



**Mailing Address:**  
1 Baldwin Street  
Drawer 33  
Montpelier, Vermont 05633-5701

Tel.: (802) 828-2295  
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**STATE OF VERMONT**  
**JOINT FISCAL COMMITTEE**  
1 Baldwin Street  
Montpelier, Vermont 05633-5701

## MEMORANDUM

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**To:** James Reardon, Commissioner of Finance & Management

**From:** Nathan Lavery, Fiscal Analyst

**Date:** May 9, 2008

**Subject:** Status of Grant

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No Joint Fiscal Committee member has requested that the following item be held for review:

**JFO #2323** — \$250,000 grant from the U.S. Department of Agriculture to the Department of Education. These grant funds will be used to provide fresh fruit and vegetable snacks to students at 25 schools.  
[JFO received 04/09/08]

In accordance with 32 V.S.A. §5, the requisite 30 days having elapsed since this item was submitted to the Joint Fiscal Committee, the Governor's approval may now be considered final. We ask that you inform the Secretary of Administration and your staff of this action.

cc: Linda Morse  
Richard Cate

STATE OF VERMONT  
GRANT ACCEPTANCE FORM

JFO #

2323

DATE: March 25, 2008

DEPARTMENT: Department of Education

GRANT/DONATION (brief description and purpose): Federal reimbursement to Local Education Agencies for the cost of providing fresh fruits and vegetables to students at snack time.

GRANTOR/DONOR: U.S. Department of Education

GRANT PERIOD: 7/01/08-09/30/09

AMOUNT/VALUE: \$250,000

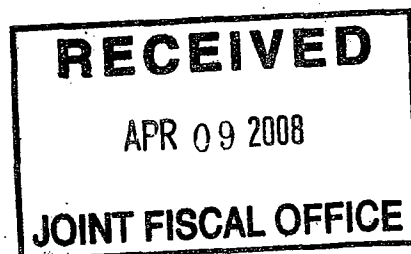
POSITIONS REQUESTED (LIMITED SERVICE): None

ANY ON-GOING, LONG-TERM COSTS TO THE STATE: None

COMMENTS:

DEPT. FINANCE AND MANAGEMENT:  
SECRETARY OF ADMINISTRATION:  
SENT TO JOINT FISCAL OFFICE:

(INITIAL) 3/25/08  
(INITIAL) SPM 3/31/08  
(DATE) 4/3/08



STATE OF VERMONT  
REQUEST FOR GRANT ACCEPTANCE  
(use additional sheets as needed)

FORM AA-1  
(Rev. 9-90)

1. Agency:  
2. Department: Department of Education  
3. Program: Child Nutrition Programs

4. Legal Title of Grant: The Fresh Fruit & Vegetable Program

5. Federal Catalog No.: 10.582

6. Grantor and Office Address:  
U.S. Department of Agriculture  
Food and Nutrition Service  
2102 Park Center Drive  
Alexandria, Virginia

7. Grant Period: From: 7/1/2008 To: 9/30/2009

8. Purpose of Grant: (attach additional sheets if needed)  
The grant provides reimbursement to 25 schools for fresh fruits and vegetables served to all students in settings outside the regular school breakfast and school lunch programs.

9. Impact on Existing Programs if Grant is not Accepted:  
School children in Vermont who would otherwise have the opportunity to get free fresh fruits and vegetables at snack time, at after school activities and the like will not have that opportunity.

10. Budget Information:	(1st State FY) FY 2008	(2nd State FY) FY 2009	(3rd State FY) FY 2010
<b>EXPENDITURES:</b>			
Personal Services	\$	\$	\$
Operating Expenses	\$	\$	\$
Other	\$ -	\$ 250,000	\$
<b>TOTAL</b>	<b>\$ -</b>	<b>\$ 250,000</b>	<b>\$ -</b>
<b>REVENUES:</b>			
<u>State Funds:</u>			
Cash	\$	\$	\$
In-Kind	\$	\$	\$
<u>Federal Funds:</u>			
(Direct Costs)	\$	\$	\$
(Department Indirect)	\$ -	\$ -	\$ -
<u>Other Funds:</u>			
(source) Grant	\$	\$ 250,000	\$ -
<b>TOTAL</b>	<b>\$ 0</b>	<b>\$ 250,000</b>	<b>\$ 0</b>

Federal funds will be allocated to these appropriation expenditure accounts: in SFY08	<u>Fund</u>	<u>DeptID</u>	<u>Amounts</u>
			\$

-over-

REC'D MAR 1 9 2008

11. Will grant monies be spent by one or more personal service contracts?

YES  NO

If YES, signature of appointing authority here indicates intent to follow current guidelines on bidding.

