

May 20, 2024

Brian Darcy, Administrator Idaho School for the Deaf and Blind 1450 Main Street Gooding, ID 83330

Dear Administrator Darcy,

On February 15, 2024, Idaho Department of Education's Child Nutrition contractors Child Nutrition Resources (CNR) conducted an Administrative Review (AR) of Idaho School for the Deaf and Blind 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 Idaho School for the Deaf and Blind.

The State agency (SA) would like to commend Cathy Pavkov and the entire staff of Idaho School for the Deaf and Blind 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

There was one application that was correctly approved as paid, but the benefit issuance document was not updated correctly and indicated the student as reduced. The point of sale does indicate the student as paid. The benefit issuance document needs to be accurate and correct based on the eligibility determination from the application.

CAP: To come into compliance, the SFA must submit the updated benefit issuance list after the change to paid is complete

Date: Due March 11, 2024; Completed March 5, 2024

Response: The revised benefit issuance list was uploaded and indicates the student was changed from reduced to paid.

Finding 2 - Meal Counting and Claiming

The SFA breakfast claim did not match the SA's for the month of review. Counts for the review period were not correctly consolidated and claimed by the SFA. The month of review counts for the reduced and paid students were overclaimed by the SFA by one meal each. The SFA is required to correctly claim meal counts for reimbursement.

CAP: 1. Provide the date that the finding was brought into compliance or the planned date of completion.

- 2. Provide the name(s) and title(s) of the SFA representative(s) that will ensure compliance.
- 3. Provide a statement explaining the error that led to the incorrect claims.
- 4. Provide a process that will be implemented to ensure that all claims submitted for reimbursement are accurate.
- 5. Submit one month of claims and edit checks from the site(s) selected for review.

Date: Due April 26, 2024; Completed April 25, 2024

Response: The sponsor provided a plan with their process to ensure claims for reimbursement are accurate. All corrective action has been completed.

Finding 3 – Local School Wellness Policy

The LEA did not promote the opportunity for stakeholders to participate in the development, implementation, review, and update of the local wellness policy. Per the Wellness Policy Final Rule, LEAs are required to permit 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.

CAP: To come into compliance, the SFA must provide a plan of how the school will establish a committee to review, assess, and update the wellness policy. When completed, upload a plan

1) Identifying who at the LEA will be responsible for creating the committee 2) What steps will be taken to ensure this requirement is met moving forward 3) How the public will be notified in a timely manner.

Date: Due April 26, 2024; Completed April 25, 2024

Response: The Sponsor has created a wellness policy committee that includes parents, staff, students, and stakeholders. The sponsor's website also includes information encouraging participation in the local wellness committee.

Finding 4 – Food Safety

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). SFAs are required to update HACCP-based food safety programs to cover any facility where food is stored, prepared, or served for the purposes of the NSLP, SBP or other FNS programs. This means the food safety program should contain standard operating procedures for safe food handling on school buses, in hallways, school courtyards, kiosks, classrooms, or other locations outside the cafeteria, as applicable.

CAP: To come into compliance, provide an updated food safety plan reflective of the SFA's operations.

Date: Due April 26, 2024; Completed April 25, 2024

Response: The updated food safety plan provided meets the requirements, and it includes staff signatures showing that staff are aware of the SFA's food safety practices.

Finding 5 – RMCR – Nonprofit School Food Service Account

A sample of expenses using the SFA's detailed general ledger showed that the expenses were used for activities that were not reasonable or necessary for the operations of the programs. The October 2022 wages totaling \$2082.42 were found to be unallowable. The SFA indicated during the review that wages totaling \$2,082.42 were for the prep cook for the non-reimbursable cottage meals served in the evening for free to students and adults. The work performed to prepare the non-reimbursable cottage meals is not for the performance of the Federal award and is therefore unallowable. The SFA runs a large deficit in the Child Nutrition Fund and makes a transfer from the General Fund into the Child Nutrition Fund to cover the deficit. This transfer is intended to cover the costs of all non-reimbursable snacks and meals served to students and adults. In SY 22-23, this transfer was for \$341,327.47. Due to this transfer, the SFA will not be required to repay the nonprofit school food service account for the unallowable cost. The SFA must ensure that all expenditures from the nonprofit school food service accounts are reasonable and necessary.

