

February 3, 2023

Jacquelin Branum, Superintendent  
West Bonner County School District #083  
134 Main Street  
Priest River, ID 83856

Dear Superintendent Branum,

On October 21, 2022, State Department of Education (SDE) Coordinators Jax Dunham, Jennifer Butler, Jamie Gibson, and Cambria Steffler conducted an Administrative Review (AR) of West Bonner County School District for the following United States Department of Agriculture (USDA) programs:

- National School Lunch Program (NSLP)
- School Breakfast Program (SBP)
- Fresh Fruit and Vegetable Program (FFVP)
- USDA Foods

The site reviewed was Idaho Hill Elementary School.

The State agency (SA) would like to commend Terri Johnson and the entire staff of West Bonner County 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 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

Benefit issuance documentation could not be located for 15 students. A total of 12 students must be changed from Free to Paid and 3 students must be changed from Reduced to Paid. All but two had effective dates from the previous school year, but the director advised that the two with effective dates from this school year had not been notified of benefits and confirmed that applications had not been received for any of the 15. As such, advising households of new benefits is not necessary.

**CAP:** Change the benefits of the 15 identified students to paid immediately. Upload the updated benefit issuance list showing that these changes have occurred. Provide a narrative explaining how eligibility benefits will be managed to ensure accuracy, including changing benefits when new school year eligibility documentation is received during the carryover period and how after carryover ends, all students without current eligibility documentation will be changed to paid.

**Date of Completion:** November 11, 2022

**Corrective Action Response:** The SFA uploaded an updated benefit issuance list showing that the 15 students had been changed to paid as well as a narrative explaining how eligibility benefits will be managed to ensure accuracy in the future.

### Finding 2 – Certification and Benefit Issuance

One application, affecting two students, was incomplete due to missing an adult signature.

**CAP:** The SFA must contact the household to obtain the missing signature and upload a copy of the signed application for SA review.

**Date of Completion:** November 11, 2022

**Corrective Action Response:** The SFA uploaded a copy of the application showing that an adult signature had been collected to complete the application.

### Finding 3 – Local School Wellness Policy

In July 2016, the regulations on wellness policies (§210.31) was finalized and required LEAs to be in compliance by June 30, 2017. The LEA's current Local Wellness Policy (LWP) is missing required elements, making it noncompliant. Specifically, the policy does not address nutrition guidelines. Additionally, the policies for food and beverage marketing and nutrition standards are unable to be accessed on the district website. The wellness policy committee must work to make the LWP compliant with the final rule requirements.

**CAP:** The SFA will upload a narrative describing the plan for how and when the LWP will be brought into compliance with Federal requirements. The SFA will also upload confirmation that

the policies related to food and beverage marketing and nutrition standards are able to be accessed via the child nutrition website.

**Date of Completion:** November 11, 2022

**Corrective Action Response:** The SFA uploaded confirmation that the policies related to food and beverage marketing and nutrition standards are able to be accessed via the child nutrition website. The SFA also provided a narrative stating that the LWP will be readdressed and completed by the wellness committee by May 31, 2023 as noted by the SFA on the *Waiver 7: Local School Wellness Policy Triennial Assessment Deadline Extension* application.

#### **Finding 4 – Smart Snacks**

Idaho Hill Elementary School was serving non-compliant popcorn on the day of review. Schools must meet the minimum requirement in 7 CFR 210.11, for all foods and beverages sold in school (also known as Smart Snacks in School) to increase consumption of healthful foods during the school day and support a healthy school environment. During the last administrative review, Smart Snacks technical assistance was provided. Food and beverages sold to students must comply with specific nutrition standards, must be tracked as exempt fundraiser(s), or must be inaccessible during the school day (defined as midnight the day before until 30 minutes after the school day ends). The school district should have knowledge of and keep a written record of food sales that occur within the school day outside of food service. Details are available at the SA Smart Snacks web page where a fundraising tracking form may be found.

**CAP:** Provide written documentation describing how Idaho Hill Elementary School plans to comply with Smart Snacks regulations, including a tracking process.

**Date of Completion:** November 11, 2022

**Corrective Action Response:** The SFA provided documentation demonstrating that the administration at Idaho Hill Elementary School had been informed on how to track fundraisers going forward in order to comply with Smart Snack regulations.

