

## Section 12

# Fresh Fruit & Vegetable Program

# Section 12, Fresh Fruit & Vegetable Program

## Update Guide

May 19, 2023	Created new <i>Definitions</i> and <i>Contact Information</i> sections, located at the beginning of the <i>Administrator's Reference Manual (ARM)</i> . Removed definitions and contact information from this section.
September 29, 2022	Clarified guidance on the following topics: <ul style="list-style-type: none"><li>- FFVP Funding Year</li><li>- FFVP Service - time</li></ul>
January 4, 2022	Updated <i>Administrator's Reference Manual (ARM)</i> , <i>Section 12, Fresh Fruit &amp; Vegetable Program</i> to correct minor typos.
August 12, 2020	Updated <i>Administrator's Reference Manual (ARM)</i> , <i>Section 12, Fresh Fruit &amp; Vegetable Program</i> to update the <i>Administrator's Reference Manual (ARM)</i> section references.  Clarified guidance on the following topics: <ul style="list-style-type: none"><li>- Financial systems</li><li>- Allowable costs</li></ul>

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# Fresh Fruit & Vegetable Program

The Fresh Fruit and Vegetable Program (FFVP) provides students in participating schools with free fresh fruits and vegetables during the school day. The program is intended to accomplish the following goals:

- Introduce students to a variety of fresh fruit and vegetables.
- Promote healthy eating habits.
- Increase students' fruit and vegetable consumption.
- Promote partnerships at the state and local level to support implementing and operating the program.
- Promote stakeholder engagement.
- Promote a healthier school environment by including as an activity for a school's local wellness policy.

## **Additional Guidance for Operation of the Fresh Fruit and Vegetable Program (FFVP)**

Guidance which applies to the FFVP is also provided in other *Administrator's Reference Manual (ARM)* sections, including, but not limited to, the following:

- *Section 15, Program Integrity:* Ethical standards, code of conduct, and conflict of interest
- *Section 16, Financial System:* Allowable and unallowable costs, equipment purchases, disposal of equipment, purchases from school gardens
- *Section 17, Procurement:* Purchasing methods, local preference, and Buy American  
[NOTE: CEs may combine FFVP procurements with procurement for other programs. However, the CE must be able to document the costs that are specific to FFVP for these procurements.]
- *Section 17a, Procurement Procedures:* Procedures or processes that promote program integrity.
- *Section 20, Counting & Claiming:* Reimbursement for costs
- *Section 25, Meal Accommodations:* Required and optional accommodations
- *Section 26, Food Safety:* Handling food items safely

## **FFVP Site Selection and Program Application**

### **FFVP Funding Year**

Funds provided for FFVP are allocated according to the federal fiscal year—October 1 to September 30. In Texas, each approved site receives a \$50 minimum allocation for each student during the October 1 through June 30 period of operation.

Funds must be expended by the end of the period assigned.

## FFVP Site Selection and Program Application

Because of the large number of possible eligible sites across Texas, TDA is only able to provide funds to a select number of sites for each period of operation during each year.

### Notification of Eligibility

TDA will notify all contracting entities (CEs) of site eligibility for each period of operation for each year.

### Program Application Timeline

The CE must complete and submit the program application as directed by TDA. If the CE does not submit all of the required documentation to operate the FFVP according to the TDA timeline, the funds for the CE's site(s) may be reallocated to another CE.

### Site Selection Criteria

TDA assigns priority for FFVP site allocation using the following criteria:

1. Represents the highest free and reduced-price enrollment for the state based on October enrollment from the previous year.

[NOTE: Sites that are eligible in one school year may not receive funds in the following school year. Sites selected for the first allocation period for the school year may not be selected for the second allocation period of the school year.]

Change in Student Population After Site Is Approved for FFVP—If a CE school reorganization results in significantly reducing the high percentage of free and reduced students for an approved site, the site's student population no longer represents accurate data from the previous October. Therefore, the site is no longer eligible to participate in FFVP.

