



November 3, 2022

Sean Brown, Administrator
S.W. Idaho Juvenile Detention Center
222 N. 12th
Caldwell, ID 83605

Dear Administrator Brown,

On September 23, 2022, State Department of Education (SDE) Coordinators Jennifer Butler, Jax Dunham, and Cambria Steffler conducted an Administrative Review (AR) of S.W. Idaho Juvenile Detention Center for the following United States Department of Agriculture (USDA) programs:

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

The State agency (SA) would like to commend Mike Richards and the entire staff of S.W. Idaho Juvenile Detention Center 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 – Meal Counting and Claiming

A systemic counting error was discovered with improper breakfast and lunch claiming for the month of August due to the absence of a milk/milk substitute in the meal for juveniles with a lactose intolerance or milk allergy. This resulted in 8 breakfasts and 5 lunches, totaling 13 meals, being deemed non-reimbursable for the month of August. When operating serve only, the SFA must provide students with all components of the meal and address meal accommodations as required.

CAP: Develop a plan to ensure that all students receive all meal components for breakfast and lunch, or the proper meal accommodation form is on file, to ascertain that accurate meal claiming is provided to the SA. Ensure all applicable employees are trained on the procedure. Upload the plan and documentation of training into MyIdahoCNP.

CAP Completion: October 10, 2022

Corrective Action Response: The director uploaded a training agenda that addressed meal requirements, accommodating dietary needs, and meal counting. Employees were trained during various shifts and sign-in sheets were uploaded.

Finding 2 – Local Wellness Policy (LWP)

The LWP (effective September 2017) was found out of compliance with the USDA Final Rule. 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. Technical Assistance (TA) was provided during the last AR advising that LEAs were required to comply fully with the requirements of the final rule per §210.30.

CAP: Provide a written plan describing how wellness policy language will be brought into compliance with Federal requirements. Include a timeline addressing various phases of the process from creating a compliant LWP to having it approved and posted on the public website.

CAP Completion: October 10, 2022

Corrective Action Response: A plan was uploaded identifying meetings scheduled for October 18 and October 28 to discuss the LWP with a plan to have a finalized policy posted on the website on November 7. Later, October meeting notes were also provided to the SA along with a draft policy. The SA provided feedback on the draft policy.

Finding 3 – Civil Rights

The nondiscrimination statement (NDS) must accompany any printed and web-based materials referencing FNS programs, including posted menu. Web pages associated with program operation should list the full USDA NDS with details on participants' right to file a complaint. The full NDS is available in both English and Spanish on the SA website under [Civil Rights](#).

CAP: Include the short statement on the menu posted in day room and either add the entire long statement or a link to it with the short statement on the website. Email the SA to

advise the short statement has been added to the menu and the website has been updated.

CAP Completion: October 3, 2022

Corrective Action Response: Website was updated with the short statement wording and link to the full NDS. The short statement was added to menus posted in the day room.

Finding 4 – Professional Standards

Per 7 CFR 210.30(b)(1)(v), food service directors must complete eight hours of food safety training every 5 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 into MyIdahoCNP.

CAP Completion: October 3, 2022

Corrective Action Response: Director uploaded certificate of completion for the ICN's Food Safety in Schools course completed on October 1, 2022.

Finding 5 – Professional Standards

Employee training tracking Logs must be maintained for CNP staff. Logs must include the key area/topics and training subjects completed with certificates, agendas, and sign-in sheets retained for backup. The SA has made available a template tracking log prompting this information available in Download Forms. Professional Standards Learning Objectives and Topics with Codes which can be found on the [USDA Professional Standards Website](#)

CAP: Complete a training log documenting training for the current director to show all trainings completed within the year. Upload the completed log into MyIdahoCNP. When the new director is hired, ensure the practice of maintaining a training log is continued to demonstrate the required 12 hours per year is being met.

CAP Completion: October 3, 2022

Corrective Action Response: SFA utilized SA Excel Template and updated training log showing 21 hours of training for SY21-22.

Commendations

- The SA appreciates the flexibility of the SFA to accommodate the necessary change of the review date.
- The food service director was very well prepared for the review. All necessary documentation was ready for the on-site review. The time and work put into preparing for the review was much appreciated.
- The food service director and facility administration were receptive to feedback and showed attentiveness in understanding how to run a successful program and are willing to implement necessary changes.
- The food service director demonstrated initiative to make necessary changes. This was observed while the director immediately notified the staff of why the changes should occur.
- The facility staff was personable with the juveniles while passing out meals during breakfast and lunch.

