

October 25, 2021

Mr. David Sotutu, Superintendent
New Plymouth S.D. #372
704 S. Plymouth Ave.
New Plymouth, ID 83655

Dear Superintendent Sotutu,

On October 12, 2021, State Department of Education (SDE) Coordinators TJ Goodsell and Jessica Spoja conducted an Administrative Review of New Plymouth School District for the following United States Department of Agriculture (USDA) programs:

- National School Lunch Program Seamless Summer Option (SSO)
- School Breakfast Program Seamless Summer Option (SSO)
- USDA Foods

The State agency (SA) reviewed the following sites(s).

- New Plymouth High School

The State agency (SA) would like to thank Barbara Alsop and the entire staff of New Plymouth 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 Administrative Review 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 Administrative Review a minimum of one time during a five-year cycle 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 – Meal Components and Quantities - Breakfast

- Independent contractor CN Resource completed the menu review and provided the following Corrective Action (CA):

Signage is not posted near or at the beginning of the serving line identifying what constitutes a reimbursable meal for breakfast, including offer vs. serve requirements of 1/2 cup fruit.

Corrective Action Plan (CAP): Provide a written description of the signage, include where it is posted and who will oversee compliance with the requirement.

Due Date for CAP completion: September 27, 2021

Corrective Action Response: On September 28, 2021, the food service director (FSD) uploaded a picture of the completed signage into MyIdahoCNP along with the following written response, “The manager at the high school will fill out the sign every morning before service daily. Signage is posted at beginning of line and the FSD will confirm that all signage is completed properly.”

Finding 2 – Meal Components and Quantities - Lunch

- CN Resource completed the menu review on September 15, 2021 and provided the following CA:

For the week of menu review, the lunch menu did not meet the minimum daily vegetable requirement. Vegetables were offered daily, however the minimum required portion size was not met. For the week of menu review, the lunch menu did not meet the minimum weekly requirement for the red/orange vegetable subgroup. Red/orange vegetables were offered, but not in large enough quantities to meet the weekly requirement.

Corrective Action Plan (CAP): Provide a written statement that the daily vegetable and weekly red/orange 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. Submit supporting documentation to demonstrate that the menu findings listed above 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.

Due Date for CAP completion: September 27, 2021

Corrective Action Response: On September 24, 2021, the FSD provided a revised September menu to CNR along with a written statement acknowledging that a salad and fresh vegetables will be provided on the service line daily to ensure that the minimum portion size is met for meal pattern compliance. On September 28, 2021, the FSD and uploaded productions records into MyIdahoCNP on September 28, 2021.

Finding 3 – Smart Snacks in Schools

Per 7 CFR § 210.11(b)(4) Competitive Food Service and Standards, technical assistance (TA) was provided during the preceding Administrative Review (AR) conducted on December 9, 2016 to ensure understanding of the requirement for Smart Snack compliance and the need for tracking all fundraising (food sales as well as non-food sales). The TA was not implemented which results in a finding and necessary corrective action (CA) during the subsequent review.

Previously provided TA “Smart Snacks - All fundraisers, both exempted and compliant, must be tracked. Per state policy, a maximum of 10 exempted fundraisers per school site per year may be approved by the school administrator. An exempted fundraiser can be for a maximum of four consecutive school days. All exempted fundraisers beyond 10 must be pre-approved by the State agency using the Request form (7 CFR § 210 (b)(2)). Details available at <http://www.sde.idaho.gov/cnp/sch-mp/snacks.html>.”

Corrective Action Plan (CAP): Please provide a copy of the Fundraising Tracking Log being implemented at the New Plymouth High School which includes current information for all fundraisers planned for SY21-22 (food sales as well as non-food sales). A written acknowledgement of understanding that the tracking requirement will be continued beyond the current school year is also required to satisfy the corrective action.