If this occurs, the CE must notify TDA immediately.<sup>1</sup>

2. Operates as an elementary school at the first of the school year.

Approved FFVP Site Is No Longer an Elementary School—If a CE reorganizes schools so that an approved FFVP site that was an elementary school in October of the previous year is not an elementary under the reorganization, the site is not eligible to operate FFVP.

If this occurs, the CE must notify TDA immediately.<sup>2</sup>

3. Participates in NSLP.
4. Has successfully operated the FFVP previously and/or other Child Nutrition Programs (CNPs).

[NOTE: Successful operation of the FFVP includes, but is not limited to, adequate administrative support, timely and accurate

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<sup>1</sup> See the Contact Information for the Texas Department of Agriculture (TDA), Food and Nutrition page at the beginning of this manual for TDA contact information.

<sup>2</sup> See the Contact Information for the Texas Department of Agriculture (TDA), Food and Nutrition page at the beginning of this manual for TDA contact information.

submission of reimbursement claims, and appropriate and efficient use of funds.]

## Special Guidance, Site Selection

### Full Year Operation

If a site is not expected to remain open for the entire school year, the CE **must** not submit an application for that site.

For Example: A CE plans to close a school mid-school year.

### New Site Identification Number

To identify which sites represent the highest free and reduced-price enrollments, TDA's calculations are associated with the site identification number, not the site name. Therefore, if a site changes its identification number before receipt of FFVP funds or after FFVP funds have begun to be paid, the remaining FFVP funds cannot be paid to the site with the new site identification number.

If this occurs, the CE **must** contact TDA immediately.<sup>3</sup>

### Sites with High Free and Reduced Enrollment, Not Selected to Receive FFVP Funds

Even though a site's student population indicates that a site may be eligible for participation in the FFVP, a site may not be approved to receive FFVP funds for the following reasons:

- FFVP application is not submitted by the deadline for receipt.
- Site does not have the administrator support for operation the FFVP based on information submitted in the CE's FFVP application for the site.
- CE or site has a previous record of lack of administrator support for the operation of the FFVP.
- CE or site has a previous record of noncompliance with FFVP or another CNP.
- CE or site has a previous record demonstrating that it does not have an effective financial management system to support the operation of FFVP or another CNP.

## Program Participants

FFVP sites must be operated exclusively at elementary schools. Program participants include the following:

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Any student enrolled in the elementary site receiving FFVP funds, including students enrolled in pre-kindergarten (pre-K) or Head Start programs operated at an approved FFVP site. However, a CE may elect to include all students or a select group of students to receive fresh fruit and vegetables.

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Teachers who are directly responsible for serving fruit or vegetables to students. Teachers are encouraged to model healthful eating habits by eating with their students.

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### Ineligible Participants

FFVP service is not available to the following individuals:

- Parents or other adults visiting an approved FFVP site

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<sup>3</sup> See the Contact Information for the Texas Department of Agriculture (TDA), Food and Nutrition page at the beginning of this manual for contact information.

- General teacher population
- Administrators
- Children who are not students at the approved FFVP site

## Planning for FFVP Operation

CEs are expected to take the following actions to implement FFVP:

- Establish a detailed plan for implementing the FFVP, which addresses the following issues—roles and responsibilities, timeline, procurement, and reporting.

Establishing a detailed implementation plan within 60 days of the award and following that plan are critical actions for successful program implementation and efficient use of awarded funds.

CEs that do not establish a detailed plan are often unable to use the awarded funds in a timely and efficient manner. In circumstances where a CE has not begun to use awarded FFVP funds within a reasonable period of time, TDA may reclaim the funds and reallocate the funds to another CE.

- Create a monthly budget to assist in tracking the use of funds and ensure that the funds awarded for each site will be fully expended by the end of the allocation period.

TDA monitors each site's use of funds throughout the school year.