X

12a. Please list any requested Limited Service positions:

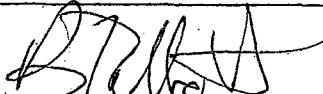
Titles	Number of Positions
<b>TOTAL Positions</b>	0

12b. Equipment and space for these positions:

- Is presently available.
- Can be obtained with available funds.

13. Signature of Appointing Authority

I certify that no funds have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant.

  
(Signature)

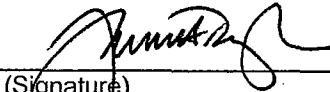
3-17-08

(Date)

CFO/Dep Commissioner  
(Title)

14. Action by Governor:

- Approved
- Rejected

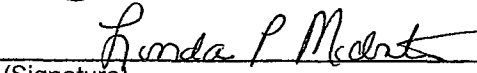
  
(Signature)

4/3/08

(Date)

15. Secretary of Administration:

- Request to JFO
- Information to JFO

  
(Signature)

3/31/08

(Date)

16. Action by Joint Fiscal Committee:

(Dates)

- Request to be placed on JFC agenda
- Approved (not placed on agenda in 30 days)
- Approved by JFC
- Rejected by JFC
- Approved by Legislature

_____
_____
_____
_____

(Signature)

(Date)



REC'D MAR 28 2008

United States  
Department of  
Agriculture

Food and  
Nutrition  
Service

3101 Park  
Center Drive  
Alexandria, VA  
22302-1500

MEMO CODE: SP 08-2008  
Date: January 16, 2008  
Subject: Fresh Fruit and Vegetable Program  
To: State Agencies  
Child Nutrition Programs  
All States  
Regional Directors

This is to make you aware of a provision in the Fiscal Year 2008 Omnibus Appropriation Act.

Effective for the school year beginning July 1, 2008, the Act provides \$9.9 million to expand the Fresh Fruit and Vegetable Program (FFVP) to those States that were not previously authorized to participate on a permanent basis and not part of the FY 2006 Appropriation. These funds will allow for Program expansion to all States not currently authorized and to the District of Columbia.

States not currently participating in the program are advised to begin the selection process of 25 schools. When selecting schools, States must comply with Section 18(g)(3) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(g)). Section 18(g)(3) of the National School Lunch Act is attached and can also be found at:  
<http://www.fns.usda.gov/cnd/Governance/Legislation/Historical/NSLA-Nov-10-2005.pdf>

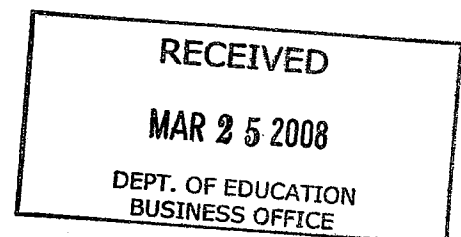
It is important to note that legislation currently being discussed by Congress could have some additional effect on the future scope of the FFVP, but it will not affect the \$9.9 million from Appropriations.

For now, we wish to make sure that you are aware that funding is available for SY 2008-2009 and that it is advisable to begin the school selection process as soon as possible. We will schedule conference calls shortly to provide additional information and answer questions.

Sincerely,

ROBERT M. EADIE  
Acting Director  
Child Nutrition Division

Enclosure



**Brodeur, Aaron**

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**From:** Flanagan, Kathy  
**Sent:** Friday, March 28, 2008 9:55 AM  
**To:** Brodeur, Aaron  
**Cc:** Talbott, Bill  
**Subject:** Fruit & Vegetable AA-1

Aaron,

Our program person has just confirmed that the Fruit & Vegetable allocation from the Feds is for one year only.

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*Kathy Flanagan*  
Assistant Division Director  
Finance & Administration  
Vermont Department of Education  
(802) 828-0482  
[kathy.flanagan@state.vt.us](mailto:kathy.flanagan@state.vt.us)

**From:** "Flanagan, Kathy" <Kathy.Flanagan@state.vt.us>  
**To:** <rbuck@leg.state.vt.us>  
**Date:** 4/9/2008 9:03 AM  
**Subject:** Fruit & Vegetable AA-1

**CC:** "Busha, Josephine" <Josephine.Busha@state.vt.us>, "Talbot, Bill" <Bill....  
Becky,

Here is the information I received from the Child Nutrition program manager, per your request.

The Federal rules established that 25 schools per state can participate. Only schools with at least 50% free and reduced students can apply (Vermont has approximately 50-60 schools that meet this criteria). We are using a selection process suggested by the federal government. Schools when they apply are asked to explain what their project will entail, and what kind of nutrition education will be included in their project. We expect to assign points to the criteria noted in the application, and select schools based on their "scores".

Please let me know if you require additional information.

