Quantities – Lunch

For the week of the menu review the grades 9-12 did not meet the minimum daily and weekly requirements for grain and K-5 & 6-8 menu did not meet the minimum weekly requirements for grain.

CAP: Provide a written statement in the Corrective Action Response box in MyIdahoCNP to describe the specific changes made to the menu to correct all menu review findings and bring the menu into compliance.

Submit supporting documentation to demonstrate that the menu findings listed are now corrected. This documentation may include menus, production records, nutrition fact labels, Child Nutrition (CN) Labels, and recipes. Reference the menu review results report for specific details and suggestions to bring the menu into compliance.

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

Due Date: October 2, 2024; completed September 30, 2024

Response: The SFA uploaded an NSLP Corrective Action Procedure Form detailing how the Food Service Director (FSD) will ensure that all crediting information is accurately input into the menu planning software. This will certify that the grain requirement is met going forward. Additionally, documentation was uploaded showing that the grain requirement has been met.

COMMENDATIONS

- The menu the day the State agency reviewers were there was wonderful, and the staff was quick and efficient in serving 476 lunches on the day of the review. They were an efficient team working well together.
- The FSD had a "Buy American" binder that provided exception forms along with back-up documentation from vendors and the Agricultural Marketing Service (Market News) showing when produce was available domestically as well as non-domestic with the country of origin. This binder was well organized and very easy to see what the products were and why they were procured with one of the two Buy American Exceptions. Well done!
- Commendation from CNR Reviewer - The school is serving a lot of students - grades K-12 every day at breakfast and lunch. All the students are served and eat in the same space. The staff is doing a great job keeping their serving lines organized and refreshed in order

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to comply with all of the different meal patterns and serving sizes as well as keeping the lines moving quickly so all the students have time to eat.

TECHNICAL ASSISTANCE (TA)

Certification and Benefit Issuance

- April 1st CEP deadline is coming up. The SFA should continue to gather DC information up until then. The district is currently at about 73% Free (which includes the 1.6 multiplier) making them eligible for CEP in the upcoming 25-26 school year.
- Mosaic has a discrepancy in the interval used to determine benefits. The question brought up is “why does it say monthly/bi-weekly, but at the top it says annual”. There is a need to investigate, even though there were no applications determined in error.
- When there is a DC family, the number of family members does not match. The FSD says it is a glitch, however, this should be investigated.

Meal Counting and Claiming

- The State agency reviewers noted that there were two breakfasts and lunches that went through the line without the required fruit and vegetable included in their meal.

Meal Components and Quantities

- Independent contractor CN Resource completed the menu review and provided the following TA:
 - During the review the results of the breakfast and lunch menu were provided to the sponsor in a detailed Menu Review Results Report. Recommendations were included to bring all areas into compliance. Please note that per USDA guidance any repeat menu findings in future Administrative Reviews may result in fiscal action.
 - The Child Nutrition (CN) Label submitted for the scrambled eggs included a watermark. Please secure for your records the actual CN label from the product packaging, without the watermark. The CN number was verified as active on the USDA CN Label Verification Report.
 - Per new USDA Guidance SP05-2025 issued November 7, 2024 a CN label copied with a watermark displaying the product name and CN number provided by the vendor and the Bill of Lading (invoice) can be used to demonstrate meal compliance.
 - Be sure that the grade groups are recorded on production records.
 - The count size was not provided for fresh mandarin oranges, but they are most likely less than ½ cup each. This is not a finding, but additional information. There was plenty of fruit offered on the fruit and vegetable bar to meet fruit requirements.
 - No recipe was provided for the Black bean & corn salad. This item was not able to be credited towards vegetables. This is not a finding, but additional information. There was plenty of vegetables offered on the fruit and vegetable

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bar to meet vegetable requirements without crediting this item.

- Please clarify the size of can of kidney beans in the Southwest Chicken Salad recipe. The kidney beans were unable to be credited towards the meal pattern without the size of can.
- Note the recipe provided for the turkey and cheese sandwiches include a measure for the turkey that stated 57 ½ slices. In the instructions it stated 3 slices each. In response it was indicated that each slice is .72 oz. If 3 slices are served the meat oz. eq. comes out to 1.5 oz and meets daily minimums when paired with the .5 oz of cheese. However, if 57 ½ slices is used the amount comes out just below 1.5 oz eq. Increase the number of slices in the recipe to 60 so that 3 slices are shown as offered for grades 9-12.
- Please specify the amount of red onions in the Italian Green Salad and Club Sub in cups rather than by the number of onions. The onions were not able to be credited towards the meal pattern.

Civil Rights

- The Civil Rights statement on the Free and Reduced approval letter should be the same font as the main content.
 - After consultation with the USDA Western Regional Office, this situation is not in the regulations. USDA cannot find anything in Parts b of section 6 and 7 of DR 4300-003 which reaffirm the requirement referenced in FNS Instruction 113-1 explicitly prohibiting State agencies from including the full NDS on public-facing materials in a font-size smaller than the main text.
- Using a smaller font size for the full NDS than the rest of a document's text is not something that USDA wants to encourage. The focus should be on ensuring that the NDS material remains legible and easily viewable. The best practice remains to keep the font sizes the same when including the full NDS and the use of the same font size is required when using the shortened version.

Food Safety

- The FSD should pull the AMS report for the entire year for a product to get an annual exception. Running a report just in August cannot give an annual exception. The AMS Market News report can be accessed here: [Public Data | MMN](#)

Smart Snacks

- The Middle School and High School wings have their own vending machines supplied by Treasure Valley (TV) Vending that are on all the time and there are some products included which are questionable. There is no binder in the office and the secretary (who is new) says TV Vending says they are compliant.
 - Middle School vending may not allow these items: G2, Sparkling Water, Cinnabon Cookie package, Grandma's Chocolate chip cookies and Kirkland Chewy Protein Bar. There was no documentation available. Middle School allows beverages under the Smart Snack regulations of water, 100% juice (with

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or without carbonation) and milk. It is the responsibility of the school to have documentation on vending machine compliance, not the vending company. Information on Smart Snacks may be found here: [Tools for Schools: Focusing on Smart Snacks | Food and Nutrition Service](#)

Resource Management

- When there are leftovers from any meal, they can be donated to any 501(c)3 organization to avoid tossing the food. Follow the Bill Emerson Good Samaritan Food Donation Act guidance Q&A found here: [Frequently Asked Questions about the Bill Emerson Good Samaritan Food Donation Act](#)

FISCAL ACTION

Due to the two breakfast and lunch counting errors, fiscal action results in \$8.32. 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) 332-6825.

Thank you for your continued support of the Child Nutrition Programs.

Sincerely,

Lynda Westphal

Lynda Westphal, MHS, SNS

Director, Idaho Child Nutrition Programs

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

Teresa Bettleyon, Child Nutrition Director, Marsing Jt. School District #363

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