CAP: Explain the internal controls that have been implemented to ensure that only those salaries and benefits attributable to the child nutrition programs are expensed to the nonprofit school food service account.

Date: Due April 26, 2024; Completed April 25, 2024

Response: The SFA uploaded the written internal controls noting that the Director of Finance will make a transfer from the IESDB General Fund to the IESDB Child Nutrition Fund for the

exact amount of the total Child Nutrition salaries and benefits that were paid for the prior month.

Finding 6 – RMCR – Revenue from Nonprogram Foods

The SFA underpriced adult meals in SY23-24. The SY23-24 adult meal price requirements as determined by the State Agency are \$2.65 for breakfast and \$4.70 for lunch. The SFA sells adult meal ticket bundles at different price points. The SFA underpriced the following adult meals in SY 23-24.

- Breakfast Prices: \$3.00 per meal, \$25.00 per 10 meals
 - Ten Breakfast Meals \$0.15 per meal deficiency
- Lunch Prices: \$4.50 per meal, \$40.00 per 10 meals, \$550 per season meal card
 - One Lunch Meal \$0.25 per meal deficiency
 - Ten Lunch Meals \$0.75 per meal deficiency
 - Season Lunch Meal Card per meal deficiency is dependent upon # of meals purchased

Additionally, the SFA serves adult meals free of charge to adults not directly involved in the meal service, including paraprofessionals and teachers on lunch/breakfast duty, principals, and maintenance staff. The SFA does not have a method for separately tracking the number of free nonprogram adult meals served or for recovering the full cost of adult meals served. The SFA uses a spreadsheet to track the number of adult meals served but does not categorize the adult meals by food service employee meals, free nonprogram adult meals, and paid nonprogram adult meals.

The SFA does not transfer per-meal revenue into the nonprofit school food service account to pay for the underpriced and free nonprogram adult meals. Although the SFA's operating account does absorb the deficit in the nonprofit school food service account, the general funds are not identified as repayment for nonprogram adult meals. There is no calculation or documentation to support the amount as sufficient to cover the entire cost of the underpriced and free nonprogram adult meals.

CAP: 1. Provide documentation confirming the SFA has implemented a system to track and consolidate the number of underpriced and free nonprogram adult meals served. Underpriced nonprogram adult meals, paid program adult meals, and free nonprogram adult meals should all be tracked separately.

- 2. Provide a statement of understanding that adult meal prices will be reevaluated each year to assess compliance with FNS Instruction 782-5. If adult meals are priced below cost, or below the requirement price per FNS Instruction 782-5, the SFA must document the per-meal deficiency and the source of nonfederal funds that will be used to supplement the difference.
- 3. Provide a statement of understanding that the SFA must calculate the cost of the free nonprogram adult meals served and identify the amount of general operating funds used to pay for the meals.

Date: Due February 29, 2024; Returned for Correction; Completed March 11, 2024 **Response:** The SFA submitted the documentation used to track adult meal ticket sales at the front office. The SFA has demonstrated that they have a method for tracking and consolidating the number of paid nonprogram adult meal sales. The SFA provided the required tally

documentation to demonstrate that the number of free nonprogram adult meals are being tracked at the point of service.

Finding 7 – RMCR – Revenue from Nonprogram Foods

All revenue from nonprogram foods did not accrue to the SFA's nonprofit school food service account. Food service occasionally prepares food (cinnamon rolls, yogurt parfaits, etc.) for staff meetings. The SFA does not track the catering costs for these events and does not have a process for repaying the Child Nutrition Fund for the cost of the food and labor. The SFA did not provide any internal catering invoices for review. The SFA does run a significant deficit in the food service account. At the end of the year, a transfer is made from the general fund legislative appropriation to the child nutrition fund to cover the deficit. In SY 22-23, a transfer of \$341,327.47 was made. Due to this transfer, no fiscal action will be required.

CAP: 1. Explain the processes that have been implemented to ensure that all revenue from catering activities accrues to the SFA's nonprofit school food service account. This should include identifying all costs associated with a catering activity (food, labor, supplies, etc.), preparing and sending an invoice to the internal or external party requesting the catering, and ensuring that the food service account is repaid for the cost of the catering activities.

Date: Due April 16, 2024; Completed April 25, 2024

Response: The SFA uploaded a copy of the written processes that have been implemented.