Kathy

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Kathy Flanagan  
Assistant Division Director  
Finance & Administration  
Vermont Department of Education  
(802) 828-0482  
kathy.flanagan@state.vt.us

(i) any effect on participation by children and service institutions in the summer food service program in the eligible State in which the program is carried out; (ii) any effect of the program on the quality of the meals and supplements served in the eligible State in which the program is carried out; and

(iii) any effect of the program on program integrity.

(6) 18-21 REPORT.—Not later than April 30, 2007, the Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes—

(A) the evaluations completed by the Secretary under paragraph (5); and

(B) any recommendations of the Secretary concerning the programs.

(g) <sup>18-22</sup> FRESH FRUIT AND VEGETABLE PROGRAM.—

(1) IN GENERAL.—For the school year beginning July 2004 and each subsequent school year, the Secretary shall carry out a program to make free fresh fruits and vegetables available, to the maximum extent practicable, to—

(A) 25 elementary or secondary schools in each of the 4 States authorized to participate in the program under this subsection on May 1, 2004;

(B) 25 elementary or secondary schools (as selected by the Secretary in accordance with paragraph (3)) in each of 4 States (including a State for which funds were allocated under the program described in paragraph (3)(B)(ii)) that are not participating in the program under this subsection on May 1, 2004; and

(C) 25 elementary or secondary schools operated on 3 Indian reservations (including the reservation authorized to participate in the program under this subsection on May 1, 2004), as selected by the Secretary.

(2) PROGRAM.—A school participating in the program shall make free fresh fruits and vegetables available to students throughout the school day in 1 or more areas designated by the school.

(3) SELECTION OF SCHOOLS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), in selecting additional schools to participate in the program under paragraph (1)(B), the Secretary shall—

(i) to the maximum extent practicable, ensure that the majority of schools selected are those in which not less than 50 percent of students are eligible for free or reduced price meals under this Act;

(ii) solicit applications from interested schools that include—

(I) information pertaining to the percentage of students enrolled in the school submitting the ap-

is-21 Section 116(f)(4) of P.L. 108-265, 118 Stat. 751, June 30, 2004, amended paragraph (6) in its entirety. For guidance requirement, see note 1-1.

is-22 Section 120 of P.L. 108-265, 118 Stat. 756, June 30, 2004, amended subsection (g) in its entirety. For guidance requirement, see note 1-1. Previously, subsec. (g) added by sec. 4305(a) of P.L. 107-171, 116 Stat. 332, May 13, 2002, and amended by section 1 of P.L. 108-30, 117 Stat. 774, May 29, 2003. November 16, 2005

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plication who are eligible for free or reduced price school lunches under this Act;

(II) a certification of support for participation in the program signed by the school food manager, the school principal, and the district superintendent (or equivalent positions, as determined by the school); and

(III) such other information as may be requested by the Secretary;

(iii) for each application received, determine whether the application is from a school in which not less than 50 percent of students are eligible for free or reduced price meals under this Act; and

(iv) give priority to schools that submit a plan for implementation of the program that includes a partnership with 1 or more entities that provide non-Federal resources (including entities representing the fruit and vegetable industry) for—

(I) the acquisition, handling, promotion, or distribution of fresh and dried fruits and fresh vegetables; or

(II) other support that contributes to the purposes of the program.

(B) NONAPPLICABILITY TO EXISTING PARTICIPANTS.—Subparagraph (A) shall not apply to a school, State, or Indian reservation authorized—

(i) to participate in the program on May 1, 2004;

or

(ii) to receive funding for free fruits and vegetables under funds provided for public health improvement under the heading "DISEASE CONTROL, RESEARCH, AND TRAINING" under the heading "CENTERS FOR DISEASE CONTROL AND PREVENTION" in title II of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004 (Division E of Public Law 108-199; 118 Stat. 238).

(4) NOTICE OF AVAILABILITY.—To be eligible to participate in the program under this subsection, a school shall widely publicize within the school the availability of free fresh fruits and vegetables under the program.

(5) REPORTS.—

(A) INTERIM REPORTS.—Not later than September 30 of each of fiscal years 2005 through 2008, the Secretary, acting through the Administrator of the Food and Nutrition Service, shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an interim report that describes the activities carried out under this subsection during the fiscal year covered by the report.

(B) FINAL REPORT.—Not later than December 31, 2008, the Secretary, acting through the Administrator of the Food and Nutrition Service, shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Agriculture, Nutrition, and

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Forestry of the Senate a final report that describes the results of the program under this subsection. (6) FUNDING.—

(A) EXISTING FUNDS. — The Secretary shall use to carry out this subsection any funds that remain under this subsection on the day before the date of enactment of this subparagraph.

(B) MANDATORY FUNDS. —

(i) IN GENERAL. — On October 1, 2004, and on each October 1 thereafter, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Agriculture to carry out this subsection \$9,000,000, to remain available until expended.

