



June 8 2023

Steven Kirkland, Superintendent  
Kendrick School District  
2001 Highway 3  
Kendrick, ID 83537

Dear Superintendent Kirkland,

On April 6, 2023, State Department of Education (SDE) Coordinators Jennifer Butler and Jax Dunham conducted an Administrative Review (AR) of Kendrick Jt. School District for the following United States Department of Agriculture (USDA) programs:

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

The site reviewed was the Julietta Elementary School.

The State agency (SA) would like to commend Kendall McWilliams and the entire staff of Kendrick 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 – Certification and Benefit Issuance

Two meal applications were determined although they were missing required information. Incomplete applications should be denied until completed. Contact the households to obtain missing information to complete the application.

**CAP:** Both households were contacted while the SA was onsite to plan to complete the application. One application was completed with the missing SSN information added to the application via telephone. The other application requires an adult to come in and sign the application. Upload a copy of that application after the adult has added the missing SSN information and signed it.

**CAP Completion:** Due April 21; completed April 19, 2023.

**CAP Response:** Both applications were completed as required.

### Finding 2 – Verification

One application was verified using a Tax Return. In order to use this documentation, the LEA must have an employee that can accurately assess the tax summary while working in conjunction with someone from the household in order to make a final determination of income. If the household is self-employed, guidance from the Income for the Self-Employed section of the [Eligibility Manual for School Meals](#) must be followed. In some cases, a collateral contact must be utilized to validate income. However, in this situation, based on the frequency of income reported, it appeared that pay stubs would be available to verify household income. During the review, it was confirmed that the household has pay stubs and will be submitting them for income verification.

**CAP:** Contact the household to complete the verification process using pay stubs. Upon verifying income, complete the back of the household application showing the results. Upload a copy of the application, the provided pay stubs, and notification of results sent to the household. If changes in benefits are required, upload a benefit issuance list showing the applicable changes.

**CAP Completion:** Due April 21, returned for correction; completed May 23, 2023.

**CAP Response:** The SFA reviewed submitted income documentation and identified no change in benefit. However, the SA identified that the SFA incorrectly used net income and that the benefit should be decreased when gross income was used. The SA required the SFA to decrease the benefit and send the household a notice of adverse action. Additionally, the SA required the completion of the SA's online verification course. The SFA submitted a certificate of completion showing the course was completed on May 23, 2023.

### **Finding 3 – Civil Rights**

The SFA does not have a civil rights procedure, a civil rights log, or civil rights complaint forms on file. The SFA is required to have these documents on file in the case that a civil rights complaint needs to be filed. The SA has these documents available for SFAs to utilize in MyIdahoCNP's Download Forms.

**CAP:** Upload the civil rights procedure, civil rights complaint log, and civil rights complaint forms that will be on file at each site going forward. Be sure to retain in an easily accessible place for staff to access.

**CAP Completion:** Due and completed on April 21, 2023.

**CAP Response:** The SFA created civil rights binders to be kept at both school sites. The binder contains the required civil rights procedure, complaint log, and complaint forms. Copies of included documentation were uploaded, along with photographs showing the binders and their contents.

### **Finding 4 – Civil Rights**

All staff and volunteers must be trained on Civil Rights requirements before the Child Nutrition Programs duties are assumed and annually thereafter. The principal assisting the food service operation by checking students to be claimed at the POS must have documented civil rights training.

**CAP:** Have all non-foodservice staff that assist with program operations complete the required civil rights training for SY 2022-2023. Upload a copy of the sign-in sheet showing their names and documenting the date they completed training. Implement a plan to ensure all staff receive the required training each year.

**CAP Completion:** Due April 21; returned for correction; completed May 23, 2023.

**CAP Response:** The SFA held a civil rights training for required staff on April 17, 2023. The training was conducted by staff watching the SA's training video accessed by the director registering for the online training. A copy of the director's certification of completion along with a sign-in sheet was uploaded identifying seven participants. The CAP was returned when the SA identified the hearing official's name did not appear on the sign-in sheet and learned he did not attend the training. The hearing official watched the video independently and provided an email advising he had watched the required video on May 23, 2023.

