



# Idaho Department of Education

January 2, 2024

James Foudy, Superintendent  
Blaine County School District #061  
1060 Fox Acres Rd.  
Hailey, ID 83333

Dear Superintendent Foudy,

On October 23-24, 2024, Idaho Department of Education Coordinators Jax Dunham, Kathrine Forstie, and Jessica Medrano conducted an Administrative Review (AR) of Blaine 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 sites reviewed were:

- Bellevue Elementary School (operating the FFVP)
- Silver Creek High School

The State agency (SA) would like to commend Monica Miller and the entire staff of Blaine 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 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

One student was incorrectly approved as free via categorical eligibility, but they should have been approved as reduced via income based upon the submitted application.

**CAP:** Send the household an adverse action letter to provide 10 calendar days' notice of the decrease in meal benefits. Once the 10 calendar days have passed, change the student's eligibility in the benefit issuance list, and upload the new benefit issuance list showing that the student has been changed to reduced.

**Date of Completion:** Due November 8, 2024; completed November 4, 2024

**Response:** The SFA uploaded a benefit issuance list showing the appropriate student was changed to a reduced-price meal benefit on November 4, 2024, after 10 days of adverse action notice were provided.

### Finding 2 – Food Safety

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. Though the SFA has their own Buy American exception forms, these forms lack information on the frequency of the exception (annual, seasonal, or one-time) and a signature on who completed the form. Additionally, it was noted that no Buy American documentation could be found for canned tuna at Silver Creek High School. Please also note that beginning SY 2025-2026, SFAs will be required to have less than 10% of commercial purchases come from non-domestic sources.

**CAP:** Upload a new Buy American Exception Form template that the SFA will use including the frequency of the exception (annual, seasonal, or one-time) and a signature line to indicate who completed the exception form. The State agency has a sample Buy American Exception Form in MyIdahoCNP's Download Forms section that the SFA may utilize or use for reference when updating their form. Additionally, upload a NSLP Corrective Action Procedure Form

**Debbie Critchfield, Superintendent of Public Instruction**

**(208) 332-6800 | 650 W. State St., Boise, ID 83702 | [sde.idaho.gov](http://sde.idaho.gov)**

detailing how the SFA will ensure that proper Buy American documentation is continually retained for foods sourced from outside of the United States.

**Date of Completion:** Due November 8, 2024; completed November 4, 2024

**Response:** An NSLP Corrective Action Procedure Form was uploaded noting that the SFA will now utilize the SA's Buy American Exception Form template going forward as it contains all required information. It was also detailed that the FSMC Director and Nutrition Services Administrative Assistant will work jointly to ensure all Buy American exceptions are documented with adequate information.

### **Finding 3 – Reporting and Recordkeeping**

The SFA's previous Food Service Management Company (FSMC) contract ended at the end of the 2023-2024 school year. The SFA now has a contract with a new FSMC, and they have not been able to retrieve production records for the previous three school years from the previous FSMC contractor though retention of these records by the SFA were included in the contract. Though the SFA indicated that they are able to retrieve them from the previous FSMC contractor, these documents were not readily retrievable, a

**CAP:** Using the NSLP Corrective Action Procedure Form, create a procedure detailing how the SFA will ensure that production records are retained on file from any current or future FSMCs previous to the contract ending.

**Date of Completion:** Due November 8, 2024; completed November 4, 2024

**Response:** The SFA uploaded a Corrective Action Procedure Form detailing how Blaine County School District will confirm that production records are readily accessible by the FSMC at the end of each school year. When production records are paper copies, the production records for the current year will be kept on file at each site/school. Records for 3 previous school years will be kept on file at the food service office. When production records are digital and maintained through an application or software subscription, one of two solutions will be offered:

1. A login to the production record application will be issued to a designated district employee to view and download production records for the current year and 3 previous school years.
2. Or regular downloads of production records for each site will be made to a shared file storage at regular scheduled intervals during the current school year. These records will be maintained by the district for the current year plus 3 previous years.

## **COMMENDATIONS**

- The Child Nutrition Administrative Assistant is very well organized and shows determination in operating a compliant and successful program. All requested materials while on and off site were provided in a timely manner, and answers to questions were articulated very well.
- The Child Nutrition Administrative Assistant and foodservice staff all had very positive attitudes. Any suggestions were met with positive reception and implemented swiftly.
- The menu offered such a wide variety at both breakfast and lunch. It was nice to see the students enjoying so many choices.