(ii) RECEIPT AND ACCEPTANCE. — The Secretary shall be entitled to receive, shall accept, and shall use to carry out this subsection the funds made available under this subparagraph, without further appropriation.

(C) AUTHORIZATION OF APPROPRIATIONS. — In addition to any amounts made available under subparagraphs (A) and (B), there are authorized to be appropriated such sums as are necessary to expand the program carried out under this subsection.

(D) REALLOCATION. — The Secretary may reallocate any amounts made available to carry out this subsection that are not obligated or expended, as determined by the Secretary.

(h) <sup>15-23</sup> SUMMER FOOD SERVICE RESIDENTIAL CAMP ELIGIBILITY.—

(1) IN GENERAL. — During the month after the date of enactment of this subsection through September, 2004, and the months of May through September, 2005, the Secretary shall modify eligibility criteria, at not more than 1 private nonprofit residential camp in each of not more than 2 States, as determined by the Secretary, for the purpose of identifying and evaluating alternative methods of determining the eligibility of residential private nonprofit camps to participate in the summer food service program for children established under section 13.

(2) ELIGIBILITY. — To be eligible for the criteria modified under paragraph (1), a residential camp —

(A) shall be a service institution (as defined in section

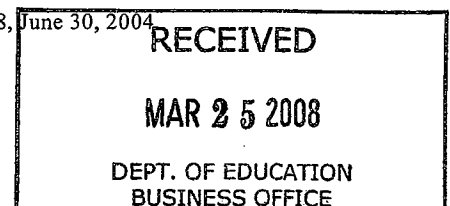
(B) may not charge a fee to any child in residence at the camp; and

(C) shall serve children who reside in an area in which poor economic conditions exist (as defined in section

(3) PAYMENTS. —

(A) IN GENERAL. — Under this subsection, the Secretary shall provide reimbursement for meals served to all children at a residential camp at the payment rates specified in section 13(b)(1).

(B) REIMBURSABLE MEALS. — A residential camp selected by the Secretary may receive reimbursement for not



## **Background**

### Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265),

P.L. 108-265, The Child Nutrition and WIC Reauthorization Act of 2004, authorized the FFVP as a permanent program in 11 states with annual funding of \$9 million. The permanent program operates in the following 8 states and 3 Indian Tribal Organizations: Indiana, Iowa, Michigan, Mississippi, North Carolina, Ohio, Pennsylvania, Washington, Arizona Inter-Tribal Council ITO, New Mexico-Zuni-ITO, and South Dakota-Oglala Sioux Tribe ITO.

### Appropriations Act of 2006, P.L. 109-97

P.L. 109-97, The Appropriations Act of FY 2006, appropriated \$6 million to expand the program to 6 additional states: Connecticut, Idaho, New Mexico, Texas, Utah and Wisconsin. No additional funds were appropriated for these states in FY 2007.

### The Consolidated Appropriations Act of 2008, P.L. 110-161

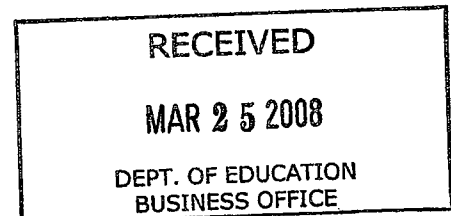
P.L.110-161, The Consolidated Appropriations Act of 2008, appropriated \$9.9 million to expand the FFVP nationwide (37 remaining states). The Act also allowed FNS to reallocate \$3.4 million of recovered FFVP funds to the six states under P.L. 109-97

## **School Selection Process**

States currently not participating in the FFVP, (including Arizona and South Dakota) must select 25 schools (no more, no less). **It is important that each State begin the school selection process as soon as possible given the process can be lengthy.** The six states authorized under P.L. 110-161 have FFVP funds currently available and should start the program as soon as possible. Once schools are selected, states may choose to select all, some or no new schools in latter years. If the State agency elects not to select new schools, the enrollment figures still must be reviewed/adjusted each year.

Schools are to be selected according to the criteria in section 18(g) of the Richard B Russell National School Lunch Program. For your convenience, below is a summary of the criteria.

- To the maximum extent practicable, the majority of schools selected are those in which 50% or more of students are eligible for free or reduced price meals;
- Priority is given to schools that submit a plan for implementation of the program that includes
  - A partnership with one or more entities that provide non-Federal resources (including entities representing the fruit and vegetable industry) for the acquisition, handling, promotion, or distribution of fresh fruits and vegetables; or
  - Other support that contributes to the purposes of the program, such as nutrition education.
- Schools that are applying must provide a certification of support signed by the
  - school food manager,
  - the school principal and,



- the district superintendent or equivalent position as determined by the school.