### **Finding 5 – Civil Rights**

The SFA does not have the correct short nondiscrimination statement (NDS) on the monthly menus located on the website. The short statement must read, "This institution is an equal opportunity provider."

**CAP:** Upload documentation showing that the menus now contain the correct short NDS.

**CAP Completion:** Due April 21; completed April 20, 2023.

**CAP Response:** The template used for creating the monthly menus has been updated with the correct NDS. The breakfast and lunch menus for the month of May were uploaded for review.

### **Finding 6 – Food Safety - 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. Exception documentation for non-domestic items was not available during the AR.

**CAP:** Complete and upload the SA's "Buy American Exception Form" for the bananas from Ecuador, pineapple tidbits from Vietnam, and mandarin oranges from China. Once completed, retain this documentation in your records.

**CAP Completion:** Due April 21; returned for correction; extended; completed June 6, 2023.

**CAP Response:** The SFA uploaded the Buy American Exception forms on April 20, 2023. However, the SA identified the form was incomplete as it did not contain the required documentation to support the use of one of the two exceptions. The SFA completed the exception forms as required, but must establish a practice of following Buy American Provision requirements set out in §7 CFR 210.21(d). Technical assistance is provided below to support program requirements.

### **Finding 7 – Food Safety**

The SFA has an outdated Food Safety Hazard Analysis Critical Control Points (HACCP) plan which should be updated with more current standard operating procedures (SOPs). It is recommended that the SFA refer to the [ICN Sample Food Safety SOPs](#) when updating the old HACCP. The Food Safety Plan must also contain an employee exclusion section that is required by Idaho Food Code. A sample employee exclusion SOP is available in MyIdahoCNP's Download Forms. Ensure all kitchen and cafeteria staff are trained on these food safety elements each year.

**CAP:** Upload a copy of the new HACCP Plan along with the employee exclusion SOP that each kitchen will be implementing going forward. Once updated, replace the old HACCP Plan at each school with the new plan and retain in an easily accessible area for staff to reference.

**CAP Completion:** Due April 21; extended; completed May 25, 2023.

**CAP Response:** The SFA adopted the ICN's HACCP- Based Standard Operating Procedures along with the SA's Employee Exclusion and Restriction procedure. A copy of a complete manual was uploaded with an explanation that copies are located in the kitchen at each school as well as the district office.

### **Finding 8 - Offer Versus Serve (OVS)**

There is no documentation that shows annual offer vs serve (OVS) training took place for the kitchen/line staff. Online OVS training for breakfast and lunch is available in the Idaho CNP 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.

**CAP:** Upload certificates of completion or sign-in training agendas showing completion of the [Online: Offer vs Serve at Lunch](#) and [Online: Offer vs Serve for Breakfast](#) trainings by food service kitchen/line staff.

**CAP Completion:** Due April 21; extended; returned for correction; completed June 5, 2023.

**CAP Response:** The SFA advised they completed OVS training as a group by participating in an online training under the director's account. However, the incorrect training was completed by

employees participating in the *SFSP Offer Versus Serve* training and not the NSLP and SBP OVS trainings as required. Later, the director and three other employees participated in the correct trainings. Certificates of completion and training agenda sign-in sheets were uploaded demonstrating participation in the OVS trainings for NSLP and SBP.

### **Finding 9 - Professional Standards**

Per 7 CFR 210.30(b)(1)(v), Food Service Directors must have at least eight hours of food safety training at least every five years. A free, online course, *Food Safety in Schools* is available through the [Institute of Child Nutrition \(ICN\)](#) and can be used to meet this requirement.

**CAP:** Upload a training certificate indicating successful completion of at least eight hours food safety training.

**CAP Completion:** Due and completed on April 21, 2023.

**CAP Response:** A certificate of completion was uploaded showing that the director completed the 8-hour ICN course *Food Safety in Schools*.

### **Finding 10 – 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.

**CAP:** Conduct a self-monitoring review of a lunch service at both schools and breakfast service at one school. Upload the completed SFA On-site Monitoring forms for each review conducted. Going forward, ensure that this review is conducted for all feeding sites as indicated no later than February 1 each year and retain documentation for three years plus the current year.