**Debbie Critchfield, Superintendent of Public Instruction**

**(208) 332-6800 | 650 W. State St., Boise, ID 83702 | [sde.idaho.gov](http://sde.idaho.gov)**

- The cafeteria at Bellevue Elementary School was very inviting with fun posters and art, and the students were very excited to participate in the meal programs.
- The staff at Silver Creek High school were warm and welcoming, and they demonstrated excellent rapport with the students.

## **TECHNICAL ASSISTANCE (TA)**

### **Certification and Benefit Issuance**

- Though the SFA was thorough in ensuring all incomes were accounted for when determining applications, there were two applications that did not have all incomes included in the final determination. Though this did not result in a change of benefit, the SFA should ensure that all income sources listed on the application are accounted for as this could lead to incorrect benefit determinations.

### **Meal Counting and Claiming**

- The SFA claimed 8,169 free lunches in the month of September, 2024, but the meal count listing report from the SFA's software noted that 8,170 free lunches were served. Upon questioning about this discrepancy, it was noted that the SFA made an update to a student benefit on the last day of operation, and the system did not note the change to the benefit until the next day due to processing time in the system after the claim was already submitted. If the SFA notes the same discrepancy, they should contact the software provider to ensure that accurate claims are being submitted.

### **Meal Components and Quantities - Breakfast**

- Independent contractor CN Resource completed the menu review and provided the following TA:
  - Secure a Child Nutrition (CN) Label or Product Formulation Statement (PFS) for breakfast pizza. The specification sheet submitted included a meal pattern crediting statement but was not an official CN Label or PFS.

### **Meal Components and Quantities - Lunch**

- Independent contractor CN Resource completed the menu review and provided the following TA:
  - Secure a Child Nutrition (CN) Label or Product Formulation Statement (PFS) for cheese stuffed breadsticks. The specification sheet submitted included a meal pattern crediting statement but was not an official CN Label or PFS. The CN number was verified as active on the USDA CN Label Verification Report.
  - The Child Nutrition (CN) Label submitted for the Queso Blanco included a watermark and was older than 5 years old. Please secure for your records the actual CN label from the product packaging, without the watermark. The CN number was not able to be verified as active on the USDA CN Label Verification Report.

**Debbie Critchfield, Superintendent of Public Instruction**

**(208) 332-6800 | 650 W. State St., Boise, ID 83702 | [sde.idaho.gov](http://sde.idaho.gov)**

- The Child Nutrition (CN) Label submitted for the veggie burger included a watermark. Please secure for your records the actual CN label from the product packaging, without the watermark. The CN number was verified as active on the USDA CN Label Verification Report.
- Ensure the Mango Chili Lime Smoothie with Graham Crackers entrée served on 9/17/2024 is served with 2 packages of graham crackers, to meet the minimum 2 oz. eq. grain requirement for grades 9-12. The production records indicated 1 package of graham crackers on 2 separate lines, therefore this meal was credited at 1 oz. eq. grain to meet requirements.

### Offer Versus Serve

- Though all applicable staff have been trained on offer versus serve (OVS), the training agenda provided did not note OVS Breakfast or OVS Lunch and instead "Meal Guidelines for Breakfast and Lunch." Ensure that training agendas specifically note OVS Breakfast and OVS Lunch to avoid confusion on what training was covered.

### Food Safety

- Ensure that the foods stored at the warehouse for child nutrition and catering are labeled sufficiently to guarantee that these foods are used for their intended purposes.

### Local School Wellness Policy

- Several of the schools' progress reports are not dated (Bellevue Elementary, Hailey Elementary, and Silver Creek High School). In order to verify when the assessments occurred, please ensure that the Wellness Committee includes the date on the form. Additionally, on the website, there was not an assessment comparing the District's policy to a model policy. Please ensure that the Wellness Committee uploads this as well.

### Resource Management

- The SFA must ensure that all non-reimbursable foods sold by school food service, including, but not limited to, a la carte food items, adult meals, and vended meals, generate at least the same proportion of school food authority revenues as they contribute to school food authority food costs, as required in 7 CFR §210.14(f).

## FISCAL ACTION

Due to benefit issuance errors, fiscal action results in \$2.40 for the NSLP and \$1.20 for the 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,

*Jax Dunham*

Jax Dunham, BS, RDN  
NSLP Coordinator

cc: Lynda Westphal, MHS, SNS, Director, Idaho Child Nutrition Programs  
Monica Miller, Child Nutrition Director, Blaine County School District #061

## **CIVIL RIGHTS NONDISCRIMINATION STATEMENT**

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

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

This institution is an equal opportunity provider.