### **Funding Process and Life of the Funds**

#### **Fiscal Year 2008 Funds:**

##### **11 Permanent States \$9 million:**

- States operating under P.L. 108-265, received a prorated share, based on the enrollment of all participating schools, of \$9 million on October 1, 2007, and will continue to receive FFVP funds in the same manner as authorized under this law.
- The period of performance is the federal fiscal year, October 1 through September 30.

##### **6 States, \$3.4 million:**

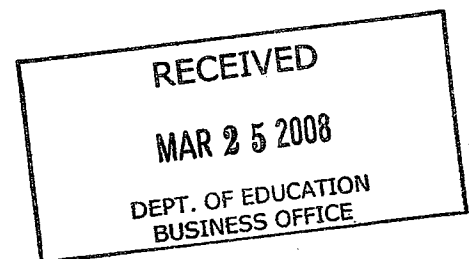
- 6 states- FNS allocated approximately \$3.4 million. States were notified of their prorated share of the allocation through emails in January from headquarters Financial Management Division.
- HQ's Grants Management Division has sent out an addendum to the current FFVP grant agreement. Please return the signed agreement to Leslie Byrd as soon as possible.
- The period of performance is January, 2008 through September 30, 2009.

##### **37 States, approximately \$9.9million:**

- Funds will be distributed equally among 37 states. Each state will receive a one-time allocation of approximately \$250,000.
- South Dakota and Arizona which participate as ITOs, will also participate with 25 additional schools.
- Funding for program operations will be disbursed through the Letter of Credit and schools may start expending funds July 1, 2008.
- July 1, 2008: States will receive a portion of their total allocated funds to start program operation for the first quarter of the school year. These funds will be closed out as of September 30, 2008.
- October 1, 2008: States will receive the remaining portion of their grant. These funds are available for the federal fiscal year, which ends September 30, 2009.

### **Guidance Material and Other Program Assistance**

- The guidance manual and FNS prototype forms, program background and legislation for the FFVP are available on-line at <http://www.fns.usda.gov/cnd/ffvp/ffvpdefault.htm>. States may develop their own forms or may use forms from currently participating states. At a minimum, any newly developed Claim Form or State/Local agreement must incorporate data elements from the Prototype forms. The forms currently on-line are:
  - Claim for Reimbursement (or FFVP Performance Report)
  - Sample Food Service Director Letter
  - Sample School Profile Sheet
  - Sample State/Local agreement



National Partners: **Center for Disease Control and Prevention** has served as a partner to the FFVP since the program started as a pilot, and their State level Fruit and Vegetable Nutrition Coordinators (or 5-A-Day) have worked closely with FFVP schools. Other national partners include National Cancer Institute, the American School Food Service Association, Produce for Better Health Foundation and United Fresh Fruit and Vegetable Association.

States and schools have also developed State level partnerships with their state Cancer Institute, American Heart Associations, and local businesses and grocery stores. Often times local and state organizations can provide free resources and are available for general program support. Attached by State, is a list of Fruit and Vegetable Nutrition Coordinators.

### **Program Oversight**

The FFVP operates under the NSLP and as such all reporting, recordkeeping and monitoring requirements, as pertinent, apply. Please note that while the NSLP can provide different types of processed fruits and vegetables, such as frozen and canned, the FFVP requirements only allow fresh fruits, dried fruits and fresh vegetables.

State agencies have direct oversight of the FFVP. Responsibilities include:

- Selecting 25 schools using criteria established in law. States may also include additional criteria they would like their schools to meet.
- allocating FFVP funds to their 25 schools based on the enrollment of the 25 selected schools.
- Reviewing schools' claims for appropriate expenditures;
- ensuring appropriate addenda are added to the State/local agreements for operation of the FFVP.

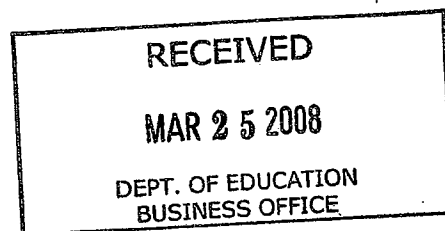
### **Monitoring**

When selecting schools for CREs or any oversight or monitoring activities, as possible, please ensure that at least one of the selected schools operates the FFVP. If reviewers are conducting any type of oversight activity in the same district as a FFVP school, please make every effort to review the FFVP school to assure this new program is operating properly.

### **Program Operations – Reporting**

#### **State Agencies:**

- Financial reporting for the Fresh Fruit and Vegetable Program (FFVP) will be conducted via the Food Programs Reporting System (FPRS)
- SF-269As for the FFVP have been set up in FPRS for all states.
- In order to report FFVP SF-269(A)s in FPRS, individuals must request access by submitting the FNS-674 and addendum.
- States must also complete the FNS-4 for the CN-FFVP.
- South Dakota, Arizona, and New Mexico: have to submit 2 SF-269(A)s for FFVP –



- one 269A for ITO schools. The new form in FPRS for ITO schools will be called **CN-FFVP-ITO** and be available soon.
- one 269A for geographic State schools
- New states reporting FY 2008 expenditures will submit **blank SF-269(A)s** for 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> quarters (please do not include zeros). (This includes SD and AZ with FFVP in geographic State schools.)
- Financial data will be submitted beginning 4<sup>th</sup> quarter for the 37 new states.