Finding 8 – Meal Components and Quantities - Lunch

For the week of menu review, the 9-12 lunch menu did not meet the minimum daily and weekly requirements for fruit. The federal regulations require a minimum of 1 cup of fruit to be offered each day for grades 9-12. This requirement was not met on Monday and Wednesday. The federal regulations require minimum weekly amounts for fruit. The weekly minimum of 4 cups was not met for grades 9-12, with only 3 ½ cups offered.

CAP: Provide a written statement that the daily and weekly fruit requirements are now met. Include a detailed statement to describe what specific changes were made to the menu, for the week of review, to correct all menu review findings and bring the menu into compliance. Submit supporting documentation to demonstrate that the menu findings listed under step 1 are now corrected. This documentation may include menus, production records, nutrition facts labels, Child Nutrition (CN) labels, and recipes. Reference the menu review results report for specific details and suggestions to bring the menu into compliance.

Date: Due March 11, 2024; Completed April 22, 2024

Response: The updated production records for Monday and Wednesday of the review week show at least 1 cup fruit now offered. The daily and weekly fruit requirements are now met.

Finding 9 – Meal Components and Quantities - Lunch

For the week of menu review, the K-8 and 9-12 lunch menus did not meet the whole grain-rich requirements. At least 80% of the grains offered weekly must be whole grain-rich to meet requirements. The menu met 71.43% whole grains for the week of review for grades K-8. The menu met 72.97% whole grains for the week of review for grades 9-12.

CAP: Provide a written statement that the whole grain-rich requirements are now met. Include a detailed statement to describe what specific changes were made to the menu, for the week

of review, to correct all menu review findings and bring the menu into compliance. Submit supporting documentation to demonstrate that the menu findings listed under step 1 are now corrected. This documentation may include menus, production records, nutrition facts labels, Child Nutrition (CN) labels, and recipes. Reference the menu review results report for specific details and suggestions to bring the menu into compliance.

Date: Due March 11, 2024; Completed April 22, 2024

Response: The updated production record for 12/7 shows the serving size of WG spaghetti increased to 3/4 cup for K-8. The 80% whole grain-rich requirement is now met.

Finding 10 – Meal Components and Quantities - Lunch

For the week of menu review, the 9-12 lunch menu did not meet the minimum daily requirements for meat/meat alternate. The federal regulations require menus to be planned that meet the minimum daily 2-ounce equivalent meat/meat alternate requirement for grades 9-12. This requirement was not met on Monday, with only 1 oz. eq. offered.

CAP: Provide a written statement that the daily meat/meat alternate requirements are now met. Include a detailed statement to describe what specific changes were made to the menu, for the week of review, to correct all menu review findings and bring the menu into compliance. Submit supporting documentation to demonstrate that the menu findings listed under step 1 are now corrected. This documentation may include menus, production records, nutrition facts labels, Child Nutrition (CN) labels, and recipes. Reference the menu review results report for specific details and suggestions to bring the menu into compliance.

Date: Due March 11, 2024; Completed April 24, 2024

Response: The updated production record for Monday shows the serving size of finger steaks was increased to 8 each. This credits as 2.5 oz. eq. meat/meat alternate to meet the daily requirement.

Finding 11 – Meal Components and Quantities - Lunch

For the week of menu review, the K-8 and 9-12 lunch menus did not meet the minimum daily and weekly requirements for grain. The federal regulations require menus to be planned that meet the daily minimum 1 oz. eq. grain requirement for grades K-8. This requirement was not met on Monday. The federal regulations require menus to be planned that meet the minimum daily 2-ounce equivalent grain requirement for grades 9-12. This requirement was not met on Monday, Tuesday, and Wednesday. The federal regulations require weekly minimum amounts of grains to be served. The weekly requirement of 6.5 oz. eq. was not met for grades K-8. The menu offered a minimum of 6 oz. eq. of grain throughout the week.

The weekly requirement of 8 oz. eq. grains was not met for grades 9-12. The menu offered a minimum of 6.5 oz. eq. of grain throughout the week.

CAP: Provide a written statement that the daily and weekly grain requirements are now met. Include a detailed statement to describe what specific changes were made to the menu, for the week of review, to correct all menu review findings and bring the menu into compliance. Submit supporting documentation to demonstrate that the menu findings listed under step 1 are now corrected. This documentation may include menus, production records, nutrition facts

labels, Child Nutrition (CN) labels, and recipes. Reference the menu review results report for specific details and suggestions to bring the menu into compliance.

