



April 15, 2019

Wendy Oldenkamp, Administrator
Vision Charter School
19291 Ward Road
Caldwell, ID 83605

Dear Administrator Oldenkamp,

On February 14, 2019, State Department of Education (SDE) Coordinators Jennifer Butler and Lynda Westphal conducted an Administrative Review of Vision Charter School for the following United States Department of Agriculture (USDA) programs:

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

The site reviewed was Vision Charter School (grades K-12).

The State agency (SA) would like to commend Carey Moore and the entire staff of Vision Charter School 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 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:

Findings and Corrective Action Plan (CAP)

Finding 1 – Benefit Issuance

One student, listed as reduced on the benefit issuance list, was discovered to be on the direct certification (DC) list by the SA and should have been receiving free benefits.

Corrective Action: The student’s benefit must be changed from reduced to free.

CAP Completion: Completed February 14, 2019.

Corrective Action Response: While SA reviewers were on-site, the SFA changed the student’s benefit which was validated on an updated BIL. The household was notified of the change.

Finding 2 – Verification

One verified application was incorrectly determined using net income resulting in a reduction of benefits. Gross income must be reported and calculated for benefit issuance determination. This application, affecting one student, must be changed from reduced to denied.

Corrective Action: Send a letter of adverse action to the household and change the students' benefit in 10 days. The SFA mailed the letter to the household the day of the on-site review and provided a copy to the SA. Upload a copy of the benefit issuance list after the student has been changed to denied.

CAP Completion: Due March 1, 2019; completed February 27, 2019.

Corrective Action Response: A current benefit issuance list was uploaded showing the student eligible for paid meals.

Finding 3 – Civil Rights 1

The incorrect non-discrimination statement (NDS) is included on household notification letters. Update template letters to include the correct NSD. The correct [USDA NDS](#) can be located on the SA website. The SA provides template letters, available in Download Forms, which can be utilized.

Corrective Action: Update all template letters, including eligibility, DC notification, verification, and adverse action letters, to include the correct NSD. Upload copies of all new letters for SA review.

CAP Completion: Due March 1, 2019; completed February 28, 2019.

Corrective Action Response: Updated template letters with the correct full NDS were uploaded.

Finding 4 – Civil Rights 2

The nondiscrimination statement (NDS) must accompany any printed and web-based materials referencing FNS programs. The monthly breakfast, lunch, and snack menus are posted under

"Lunch Menus" on the LEA website. The menu includes the correct full NSD; however, web pages associated with program operation should list the full USDA NDS with details on participants' right to file a complaint. It is recommended that a link to the full statement in a variety of languages be included. The recommended link to use is the [USDA Nondiscrimination Statement](#) webpage.

Corrective Action: Post the full USDA NDS on any webpages related to food service. Notify the SA when the website has been updated.

CAP Completion: Due March 1, 2019; completed February 26, 2019.

Corrective Action Response: The full USDA NDS was added to the LEA website.

Finding 5 – Meal Components and Quantities – Lunch

Contractor CN Resources (CNR) conducted the menu review and identified the following for the week of menu review: 1) A grain was offered daily, however the minimum daily and weekly requirements were not met; 2) A meat/meat alternate was offered daily, however the minimum required portion size was not met; 3) Not all grains provided were whole grain-rich. These issues were addressed during the last administrative review as technical assistance and if found again may result in the disallowance of meals with fiscal action.

Corrective Action: Upload certificates of completion for the *Online: Intro to NSLP Menus: Lunch Meal Pattern* and *Online: Whole Grain Rich Training* courses located in the [CNP training portal](#).

CNR previously required documentation demonstrating that the menu findings have been corrected; these items were uploaded on December 17, 2018.

CAP Completion: Due March 1, 2019; completed February 27, 2019.

Corrective Action Response: Training certificates were uploaded showing the two required trainings were successfully completed.

Finding 6 – Offer versus Serve (OVS)

There is no documentation that required annual OVS training took place for all kitchen/line staff. Online OVS training is available through the [SA training portal](#) and provides a certificate of completion. Group staff training must include an agenda and sign-in sheet that specifically identifies that "OVS breakfast" and/or "OVS lunch", as applicable, was part of the training agenda. Training documentation should be recorded on the Professional Standards tracking log and maintained on file at the SFA for three years plus the current year.

Corrective Action: Upload certificates of completion or sign-in training agendas showing completion of OVS training by food service line staff.

CAP Completion: Due March 1, 2019; completed February 27, 2019.

Corrective Action Response: Certificates of completion for the foodservice director for both the OVS lunch and OVS breakfast online trainings were uploaded. Dated sign-in sheets identified line staff was trained in OVS using the online training resources for breakfast and lunch.