### **Recordkeeping**

Please follow the same recordkeeping requirements for the FFVP as with other Child Nutrition Programs.

Please note that the CFDA number for the Fresh Fruit and Vegetable Program is 10.582.

### **Procurement and Buy American "Provision"**

The FFVP is subject to the same procurement requirements that apply to any purchase from the nonprofit school food service account including the Buy American regulation and the prohibition against geographic preferences. State agencies should ensure that selected schools are aware of the procurement regulations.

#### Attachments/Resources:

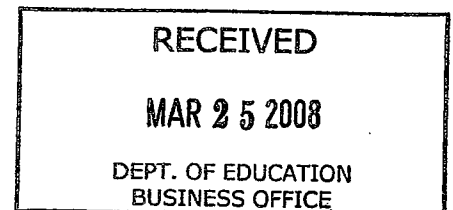
Richard B. Russell National School Lunch Act, section 18(g)  
Pertinent portion of The Consolidated Appropriations Act of 2008

Claim for Reimbursement (or FFVP Performance Report)  
Sample Food Service Director Letter  
Sample School Profile Sheet  
Sample State/Local agreement

Financial Reporting Forms: FNS-269A, FNS-674, FNS-4  
Financial Reporting: 269A Reporting Chart (from HQ FM)

FFVP Guidance manual  
ME Guidance Section on FFVP

FFVP State agency contacts:  
Center for Disease Control & Prevention, Division of Nutrition & Physical Activity, More Matters, State FV Coordinators





**From:** Michael Obuchowski  
**To:** Kathy Flanagan  
**Date:** 4/15/2008 6:05 PM  
**Subject:** RE: Hello Mr. Talbot,

**CC:** Nathan Lavery  
Thank you. Specifically which Vermont schools meet the eligibility criteria?

>>> "Flanagan, Kathy" <[Kathy.Flanagan@state.vt.us](mailto:Kathy.Flanagan@state.vt.us)> 4/15/2008 1:50 PM >>>  
Mr. Lavery,

We asked our child nutrition programs manager to respond to your questions. Her responses are embedded below.

Please let me know if you have additional questions.  
Kathy

-----  
Kathy Flanagan  
Assistant Division Director  
Finance & Administration  
Vermont Department of Education  
(802) 828-0482  
[kathy.flanagan@state.vt.us](mailto:kathy.flanagan@state.vt.us)

-----Original Message-----

From: Nathan Lavery [<mailto:nlavery@leg.state.vt.us>]  
Sent: Monday, April 14, 2008 11:02 AM  
To: Talbott, Bill  
Cc: Michael Obuchowski; Flanagan, Kathy  
Subject: Hello Mr. Talbot,

Hello Mr. Talbot,

I am writing with a few short questions from Rep. Obuchowski regarding the \$250,000 grant received from the US Dept. of Agriculture for fresh fruits and vegetable snacks in schools. I believe Becky mentioned to you that I will be assuming responsibility for JFO's grant process, and she suggested you were the best person to contact with these questions.

1. What Vermont schools are eligible? Are there any eligibility limitations?

According to the federal legislation, only elementary schools that have 50% or more of the enrolled students eligible for free or reduced price school meals are eligible to apply. 25 schools per state may participate.

2. How will the schools be notified of their eligibility?

We will send an information packet to every eligible school that includes information about the program and an application. We will send a copy to the food service manager as well as the principal.

3. What criteria will be used to select the recipient schools?

Based on the language of the legislation we will look for -the percent of students eligible for free and reduced meal





- a plan for implementation of the program that includes a partnership with one or more entities that provide non-federal resources (including entities representing the fruit and vegetable industry) for acquisition, handling, promotion or distribution of fresh and dried fruits and fresh vegetables; or other support that contributes to the purposes of the program -certification of support for the program signed by the food service manager, principal, and superintendent

4. Will geographic distribution be among the criteria used in the selection process?

We would like to have a variety of schools: large and small, as well as urban and rural. Geographic distribution would also be taken into account.

5. Do you intend to use Vermont grown fruits and vegetables? What percentage of the produce do you intend to purchase from Vermont growers?

Schools will make the purchases. We want to encourage the use of Vermont grown fruits and vegetables and will include a question about this in the application.

I hope these questions are clear and I appreciate your assistance. If you need further clarification, please contact me via phone (828-1488) or email. Please copy me on your email response to Rep. Obuchowski ([obie@leg.state.vt.us](mailto:obie@leg.state.vt.us)). Thank you.