Due Date for CAP Completion: October 27, 2021

Corrective Action Response: State agency staff offered Smart Snack regulation clarification to the HS principal via phone conversation on October 21, 2021 and email clarification to the food service director on the same date. On October 22, 2021, a fundraising tracking log that included exempt and non-exempt fundraisers for the current school year was completed and uploaded into MyIdahoCNP for SA review. The food service director provided a written statement that included an action plan for collecting a copy of the log each year for record keeping purposes and plans to communicate with administration throughout the school year to ensure the log is being kept up to date as required.

Finding 4 – Smart Snacks in Schools

Schools must meet the minimum requirement in 7 CFR § 210.11, for all foods and beverages sold in school (also known as Smart Snacks in School) to increase consumption of healthful foods during the school day and support a healthy school environment. New Plymouth HS vending contained non-compliant beverage items. During the last administrative review, Smart Snacks technical assistance was provided. Food and beverages sold to students must comply with specific nutrition standards, must be tracked as exempt fundraiser(s), or must be inaccessible during the school day (defined as midnight the day before until 30 minutes after the school day ends). The SA discussed Smart Snacks regulations with the Food Service Director. The New Plymouth SD Local Wellness Policy (LWP) states the district will comply with Smart Snack regulations, however the LWP is not being followed.

Corrective Action Plan (CAP): The food service director and the New Plymouth HS administrator must review the *USDA Smart Snacks Guide* and upload a signed copy of the *Smart Snack Attestation* made available in MyIdahoCNP.

Due Date for CAP Completion: October 27, 2021

Corrective Action Response: On October 22, 2021, a signed copy of the *Smart Snack Attestation* was uploaded into MyIdahoCNP for SA review. Additionally, a sign that was posted

on the vending machine was uploaded confirming the machine will not be in use during the school day per regulations.

COMMENDATIONS

- Thank you for your continued hard work in providing meals to children while encountering difficulties due to COVID-19 issues.

Site Commendations

- The school nutrition staff provided a friendly meal service environment, addressing many students by name.
- The school nutrition staff were open to questions, discussion and very receptive to technical assistance.

TECHNICAL ASSISTANCE (TA)

Certification and Benefit Issuance

- This area was not reviewed based on USDA Guidance *COVID-19: Child Nutrition Response #97* - the requirement under 7 CFR § 210.18(g) (1) is waived regarding certification and benefit issuance and the requirement under 7 CFR § 210.18 (h)(2)(i) (A-E) is waived regarding free and reduced-price processes not applicable to SSO in SY21-22.

Verification

- Although in Nationwide Waiver #97 FNS included verification as one of the sections that is not applicable to SSO ARs in SY2021-22, FNS strongly encourages State agencies to ensure that SFAs collecting applications during SY 21-22 are implementing verification processes in line with Federal Regulations.

Meal Components and Quantities - Lunch

- Independent contractor CN Resources completed the menu review and provided the following TA:
 - On the day of review, all required components were not available to all students prior to lunch service. The SFA received TA and was able to correct the menu prior to the beginning of meal service.
 - The federal regulations require a minimum of 1 cup of vegetable to be offered each day for grades 9-12. This requirement was not met on three days. The vegetable requirement was not met on Monday, Tuesday and Wednesday. Consider the following suggestions to help meet requirements:
 - Increase the portion size for all vegetables served to 1 cup, if only one vegetable is offered.
 - Consider offering 1/2 cup hot and 1/2 cup cold vegetables each day.
 - On Monday only 3/4 cup of mashed potatoes were served. Increase the portion

size of mashed potatoes served to 1 cup.

-On Tuesday only 3/4 cup of green beans was served. Increase the portion size of green beans served to 1 cup.

-On Wednesday only 1/2 cup of hash browns was served. Consider replacing this with 1/2 cup sweet potato tots and add another 1/2 cup of raw vegetables with ranch dip such as carrots and cherry tomatoes. This will also help satisfy the red/orange subgroup requirement.

