

May 16, 2023

Gayle DeSmet, Superintendent
North Valley Academy
906 Main St.
Gooding, ID 83330

Dear Superintendent DeSmet,

On March 17, 2023, State Department of Education (SDE) Coordinators Cambria Steffler and Jennifer Butler conducted an Administrative Review (AR) of North Valley Academy 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 North Valley Academy.

The State agency (SA) would like to commend Karrie Giles and the entire staff of North Valley Academy 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 – Certification and Benefit Issuance

All free and reduced benefits were reviewed and resulted in an 11.11% error rate; eight students require changes in benefits. Three applications were miscalculated and resulted in changes of reduced to free, reduced to denied, and free to reduced. One application was determined to be denied, based on income reported on the application, but is receiving free benefits as homeless without any supporting documentation of being eligible. No application could be located for another student receiving a reduced benefit. One application was determined correctly as reduced, but included a student incorrectly receiving free benefits.

CAP: Notices of adverse action need to be sent to the household with changes to the benefit issuance list following the 10-day period. Upload a benefit issuance list showing that the required benefit changes took effect.

Due Date for CAP completion: Due April 7, 2023; Submitted March 23, 2023; Returned for correction; Submitted April 27, 2023; Accepted May 1, 2023

Corrective Action Response: The SFA uploaded copies of the adverse action letters and an updated benefit issuance list with all students benefits corrected.

The SFA was required to conduct a second review of applications and submit the FNS 874 report due to the application errors (5.15%) identified during the last AR. Even though a second review of applications was conducted, the SA discovered an 11.11% error rate during the current AR. Based on the administrative error of 11.11% associated with certification and benefit issuance, the SFA will be required to continue conducting a second review of applications for school year 2023-2024, 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 must be filed 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.

Finding 2 – Counting and Claiming

The monthly claim is not being checked before being submitted. It is required that an edit check be completed from the point of service before the claim is submitted. The SFA's point of service system has a report that shows the monthly meal count totals broken down by day by benefit that can be used to complete this edit check for the claim.

CAP: Create a process for how the edit check report from the point of service will be used to check the monthly claim for accuracy before submission.

Due Date for CAP completion: Due April 7, 2023; Submitted April 4, 2023; Accepted April 27, 2023

Corrective Action Response: The SFA uploaded a written statement outlining the edit check process for the monthly claim.

Finding 3 – Civil Rights

The nondiscrimination statement must accompany any new printed materials and any web-based materials referencing FNS programs. The full statement must be included on outreach material when notifying potentially-eligible participants how to apply for benefits or when informing participants about their right to file a complaint. The SFA's website does not contain the full USDA non-discrimination statement or a link to the statement.

CAP: Add the full USDA non-discrimination statement (NDS) or link to the full NDS to the SFA's webpage. Provide a link to this webpage.

Due Date for CAP completion: Due April 7, 2023; Submitted April 4, 2023; Returned for correction; Submitted April 28, 2023; Accepted May 1, 2023

Corrective Action Response: The SFA has updated their website with the correct NDS.

Finding 4 – Professional Standards

All staff that work with the child nutrition programs, including the hearing, determining, and confirming officials, are required to complete the civil rights training. The hearing official does not have documentation for the required civil rights training.

CAP: Have the hearing and confirming officials complete the civil rights training video and upload training certificates or an agenda and sign in sheet.

Due Date for CAP completion: Due April 7, 2023; Submitted April 4, 2023; Accepted April 27, 2023

Corrective Action Response: The SFA uploaded a training certificate and a training sign-in sheet for the hearing official.

Finding 5 – Food Safety

The food safety plan references an outdated food code form 2013. An updated food safety (HACCP) manual can be found at the Institute of Child Nutrition's website. Per Idaho code, the HACCP manual should contain a bodily fluid cleanup plan, an employee exclusion policy, and a food transport SOP for FFVP.

CAP: Update the HACCP manual and upload a copy.

Due Date for CAP completion: Due April 7, 2023; Submitted March 21, 2023; Accepted April 27, 2023

Corrective Action Response: The SFA uploaded a copy of the updated HACCP manual.

Commendations

- The food service director is very organized and was well prepared for the review. All the staff were helpful in explaining the procedures and getting documents for the state agency to review.

- The students at North Valley Academy were very helpful to the food service staff. Students cleaned the cafeteria after breakfast and lunch, and older students assisted younger students with getting their meal on their tray.
- The students were excited about the grapes they received for the Fresh Fruit and Vegetable Program.

Technical Assistance (TA)

Certification and Benefit Issuance

- The SFA was required to conduct a second review of applications and submit the FNS 874 report due to the application errors (5.15%) identified during the last AR. Even though a second review of applications was conducted, the SA discovered an 11.11% error rate during the current AR. As the SFA will need to continue with the second review, TA was provided to the confirming official on the purpose of conducting an independent review of applications.
- All currently certified households for whom benefits are to be reduced or terminated must be given 10 calendar days' written notice of the change prior to the date the change will go into effect [7 CFR 245.6a(j)]. When an Adverse Action Notice is sent, the first day of the advance notice period is the day the notice is sent. As stated at 7 CFR 245.6a(j), the notice of adverse action must advise the household of:
 - Change in benefits;
 - Reasons for the change;
 - An appeal must be filed within the 10 calendar days advance notice period to ensure continued benefits while awaiting a hearing and decision;
 - Instructions on how to appeal; and
 - The household may reapply for benefits at any time during the school year.
- The DC list should be run after July 1 each school year in order to identify students and notify household in a timely manner of eligibility, so that the household knows they do not need to complete a free and reduced meal application for the school year.
- 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 students are withdrawn, the SFA should be notified in a timely manner so updates can be made in Meal Time and the benefit issuance list.

Verification

- 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.

Meal Components and Quantities

- During the Administrative Review the results of the menu review were provided to the sponsor in a detailed Menu Review Results Report.
 - Ensure signage constituting a reimbursable meal is posted at the beginning of the meal service line.
 - Ensure you have product formulation statements (PFS) or Child Nutrition (CN) labels for all applicable foods. Some products did not have PFS or CN labels.

Food Safety

- Independent contractor CN Resource provided the following TA:
 - Ensure product is dated as it is received. Product that is removed from the box should be dated as well. This is to ensure that all food items are used in a “first-in, first-out” method.
 - Ensure food products are 6 inches off the floor.

Fresh Fruit and Vegetable Program (FFVP)

- 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. Retain required exemption documentation for specific fruits and vegetables.
- Schools must widely publicize the FFVP. This can be done through posting the grant award on the school website, creating a bulletin board, or writing a short statement for the school newsletter.

Procurement

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

Fiscal Action

Due to benefit issuance errors, fiscal action results in \$283.16 for lunch and \$121.59 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.

There is no fiscal action resulting from this review.

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,

Cambria Steffler

Cambria Steffler, MS, RD

NSLP Coordinator

cc: Lynda Westphal, MHS, SNS, Director, Idaho Child Nutrition Programs
Jennifer Butler, MEd, SNS, Lead NSLP Coordinator, Idaho Child Nutrition Programs
Karrie Giles, Child Nutrition Director, North Valley Academy

Civil Rights Nondiscrimination Statement

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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

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