- If the site (or CE) does not submit FFVP claims in a timely and efficient manner, TDA may reallocate the funds to a different CE.
- If a site or CE's claiming practices during the program year indicate that the awarded funds will not be spent before the end of the allocation period, TDA may reallocate the funds mid-year to a different CE.

A site that does not expend/claim a minimum of 95% of the awarded FFVP funds by the end of the allocation period may jeopardize the site's selection for FFVP participation in future program years, even if the site has a high free/reduced-price claiming percentage.

To ensure that all funds are used in a timely manner, CEs should (1) include expected monthly costs in planning and (2) establish a process for monitoring the use of funds each month.

- Develop internal processes to validate and submit claims in a timely manner. This includes ensuring that claims for costs are submitted each month and that all submitted claims for reimbursement are allowable costs.
- Develop a plan to incorporate nutrition education and enrichment activities into the daily curriculum, preferably during the service of fresh fruits and vegetables.

Incorporating nutrition lessons into the academic curriculum strengthens nutrition and enrichment activities. Engaging community partners in education and enrichment activities will widen the range of the experiences for the students.



- Develop a plan for training staff to perform assigned roles and responsibilities.  
Incorporating assigned roles and responsibilities into the written plan will allow the CE to more closely monitor program activities and ensure that all those involved know what they are assigned to do and the timeline for all assignments.
- Obtain confirmation of support for operating the FFVP from the following officials: child nutrition director, site cafeteria manager, school principal at each site awarded FFVP funds, and the superintendent.

Making sure that the program will have support from key leadership will help to build a strong foundation for program operation. If there are staff changes during the program year, written confirmations should be obtained from the new staff to ensure that they are aware of expectations for the FFVP award.

[NOTE: The FFVP application requires that the individual completing the form has confirmed that the child nutrition director, site cafeteria manager, school principal, and superintendent will support the operation of the FFVP for each site operating the program.]

If there is a change in staff before the start of FFVP operation, the CE is expected to ensure that the new staff member will support the operation of the program.

#### Optional but Recommended

- Include the FFVP in the CE's local wellness policy.
- Utilize TDA's Farm Fresh Network resources to plan purchases from local Texas fruit and vegetable producers at <http://squaremeals.org/FandNResources/TexasFarmFresh/TexasFarmFreshNetwork.aspx>

## Financial Management and Procurement Guidance

Financial management and procurement requirements<sup>4</sup> for the FFVP align to other Child Nutrition Programs (CNPs) in all situations except the following:

#### FFVP Allowable Administrative Costs

- All costs must be reasonable, allocable, and allowable as described in *Administrator's Reference Manual (ARM), Section 16, Financial System*.
- Up to 10% of a CE's FFVP funds may be used to cover administrative costs. Administrative costs beyond 10% must be covered by funds that do not come from the nonprofit school food service account.
  - Durable/Large equipment with TDA approval<sup>5</sup>—For durable/large equipment, the CE must document each of the following:
    1. Reason the CE's current equipment is not sufficient for FFVP operations.

<sup>4</sup> See *Administrator's Reference Manual (ARM), Section 15, Program Integrity; Section 16, Financial System; Section 17, Procurement; and Section 17a, Procurement Procedures*.

<sup>5</sup> See the Contract Information for the Texas Department of Agriculture (TDA), Food and Nutrition page at the beginning of this manual for contact information for issues related to claims.

2. Number of times the FFVP snack is offered each week and the months of operation.
3. Percentage of time equipment is used for the FFVP.

If the equipment costs \$5,000 or more, a capital expenditure request<sup>6</sup> must be submitted in the Texas Unified Nutrition Programs System (TX-UNPS). In that request, the CE must provide the information listed above to justify the purchase of the equipment.

Durable equipment includes, but is not limited to, refrigerators, coolers, portable service kiosks, carts, or food bars.

- Minimal labor costs for employees who plan program activities, including planning and writing menus; manage paperwork and submit reports; procure food items, equipment, and supplies; track inventory; and coordinate nutrition promotion activities.