#### **Finding 5 – Food Safety**

A food safety review manual was not available for the SA to review while on site at Idaho Hill Elementary School. Each SFA must have a written food safety plan for compliance with Hazard Analysis Critical Control Point (HACCP) program criteria found in 7 CFR 210.13(c). The Food Safety plan (HACCP) must have bodily fluid clean-up and employee exclusion sections that are required by Idaho Food Code.

**CAP:** Upload a copy of the HACCP plan that will be implemented at Idaho Hill Elementary School. The SFA will also upload a plan for additional food safety training refresher at the next manager meeting.

**Date of Completion:** November 11, 2022

**Corrective Action Response:** The SFA uploaded a copy of the HACCP plan that will be implemented at Idaho Hill Elementary School along with a plan for a staff training on the HACCP set to occur on November 30, 2022.

#### **Finding 6 – Buy American Provision**

The SFA observed that there were canned mandarin oranges from China, pineapple tidbits from Vietnam, and cherry tomatoes from Mexico. Each SFA is 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 proof that the domestic product is significantly higher in price or not available in sufficient quantities. Include the Buy American provision in SFA solicitation documents for the purchase of commercial foods. The SFA should require suppliers to attest that their final food products are either 100% domestic commodities or a food product containing over 51% domestic food components, by weight or volume. Products must be checked upon receipt and not accepted if the products do not comply with the Buy American provision, unless there is documentation to justify the exception (exorbitant pricing or product shortages). The SFA must keep documentation justifying the limited exception(s); make use of the document available in Download Forms.

**CAP:** Complete the Buy American Exception form for the noncompliant food items and upload a copy in the review attachments in MyIdahoCNP.

**Date of Completion:** November 11, 2022

**Corrective Action Response:** The SFA completed and submitted the SA's Buy American Exception Form for the out of compliance products.

## Commendations

- The kitchen staff at Idaho Hill Elementary School created a welcoming environment for students and conducted a well-organized meal service.
- The SFA provided important notes on many free and reduced meal applications demonstrating that there is a good process to ensure accurate benefit issuance.
- The food service director was very quick to address questions that the SA had and began working on necessary items in a timely manner.
- The food service director demonstrated dedication and passion for serving students in West Bonner County School District.

## Technical Assistance (TA)

### Certification and Benefit Issuance

- The SA noted several applications submitted from households with students on the DC list. The DC list should be run as soon as possible after July 1 each school year in order to identify students and notify household in a timely manner that they do not need to complete a free and reduced meal application.
- A total of 11 students from the statistical sample did not have their benefits decreased from free to reduced-price until after the end of the carryover period (10/19/22) even though household applications were processed in early to mid-September. Student eligibility changes must be applied when a new determination for the school year has been made even if the determination is made within the carryover period. (7CFR245.6(c)(2))
- A total of 12 students from the statistical sample pulled from the benefit issuance list were later identified as inactive or withdrawn when the SA was attempting to validate current benefit issuance documentation. A current benefit issuance list still

included those students. Those students must be expired from the system and not included on active benefit issuance lists. Additionally, the use of the effective date is inconsistent. Contact your software vendor as needed to clarify how to best correct this issue.

### **Verification**

- When reviewing the verification process, inconsistencies were noted. The SFA must establish a process to consistently date the first and second notice of verification of income, send a second verification reminder letter, and include the application, first notice letter, second notice letter, and result of verification letter in the verification file for review.

### **Meal Counting and Claiming**

- The student meal charge policy is only available via the child nutrition website. Similar to the food and beverage marketing policy and the nutrition standards policy, the student meal charge policy is unable to be accessed via the link provided on the child nutrition website. The SFA must ensure that the student meal charge policy is accessible on the child nutrition website so that the public is informed on the policy.
- The current student meal charge policy's (8225) procedures are not being implemented in full. The LEA should review and revise the current plan to align with current practices.

### **Civil Rights**

- SFAs must take reasonable steps to ensure meaningful access for LEP persons, including providing timely, appropriate, and competent language services at no cost to individuals with LEP. Documents that are vital to program participation must be translated. For details, refer to SP37-2016 Meaningful Access for Persons with Limited English Proficiency in the School Meal Programs: Guidance and Q&As.
- The SFA cannot use the short Non-Discrimination Statement based upon page count exclusively. The short Non-Discrimination Statement can be used on items such as menus and social media posts. The full Non-Discrimination Statement should accompany any letter with notification on benefit issuance.

