

September 20, 2023

Ron's Brothers Academy  
Mr. Shelton Robinson, Superintendent  
118 E. Canal Street  
Picayune, MS 39466-9382

Dear Mr. Robinson:

Your response to the findings of our Administrative Review of your 2022-2023 National School Lunch Program (NSLP) and School Breakfast Program (SBP) has been received and accepted in the Mississippi Application and Reimbursement System (MARS). We are closing the file on this review.

If you have any questions concerning this review or need assistance, please call Marianna Chauvin or me at (601) 576-5000. Thank you for your continued support of the Child Nutrition Programs.

Sincerely,



Natalie Smith, Program Specialist  
Office of Child Nutrition, School Support Division

cc: File NSLP (AR) 2022-2023  
Prophetess Robinson, Child Nutrition Director

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July 26, 2023

Ron's Brothers Academy  
Mr. Shelton Robinson, Superintendent  
118 E. Canal Street  
Picayune, MS 39466-9382  
[Ronsbrothers@mail.com](mailto:Ronsbrothers@mail.com)

Dear Mr. Robinson:

The State Agency (SA) completed an Administrative Review (AR) of the National School Lunch Program (NSLP) and School Breakfast Program (SBP) during the weeks of April 3, 2023 and April 24 2023. An exit conference was conducted on May 25, 2023. The regulations governing the Administrative Review (7 CFR 210.18) require the SA to review two Critical Areas: Performance Standard 1 (Meal Access and Reimbursement) and Performance Standard 2 (Meal Pattern and Nutritional Quality). The Review additionally covers several General Areas of Review. Over the course of the SA Review, **seventeen (17) total findings were identified, including eleven (11) relating to Performance Standard 1/2. One (1) finding has resulted in fiscal action.** The findings which were identified are described below.

### **Performance Standard 1 (Meal Access and Reimbursement)**

- In accordance with FNS 113-1, Section IX (B) (4), the School Food Authority (SFA) must include the required nondiscrimination statement on all appropriate FNS and agency publications, web sites, posters, and informational materials provided to the public. The Reviewer noted that the verification notification letter did not contain the proper non-discrimination statement. In order to demonstrate corrective Action, the SFA must revise the letter to include the accurate non-discrimination statement.
- In accordance with 7 CFR 245.6a(c)(3)(i), the sample size should comprise of three (3) percent of all applications approved by the local educational agency for the school year, as of October 1, selected from error prone applications. The SFA completed verification for all enrolled students, rather than following procedures to select a random sample subject to Verification. In order to demonstrate corrective Action, the SFA must follow the proper sample selection method according to the Eligibility Manual.
- In accordance with 7 CFR 210.8(a), the school food authority shall establish internal controls which ensure the accuracy of meal counts prior to the submission of the monthly Claim for Reimbursement. At a minimum, these

internal controls shall include: an on-site review of the meal counting and claiming system employed by each school within the jurisdiction of the school

food authority; comparisons of daily free, reduced price and paid meal counts against data which will assist in the identification of meal counts in excess of the number of free, reduced price and paid meals served each day to children eligible for such meals; and a system for following up on those meal counts which suggest the likelihood of meal counting problems. The Reviewer noted that daily meal count sheets were incomplete. The SFA utilized class attendance rosters to record meal counts. In order to demonstrate corrective action, the SFA must revert to rosters to record meals served, in order to obtain accurate meal counts.

- In accordance with 7 CFR 210.10(d)(1)(i) and 7 CFR 210.10(d)(1)(i), all fluid milk must be fat-free (skim) or low-fat (1 percent fat or less). Milk may be unflavored or flavored, provided that unflavored milk is offered at each meal service. Upon reviewing an invoice, the purchase of whole chocolate milk was revealed. In order to demonstrate corrective action, the SFA must implement a plan to purchase compliant milk only.

### **General Program Compliance**

- In accordance with 7 CFR 210.19(a)(1), the SA shall ensure that school food authorities comply with the requirements to account for all revenues and expenditures of their nonprofit school food service. School food authorities shall meet the requirements for the allowability of nonprofit school food service expenditures. According to memo SP 03-2022, released by *Food and Nutrition Service* of the *United States Department of Agriculture*, SCA funds must be used exclusively for the purchase of domestic food products (also known as commodities) that are unprocessed or minimally processed. Supply Chain Assistance (SCA) funds were misappropriated to purchase kitchen equipment. In order to demonstrate corrective action, the SFA must provide documentation of the funds reallocated into the nonprofit school food service account.
- In accordance with 7 CFR 210.10 (a)(3), the SFA must maintain daily production records for all school meals. A student was observed recording in the production book. In order to demonstrate corrective action, the SFA must implement a plan to only allow a trained Child Nutrition staff member to access and record documentation.
- In accordance with 7 CFR 210.21(d)(2)(i), the SFA is required to purchase, to the maximum extent practicable, domestic commodities or products. The SFA does not have a process established to ensure that purchased products are domestic, nor a process to record exemptions. Several items purchased from Walmart do not contain the Country of Origin. In order to demonstrate corrective action, the SFA must produce Standard Operating Procedures for determining Buy American compliance and create a list of product exemptions.

