



December 16, 2022

Lisa Boyd, Superintendent  
Vallivue S.D. #139  
5207 S. Montana Ave  
Caldwell, ID 83607

Dear Superintendent Boyd,

On October 11-12, 2022, State Department of Education (SDE) Coordinators Jennifer Butler, Jax Dunham, Cambria Steffler, and Jamie Gibson, along with Director Lynda Westphal and Financial Specialist Kat Forstie, conducted an Administrative Review (AR) of Vallivue School District for the following United States Department of Agriculture (USDA) programs:

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

The sites reviewed were:

- East Canyon Elementary School (operating Provision 2 breakfast)
- Summitvue Middle School (operating Provision 2 breakfast)
- Vallivue Academy (operating CEP)

A separate Seamless Summer Option (SSO) review was also completed in conjunction with this Administrative Review (AR). On June 22, 2022, Cambria Steffler and Jax Dunham reviewed:

- Vallivue High School

The State agency (SA) would like to commend Cricket Fuhrman and the entire staff of Vallivue 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 – Offer Versus Serve (OVS)

Incorrect implementation of OVS, resulting in non-reimbursable meals being counted, was observed by SA reviewers while onsite during East Canyon ES lunch. There were 10 incomplete meals due to not having the correct number of food components on the tray. The person verifying the meals, counted the bread and chips as two items, when they were the grain component. Also, three baby carrots, 2 cucumber coins, and 1/2 kiwi (1/4 cup) do not equate to a full ½ cup of fruit or vegetable. Fiscal action will be calculated on the 10 non-reimbursable meals

**CAP:** Re-train all staff at East Canyon Elementary School, and any other sites you deem necessary, on breakfast OVS and lunch OVS. OVS training is available through the State agency training portal and a training log is available in MyIdahoCNP Download Forms. Upload a completed agenda and sign-in sheet. When conducting the SFA On-Site Monitoring this school year, be mindful to watch OVS implementation and issue corrective action as needed.

**Due Date for CAP Completion:** October 28, 2022

**CAP Response:** East Canyon staff was re-trained on OVS along with staff from other elementary schools. A sign-in sheet shows that 25 individuals completed OVS Breakfast and OVS Lunch training on October 27, 2022.

### Finding 2 – Benefit Issuance

A statistical sample of 560 applications resulted in a .54% error rate. Two applications, affecting four students, were incomplete due to missing information.

**CAP:** Contact households to obtain missing information.

**Completed:** October 12, 2022

**CAP Response:** Both applications were corrected the day the error was identified. No changes in benefits was required.

### Finding 3 – Benefit Issuance

The information letters sent to families must include the full USDA Non-Discrimination Statement when advising of approval or denial of benefits. The Notification of Approval or

Denial letter only includes the short USDA Non-Discrimination Statement (NDS) and requires the full NDS (7 CFR 210.23).

**CAP:** Update the template letter in the software system household notification letter to include the full statement.

**Completed:** October 12, 2022

**CAP Response:** The template letter was updated and a copy provided to SA reviewers while onsite.

#### **Finding 4 - Meal Components and Quantities**

Independent contractor CN Resource (CNR) identified that for the week of menu review, the weekly minimum requirement of 7 oz. eq. was not met for grades K-5 breakfast. The menu offered a minimum of 6.75 oz. eq. of grain throughout the week. CNR suggested adding an additional 1 oz. eq. whole grains or 1 oz. eq. meat/meat alternate to the variety cereal option one day during the week. 1 oz. eq. whole grains could be added by offering toast with cereal one time per week or 1 oz. eq. meat/meat alternate could be added by offering a 4 oz. yogurt, 1 oz. cheese stick or cheese cubes, or 1/4 cup cottage cheese with the cereal one time per week.

**CAP:** Provide a written statement that the weekly bread/grains requirements are now met and provide documentation demonstrating the correction.

**Completed:** September 21, 2022.

**CAP Response:** A 1 oz. eq. grain (toast) was added to the K-5 breakfast menu on Wednesday to increase the weekly offering to 7.75 oz. eq.

#### **Commendations**

- The food service director was very responsive in preparing for the review. The time and work put into preparing for the review was much appreciated.
- Child nutrition office staff was extremely receptive of feedback and proactive in following up on any recommendations.
- SA Reviewers at East Canyon ES advised that the children were very polite and said please and thank you when they received their meal, and the Kitchen Manager and her staff worked well together without a reliable water supply and old equipment. They were friendly and answered our questions quickly.
- SA Reviewers report that the foodservice staff at Vallivue Academy were very friendly and demonstrated great rapport with the students. They demonstrated dedication and diligence by providing multiple entrée options for the students to choose from.
- SA Reviewers at Summitvue MS stated staff knew many students by name and created a very welcoming environment for both breakfast and lunch. Meal service was done in a timely manner and serving area kept clean. All kitchen staff demonstrated great food safety practices. The dry storage, cooler, and freezer storage area were organized, labeled, and dated in a very organized manner, and fundraising tracking logs were ready and available in the front office.
- Independent contractor CN Resource (CNR) identified an excellent job baking from scratch and great safety practices, with clean and organized storage areas.

## Technical Assistance (TA)

### Certification and Benefit Issuance

- SFA declined Waiver #26 because they collected free and reduced applications in SY 2021-22.