Date: Due March 11, 2024; Completed March 14, 2024

Response: The updated production records and nutrition facts labels show that the daily and weekly grain requirements are now met.

Finding 12 – Offer versus Serve

All food service line staff must receive annual OVS training when OVS is implemented. All staff training must include an agenda and sign-in sheet and training documentation must be maintained on file at the SFA for three years plus the current year. After reviewing the training logs, there was no documentation that offer versus serve training was conducted.

CAP: Please train staff on Offer vs Serve. All staff training should include an agenda and sign-in sheet and training documentation should be maintained on file at the SFA for three years plus the current year. OVS training is available through the State agency training portal and a training log is available in MyldahoCNP Download Forms.

Date: Due April 26, 2024; Completed April 24, 2024

Response: Documentation was provided to show the content that was covered during the OVS training. The sponsor also provided the sign in sheet for the training that took place on 3/14/2024.

Finding 13 - Food Safety

The school had pineapples and mandarin oranges in storage. The SFA did not have any Buy American documentation to justify the non-domestic purchases 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 food service 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. 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).

CAP: The SFA must provide documentation for any products that are not purchased in the United States or territories - pineapples and mandarin oranges. The SFA must provide the procedure of how non-domestic products will be identified upon receipt to make sure products meet the Buy American standard. Please indicate the name and title of the individual responsible to make sure Buy American provision is implemented.

Date: Due April 26, 2024; Completed April 24, 2024

Response: The sponsor completed the Buy American Exception form nondomestic products.

Finding 14 – Fresh Fruit and Vegetable Program (FFVP)

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.

CAP: Publicize the FFVP by posting information on your website or including it in a newsletter or parent e-mail, if available.

Date: Due April 26, 2024; Completed April 24, 2024

Response: The attached document was verified and posted on the sponsor's Facebook page.

COMMENDATIONS

- The director and administration did a great job of listening to the needed updates with the meal counting and claiming system, and it was greatly appreciated to see the level of involvement with the administration to make sure the school is providing meals that are healthy and meet the regulations. The new director did an amazing job with the Administrative Review since she had only been in the job for a month. Her hard work and dedication during the review paid off.
- The director and administration did an amazing job. The previous director had documented information correctly and kept documentation. The director and administration worked very hard to collect the information. It was a great pleasure to work with this school. They are doing a great job implementing the program.
- We were impressed with Cathy's attitude in her new position. She is committed to doing things correctly and has already taken several steps to correct any findings that occurred during the Administrative Review. Her staff were equally committed and extremely positive about their role serving healthy and nutritious meals that appeal to the students.
- The staff were very friendly to the students, and they did a great job of working with the
 different types of students at the school. The facility was also very clean and well
 maintained.

TECHNICAL ASSISTANCE (TA)

Meal Counting and Claiming

• The meal counting system is extremely cumbersome and time consuming. It takes several hours to consolidate the meal counts from the cottages and the cafeteria and break them out by category. The reviewer met with the Administrator, the Business Manager, and the FSD to discuss the urgency of getting a new meal counting system, preferably an electronic point of service, in place as quickly as possible. The business manager had a sales webinar she was attending on the day of review to evaluate the POS connected to Infinite Campus, their Student Information System. The Administrator and the Business Manager committed to getting a POS system installed as quickly as feasibly possible. This will reduce the administrative burden of counting and claiming significantly.