Finding 7 – Local Wellness Policy (LWP)

The final rule on wellness policies (§210.31) required LEAs to be in compliance by June 30, 2017. The LEA's current LWP is missing required elements, making it noncompliant. Specifically, the policy does not address the manner in which the general public is provided an opportunity to participate in the development, implementation, and periodic review and update of the LWP as required per CFR 210.31 (c)(5). This was one of the required elements

identified as missing in the LWP finding issued during the last administrative review. The wellness policy committee must work to get the LWP compliant with the final rule.

Corrective Action: Upload a plan for how and when the LWP will be brought into compliance with Federal requirements.

CAP Completion: Due March 1, 2019, extended until March 8; completed March 7, 2019.

Corrective Action Response: The SFA advises that the LWP will be addressed during a wellness policy committee meeting in April. The committee will work on making the necessary changes to be presented to the Board for approval on May 9, 2019.

Commendations

- Carey was very diligent in preparing for the administrative review. Her efforts in completing the off-site modules in a timely manner and in gathering documentation prior to the review were greatly appreciated.
- Feli and Aurelia are very friendly and interacted well with students. All staff works well together in a small kitchen area.
- During the menu review, the CN Resource contractor provided the following commendations:
 - Vision Charter is providing high quality speed scratch prepared meals with limited cooking resources. The program has a wide variety of fresh fruits and vegetables available. The possibilities for meals at the time the school grows to have a fully equipped kitchen are promising.
 - Students are served in a warm, friendly environment with high quality speed scratch entree, including an extra food colorful salad bar and fresh fruit on the serving line. Wonderful smells through the lunch service!
 - Food service staff was observed following food safety practices during preparation and service, such as washing hands before putting on gloves, temping food at various stages of production, and general cleaning during prep.

Technical Assistance (TA)

Certification and Benefit Issuance

- Due to a less than 1% error rate in application determination, the SFA will no longer be required to conduct a second review of applications or submit the FNS 874 report.
- The income frequency listed on the application must be used to determine the application. If multiple frequencies are listed then all income must be converted to an annual amount per USDA regulations. The SFA's application software determines applications by annual income regardless of listed income frequency. As this may result in a determination error, it is recommended that the SFA investigate if this can be modified in the software. Please make use of the Income Eligibility Guidelines chart to determine applications by listed income.
- The LEA's designated homeless liaison is responsible for determining if a student meets the requirements of the McKinney-Vento Act. In order for the SFA to identify a student

as eligible for free meals, the student's name must be included on a list signed and dated by the homeless liaison. That information must be provided to the SFA in a valid format (date and validating signature) in a timely manner so that students can receive free meals as soon as that information is determined.

- When obtaining the SA Direct Certification (DC) list, be sure to save it in a format that captures the appropriate heading to validate the date and where the list came from. The SFA is currently saving the DC list in a CSV format. Although this format is used to upload the list into the SFA's benefit issuance software, a separate list should be saved electronically or printed for record of DC eligible students. The SFA recommends using the PDF download option to capture the required heading information.
- The SA identified one meal application with three students not listed on the Benefit Issuance List (BIL). The SFA confirmed the students were enrolled at the time the BIL was run and uploaded for the SA. When a new list was run, the students were included on the BIL. It is unclear why they were not included on the original list provided to the SA and how many other students may be impacted by this issue. Be sure to monitor the BIL and compare enrollment totals to ensure accuracy.

Dietary Specifications and Nutrient Analysis

CNR completed the menu review and provided the following TA:

- The SFA must ensure that accurate and complete production records are kept for the meals they produce. The records must be completed throughout meal service and maintained every day. At a minimum, the production records must include the name of the item, the recipe or item number, the portion size, the number of planned portions, the component contribution amount and the number of actual servings.
 - All kitchen staff should be trained on completing productions records so that everyone can complete the records.
 - Add all menu items to the production record in portions planned (cheese portion not listed, salsa and romaine lettuce missing). Include amount of food used (60 pounds of fully cooked chicken meat) to verify crediting.

Meal Components and Quantities

CNR completed the menu review and provided the following TA in a detailed Menu Review Results Report:

- All menus served within the SFA must meet all daily and weekly meal pattern requirements for the specific grade group. Provide training as needed to ensure compliance.
- Per USDA guidance any repeat menu findings in future Administrative Reviews, may result in fiscal action.
- The federal regulations require menus to meet the minimum daily 2-ounce equivalent meat/meat alternate requirement for grades 9-12.
 - Planned menu did not meet the daily minimum meat/meat alternate requirement for Monday and Wednesday. On these days, only 1.75 oz. eq. was planned for grades 9-12. To correct this, increase the turkey on Monday to at least 3 oz. serving size, to provide at least 1.5 oz. eq. meat/meat alternative.

Increase the serving size of the cheese served with the fajita on Wednesday to 2 oz. volume (1/4 cup), to provide 1 oz. eq. meat/meat alternative.