**CAP Completion:** Due April 21; extended; completed April 27, 2023.

**CAP Response:** Monitoring was conducted during the elementary school's lunch service and both the breakfast and lunch service for the secondary school. The director advised she has set a calendar reminder for October 1 to ensure the required monitoring is completed by February 1 and breakfast reviews will alternate between the two schools each year. Upon reviewing the completed forms, the SA provided technical assistance on the signature portion of the form advising that the "school representative" should be the school employee that was observed at the POS, the site manager, or whomever the director followed up with to discuss the results of the review to ensure compliance.

### **Finding 11 - Afterschool Snack Program (ASSP)**

The SFA was approved to operate the ASSP at the ES as indicated in the application packet. However, although the ES is operating ASSP, no claims have been filed. During the review, the SA reviewed production records and identified that minimum serving requirements were not being met for some grain and all fruit/vegetable items. As the district plans to continue operating ASSP, a training and operational plan must be identified.

**CAP:** Complete the ASSP training in the online training portal and have enrichment staff who serves the snack read and sign the one-page training handout located in Download Forms.

Upload a statement identifying the SFA's plan to ensure appropriate operation of ASSP including meeting meal pattern requirements and monitoring the program twice a year.

**CAP Completion:** Due April 21; extended; returned for completion; completed June 5, 2023.

**CAP Response:** The SFA uploaded 4 signed one-page training handouts on May 25, 2023, but did not complete the online training as required. The director, kitchen staff, and ASSP enrichment staff completed ASSP training as a group on June 1, 2023, by participating in the online training under the director's account. A certificate of completion along with a training agenda sign-in sheet was uploaded demonstrating participation in the online ASSP training. The director also uploaded a statement advising the kitchen manager is aware of serving requirements and ASSP staff has been trained on serving the snack and completing production records. Required ASSP monitoring will be scheduled on the calendar to ensure completion.

### **Finding 12 – Meal Counting and Claiming**

Per 7 CFR 210.8(b)(1), reimbursement claims must be submitted to the State Agency (SA) no later than 60 days following the last day of the claim month. The SA CNP Director reached out to the Superintendent via email on February 1, 2023, to inquire of the district's intent to operate school meal programs due to claims not being submitted since September. Although late claim notices had been sent via email, the October and November claims missed their 60-day deadline.

**CAP:** The SFA must submit monthly claims on time to meet the 60-day submission. Complete a Once in Three-Year Exception CAP form and attach a plan to correct the identified problem.

**CAP Completion:** Due and completed on March 15, 2023.

**CAP Response:** The SFA submitted a Once in Three-Year Exception CAP form for a late claim payment to receive payment for the October 2022 claim. The CAP outlined actions to be taken to ensure future claims are submitted in a timely manner.

### **Finding 13 – Verification**

Per 7 CFR 245.6a(b)(1), SFAs must complete the verification requirements no later than November 15 of each school year. It was identified that the SFA did not complete verification in a timely manner and did not complete it correctly due to selecting too many applications to verify.

**CAP:** The SFA must complete the verification process as required. Complete a Verification Report CAP form identifying a plan to ensure the Verification Report is completed correctly and in a timely manner.

**CAP Completion:** Due and completed on February 28, 2023.

**CAP Response:** The SFA submitted a verification report CAP and identified the implementation of a calendar with specific dates and deadlines to be followed during the verification process.

### **Finding 14 - Meal Components and Quantities - Lunch**

Federal regulations require a minimum of ½ cup of fruit to be offered each day for grades K-6. Independent contractor CN Resource (CNR) completed the menu review and identified that the daily minimum requirement was not met on Thursday. The 1/2 banana served on Thursday was creditable at only 1/4 cup fruit per the Food Buying Guide. The federal regulations require minimum weekly amounts for fruit. The weekly minimum of 2.5 cups was not met for grades K-6 with 2.25 cups served.

**CAP:** Provide a written statement that the daily fruit requirements are now met and provide documentation demonstrating the correction.