Meal Components and Quantities

- To be considered whole grain-rich, the product must be comprised of at least 50% whole grain ingredients, with the remaining grain ingredients enriched. An easy way to determine this is by looking at the ingredient list. The product would be considered whole grain-rich if the primary ingredient is a whole grain, such as: whole wheat flour, graham flour, whole corn, or oatmeal.
- Some items were not creditable from the salad bar, because not enough information was provided by the SFA to determine crediting, including saltine crackers and pepperoni.
- A standardized recipe is a recipe that has been carefully adapted and tested to ensure
 that it will produce a consistent product each time it is prepared. The recipes submitted
 were not always written in standardized format with complete information. Standardize
 the recipes so that true yields and portion sizes can be determined. To be standardized
 recipes must include at a minimum the following:
 - All ingredients in the recipe.
 - Correct volume or weighted measure of each ingredient.
 - Serving/portion sizes for each grade group.
 - The true yield made by the recipe.
 - Clear and complete preparation steps and directions.
- A Child Nutrition (CN) Label or Product Formulation Statement (PFS) was not available for the menu items listed below. Choose a product with this documentation to determine meal pattern crediting or obtain a CN Label or PFS to be able to credit these items.
 - Pepperoni
 - Chicken strips in the pasta salad
 - Chicken shreds- a spec sheet was submitted with a CN crediting statement.
 Secure the official CN label or PFS to confirm crediting.
 - Little smokies- a spec sheet was submitted with a CN crediting statement. Secure the official CN label or PFS to confirm crediting.
- Production records are a written record demonstrating that a reimbursable meal was served. They also provide valuable information for planning and forecasting menus. The submitted production records did not provide adequate information. It is a requirement of the federal regulations to maintain complete and accurate production records. The production records did not list the following items that the SFA confirmed were served. Ensure the production records clearly document all items offered daily.

Resource Management

 Only those salaries and benefits attributable to the child nutrition programs may be charged to food service. Per 2 CFR 200.430(i), "charges to Federal awards for salaries and wages must be based on records that accurately reflect the work performed. These records must support the distribution of the employee's salary or wages among specific activities or cost objectives if the employee works on more than one Federal award; a Federal award and non-Federal award; an indirect cost activity and a direct cost activity; two or more indirect activities which are allocated using different allocation bases; or an unallowable activity and a direct or indirect cost activity." The SFA must develop a method of separately tracking the labor costs for time spent preparing non-reimbursable snacks and meals. If the SFA chooses to accrue these expenses to the food service account, the SFA should make a separate line-item transfer of non-Federal funds into the food service account for the nonprogram labor costs.

- It is highly recommended that the SFA implements a method of tracking the number of free non-reimbursable meals and snacks served to students or adults. The SFA should make separate line-item transfers of non-Federal funds into the food service account for the non-reimbursable "Elementary Snacks" costs and the "Food Purchases Non-Reimbursable Cottage Meals" costs. The SFA must have a way of separately tracking all costs associated with the preparation of the non-reimbursable snacks and meals in its accounting ledger, including food, supplies, labor, etc. Food service funds cannot be used to cover the costs of non-reimbursable foods served to students or adults.
- Per USDA Memo SP 20-2016, "When nonprofit school food service account funds are used to provide goods and services (e.g., catering and vending) for outside entities such as the superintendent's office, school board, or student clubs, there are two separate transactions that occur. The first transaction is between the school food service and the outside entity, which is typically associated with the school district but separate from the school food service, and the second transaction is between the outside entity and its customers. The school food service may provide goods and services to the outside entity only if all costs, including labor and any other costs incurred, are covered by the entity being served by the school food service operations (the first transaction). Any revenue generated through the second transaction between the outside entity and its customers may be kept by the outside entity."
- If the SFA chooses to underprice adult meals, the SFA must transfer per-meal revenue from the school's operating fund or from another non-federal funding source to supplement the revenue deficiency. The SFA should track the number of underpriced meals served to adults and the food service department should invoice the school district for the cost of these meals. A general fund transfer should be made to reimburse the food service account for the cost of underpriced nonprogram adult meals, separate from any other general fund transfer made to supplement the program. This will ensure that the general fund transfer(s) into the food service account are sufficient to cover the cost of the underpriced meals.
- The SFA should track the number of free meals served to adults and the food service department should invoice the school district for the cost of these meals. A general fund transfer should be made to reimburse the food service account for the cost of free nonprogram adult meals, separate from any other general fund transfer made to supplement the program. This will ensure that the general fund transfer(s) into the food service account are sufficient to cover the cost of the free meals.

FISCAL ACTION

Due to benefit issuance errors, fiscal action results in \$58.65 for NSLP and \$25.36 for SBP. 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,

Cambria Steffler
Cambria Steffler, MS, RD
NSLP Coordinator

cc: Lynda Westphal, MHS, SNS, Director, Idaho Child Nutrition Programs
Cathy Pavkov, Child Nutrition Director, Idaho School for the Deaf and Blind

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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

email:

Program.Intake@usda.gov

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