#### FFVP Allowable Non-Administrative Costs

- Allowable fresh fruit and vegetable food products<sup>7</sup>
- Cleaning supplies
- Food items purchased from school gardens<sup>8</sup>
- Food service items, such as napkins, paper plates, serving bowls, and serving trays
- Minimal labor costs for employees who prepare foods for snack service, distribute snacks, set up snack distribution, and clean up
- Small equipment needed for snack preparation and service

#### FFVP Unallowable Non-Administrative Costs

- Additional food items used in cooking fruits and/or vegetables  
For Example: As a program activity, a teacher sets up stations for students to try varied methods for cooking and serving a vegetable or fruit. Some of the preparation methods call for spices or herbs, low-calorie oil, or dressing. The cost of the spices or herbs, low-calorie oil, and dressing are not allowable costs to the program.
- Materials for school gardens, i.e., seeds, plants, and tools
- Nutrition education materials
- Promotional materials, including, but not limited to, fruit/vegetable baskets for teachers or administrators
- Any food item not on the list of food items that can be served.<sup>9</sup>

#### Other Child Nutrition Program (CNP) Funds

- Funds from other CNPs cannot cover FFVP costs.

<sup>6</sup> See *Administrator's Reference Manual (ARM)*, Section 16, *Financial System* for additional guidance on capital expenditures.

<sup>7</sup> See the *FFVP Snack Service* subsection in this section for additional information on allowable food items.

<sup>8</sup> FFVP funds cannot be used for materials, tools, equipment, or seeds for the garden.

<sup>9</sup> See the *FFVP Service* subsection in this section for additional guidance on allowable food items.

## Claims for Reimbursement

Unlike other Child Nutrition Programs (CNPs), CEs operating FFVPs are reimbursed for actual costs instead of reimbursement based on the number of meals or snacks served. CE's must use the following guidance in submitting claims for FFVP.

### FFVP Claim Year Summary Screen

The FFVP Claim Year Summary screen in TX-UNPS allows CEs to monitor the following information for each site:

- Total allocated award amount
- Claim amounts processed to date
- Remaining allocation balance available for the remaining award months for each site

### Monthly Claims

Each month, the CE submits its FFVP claim by site by cost item in the TX-UNPS Claims Module. FFVP claims are subject to the same late claim requirements as other CNPs. See *Administrator's Reference Manual (ARM), Section 20, Counting & Claiming* for more information on the timeline for claim submission.

### Allowable Costs for Claims

All claims must include only costs that are allowable by program regulations. See the other subsections under the *Financial Management and Procurement Guidance* subsection above for detailed guidance on allowable costs for FFVPs.

#### Certification of Accuracy

When the claim preparer submits a claim, the person is certifying that the claim is accurate and includes only allowable costs.

#### Claims Exceeding Allocation Amount

Claims exceeding the amount of allocated funds available will not be processed. The FFVP Claim Year Summary Screen provides information on the amount paid for all approved claims. This information will help the CE monitor the remaining available funds.

If a CE submits a claim which exceeds the available funds, the entire claim will be returned for correction. When an FFVP claim is returned for correction, the result may be a late claim submission.<sup>10</sup>

## FFVP Service

### Location

FFVP foods may be served in classrooms, in hallways, at kiosks, through vending machines, during nutrition education and enrichment activities, or other innovative locations.

### Time

FFVP service must occur during the instructional school day but FFVP service cannot occur during the NSLP or SBP mealtimes.

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<sup>10</sup> See *Administrator's Reference Manual (ARM), Section 20, Counting & Claiming* for more information on the timeline for the submission of claims.

FFVP items also cannot be served during the operation of the Seamless Summer Operation (SSO), Summer Food Service Program (SFSP), Afterschool Care Program (ASCP), and Child and Adult Care Food Program At-Risk (CACFP At-Risk).

If funding allows, TDA encourages CEs to operate FFVP throughout the program year after funding is received (October 1 through June 30).

