

April 14, 2023

Jodi Endicott, Charter Administrator
Thomas Jefferson Charter School
1209 Adam Smith Avenue
Caldwell, ID 83605

Dear Administrator Endicott,

On January 12, 2023, State Department of Education (SDE) Coordinators Jax Dunham and Jamie Gibson conducted an Administrative Review (AR) of Thomas Jefferson Charter School for the following United States Department of Agriculture (USDA) programs:

- National School Lunch Program (NSLP)
- USDA Foods

The site reviewed was Thomas Jefferson Charter School.

The State agency (SA) would like to commend Stacia Neary, DeeDee Hoffer, and the entire staff of Thomas Jefferson 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 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

A total of thirteen benefit issuance errors, resulting in a 15.85% error rate, were identified. Of these thirteen errors, nine required changes in benefits.

- One student was directly certified according to the SFA, but no direct certification documentation was available for the current school year. This student must be changed to paid immediately.
- One application affecting three students was lost by the SFA. A new application must be submitted by the household, or they must be changed to paid.
- One application affecting one student was missing an adult signature and should have been denied until the application contained all required information.
- One application's benefit affecting two students, though determined correctly, was inaccurately transferred from the free and reduced application to the benefit issuance list and point of service. The benefit issuance list and point of service currently show the benefit as free, but the correct benefit for these students is reduced price eligibility. The benefit must be changed to reduced on the benefit issuance list and POS immediately.
- One application affecting one student did not accurately reflect the household and, when corrected, resulted in a change from reduced to free eligibility. The SFA corrected the benefit issuance list to reflect this change in eligibility while the SA was on-site.
- One application affecting five students was incorrectly determined. The SFA incorrectly determined this application as free instead of reduced. This application was also selected for verification, and proof of income confirmed that the household should be determined as reduced. The SFA must send this family an adverse action letter and change their benefit in 10 calendar days if no updated documentation is provided.

CAP: Upload documentation of updated and corrected applications, adverse action letters sent to the households, and an updated benefit issuance list showing the according benefit changes have been made.

Date of CAP Completion: Due February 15, 2023; submitted February 13, 2023; accepted February 13, 2023

Corrective Action Response: The SFA uploaded all required documentation showing that all students are now receiving the correct benefit including applications, adverse action letters, and an updated benefit issuance list.

Based on the administrative error of 15.85% associated with certification and benefit issuance, the SFA will be required to conduct a second review of applications beginning 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 – Verification

The SFA did not include all necessary verification information in the verification file. Per 7 CFR 245.6a(f), households selected for verification must be notified in writing that their applications were selected for verification. Any communications with households concerning verification must be in an understandable and uniform format and, to the maximum extent practicable, in a language that parents and guardians can understand. These households must be advised of the type of information or documents the school accepts. Household letters to families informing of eligibility status, notice of verification, and notice of verification completion need to be included in the verification file. The State agency provides the template letters in MyIdahoCNP's Download Forms

CAP: Upload copies of household letters that will be used for verification in the future.

Date of CAP Completion: Due February 15, 2023; submitted February 3, 2023; accepted February 10, 2023

Corrective Action Response: The SFA uploaded notice of verification, notice of verification completion, and notice of eligibility status letters with the correct information indicating that these letters will be used in the verification process going forward.

Finding 3 – Verification

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.

CAP: Provide a narrative describing the procedure that will be put in place to ensure all official signatures are on each of the applications that are selected for verification.

Date of CAP Completion: Due February 10, 2023; submitted February 3, 2023; accepted February 8, 2023

Corrective Action Response: A procedure was provided detailing how the appropriate officials will sign and date an application during the verification process.

Finding 4 – Civil Rights

The household notification letters must include the full USDA Non-Discrimination Statement (NDS) when advising of approval or denial of benefits (7 CFR 210.23). The incorrect non-discrimination statement (NDS) is included on household notification letters and must be updated. The correct USDA NDS can be located on the SA website.

CAP: Update all template letters, including eligibility, DC notification, verification, and adverse action letters, to include the long NDS. Upload copies of all new letters for SA review.

Date of CAP Completion: Due February 15, 2023; submitted February 14, 2023; accepted February 14, 2023

Corrective Action Response: All template letters were updated and uploaded showing that the correct full NDS is now included.

Finding 5 – Smart Snacks

Three drink items offered to high school students do not meet the Smart Snack Guidelines. Drink items that are 12 fluid ounces need to meet the specific calorie parameters. The wrong choice was picked in the Smart Snack calculator which gave a false approval of the items.

CAP: Sell the remaining three drink items and replace them with smart snack compliant items. Provide a narrative to the SA explaining the items have not been restocked and describe which items, if any, have been used to replace these noncompliant beverages with compliant beverages.