- Subgroups of vegetables must be met for each grade group. The 1 1/4 cup weekly red/orange vegetable subgroup requirement was not met for grades 9-12. Consider the suggestions below to meet requirements. The total red/orange vegetable served this week is only 5/8 cup. An additional 5/8 cup of red/orange vegetables must be added to meet the weekly minimum requirement:
 - Replace the hash browns served on Wednesday with sweet potato tots.
 - Offer raw carrots and ranch dip on Monday.
 - Offer 1/8 cup (about 2 slices) tomatoes with the hamburger and chicken patty sandwiches.
 - Serve a salad with carrots, tomatoes and red bell peppers over romaine lettuce. Consider completing the Meal Pattern Waiver Request form, allowing meal pattern flexibilities which are available for vegetable subgroups. The state agency will consider requests that are targeted and justified based upon disruptions to the availability of food products resulting from unprecedented impacts of COVID-19.
- Menu items and serving sizes were not documented and clear. Often times menu item portions were listed in ounces. This is confusing as the portion size is not always weighed prior to serving (i.e. a scoop is used). Instead of using the ounce measurement, list the volume measure. If the item is served individually, such as a roll or a pre-packaged item, list the portion size as "each" - 1 each. The meal crediting can be listed in ounces in the appropriate section of the production records.
- Dinner roll serving size was listed as 2.3 ounces, however each roll was 2.02 ounces per label submitted. It would be best to list the portion as 1 roll or 1 each to avoid confusion. The garlic bread was listed as 1.4 ounces and the label submitted confirmed a 2-ounce portion. Consider listing the portion size as 1 each. The correct product weight could also be added. The portion size of chicken nuggets was listed as 3 ounces. To avoid confusion, include the total number of nuggets served. The portion size for eggs was listed as 2 ounces. The actual portion size was a 2-ounce scoop or 1/4 cup. List the portion size as the volume measure.

Meal Components and Quantities - Breakfast

- Independent contractor CN Resources completed the menu review and provided the following TA:
 - 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.

- Many labels submitted were generated by the distributor or vendor. Obtain labels directly from the manufacturer of the product or from the product packaging and keep on file, so they can easily be referenced when determining menu compliance. This documentation was secured for the menu items listed below, in order to confirm meal pattern crediting. This documentation was uploaded to our website where the files may be accessed for your records.
 - Jump Start/Grab & Go menu items - Labels provided did not include meal pattern crediting.
 - Donut Holes - The label provided is from 2017. Label secured is updated from 2019. Both labels have the same crediting.
 - Cinnamon Bagel - Vendor (Sysco) label submitted.
 - Strawberry Bagel - Vendor (Sysco) label submitted.
- Menu items and serving sizes were not documented and clear. Often times menu item portions were listed in ounces. This is confusing as the portion size is not always weighed prior to serving (i.e. a scoop is used). Instead of using the ounce measurement, list the volume measure for items like fruit and vegetables. If the item is served individually, such as a piece of toast or a pre-packaged item, list the portion size as "each" - 1 each and package weight. The portion size listed for the same sausage patty served all week was different (i.e. 1.2oz for Monday and 1.3oz for Tuesday). Keep this consistent by using "1 each" and the correct portion weight as the portion size and adding the meal crediting in the appropriate section of the production records. The portion for eggs served was 2 ounces. The actual portion served was 1/4 cup. Include the volume measure of 1/4 cup or add 2-ounce scoop as used. The portion of toast was listed as 1 ounce. Each slice is actually closer to 1.25 ounces. List this as 1 each to avoid confusion.
- Per clarification provided, cereal was served on Tuesday, September 14 as no other grain items were planned for this day. This was not listed on the production records provided. All menu items planned or substituted for each day must be included on the Production Records. Production records with planned numbers for each item should be accessible before each meal service. Served numbers and leftover numbers need to be recorded at the end of meal service to ensure accuracy. The total planned meals for the day on Monday, September 13 was 40. The total planned for peaches was 60.