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- In accordance with 7 CFR 210.13(a), the school food authority shall ensure that food storage, preparation and service is in accordance with the sanitation and health standards established under State and local law and regulations. Temperature logs were not available in the dry storage areas or freezer. Temperature logs were observed during the second site visit. No further action is necessary.
- In accordance with 7 CFR 210.13(a), the school food authority shall ensure that food storage, preparation and service is in accordance with the sanitation and health standards established under State and local law and regulations. Rice was observed stored on the floor of the kitchen area. All food items must be at least 6 inches above the floor. The violation was corrected on-site. No further action necessary.
- In accordance with 7 CFR 210.13(c), the school food authority must develop a written food safety program that covers any facility or part of a facility where food is stored, prepared, or served. In order to implement corrective action, the SFA must provide a food safety plan to the SA to remain on-site at all times.

## **Performance Standard 2 (Meal Pattern and Nutritional Quantity)**

- In accordance with 7 CFR 210.10(c)(1), schools must plan menus for students using the following age/grade groups: Grades K–5 (ages 5–10), grades 6–8 (ages 11–13), and grades 9–12 (ages 14–18). If an unusual grade configuration in a school prevents the use of these established age/grade groups, students in grades K–5 and grades 6–8 may be offered the same food quantities at lunch provided that the calorie and sodium standards for each age/grade group are met. No customization of the established age/grade groups is allowed. The SFA did not provide appropriate menus that met the meal requirements for the various age/grade groups. In order to demonstrate corrective action, the SFA must submit a plan to structure meal patterns for the different age/grade groups.
- In accordance with 7 CFR 210.10(a)(1)(i), schools must follow a food-based menu planning approach and produce enough food to offer each child the quantities specified in the meal pattern. A menu was not available on the Day of Review. In order to demonstrate corrective action, the SFA must implement a plan to prepare a menu, as well as document any supply chain shortages in the production book that may cause a deviation in the planned menu.
- In accordance with 7 CFR 210.10(a)(1)(i), schools must follow a food-based menu planning approach and produce enough food to offer each child the quantities specified in the meal pattern. Production records did not align with the planned menu for the Week of Review. In order to demonstrate corrective action, the SFA must devise a plan to adhere to the planned menu and document in the production book any supply chain shortages that may cause a deviation in the planned menu.

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- In accordance with the Administrative Review Manual (p. 61), Offer Versus Serve (OVS) signage should be posted on the service line to assist students in identifying a reimbursable meal. OVS signage was not visible near the line during the first site visit. The signage was made visible prior to the second site visit. No further action is necessary.
- In accordance 7 CFR 210.10 (i)(1), any nutrient analysis, whether conducted by the State agency under § 210.18 or by the school food authority, must be performed in accordance with the procedures established in paragraph (i)(3) of this section. The SFA did not provide sufficient documentation to develop a nutrient analysis. In order to implement corrective action, the SFA must submit all necessary documentation to the SA in an effort to conduct a thorough nutrient analysis.
- In accordance with 7 CFR 210.10(b)(1)(i), meals offered to each age/grade group must include the food components and food quantities specified in the meal pattern. During meal preparation and meal service, the Child Nutrition Director did not follow recipes or utilize portion control utensils. In order to demonstrate corrective action, the SFA must implement a plan to follow recipes and adhere to the proper meal quantities by making use of applicable serving utensils.
- In accordance with 7 CFR 210.10 (c ), no more than half of the fruit or vegetable offerings may be in the form of juice. All juice must be 100% full-strength. The Week of Review menu provided by the SFA contained noncompliant juice. In order to demonstrate corrective action, the SFA must devise a plan to only serve 100% fruit juice.

The School Food Authority (SFA) **must provide a corrective action response to all findings** of the Review by **August 28, 2023**. This response must be entered into the Mississippi Application and Reimbursement System (MARS) by an authorized signatory for the Child Nutrition Programs. If an authorized signatory is unable to access the Compliance module in MARS, the district must submit a corrective action plan on District letterhead that is signed by an authorized signatory.

In addition to conducting the AR, one of the functions of the SA is to provide Technical Assistance (TA). During the course of the review, the SA Reviewer provided TA in several areas to the CND. TA is documented in MARS, specifically in the “Technical Assistance” section of the “Compliance” Module. TA is provided for the improvement of the program operations and is not considered a finding.

The SA would like to commend the SFA for maintaining a tidy kitchen and creating well-labeled system for easily identifying products.

If you have any questions regarding this review, or if you would like to request additional assistance, please email me at [nsmith@mdek12.org](mailto:nsmith@mdek12.org), or call Marianna Chauvin or me at (601) 576-5000.

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Sincerely,

*Natalie Smith*

Natalie Smith, Program Specialist  
Office of Child Nutrition, School Support Division

cc: File NSLP (AR) 2022/2023

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