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December 12, 2016

Dwight Richins
West Jefferson School District
1272 E 1500 N
Terreton, ID 83450

Mail: Certified Receipt 7015 3010 0000 2017 8276

Dear Mr. Richins,

On November 9, 2016, State Department of Education (SDE) Coordinators Tamara Donovan and Lynda Westphal conducted an Administrative Review of West Jefferson School District for the following United States Department of Agriculture (USDA) programs:

National School Lunch Program (NSLP)
School Breakfast Program (SBP) – Operating the Free Provision 2 Breakfast option, base year 2016-17 district-wide
Afterschool Snack Program (ASSP) – Terreton Elementary School, *not reviewed as the ASSP had not yet started*
USDA Foods

West Jefferson High School was the school site reviewed.

The State agency (SA) would like to commend Lisa Ward and the entire staff of the West Jefferson 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 (HHFKA), 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 three-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:

Finding and Corrective Action Plan (CAP)

Finding 1- Certification and Benefit Issuance

- Last school year's eligibility status can carry over 30 operating days into the new school year, allowing time for households to reapply without interruption of benefits per 7CFR 245.6. After the carry over period ended, 33 students that no longer qualified for free or reduced meal benefits were not changed to paid meal status. These students were not identified as directly certified or categorically eligible, nor were they determined to have free or reduced benefits via a current income application. Update the benefit issuance list and upload into Review Attachments in MyIdahoCNP.
- One application (two students) was determined incorrectly due to a math error resulting in a reduction of benefits from reduced to denied/paid status. Update the benefit issuance list and notify the household of the reduction in meal benefits (see SA notification letter in Download Forms).
- One application (six students) noted eight in the household, but only seven names were listed (missing mom's name). FS Director corrected the application; determination can remain as free meal benefits.
- One application (three students) was missing social security information so is considered incomplete. Contact the family to obtain social security information.
- One student was listed as paid status on the benefit issuance list, but should have been receiving free meals due to qualifying through Direct Certification.

Timeframe for CAP completion: November 30, 2016

SFA Response to CAP: Beginning November 9, 2016, the Food Service Director made corrections to the benefit issuance list and sent letters notifying families of changes in meal benefits. While the SA was on site, the correct household number and required social security information was obtained for two of the applications that required follow up. On November 14, 2016, an updated benefit issuance list was uploaded, documenting that updates had been made.

Based on the administrative error of 13.31% associated with certification and benefit issuance, the SFA will be required to conduct a second review of applications beginning school year 2017-18, 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.

Benefit issuance errors resulted in a reimbursement over claim of \$139.74 for breakfast and \$257.64 for lunch; totaling \$397.38, which will be recovered during future claims for reimbursement. There is no \$600 disregard for a claim for reimbursement that has yet to be submitted. The \$600 disregard also does not apply to closed claims for sites in the base year when fiscal action is required to fix the meal counts when a Provision 2 base year review is being conducted in conjunction with the Administrative Review (2016 Administrative Review Manual page 248).

Finding 2- Civil Rights

- School Foodservice Authority staff who interact with program applicants or participants and their supervisors as well as the Hearing Official must have annual civil rights training. The superintendent is listed as the Hearing Official so must have USDA civil rights training. Upload a dated sign in sheet to provide documentation that the Hearing Official received civil rights training.

Timeframe for CAP completion: November 30, 2016

SFA Response to CAP: On November 16, 2016, the Food Service Director uploaded documentation showing the Hearing Official received required civil rights training.

Finding 3- SFA On-Site Monitoring

- POS (point of service) reviews were not performed last school year and have not been done yet this year. Each SFA with more than one school must perform no less than one on-site review of the lunch counting and claiming system in use in each school under its jurisdiction by February 1 of each year per 7 CFR 210.8. Breakfast POS on-site reviews are covered in 7 CFR 220.11(d)(1) which states: every school year, each school food authority with more than one school shall perform no less than one on-site review of the breakfast counting and claiming system and the readily observable general areas of review identified under §210.18(h) of this chapter, as specified by FNS, for a minimum of 50 percent of schools under its jurisdiction with every school within the jurisdiction being reviewed at least once every two years. The on-site review shall take place prior to February 1 of each school year. Further, if the review discloses problems with a school's meal counting or claiming procedures or general review areas, the school food authority shall ensure that the school implements corrective action, and within 45 days of the review, conduct a follow-up on-site review to determine that the corrective action resolved the problems. Each on-site review shall ensure that the school's claim is based on the counting system and that the counting system, as implemented, yields the actual number of reimbursable free, reduced price and paid breakfasts, respectively, served for each day of operation. The Idaho School Nutrition Reference contains more information. A copy of the required form is available in Download Forms. Complete the POS reviews as outlined and upload the forms into Review Forms in MyIdahoCNP.

Timeframe for CAP completion: November 30, 2016

SFA Response to CAP: On November 16, 2016, the Food Service Director uploaded completed POS reviews for SY 2016-17.

Finding 4- Special Provision Options

- Due to the benefit issuance error rate, the Provision 2 percentages will need to be adjusted since school year 2016-17 is the base year and future claims will be based on the percentages established during daily meal counts by student for breakfast. Please upload a report/document showing the dates the students with benefit issuance errors participated in breakfast so the claim can be adjusted for accuracy. Upload these daily meal counts by student name for breakfast for the time period of October 20, 2016, through November 15, 2016.