**CAP Completion:** Due and completed on February 16, 2023.

**CAP Response:** It was identified that the wrong information was reported on the production record and a full banana was actually served. Corrective action statements advised that staff will be reminded on the proper portion size and encouraged to provide more than one variety of fruit at meal times. Staff will ensure the proper portion of all food groups is served. CNR reviewed and approved supporting documentation to correct the fruit finding and meet requirements.

### **Finding 15 – Meal Components and Quantities - Breakfast**

Federal regulations require weekly minimum amounts of grains to be served. CNR identified that during the week of menu review, the weekly minimum requirement of 8 oz. eq. was not met for grades K-6. The menu only offered 5 oz. eq. of grain throughout the week with the cereal alternative meal. The cereal offered daily as an alternative meal totaled 5 oz. eq. grain for the week, not meeting the minimum weekly grain requirement. Pair the daily cereal with another 1 oz. eq. grain or meat/meat alternate, such as grahams, string cheese, or yogurt to meet weekly requirements.

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

**CAP Completion:** Due and completed on February 16, 2023.

**CAP Response:** A statement was uploaded advising of additional options to be offered to meet the weekly grain requirement. CNR reviewed and approved supporting documentation to correct the weekly grain requirements; the requirement was met.

## **Commendations**

- The foodservice director is new to her role and has been very responsive in preparing for the review. Available records were neatly maintained.
- Kitchen staff was eager to learn and asked good questions as well as requested feedback from State agency reviewers to ensure compliance.
- CNR advised of a great job using standardized recipes.

## **Technical Assistance (TA)**

### **Certification and Benefit Issuance**

- The Determining official must complete the “Official Use Only” box on the back of the meal application demonstrating the eligibility determination and date determined. Be sure to mark the "Categorically Eligible" box for any application submitted for households with students on the State Direct Certification list.
- The income frequency listed on the application must be used to determine the application. Income is only converted to an annual amount when multiple frequencies are listed.
- 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. Homeless children remain eligible for free meals for the duration of the current school year, regardless of a change in their living situation, and up to 30 days into the subsequent school year, due to the yearlong eligibility requirement [7 CFR 245.6(c)(1)].

- Direct certification (DC) notification letters should be sent out as soon as a child is directly certified. The DC list should be run after July 1 each school year in order to identify students and notify the household in a timely manner so that the household knows they do not need to complete a free and reduced meal application.
- Best practice is that student names (i.e., a current enrollment list) should be run through Direct Certification at least once a month so that all the new students as well as any new matches that may be available may be identified. Once the students are identified, this documentation must be saved for three years plus the current year (the DC system does not save information).

### Verification

- Attempt to directly certify students selected for verification before sending the verification notification letter to the household. According to 7 CFR 245.6a(c)(2), verification efforts are not required for children who have been certified under direct certification procedures.
- The LEA must make at least one attempt to contact the household when the household does not adequately respond to the request for verification [7 CFR 245.6a(f)(6)]. While the required follow-up attempt may be in writing (mail or e-mail) or by telephone or text message, the attempt to contact the household must be documented.
- When performing Verification of Free and Reduced Applications, the Confirming Official must check the application prior to sending out the letter for Verification. The verified application did not include the Confirming Official's signature to indicate this process occurred. Additionally, the verifying official (either the determining or confirming official) must sign and date the "For Official Use Only" portion of the application at the conclusion of verification. The results of the process should be marked on the application as well as when the notice letters were sent.
- 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.
- For additional information on the verification process, refer to the Eligibility Manual for School Meals. Additionally, the SA has an online training that can be completed prior to the verification process to assist in understanding the requirements.

### Civil Rights

- School Foodservice Authority staff who interact with program applicants or participants (i.e. Cafeteria staff, Free and Reduced Application approval staff) and their supervisors as well as the Hearing Official must receive annual civil rights training.



- The condensed Frontline Staff civil rights training document is only for non-food service employees such as teachers, secretaries, custodians, or volunteers that assist with program participants. This training cannot be used for foodservice staff, the determining, confirming, or hearing officials, or their supervisors, who are required to complete the full civil rights training annually.
- Ensure the Civil Rights complaint log is dated annually, with a new log started each year. If no complaints were received during the school year, write "No complaints" on the log at the end of the school year and retain the documentation for three years plus the current year. Writing "No complaints" documents what occurred during the school year and helps to ensure the log is the final log and not an extra copy.

