



January 2, 2024

David Carson, Superintendent  
Gooding Jt. SD  
507 Idaho Street  
Gooding, ID 83330

Dear Superintendent Carson,

On October 4, 2023, State Department of Education (SDE) Coordinators Jennifer Butler and Jax Dunham conducted an Administrative Review (AR) of Gooding Jt. School District 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 Gooding High School. Additionally, the FFVP was reviewed at Gooding Elementary School.

The State agency (SA) would like to commend Angela Branch, Erica Garcia-Valdez, and the entire staff of Gooding Jt. 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 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 – 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 SFA on-site monitoring was completed prior to February 1, in the previous school year at Gooding High School, the SFA was not able to locate the SFA on-site monitoring forms for Gooding Elementary School or Gooding Middle School. Ensure that this review is conducted for all feeding sites as indicated no later than February 1, and retain documentation for three years plus the current year.

**CAP:** Upload a completed *NSLP Procedure Corrective Action* form detailing how the SFA will ensure that SFA on-site monitoring is completed annually before February 1, and how the accompanying SFA on-site monitoring forms will be filed and retained properly.

**Due Date:** October 19; completed October 4, 2023.

**Response:** The director and administrative assistant will share monitoring duties. Hard copies of all forms will be filed at the district office and copies uploaded into a shared digital file. The administrative assistant will set calendar reminders to ensure all monitoring occurs by the due date. The procedures have been added to the district’s child nutrition manual.

### Finding 2 – Buy American Provision

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. Although the SFA has a procedure in place to best ensure that Buy American Provision exceptions are documented, documentation for jalapenos from Mexico and mandarin oranges from China observed onsite, as well as two items, included in the FFVP claim were not available during the AR.

**CAP:** Upload a completed *NSLP Procedure Corrective Action* form addressing the procedure to be implemented to support Buy American requirements for NSLP, SBP, and FFVP.

**Due Date:** October 19; completed October 8, 2023.

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**Response:** The administrative assistant will assist in identifying non-domestic products and the director will gather supporting documentation, including AMS reports and vendor documentation. Bid awards will not be considered without pre-approved documentation.

### **Finding 3 – Meal Components and Quantities**

Subgroups of vegetables must be met for each grade group as identified in 7 CFR 210.10(c). The ½ cup weekly bean/legumes vegetable subgroup requirement was not met for grades 9-12 with none being offered for the week of review on the food truck line. All meal lines must meet vegetable subgroup weekly requirements.

**CAP:** Provide a written statement identifying how the weekly bean/legumes vegetable subgroup requirements are now met along with documentation demonstrating the correction.

**Due Date:** September 22; completed September 14, 2023.

**Response:** A bean and cheese bowl was added to the Food Truck line to fulfill requirement for the week. Per the PFS, the product provides ½ cup beans/legumes.

### **Finding 4 – Local School Wellness Policy**

The current wellness policy does not include all required elements identified in 7 CFR 210.31. During the previous review, technical assistance was issued advising of the requirements, including the need for a triennial assessment. The wellness committee met on September 6, 2023, and identified changes to make to the policy and submitted them for board approval.

**CAP:** Upload a plan identifying 1) who at the LEA will be responsible to ensure the LWP is compliant with Federal regulations, 2) how the policy will be updated, and 3) when a compliant policy will be available to the public.

**Due Date:** October 19; completed October 19, 2023.

**Response:** The superintendent will be responsible for updating the policy and getting board approval. The wellness policy is currently being rewritten to bring it into compliance. The updated policy will be made publicly available on the district's website upon board approval anticipated to occur at the regularly scheduled meeting in December 2023.

### **Finding 5 – Local School Wellness Policy Triennial Assessment**

Per 7 CFR 210.31(e)(2), 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)). The Wellness Committee had a meeting on September 6, 2023, to assess their policy. The committee found the district policy non-compliant. The elementary and middle schools assessed their compliance with the policy, but the high school has not assessed the extent they are in compliance. While on site at the HS, the SA observed marketing of non-compliant beverage items which is in violation of the district's wellness policy.

**CAP:** Upload a plan identifying 1) who at the LEA will be responsible to complete the triennial assessment(s), 2) how the assessment(s) will be completed, and 3) what steps will be taken to ensure this requirement is met on a triennial basis including notifying the public in a timely manner.

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**Due Date:** October 19; completed October 19, 2023.

**Response:** The director will be responsible for collecting assessments completed by Wellness Committee representatives from each school. The superintendent will assess the policy to ensure it is compliant with Federal regulations, update, and obtain board approval. Employees will receive notification of the triennial assessment prior to the expiration date and wellness policy training will be provided to all school staff at the beginning of each school year. The policy and all assessments will be made available on the district's website.