### Verification

- Please print all notification letters and correspondence with the family to include in their verification packet. This includes the original letter notifying the family they have been selected for verification and the letter notifying them of the verification results. If there is any other communication with the parent, please include copies of these documents with the verification letters. This documentation, including documentation concerning any appeals, must be kept by the LEA to demonstrate compliance with the verification requirements when LEAs are reviewed by State or Federal officials. The documentation must be kept for a minimum of three years, after the date of the fiscal year to which they pertain.
- Error prone applications are applications that document a monthly income within \$100 of the Income Eligibility Guidelines. Error prone applications must be a priority when selecting households for verification.

### Meal Components and Quantities

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

- 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 whole grain bread dough recipe calculates at just under 1 oz. eq. per slice with the amount of flour used in the recipe. As the slices of bread are weighed and measured as 1 oz. when cooked, CNR left the bread crediting as 1 oz. eq. bread/grains. However, the amount of flour used in the recipe needs to be increased to 3 lbs. 10 oz. for 100 1-oz. servings. Please adjust the standardized recipe as such, and continue to portion and cut the whole-grain rich bread into the serving sizes by weight.
- The Child Nutrition (CN) Label submitted for the French Toast Sticks included a watermark. Please secure for your records the actual CN label from the product packaging, without the watermark.
- Tools for Schools offers topic-specific policy and resource materials to assist schools in meeting the nutrition standards. Reference the link below for the latest regulations, find free nutrition education curricula, or get ideas for adding tasty, kid-friendly foods to enhance school meal programs. <https://www.fns.usda.gov/cn/tools-schools>

## 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 food safety inspection that was posted at Summitvue Middle School was dated 10/22/2021, but the most recent inspection was 4/7/2022.
- CNR identified that a product should be dated on either the date it is received and/or the date it is removed but remains in storage.

## Buy American Provision

- The Buy American Provision Exception Form Documentation Worksheet is required for all products sourced outside the United States. This worksheet should be completed annually or as needed for all fresh, frozen, or canned products, and kept in conjunction with documentation showing that the product was unable to be sourced in the United States.

## Local School Wellness Policy (LWP)

- Policy 568 School Wellness Policy and Policy 569 School Wellness were both reviewed. Policy 568 is missing some required elements, but Policy 569 addresses all required areas. The two policies have some contradictory information. Policy 568 (amended 2021) includes nutrition standards that are not compliant with current requirements.

## Smart Snacks

- 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. Vending, school stores, and fundraising need to comply with specific nutrition standards. Refer to [A Guide to Smart Snacks School](#) available at the USDA website.
- Compliance documentation to support fundraising, store, and vending machine products as well as a la carte products must be kept. The [Smart Snacks Product Calculator](#) is a useful tool that produces a report that can be used to confirm and document compliance.

## Special Provision Options

- Provision 2 Base Year (SY 22-23) benefit issuance was validated for 12 sites by the SA as part of this AR. The retention requirement of all required Provision 2 documentation was discussed.
  - Daily meal count records by student name and eligibility are recorded on the “Audit Report for Transaction Quantity” and will be maintained on a Google drive and then saved on thumb drive at the end of the year. The “Daily Transaction Summary Report by Day” will also be saved electronically for claim back up of daily meal counts. All electronic files will be saved on a thumb drive and stored with all paper records in a blue plastic bin kept in the foodservice director’s office.

- This new Provision 2 cycle expires at the end of SY 25-26. 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.
- Due to the potential financial burden of providing meals at no charge, at least a 65% or higher Free and Reduced percentage (<35% Paid) is recommended for participation in Provision 2 breakfast. Anything lower may be unsustainable and compound losses over the 4-year cycle.
  - East Canyon ES: September Provision 2 breakfast participation percentages are 52.83% Paid, 9.47% Reduced, and 37.70% Free.
  - Summitvue MS: September Provision 2 breakfast participate percentages 50.67% Paid, 11.73% Reduced, and 37.61% Free.
- Vallivue Academy began a CEP cycle in SY22-23. This cycle will expire at the end of SY 25-26. If the site qualifies to continue operation of this special provision, you must notify the State agency of your intent to elect CEP by June 30, that school year and upload an enrollment list and direct certification documents from April 1, for SA validation.

## Summer 2022 Seamless Summer Option (SSO) Review Results

There were no findings resulting from the SSO review, but the following technical assistance was provided.

### Civil Rights

- SFAs must take reasonable steps to ensure meaningful access for LEP persons, including providing timely, appropriate, and competent language services at no cost to individuals with LEP. Documents that are vital to program participation must be translated. For details, refer to [SP37-2016 Meaningful Access for Persons with Limited English Proficiency in the School Meal Programs: Guidance and Q&As](#).
- SFA had the required link to the USDA Non-Discrimination Statement (NDS) on the Vallivue Nutrition Services homepage, but no NDS reference on the Vallivue Summer Meal Programs webpage. The short statement was added after it was brought to the SFA's attention

### Fiscal Action

Due to non-reimbursable lunches identified during the on-site review, fiscal action results in \$19.38. 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.

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*

Jennifer Butler, MEd, SNS  
NSLP Coordinator

cc: Lynda Westphal, MHS, SNS, Director, Idaho Child Nutrition Programs  
Cricket Fuhriman, Child Nutrition Director, Vallivue School District

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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:

- 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](mailto:Program.Intake@usda.gov)

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