- The federal regulations require menus to meet the minimum daily and weekly grain requirements.
 - Planned menu did not meet the daily minimum grain requirement for Friday. The only grain planned that day was the chocolate chip cookie. In order to meet the daily grain requirement, consider serving another grain-rich product, such as a dinner roll or biscuit that provides at least 2 oz. eq. grain for grades 9-12 and 1 oz. eq. for grades K-8.
 - The planned menu did not meet the minimum weekly 10 oz. eq. requirement for grades 9-12. Currently, only 9.5 oz. eq. bread/grains are offered during the week. Following the recommendation to meet daily grains will also bring the weekly grains into compliance.
- All grains served must be whole grain-rich in order to meet the whole grain-rich requirement. The chocolate chip cookie was not whole grain-rich.
 - To be considered whole grain-rich, the product must be comprised of at least 50% whole grain ingredients, with the remaining grain products enriched. This can be determined by looking at the ingredient list. The product would be considered whole grain-rich if the primary ingredient is a whole grain, such as: whole wheat flour, graham flour, whole corn, oatmeal, whole barley, brown rice, or whole rye.
 - For more information on identifying products that meet the whole grain-rich criteria, refer to the [USDA's Whole Grain Resource](#).
- The SFA must ensure that all meals counted for reimbursement contain the required components in the minimum portion size required for the specific grade group.
 - Consider providing additional signage and training to students to make sure they know what is required for a reimbursable meal.
 - Provide additional training to the point of service staff on the requirements of a reimbursable meal. [The USDA FNS website](#) can be used for training materials, resources and guidance on the meal pattern.
 - OVS breakfast requires three items; a minimum ½ cup fruit (or vegetable) and two other creditable items.

Offer versus Serve (OVS)

- CNR conducted a meal service observation and identified that one breakfast meal did not contain all required components for breakfast. All required components were available; however, students did not select the minimum number of components required. The breakfast in question was removed from the POS reimbursable meal counts. The SFA advised that staff training is being conducted and the confusion was due to larger grain items counting as two grains. Offer versus Serve (OVS) issues were addressed during the last administrative review as technical assistance and if found again may result in the disallowance of meals with fiscal action.

Food Safety and Buy American Provision

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

- Per 7 CFR 210.21 (d), the SFA must purchase, to the maximum extent practicable, domestic commodities or products. “Domestic commodity or product” is defined as an agricultural commodity that is produced in the U.S. and a food product that is processed in the U.S. substantially using agricultural commodities produced in the U.S. There are limited exceptions to the Buy American provision that allow for the purchase of foods not meeting the “domestic” standard in circumstances when use of domestic foods is truly not practicable. These exceptions, as determined by the SFA, are 1) the product is not produced or manufactured in the U.S. in sufficient and reasonably available quantities of a satisfactory quality; or 2) Competitive bids reveal the costs of a U.S. product are significantly higher than the non-domestic product.
 - 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. Bananas were served and require such documentation. The SA’s has a “Buy American Exemption Form” available to meet this requirement. Complete and retain the exemption forms for all applicable food items.
- 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.
 - Record receiving temperatures of foods to keep on file, can be added to comprehensive daily temperature records.
 - Due to nature of food prep on-site, multiple prep-prepped produce items are used. Cut fruits and vegetables need monitoring of temperature and time for food safety control.
 - Keep calibration logs for thermometers
 - Check with health department for frequency of checking quat sanitizer and record keeping

Local School Wellness Policy (LWP)

- The current policy, posted on the website, is not dated. An approved and/or revised date should be included so that the triennial assessment requirements can be monitored.
- The LEA conducted an assessment of the LWP in August 2018. However, this assessment was not posted to the LEA’s website as stated under the *Assessment* section of the policy.
- For more information regarding local wellness policies, please visit the [Idaho SDE Child Nutrition Programs School Wellness website.](#)

Professional Standards

- The Food Service Director was hired after July 1, 2015. A Professional Standards questionnaire was completed to document education and experience. The Professional Standards for School Nutrition Program Employees brochure was provided.

Procurement

- A separate procurement review was completed by contractors Keddington & Christensen, LLC in December 2018. That review found while the SFA considers small, minority, and women's businesses during procurement, the SFA's procurement policy does not include affirmative steps required by 2 CFR 200.321. Please follow the guidance included in the SA procurement review closure letter sent on April 1, 2019.

Fiscal Action

Fiscal action results in \$21.09. 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. 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,

Jennifer Butler, MEd, SNS
NSLP Coordinator

cc: Colleen Fillmore, PhD, RDN, LD, SNS, Director, Child Nutrition Programs
Carey Moore, Child Nutrition Director, Vision Charter School

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Office of the Assistant Secretary for Civil Rights
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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