### **Dietary Specifications and Nutrient Analysis**

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

- A Child Nutrition (CN) Label or Product Formulation Statement (PFS) can be used to determine how processed food items contribute to the meal pattern. Without this documentation, it may be difficult to determine if the meal component was satisfied.
  - A PFS was not submitted for all processed menu items. This documentation was secured for the waffles, pancake bites, mini cinnis, corn dog, and pollock to confirm meal pattern crediting. This documentation was uploaded to the CNR website where the files may be accessed. A sponsor should maintain this documentation on file to document meal pattern requirements as met. The spec sheet submitted included a meal pattern crediting statement but was not an official CN Label or PFS.
  - Secure a CN Label or PFS for the breakfast taco wrap and chicken nuggets. The spec sheet secured included a CN number and meal pattern crediting statement, but was not an official CN Label or PFS. The CN number was verified as active on the USDA CN Label Verification Report.
  - The CN Label submitted for the beef steak burger showed an expired CN number. The CN number was verified as active on the USDA CN Label Verification Report.
- Production records are a written record demonstrating that a reimbursable meal was served. They also provide valuable information for planning and forecasting menus. Production records with planned numbers for each item should be accessible before each meal service. Menu items listed on the production records did not always match the submitted recipes. For example, the production record documented chicken strips, but the recipe submitted was for chicken nuggets.
- 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.

## Meal Components and Quantities

- Schools must offer students a variety (at least two different options) of fluid milk at each meal. Schools may offer fat-free (unflavored or flavored) and low-fat (1%) milk (unflavored or flavored) as part of the reimbursable meal for children in grades K-12. If schools offer flavored milk, unflavored milk must also be available at each meal service.

## SFA On-Site Monitoring

- The SA has made available an online course in the digital learning portal that covers the requirements and form completion for this annual monitoring.
- Ideally, separate forms will be utilized for each of these separate breakfast and lunch reviews, but the SA has allowed the same form to be used for both meal observations if different colored pens are used to document and separate the responses for each review.
- The line asking for the date of the last breakfast review on the SFA On-Site Monitoring form is to help guide the SFA to identify the requirement to review at least 50% of the sites for breakfast every other year, with a site being reviewed at least every two years. Since the SFA currently has only two school sites, breakfast reviews will alternate every other year for each site.

## Local School Wellness Policy (LWP)

- LEAs must inform the public each school year of basic information about the local school wellness policy, including its content and any updates as described in 7 CFR 210.31(d)(2). LEAs may best determine the optimal time for providing the information, although FNS recommends that the information be provided early in the school year. Best practices include highlighting the policy on individual school websites, linking to the policy on individual school social media accounts, sending updates in a parent or school newsletter, including the policy in a presentation during parent/staff meetings, providing copies of the policy at back-to-school nights, featuring the policy on the parent- or staff-specific webpages, and posting on school bulletin boards. Other strategies include placing a blurb in a local community newsletter or newspaper, posting on a community website or blog, or sharing updates and accomplishments on a local radio or television show. Team Nutrition's new Local School Wellness Policy Outreach Toolkit provides free templates to help notify the public and can be adapted to meet the LEA's needs. This toolkit can be accessed at <http://www.fns.usda.gov/tn/local-school-wellness-policy-outreach-toolkit>.
- 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 SFA opted-in to Waiver #7 and identified an anticipated completion date of 6/30/23 for the triennial assessment.

- Only the 8200 series of the LWP was provided for the AR. In order to have a compliant policy, cross-referenced areas must be included as they include required elements of the LWP per 7 CFR 210.30. All areas are posted on the website under the series heading. Section 8200 cross-references 2310, 2315, 4175, and 8230. Section 8230 cross-references 2305 and 8250. Section 8230 includes nutrition standards that are outdated and not currently being followed. In reviewing all sections, some policy wording is repetitive and worded differently in multiple policies causing potential confusion. Additionally, policy 8240 states, “All grains served shall be whole grain”, which is more restrictive than current USDA nutrition guidelines.