### **Food Safety**

- Please record food storage temperatures consistently on logs. This ensures food is stored within recommended temperature ranges for food safety, and this standard helps ensure food quality. (CFR210.13(d)) While the SA was on site, there was no thermometer in the dry storage area, and the temperature had not been recorded on the log.

### **SFA On-Site Monitoring**

- The SFA On-Site Monitoring Checklist needs to be completed in its entirety annually. Checklists completed by the SFA in SY 2021-2022 included conflicting information to on-site operations and other sites did not have a completed checklist. Checklists that were provided did not include the necessary dates and signatures to be considered complete.

## Professional Standards

- The production records for the months of September and October for SY 2022-2023 at Idaho Hills Elementary School and Priest River Jr. High School were incomplete. Though there was a training that covered production records on August 30, 2022, the food service director should provide follow-up training to kitchen staff on production records to ensure that production records are correctly completed.
- The SFA has training tracking logs documenting which topics employees have been trained on annually. However, some employees complete trainings independently and training dates are cross referenced. The SFA should ensure that a standardized process is implemented on when the employee training log is updated (annually, quarterly, monthly, etc.).

## Local School Wellness Policy (LWP)

- 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 following 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 5/31/23 for the triennial assessment. The LEA has identified that they are currently forming a committee to review the local wellness policy for the triennial assessment.
- The Local Wellness Policy must include nutrition guidelines for all foods available on school campus. The LEA must address nutrition guidelines for all foods and beverages sold on the school campus during the school day while also addressing school meals that adhere to Federal meal pattern requirements.

## Reporting and Recordkeeping

- Food service records must be maintained for three years plus the current year to document compliance with program regulations and the service of reimbursable meals. Though the food service director implements an organizational procedure that allows for the proper documentation to be retained, there was confusion on where certain items were stored. The SFA needs to ensure that documentation procedures are implemented in a way that the food service director knows where all information is stored.

## School Breakfast and SFSP Outreach

- SFAs must inform eligible families of the availability of reimbursable breakfasts served under the SBP and Summer Food Service Program (SFSP). Schools must send reminders regarding the availability of the SBP multiple times throughout the school year per 7 CFR 201.12 d.

## Meal Components and Quantities

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

- The Child Nutrition (CN) Label submitted for the breakfast pizza included a watermark. Please secure for your records the actual CN label from the product packaging, without the watermark.
- A Product Formulation Statement was not submitted for the mini waffles. This documentation was secured, in order to confirm meal pattern crediting. This documentation was uploaded to our website where the files may be accessed. A sponsor should maintain this documentation on file to document meal pattern requirements as met.
- The fresh fruit basket recipe has a yield of 100 - 1/2 c servings. However, the amount of apples and bananas in the recipe totals only 80 - 1/2 c (30 - 1/2 c apples and 50 - 1/2 c bananas). Decrease the recipe yield to 80 - 1/2 c servings or increase the amount of apples to 50 - 1/2 c for 100 - 1/2 c servings.
- Rename the menu and production records to reflect grades K-6 as served. Currently the files state grades K-5.
- Secure a Child Nutrition (CN) Label or Product Formulation Statement (PFS) for the pizza. The spec sheet submitted included a meal pattern crediting statement but was not an official CN Label or PFS. Reference the link below for more information. <https://www.fns.usda.gov/cn/labeling-program>
- A Product Formulation Statement should be obtained for processed menu items in order to confirm meal pattern crediting.
- Update the salad recipe to reflect the true portion size of 1 cup that is offered instead of the creditable amount (1/2 cup).
- Update the grilled cheese recipe to reflect the true measurement of the cheese slices (.5 oz. each).

## **Fiscal Action**

Due to benefit issuance errors, fiscal action results in \$255.67. 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,

*Jax Dunham*

Jax Dunham, BS, RDN  
NSLP Coordinator

cc: Lynda Westphal, MHS, SNS, Director, Idaho Child Nutrition Programs

Jennifer Butler, MEd, SNS, NSLP Coordinator, Child Nutrition Programs  
Terri Johnson, Child Nutrition Director, West Bonner County School District

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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](mailto:Program.Intake@usda.gov)

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