Timeframe for CAP completion: November 30, 2016

SFA Response to CAP: On November 15, 2016, the Food Service Director uploaded reports showing daily meal participation of the students that had benefit issuance errors, for the time period of August 2016, through November 15, 2016.

Commendations

- The food service staff seemed to have a good rapport, working well together and pleasantly assisting one another.

Technical Assistance (TA)

Certification and Benefit Issuance

- The State agency recommends that income applications be date stamped upon receipt to allow students to receive benefits as of the date of receipt as opposed to the date of determination (SP11-2014). Additionally, the date stamp will document that eligibility was determined within the ten operating day window.
- When an income application is denied, the notification letter sent to households must contain language stating the right to review the decision and have a fair hearing within ten calendar days. Please see the SA sample letters in Download Forms.
- Best practice is that student names (i.e., a current enrollment list) should be run through Direct Certification every week at the beginning of the school year so that all new matches may be identified.

Verification

- A change in eligibility status which results in increased benefit levels shall be made as soon as possible but no later than three operating days of the date the SFA determines the new status; a change resulting in decreased benefits shall be made as soon as possible but no later than ten calendar days of the date the school food authority makes the final decision on the child's eligibility status.

Offer versus Serve (OVS)

- Please train staff on Offer versus Serve. All staff training should include an agenda and sign-in sheet and training documentation should be maintained on file at the SFA for three years plus the current year. OVS webinars are available on the State agency website and may be used for training.

- The SA recommends that a "What's for Breakfast" sign and an "And Justice for All" poster be placed on both high school breakfast carts.

Meal Counting and Claiming

- Include student helpers (documented on a tally sheet) in the claim for reimbursement. The SA recommended these students be entered into the system with a zero charge so they are automatically calculated.

Meal Components and Quantities

- Recipes and food production must match. Use the Food Buying Guide to make sure there is enough meat/meat alternate when crediting 2 ounce equivalent of hamburger. Note: this was corrected prior to serving the meal.
- The SA recommends that shelf stable fruit juice be available at the high school during breakfast service in case the fruit runs out, as occurred on the day of SA on-site review.

Food Safety

- The most recent food safety inspection report must be posted in a location visible to the public per 7 CFR 210.13(b). This issue was noted during the last administrative review as well. The report was moved to a publicly visible location while the SA was on site.
- The Idaho Department of Health & Welfare updated the Food Code to come in line with the current FDA Food Code. This includes a new requirement that all food safety plans must include a procedure for cleaning up bodily fluids. A HACCP Bodily Fluid Cleanup sample is located in MyIdahoCNP in the Download Forms section under the Food Safety heading. The SA assisted in adding a Bodily Fluids Plan to the food safety plan. Food service staff will need to be trained on this topic.
- The Food Service Director must have current food safety training, at least every five years. Food Safety in Schools (formerly known as Serving it Safe) is available through the Institute of Child Nutrition on-line and free of charge at <http://www.theicn.org/ResourceOverview.aspx?ID=327> (7 CFR 210.30 Professional Standards Regulations).
- A thermometer needs to be present in all food storage areas and temperatures taken and recorded on a temperature log on days when school is in operation. This includes milk coolers and dry storage. Please place a thermometer in the dry storage and record temperatures every day that school is in operation per CFR210.13(d).

Civil Rights

- The SA assisted in creating a civil rights binder containing the required elements. Ensure the Civil Rights complaint log is dated annually, with a new log started each year. If no complaints were received, best practice is to write "No complaints" on last year's log and keep this on file for three years plus the current year.
- The SFA's procedure for receiving and processing civil rights complaints should ensure all complaints associated with Child Nutrition Programs are forwarded to the State agency within three working days per CFR210.15(a)(6).

Local School Wellness Policy

- On July 29, 2016, the USDA Food and Nutrition Service (FNS) finalized regulations to create a framework and guidelines for written wellness policies established by LEAs. The final rule requires LEAs to begin developing a revised local school wellness policy during School Year 2016-2017. LEAs must fully comply with the requirements of the final rule by June 30, 2017. 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.
 - Identifying a way to share the wellness policy content and implementation with the public. For more information regarding local wellness policies, please visit the Idaho SDE Child Nutrition Programs School Wellness website:
<http://www.sde.idaho.gov/cnp/hne/wellness.html>
- A copy of the current Wellness Policy with suggested changes is available in Review Attachments in MyIdahoCNP.

Smart Snacks

- Two vending machines containing beverages in the high school did not comply with the Smart Snacks federal regulations Public Law 111-296, clarified in 7CFR210.11. The regulation for Smart Snacks went into effect July 1, 2014. The State agency provided "A Guide to Smart Snacks in Schools" to the front office staff and reminded that fundraisers be tracked.

Your review is now closed.

Fiscal action totaling \$397.38 will be recovered from future claims for reimbursement. Should you wish to appeal these findings please follow the appeal procedures on the [State Agency Appeal Procedures](#) document.

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,

A handwritten signature in blue ink that reads "Tamara".

Tamara Donovan, RD, LD, SNS
NSLP Coordinator

Cc: Colleen Fillmore, PhD, RD, LD, SNS, Director, Child Nutrition Programs
Lisa Ward, Food Service Director, West Jefferson School District

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