Date of CAP Completion: Due February 10, 2023; submitted February 3, 2023; accepted February 3, 2023

Corrective Action Response: A narrative from the SFA was uploaded detailing that the non-compliant drink items will not be restocked.

Finding 6 – 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. Documentation for pineapple tidbits from the Philippines, tropical fruit cocktail from Thailand, and green chili peppers from Mexico were not available during the AR.

CAP: Complete and retain the SA's "Buy American Exception Form" for the products listed above. Once completed, submit the according documentation to the SA for review.

Date of CAP Completion: Due February 10, 2023; submitted February 3, 2023; accepted February 3, 2023

Corrective Action Response: The Buy American Exception Form and correct supporting documentation were completed and uploaded for the out of compliance items.

Finding 7 – Meal Components and Quantities - Lunch

For the week of menu review, the 9-12 lunch menu did not meet the minimum daily requirements for grain. The federal regulations require menus to meet the minimum daily 2-ounce equivalent grain requirement for grades 9-12. This requirement was not met on Wednesday of the week of menu review.

CAP: The SFA must provide a written statement showing that the daily grain requirement for grades 9-12 is now met. Include a detailed statement to describe what specific changes were made to the menu from the week of review to bring it into compliance. The SFA must also submit supporting documentation to demonstrate that this menu finding is now corrected. This documentation may include: menus, production records, nutrition facts labels, Child Nutrition (CN) labels, and recipes. Also submit the position title(s) of the School Food Authority representative(s) that will oversee this area and ensure future compliance.

Date of CAP Completion: Due January 27, 2023; accepted January 23, 2023

Corrective Action Response: The sponsor provided documentation showing an increase of brown rice to be added to the menu. This change increased the total grains to meet the daily requirement.

Finding 8 – Meal Components and Quantities - Lunch

For the week of menu review, the K-8 and 9-12 lunch menus did not meet the minimum weekly requirements for grain. The federal regulations require weekly minimum amounts of grains to be served. The weekly requirement of 8 oz. eq. was not met for grades K-8. The menu offered a minimum of 6.25 oz. eq. of grain throughout the week. The weekly requirement of 10 oz. eq. was not met for grades 9-12. The menu offered a minimum of 9.75 oz. eq. of grain throughout the week.

CAP: The SFA must provide a written statement showing that the weekly grain requirements for grades 9-12 and grades K-8 are now met. Include a detailed statement to describe what specific changes were made to the menu from the week of review to bring it into compliance. The SFA must also submit supporting documentation to demonstrate that this menu finding is now corrected. This documentation may include: menus, production records, nutrition facts labels, Child Nutrition (CN) labels, and recipes. Also submit the position title(s) of the School Food Authority representative(s) that will oversee this area and ensure future compliance.

Date of CAP Completion: Due January 27, 2023; accepted January 23, 2023

Corrective Action Response: The sponsor provided documentation for an additional peanut butter and jelly sandwich to be added to the menu for grades K-8 and documentation showing an increase of brown rice to be added to the menu for grades 9-12. These changes increased the total grains to meet the weekly requirement for grades K-8 and 9-12.

Finding 9 – Meal Components and Quantities - Lunch

For the week of menu review, the 9-12 lunch menus did not meet the minimum daily requirements for meat/meat alternate. The federal regulations require menus to meet the minimum daily 2-ounce equivalent meat/meat alternate requirement for grades 9-12. This requirement was not met on Wednesday of the week of menu review.

CAP: The SFA must provide a written statement showing that the daily meat/meat alternate requirement for grades 9-12 is now met. Include a detailed statement to describe what specific changes were made to the menu from the week of review to bring it into compliance. The SFA must also submit supporting documentation to demonstrate that this menu finding is now corrected. This documentation may include: menus, production records, nutrition facts labels, Child Nutrition (CN) labels, and recipes. Also submit the position title(s) of the School Food Authority representative(s) that will oversee this area and ensure future compliance.

Date of CAP Completion: Due January 27, 2023; accepted January 23, 2023

Corrective Action Response: The sponsor provided documentation showing they have now received the tangerine chicken kits which credit at 2 oz. eq. meat/meat to be added to the menu. This change increased the total meat/meat alternate to meet the daily requirement.

Finding 10 – Meal Components and Quantities - Lunch

For the week of menu review, the K-8 and 9-12 lunch menus did not meet the minimum weekly requirements for meat/meat alternate. The federal regulations require weekly minimum amounts of meat/meat alternate to be served. The weekly requirement of 10 oz. eq. was not met for grades 9-12. The menu offered a minimum of 9.25 oz. eq. of meat/meat alternate throughout the week. The weekly requirement of 9 oz. eq. was not met for grades K-8. The menu offered a minimum of 5 oz. eq. of meat/meat alternate throughout the week.