Food Safety

- Each SFA is 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 food service

must have proof that the domestic product is significantly higher in price or not available in sufficient quantities. 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); Bananas were served on the day of review and the SA discussed the *Buy American Provision Exemption* available in Download Forms of MyIdahoCNP.

- CN Resource completed the menu review on September 15, 2021 and provided the following CA:
 - During the review, the food safety plan was discussed with the SFA. The SFA must have a complete food safety plan that includes all of the required sections as specified by USDA. The SFA must have a food safety plan available at each site so that food service staff may stay in compliance with food safety requirements and procedures. Onsite CNR Reviewer Note: The written plan on file is outdated (does not include time and temperature-controlled foods). TA given to update the plan specific for this site and each other site in the district.
 - During the review, the food safety plan was discussed with the SFA. The SFA must have a food safety plan that complies with the requirements and the SFA must ensure that all elements of the plan are implemented. The SFA should be following the procedures as outlined in the plan and maintaining all required records. Onsite CNR Reviewer Note: The plan was not fully and consistently implemented (left over food in refrigerator lacking label and date, for example). TA given to use the various logs for tracking implementation of plan.
 - During the review, health inspections were discussed with the SFA. The SFA must post a copy of the most recent food safety inspection in a publicly visible location at the site. Onsite CNR Reviewer Note: Most current inspection was posted during the onsite review.

Local School Wellness Policy

- FNS is waiving statutory and regulatory requirements at 7 CFR § 210.31 and providing a new first triennial assessment deadline of June 30, 2022, for states that opt in to: *COVID-19: Child Nutrition Response #98 Nationwide Waiver of Local Wellness Policy Triennial Assessments in the National School Lunch and School Breakfast Programs.*
- LWP assessment is not evaluated during an AR.

Resource Management

Paid Lunch Equity

- This area was not reviewed based on USDA Guidance *COVID-19: Child Nutrition Response #97* in which the requirement under 7 CFR § 210.18(h) (1) (ii) is waived regarding the requirements for pricing paid lunches in 210.14(e) that are not applicable to SSO in SY21-22. Per USDA, the SY 2020-21 Weighted Average Price equal to or above the target price of \$3.18 are compliant for SY 2021-22. \$3.18 is the difference between the Free and Paid reimbursement rates for SY 2020-21.

Procurement

- A separate procurement review was completed by Kathrine Forstie in SY20-21 with a SA closure letter sent following completion of CA (if needed); please follow the guidance provided.

Special Provision

- **Provision 2 base year records have been adequately maintained.** A Provision 2 base year (SY17-18) review occurred on September 18, 2017 and benefit issuance was validated by the SA at that time. The retention of all required Provision 2 documentation was confirmed during this AR. Daily meal count records by student name and eligibility (color coding) are maintained in a plastic tote located in the food service director's office and additional Base Year records are kept in a file cabinet in the same office. During a review of the Provision 2 Base Year Extension Request, which compares the current income level of the school's population against the base year economic data, the State agency determined that only the New Plymouth Elementary School site and the New Plymouth Middle School site were eligible for an extension; the New Plymouth High School site did not qualify. The current Provision 2 cycle expires at the end of SY24-25. If the SFA wishes to continue with Provision 2 breakfast contact the SA prior to the expiration date to apply for an extension.

YOUR REVIEW IS NOW CLOSED.

There is no fiscal action resulting from this review. 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,



Teresa Goodsell, MPA, SNS
Coordinator, NSLP and USDA Foods

cc: Colleen Fillmore, PhD, RDN, LD, SNS, Director, Child Nutrition Programs
Barbara Alsop, Child Nutrition Director, New Plymouth SD

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1. mail: U.S. Department of Agriculture
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1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
2. fax: (202) 690-7442; or
3. email: program.intake@usda.gov.

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