- Independent contractor CN Resource (CNR) identified great job with food safety practices and meal preparation.

Technical Assistance (TA)

Meal Components and Quantities

- Guidance provided on providing a variety of milk throughout the week rather than daily as allowed under policy memo SP05-2022. Selecting one variety to serve each day or each meal service will help streamline meal service and excess of unselected variety.
- CNR completed the menu review and provided the following TA:
 - Separate, specific production records need to be maintained for the juvenile facility. A template production record is available in Download Form and can be used for this purpose.
 - Maintain CN labels and/or Production Formulation Statements for all processed foods for crediting purposes.
 - 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. The PFS for the oven roasted turkey breast was secured from the manufacturer and shared with the sponsor.
 - Secure a CN Label or PFS for the sliced ham product. The label submitted included a meal pattern crediting statement, which was used for crediting, but was not official an CN Labels or PFS.
 - The sponsor should obtain current manufacturer nutrition facts labels and maintain a file with copies of all products used as part of school meals. Many of the labels submitted were generated by the distributor. Obtain labels directly from the manufacturer of the product or from the product packaging and keep on file, so they can easily be referenced when determining menu compliance.

Food Safety (HACCP)

- A food safety manual, Hazard Analysis Critical Control Point (HACCP) should be located in the kitchen on-site. The SFA should customize it to reflect the needs of the kitchen. All staff must be trained on HACCP procedures to ensure the service of safe food (CFR210.13(c)).
- CNR provided the following TA:
 - Be sure that all product is stored at least six (6) inches off of the floor.
 - Be sure that all product is dated on either the date it is received and/or the date it is removed but remains in storage.
 - The most recent copy of the food safety inspection report at the feeding site was available for review. No meals however are served at the food preparation site, but the most recent food safety inspection should be posted there as well, it was not. Technical Assistance provided that the Sponsor needs to post a copy of the most recent copy of the food safety inspection report in a publicly visible

location at the production site. The most recent food safety inspection report that was conducted at the feeding site (the juvenile facility), was posted in a publicly visible location.

Offer versus Serve (OVS)

- RCCI not implementing OVS due to safety and operational restrictions. SY22-23 application packet was modified to remove OVS indication.

Civil Rights

- 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.
- Ensure Civil Rights binder is up-to-date to include current documents, including complaint form, and medical statement for meal accommodations.
- To personalize your needs, the full NDS is available in multiple languages on [USDA's FNS Non-discrimination webpage](#).
- Update your CNP Medical Statement Form. This form can be found in section 2 of Download Forms in MyIdahoCNP. This form needs to be on file for any student that needs an accommodation for dietary needs, including food allergies, modified textures, etc. This form will need to be signed by the appropriate medical staff.
- SA recommends keeping shelf stable soy milk or milk alternate to accommodate a common food allergy that may occur in the rapidly changing juvenile population. A meal cannot be claimed as reimbursable without the Medical Statement Form stating the meal accommodation needed.

Local School Wellness Policy (LWP)

- 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 on local wellness policy requirements, visit the SA's [School Wellness](#) webpage.

Professional Standards

- The Professional Standards for School Nutrition Program Employees brochure was provided. CNP Directors must complete at least 12 hours of annual training. These required hours are in addition to the food safety training required in the first year of employment.
- When a new CNP director is hired, ensure the new director meets the professional hiring standards requirements under 7 CFR 210.30 and 235.11, including having the necessary food safety training.

Reporting and Recordkeeping

- Refine record keeping practices to consolidate all USDA CNP records. Boxes held daily meal count records and temperature logs, but required training documentation, civil rights material, meal production records, menus, crediting labels, and reimbursement claim records should be included.

School Breakfast and SFSP Outreach

- Per 7 CFR 210.12 (d)(1), SFAs must inform families of the availability of breakfasts. Website currently states, "Southwest Idaho Juvenile Detention Center participates in NSLP". Consider changing wording to promote that both the national school breakfast and lunch programs are offered.

Fiscal Action

Due to non-reimbursable meals claimed in August, fiscal action results in \$22.15 for lunch and \$21.36 for breakfast. 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.

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: Lynda Westphal, MHS, SNS, Director, Idaho Child Nutrition Programs
Mike Richards, Child Nutrition Director, S.W. Idaho Juvenile Detention Center

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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

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