**Food Items Served**

The food items served in the FFVP service must be fresh fruit and vegetables.

The following lists provide detailed guidance for food items that may be served in limited amounts and food items that cannot be served.

Allowed If Limited in Use	Not Allowed
<ul style="list-style-type: none"> <li>- Dips for vegetables in a common condiment <i>servings size</i> as described on a Nutrition Facts Label—Dips must be low-fat yogurt or other low-fat or non-fat.</li> <li>- Cooked/Prepared fresh vegetables—Cooked/Prepared vegetables cannot be canned, frozen, dried, or otherwise processed.</li> </ul> <p>Serving cooked/prepared vegetables is limited to once-a-week. Cooked/Prepared vegetables must be served when there is also a nutrition education or enrichment lesson related to the cooked/prepared food item.</p> <p>The cost of any food item or spice added to cooked/prepared vegetables is an unallowable cost.<sup>11</sup></p>	<ul style="list-style-type: none"> <li>- Processed or preserved fruits and vegetables—canned, frozen or dried</li> <li>- Dips for fruit</li> <li>- Fruit or vegetable juice</li> <li>- Snack-type fruit products such as fruit strips, fruit drops, fruit leather</li> <li>- Jellied fruit</li> <li>- Trail mix</li> <li>- Nuts</li> <li>- Cottage cheese</li> <li>- Fruit or vegetable pizza</li> <li>- Smoothies</li> <li>- Fruit with added flavorings, including fruit injected with flavorings</li> <li>- Carbonated fruit</li> </ul>

**Recommended Strategies for Increasing Program Participation/Service**

The following strategies may assist CEs in increasing program participation and student acceptance of fruit and vegetables.

- Provide fresh fruits and vegetables a minimum of twice a week because repeated exposure to new foods is key to student acceptance of fruit and vegetables.
- Serve students’ favorite fruits and vegetables, but also introduce new fruit and vegetable items at the same time.
- Use smaller portions when introducing a new fruit or vegetable and, then, increase portion size as student acceptance increases.
- Use serving methods that make fruit and vegetables easy for students to handle.
- Use new methods of service to raise student interest, including such methods as vending machines, tasting sessions, serving trays instead of individual servings, food kiosks, meet the farmer events, and food tastings.

<sup>11</sup> See *Administrator's Reference Manual (ARM), Section 16, Financial System* for addition information on allowable costs.

- Precut fruit and vegetables to make them more appealing and less messy.

## Building Stronger Support for FFVP

FFVP operators will build greater support for the FFVP service if they engage other community partners and stakeholders in planning and implementation. Engagement includes, but is not limited to, the following:

- Establish partnerships on a local level with groups such as
  - Local grocers and stores
  - Local farmers
  - Health departments, community health agencies, or hospitals
  - Extension services
  - Vocational clubs

These partnerships can lead to additional resources to support program implementation, including nutrition education and enrichment activities, and may also result in additional funding for increased participation and services.

- Promote stakeholder engagement, including involvement and commitment from stakeholders such as
  - Teachers
  - Food service staff
  - Parents
  - Administrators
  - Other school staff such as school nurses and custodial staff
  - Parental involvement organizations
  - Students

Engaging stakeholders may result in additional resources to support program implementation, help identify additional resources to support program operation, and build greater buy-in from all who have a stake in the program's success. The use of volunteers can reduce the administrative costs for operating the program.

## Nutrition Education and Enrichment Activities for FFVP

FFVP are required to include nutrition education and enrichment activities with the snack service. Nutrition education and enrichment activities may include information about a specific fruit or vegetable, food safety, preparing fresh fruits and vegetables for eating, or manners. The following strategies are commonly used to foster nutrition education and enrichment activities:

### Connect to Regular Classroom Activities

- Align nutrition education and enrichment activities to instructional topics occurring at the same time.
- Incorporate eating with classroom activities during silent reading or nutrition education and enrichment activities.