CAP: The SFA must provide a written statement showing that the weekly meat/meat alternate requirements for grades 9-12 and grades K-8 are now met. Include a detailed statement to describe what specific changes were made to the menu from the week of review to bring it into compliance. The SFA must also submit supporting documentation to demonstrate that this menu finding is now corrected. This documentation may include: menus, production records, nutrition facts labels, Child Nutrition (CN) labels, and recipes. Also submit the position title(s) of the School Food Authority representative(s) that will oversee this area and ensure future compliance.

Date of CAP Completion: Due January 27, 2023; accepted January 23, 2023

Corrective Action Response: The sponsor provided documentation for two peanut butter and jelly sandwich to be added to the menu for grades K-8 and documentation showing they have now received the Tangerine Chicken kits which credit at 2 oz. eq. meat/meat to be added to the menu for grades 9-12. These changes increased the total meat/meat alternate to meet the weekly requirement for grades K-8 and 9-12.

Commendations

- The salad bar offered to students is well managed and stocked with nutritious items. Great documentation is kept with the production records for each day.
- The director completed the Smart Snack Calculator for each snack and included supporting documents for each item. Great job providing and highlighting notes on the supporting documents.
- The staff at Thomas Jefferson Charter School demonstrated dedication to the NSLP. The team showed determination in learning new material and were very receptive to all feedback given by the SA.
- Thomas Jefferson Charter's staff took their time with each student while serving lunch. The system implemented to ensure that each child received a reimbursable meal was well executed. The students were required to pass the salad bar before receiving the entrée item. Given that a staff member was standing at the end of the salad bar, it was easy to ensure that a fruit or vegetable component was received with each reimbursable meal.

Technical Assistance (TA)

Certification and Benefit Issuance

- While on site, the SA noted that the SFA was not able to locate one direct certification list from 8/30/2022. The SFA must ensure that all Direct Certification lists are retained for 3 years plus the current.
- The SFA should implement a standardized process when determining free and reduced meal applications to avoid inconsistencies. In this process, the SFA should ensure that a household is contacted if any inconsistent information is provided. Once any questions have been clarified, the determining official should include any additional notes

provided by the household on the application along with the name of the individual they spoke with, the determining official's initials, and the date on which the note was made.

- If benefits are decreased, a notice of adverse action must be sent. LEAs must provide 10 days advance notification to households that are to receive a reduction or termination of benefits prior to the actual reduction or termination [7 CFR 245.6a(j)].
- Best practice is that student names (i.e. a current enrollment list) should be run through Direct Certification frequently at the beginning of the school year 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 printed and saved for three years plus the current year.

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.

Meal Components and Quantities

- Independent contractor CN Resource completed the menu review and provided the following TA:
 - The salad bar production records did not include planned servings. Production records with planned numbers for each item should be accessible before each meal service.

Professional Standards

- The offer versus serve training log is not dated, and the HACCP training is dated as "August/September". All trainings should be dated with an exact date to ensure that the according trainings are completed in ample time and that proper recordkeeping practices are followed.
- Employee training tracking logs must be retained for each employee and must include the key area/topics and training subjects completed with certificates, agendas, and sign-in sheets retained for backup. The SA advised having one folder with all professional standards records for all staff rather than in each applicable folder. The Director had an up to date log for herself as well as sign in sheets and agendas for all other staff. The SA also advised to log all completed training with staff including POS training when needed.

Resource Management Comprehensive Review

- Under subsection 12(q) of the Richard B. Russell National School Lunch Act and 7 CFR 210.14(f), SFAs are required to ensure that all revenue from the sale of non-program foods supports the production of reimbursable school meals does not subsidize the sale of non-program foods. All foods purchased by the food service department to be used as nonprogram food sales must be marked up to account for the cost of the food, labor, storage, and delivery of the products. To ensure compliance, the SFA must complete the

Nonprogram Food Revenue Tool (NPFRT) annually to ensure that nonprogram food sales are marked up to a sufficient price.

Procurement

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

Fiscal Action

Due to benefit issuance errors, fiscal action results in \$511.44. 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,

Jax Dunham

Jax Dunham, BS, RDN
NSLP Coordinator

cc: Lynda Westphal, MHS, SNS, Director, Idaho Child Nutrition Programs
Jennifer Butler, MEd, SNS, NSLP Coordinator, Idaho Child Nutrition Programs
Stacia Neary, Child Nutrition Director, Thomas Jefferson Charter School
DeeDee Hoffer, Registrar, Thomas Jefferson Charter School

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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

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