## COMMENDATIONS

- The child nutrition program director and administrative assistant demonstrate dedication in ensuring that students receive nutritious and appealing meals while running a compliant program. Both worked diligently to prepare for the AR, and the director uploaded required documentation in a timely manner.
- The child nutrition program administrative assistant was very organized with benefit issuance documentation and was very helpful in providing a new list while the SA was onsite. She has a good understanding of the software program and will continue to address identified issues.
- The offer versus serve reference guide created by the foodservice team promotes program compliance. This easy to follow guide will help to ensure best practices and provide confidence in kitchen staff.
- The staff at Gooding High School created a welcoming and fun environment. This environment helps to promote student wellness as a whole as evidenced by great rapport between staff and students.
- The food truck at the high school served a new bread bowl soup or chili menu item on the review day that was very popular. The SA heard one student tell another that it looked "so comforting", she had to try it. All students selected fruit and vegetable items without any prompting, which demonstrates that staff has done a good job with letting students know what constitutes a reimbursable meal.
- Promotion for the FFVP is wonderful; there are weekly menus with educational information as well as information on the program posted on the SFA website.

## TECHNICAL ASSISTANCE (TA)

### Meal Components and Quantities

Independent contractor CN Resource 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

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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.

- Secure and retain Child Nutrition (CN) Labels or Product Formulation Statements (PFS) for the breakfast and lunch items identified to be missing during the review.
- Production records are a written record demonstrating that a reimbursable meal was served. They also provide valuable information for planning and forecasting menus. The products listed on production records did not always match the label and/or portion that was planned along with meal contributions. The breakfast pizza meal contribution on production record states 1 meat/meat alternate and 1 Grain, per the label submitted the Breakfast pizza bagel is 1 meat/meat alternate and 1.25oz eq grain.
- The Cold Station Breakfast does not reflect what items are offered. It is recommended that each item offered be listed individually and reflects what can be taken on the production records.
- Recipes should match crediting on CN labels and Product Formulation Statements to make sure crediting is correct. Amounts on recipes were listed incorrectly per communication with the sponsor. The popcorn chicken was entered on the recipe at 11 pieces instead of 12. Consider doing a quality check on recipes after downloading them for accuracy.
- USDA offers topic-specific policy and resource materials to assist schools in meeting the nutrition standards. Reference [Tools for Schools](#) for the latest regulations, find free nutrition education curricula, or get ideas for adding tasty, kid-friendly foods to enhance school meal programs.

### **Food Safety**

- Though the SFA has a current HACCP manual available for staff, the manual requires additional language in the 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.

### **Fresh Fruit and Vegetable Program (FFVP)**

- One of the goals for the FFVP is to expand the variety of fruits & vegetables children experience as well as increase their fruit and vegetable consumption. As fruit is generally the only offering, the SA would like to see efforts to incorporate more vegetables to help introduce children to vegetables they might not have had an opportunity to sample or to encourage trying new things.
- The “Buy American” requirement in the National School Lunch Program (as provided in 7 CFR 210.21(d)) applies to purchases made with FFVP funds. The FFVP provides schools the opportunity to purchase exotic fruits or vegetables that are not available locally or that are not domestically grown. However, when purchasing such items always follow proper procurement procedures and the Buy American provision. [FFVP Handbook].

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- No Buy American Exception documentation was available for Chilean Navel Oranges and Pineapple served during September. Retain required exception documentation for FFVP items.

### Local School Wellness Policy

For more information on Local Wellness Policy requirements, visit the following webpages:

- Local School Wellness Policies at <https://www.fns.usda.gov/tn/local-school-wellness-policy>
- Local School Wellness Policy Implementation Tools and Resources at <https://www.fns.usda.gov/tn/local-school-wellness-policy-implementation-tools-resources>
- Local School Wellness Policy Outreach Toolkit at <https://www.fns.usda.gov/tn/local-school-wellness-policy-outreach-toolkit>
- Local School Wellness Policy: Guidance and Q&As at <https://www.fns.usda.gov/cn/local-school-wellness-policy-guidance-and-qas>

### Resource Management

- A floral arrangement was purchased from the nonprofit school foodservice account. This is an unallowable cost and if a similar purchase is needed in the future, consider having a staff pool to collect donations or have the costs covered from another source. Although it was an unusual purchase, the SFA believed it to be allowable as the expense came from a catering fund. Per 7CFR § 210.14(f)(3), all revenue from the sale of nonprogram foods shall accrue to the nonprofit school food service account of a participating school food authority and therefore is subject to federal allowable cost guidance.

### FISCAL ACTION

There is no fiscal action resulting from this review.

### 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,

*Jennifer Butler*

Jennifer Butler, MEd, SNS  
NSLP Coordinator

cc: Lynda Westphal, MHS, SNS, Director, Idaho Child Nutrition Programs  
Jax Dunham, BS, RDN, NSLP Coordinator, Idaho Child Nutrition Programs  
Angela Branch, Child Nutrition Director, Gooding Jt. School District

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Washington, D.C. 20250-9410; or
2. **fax:**  
(833) 256-1665 or (202) 690-7442; or
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[Program.Intake@usda.gov](mailto:Program.Intake@usda.gov)

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