Nathan Lavery  
Fiscal Analyst  
Legislative Joint Fiscal Office  
One Baldwin Street  
Montpelier VT 05633-5301  
(802) 828-1488  
[nlavery@leg.state.vt.us](mailto:nlavery@leg.state.vt.us)



[Print Report](#)

**Vermont Department of Education  
Food and Nutrition Management  
Eligibility 50% Report for Fiscal Year: 2008**

Building Name	Address	Grades	Free Lunch	Redc Lunch	Enroll	% Low Income
Albany Community School	351 Main Street Albany 05620	H,K,1,2,3,4,5,6,7,8	44	23	119	56.30%
<b>Totals:</b>	<b>Albany Town School District</b>		<b>44</b>	<b>23</b>	<b>119</b>	<b>56.30%</b>
Alburg Community Education Center	14 North Main Street Alburg 05440	K,1,2,3,4,5,6,7,8	77	47	238	52.10%
<b>Totals:</b>	<b>Alburg Town School District</b>		<b>77</b>	<b>47</b>	<b>238</b>	<b>52.10%</b>
Barton Graded School	137 Church Street Barton 05822	K,1,2,3,4,5,6,7,8,9,10,11,12	75	26	159	63.52%
COFEC HeadStart	130 Kinsey Road Barton 05822	U,H,P	22	0	29	75.86%
<b>Totals:</b>	<b>Barton ID Town School District</b>		<b>97</b>	<b>26</b>	<b>188</b>	<b>65.43%</b>
Blue Mountain Union School	2420 route 302 wells river 05081	P,K,1,2,3,4,5,6,7,8,9,10,11,12	162	72	451	51.88%
<b>Totals:</b>	<b>Blue Mountain School District</b>		<b>162</b>	<b>72</b>	<b>451</b>	<b>51.88%</b>
Bradford Elementary School	143 Fairground road Bradford 05033	K,1,2,3,4,5,6	86	28	225	50.67%
Connecticut River Academy	551 Rt. 5 Bradford 05033	1,2,3,4,5,6,7,8,9,10,11,12	12	1	26	50.00%
<b>Totals:</b>	<b>Bradford ID Town School District</b>		<b>98</b>	<b>29</b>	<b>251</b>	<b>50.60%</b>
Braintree Elementary School	66 Bent Hill Road Braintree 05060	K,1,2,3,4,5,6	37	19	107	52.34%
<b>Totals:</b>	<b>Braintree Town School District</b>		<b>37</b>	<b>19</b>	<b>107</b>	<b>52.34%</b>
Oak Grove School	15 Moreland Avenue Brattleboro 05301	U,K,1,2,3,4,5,6	77	24	146	69.18%
<b>Totals:</b>	<b>Brattleboro Town School District</b>		<b>77</b>	<b>24</b>	<b>146</b>	<b>69.18%</b>
Brighton Elementary School	Brighton Elementary School PO box 419 Railroad St. Island Pond 05846	2,3,4,5,6,7,8	64	4	108	62.96%
<b>Totals:</b>	<b>Brighton Town School District</b>		<b>64</b>	<b>4</b>	<b>108</b>	<b>62.96%</b>
Brookhaven Learning Center	331 VT Route 110 Chelsea 05038	K,1,2,3,4,5,6,7,8	10	2	14	85.71%
<b>Totals:</b>	<b>Brookhaven Learning Center</b>		<b>10</b>	<b>2</b>	<b>14</b>	<b>85.71%</b>
Brownington Central School	103 Chase Road Brownington 05860	K,1,2,3,4,5,6	41	12	80	66.25%
<b>Totals:</b>	<b>Brownington Town School District</b>		<b>41</b>	<b>12</b>	<b>80</b>	<b>66.25%</b>
Baird Center	1110 Pine Street Burlington 05401	K,1,2,3,4,5,6,7,8,9,10,11,12	40	1	61	67.21%
Barnes Elementary	123 North Street Burlington 05401	K,1,2,3,4,5	126	20	157	92.99%
HO Wheeler	6 Archibald Street Burlington 05401	H,P,K,1,2,3,4,5	213	13	266	84.96%
ONTOP School	South Williams Street Burlington 05401	9,10,11,12	46	2	55	87.27%
Transitional Services	1 Mill Street B-12 Burlington 05401	9,10,11,12	3	2	5	100.00%
<b>Totals:</b>	<b>Burlington School District</b>		<b>428</b>	<b>38</b>	<b>544</b>	<b>85.66%</b>
Centerpoint School	1025 Airport Dr. So. Burlington 05403	7,8,9,10,11,12	22	4	32	81.25%