### Smart Snacks

- As per 7CFR210.11, the school should have knowledge of and keep a written record of food sales that occur within the school day, but outside of food service. Only foods sold in school and intended for consumption during the school day (from midnight until 30 minutes after the end of school) fall under Smart Snacks regulations. Smart Snacks information and resources, including a sample site tracking form, are available on the [SDE CNP Smart Snacks web page](#).

### Professional Standards

- The United States Department of Agriculture has established minimum Professional Standards for school nutrition professionals who manage and operate the National School Lunch and School Breakfast Programs (7 CFR 210.30). The standards provide annual training requirements for all school nutrition professionals. It is required that some form of documentation be kept on file to show compliance. The Idaho Child Nutrition Programs digital learning portal contains multiple courses that could be used to meet training requirements.
- Employee training tracking logs must include the key area/topics and training subjects completed with certificates, agendas, and sign-in sheets retained for backup. Professional Standards Learning Objectives and Topics with Codes can be found on the [USDA Professional Standards Website](#).
- All Foodservice staff training provided by the Director should include a sign-in sheet and a dated agenda documenting the length of time and topics covered. These hours can contribute to the Professional Standards requirements. Proof of training documentation must be kept on file at the SFA for three years plus the current year.
- Consider implementing a process that ensures the required trainings – food safety, OVS, and civil rights- are conducted at the beginning of each school year and adequately documented. When new employees are hired, ensure necessary training is received within the first 30 days.

### Buy American Provision

- Per 7 CFR 210.21 (d) Sponsors must purchase, to the maximum extent practicable, domestic commodities and products for use in the NSLP.
  - A domestic commodity or product is an agricultural commodity produced in the US and a Food product that is processed in the US using substantial; agricultural commodities.

- Applies to all food/beverage products purchased using funds from the non-profit food service account.
- Limited exception (allowed as a last resort with documentation)
  - When a product is not produced or manufactured in the US in sufficient and reasonable quantities of satisfactory quality
  - When competitive quotes, bids, or proposals reveal the cost of a US product is significantly higher than the non-domestic product
- There are limited exceptions to the Buy American provision which allow for the purchase of foods not meeting the “domestic” standard. Before utilizing an exception, alternatives to purchasing non-domestic food products should be considered. For example, the SFA should ask if there are other domestic sources for this product or similar products and if they are procuring products at the best time of year to utilize produce that is in season. The SFA must keep their justification for purchasing products outside the US on file with their exception form.

### Reporting and Recordkeeping

- Reports must be submitted and maintained with other Program records for a period of three years after submission of the final claim for reimbursement for the fiscal year. If audit findings have not been resolved, the three-year period is extended as long as required for the resolution of audit issues. (7 CFR 210.23(c)).

### Afterschool Snack Program (ASSP)

- For the ASSP, the Fruit/Vegetable component requires 3/4 cup serving, this includes a minimum of 6 oz. of juice. Be mindful of 1/2 cup serving sizes used in SBP and NSLP. Additionally, carefully monitor grain items for the minimum 1 oz eq. Use [Exhibit A: Grain Requirements for Child Nutrition Programs](#) when product formulation statements (PFS) and CN labels are not available.
- Menus and required portion sizes listed on the ASSP production record should be completed by foodservice employees as food is provided for program operation. Enrichment coordinators can complete the total snacks served and leftover columns and return the production records to foodservice for record keeping.
- The SFA is required to conduct two self-monitoring reviews for each ASSP, the first within 4 weeks of the beginning of operation and the second near the end.
- If the SFA provides food for an afterschool snack program and does not claim the snacks provided, then the cost of the food cannot be paid for with Child Nutrition Funds. General Funds must pay for the cost of the food.

### Procurement

- A procurement review was previously completed. Please follow the guidance provided by Procurement Specialist Kat Forstie in a separate closure letter.

### 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*

NSLP Coordinator

cc: Lynda Westphal, MHS, SNS, Director, Idaho Child Nutrition Programs  
Kendall McWilliams, Child Nutrition Director, Kendrick Jt. School District

## Civil Rights Nondiscrimination Statement

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

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:

1. **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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