- Foster coordination between classroom teachers and the FFVP to co-create lessons specific to fruits or vegetables such as a fruit or vegetable of the day that corresponds to a lesson in geography, science, reading, writing, or math.

#### Foster Good Manners

- Develop guidelines to remind students of good manners when they receive and eat their fruit and vegetable snacks and dispose of their trash.
- Create activities that combine fostering good manners with how the food items are served.

#### Promote Nutrition Education and Enrichment Activities Inside of the School

- Use daily announcements to promote the FFVP fruit or vegetable to be served on that day.
- Share pictures of events on school bulletin boards (including electronic or online communications).

#### Promote Nutrition Education and Enrichment Activities Outside of the School

- Incorporate school-to-farm visits or farmer-to-school visits as nutrition education and enrichment activities.
- Plan training activities for parents and community members to promote the fruits and vegetables served in the FFVP.
- Create weekly or monthly menus for the FFVP snacks for students to take home to share with student families.
- Create a monthly newsletter to alert students and parents about what fruit and vegetables have been served and will be served. The newsletter can also provide recipes that can be used at home, include pictures of students participating in the FFVP service, and describe student responses to new fruits and vegetables.
- Establish a communication plan to share information about the program with administrators, parents, students, and the public.
- Identify local resources for free nutrition education and enrichment materials.

## Training

CEs must ensure that all staff involved in the FFVP have sufficient training to perform the tasks they perform in their assigned role before the CE begins operation of the FFVP. This includes, but is not limited to, the required civil rights training.<sup>12</sup>

CE employees who are assigned to work only in the FFVP and no other Child Nutrition Program (CNP) are not required to meet the professional standards as described in the *Administrator's Reference Manual (ARM)*, Section 27, *Professional Standards*. However, employees who work in both the FFVP and NSLP/SBP may count training for the FFVP program toward meeting the professional standards requirements if the training aligns with NSLP/SBP operational tasks.

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<sup>12</sup> See *Administrator's Reference Manual (ARM)*, Section 3, *Civil Rights & Confidentiality* for additional guidance on civil rights.

CEs must retain documentation that demonstrates that all staff have received the training necessary for them to perform the tasks assigned before beginning implementation of the program.

## Resources

### TDA Resources

TDA provides numerous resources on building a team, finding and buying local foods, food safety, curriculum integration, and more at <http://squaremeals.org/FandNResources/TexasFarmFresh/FarmFreshTraining.aspx>

### USDA Resources

USDA Team Nutrition’s website has a variety of resources specific for the FFVP available at <https://www.fns.usda.gov/ffvp/fresh-fruit-and-vegetable-program-resource-center>, including the *Fruits & Vegetables Galore: Helping Kids Eat More*.

## Records Retention

The CE is required to maintain records for all program operations. CEs have the option to maintain records on paper or electronically.

All documentation or records must be kept on file for a minimum of five years for public and charter schools or three years for private schools, nonprofit organizations, and residential childcare institutions (RCCIs) after the end of the fiscal year to which they pertain. If audit findings have not been resolved, the records must be maintained as long as required for the resolution of the issues raised by the audit.

Documentation or records the CE must retain include, but are not limited to, the following topics:

- Claim submissions
- Financial and accounting documentation for program income and costs
- Food items served
- Nutrition education and enrichment activities
- Procurement
- Program participation
- Support documentation for claims submitted
- Training

Information Box 1
<b>Records Retention</b>
Public and charter schools are required to keep documentation related to school nutrition programs for 5 years.
Nonprofit private schools, other organizations, and residential childcare institutions (RCCIs) are required to keep documentation for 3 years.

## Compliance

The CE is responsible for ensuring that FFVP activities are in compliance with all regulations. This includes, but is not limited to, use of funds, program activities, and claims submission.

TDA may take appropriate fiscal action or terminate the Food and Nutrition (FND) Agreement for any CE that is not in compliance. CEs must make available, upon request of the awarding agency (state or federal), any or all documentation described in the *Records Retention* subsection in this section.