**Vermont Department of Education  
Food and Nutrition Management**

## Eligibility 50% Report for Fiscal Year: 2008

Building Name	Address	Grades	Free Lunch	Redc Lunch	Enroll	% Low Income
<b>Totals:</b>	<b>Centerpoint Adolescent Treatment Center</b>		<b>22</b>	<b>4</b>	<b>32</b>	<b>81.25%</b>
Charleston Elementary School	255 Center School Road W. Charleston 05872	P,K,1,2,3,4,5,6,7,8	45	17	95	65.26%
<b>Totals:</b>	<b>Charleston Town School District</b>		<b>45</b>	<b>17</b>	<b>95</b>	<b>65.26%</b>
Community House Residence	10 Oak Street Brattleboro 05301		8	0	8	100.00%
Community Schoolhouse	10 Oak Street Brattleboro 05301		15	2	21	80.95%
<b>Totals:</b>	<b>Community House, Inc.</b>		<b>23</b>	<b>2</b>	<b>29</b>	<b>86.21%</b>
Coventry Village School	P.O. Box 92 Coventry 05825	K,1,2,3,4,5,6	41	15	98	57.14%
<b>Totals:</b>	<b>Coventry Town School District</b>		<b>41</b>	<b>15</b>	<b>98</b>	<b>57.14%</b>
Currier Memorial School	234 North Main Street Danby 05739	K,1,2,3,4,5,6	50	14	119	53.78%
<b>Totals:</b>	<b>Currier Memorial School</b>		<b>50</b>	<b>14</b>	<b>119</b>	<b>53.78%</b>
East Haven School	64A Community Building Road East Haven 05837	K,1,2,3,4,5,6,7,8	11	2	25	52.00%
<b>Totals:</b>	<b>East Haven Town School District</b>		<b>11</b>	<b>2</b>	<b>25</b>	<b>52.00%</b>
Camp E-Wen-Akee	876 Root Pond Road Benson 05743	U	31	0	31	100.00%
<b>Totals:</b>	<b>Eckerd Youth Alternatives, Inc.</b>		<b>31</b>	<b>0</b>	<b>31</b>	<b>100.00%</b>
Eden Central School	P.O.Box 29 Eden 05652	H,P,K,1,2,3,4,5,6	75	16	135	67.41%
<b>Totals:</b>	<b>Eden Town SD</b>		<b>75</b>	<b>16</b>	<b>135</b>	<b>67.41%</b>
Washington Street Transition Program	Mechanic Street Fair Haven 05743	9,11,12	6	1	11	63.64%
<b>Totals:</b>	<b>Fair Haven UHS District #16</b>		<b>6</b>	<b>1</b>	<b>11</b>	<b>63.64%</b>
Hardwick Elementary School	PO Box 515 135 South Main Street Hardwick 05843	P,K,1,2,3,4,5,6	129	40	269	62.83%
<b>Totals:</b>	<b>Hardwick Town School District</b>		<b>129</b>	<b>40</b>	<b>269</b>	<b>62.83%</b>
Hazen Union High SD#26	23 Hazen dr HArldwick 05843	7,8,9,10,11,12	145	51	356	55.06%
<b>Totals:</b>	<b>Hazen Union High SD #26</b>		<b>145</b>	<b>51</b>	<b>356</b>	<b>55.06%</b>
Holland Elementary School	26 School Road Derby Line 05830		30	6	64	56.25%
<b>Totals:</b>	<b>Holland Town School District</b>		<b>30</b>	<b>6</b>	<b>64</b>	<b>56.25%</b>
Irasburg Village School	292 Rt. 58 East Irasburg 05845	K,1,2,3,4,5,6,7,8	62	29	152	59.87%
<b>Totals:</b>	<b>Irasburg Town School District</b>		<b>62</b>	<b>29</b>	<b>152</b>	<b>59.87%</b>
Isle La Motte Elementary School	534 School St. 534 School St. Isle LaMotte 05463	K,1,2,3,4,5,6	14	8	36	61.11%

**Vermont Department of Education**  
**Food and Nutrition Management**  
**Eligibility 50% Report for Fiscal Year: 2008**

Building Name	Address	Grades	Free Lunch	Redc Lunch	Enroll	% Low Income
<b>Totals:</b>	<b>Isle La Motte Town School District</b>		<b>14</b>	<b>8</b>	<b>36</b>	<b>61.11%</b>
Johnson Elementary School	57 College Hill Johnson 05656	K,1,2,3,4,5,6	102	31	221	60.18%
<b>Totals:</b>	<b>Johnson Town School District</b>		<b>102</b>	<b>31</b>	<b>221</b>	<b>60.18%</b>
Lake Region UHS	317 Lake Region Road Orleans 05860	9,10,11,12	138	75	390	54.62%
<b>Totals:</b>	<b>Lake Region UHS District</b>		<b>138</b>	<b>75</b>	<b>390</b>	<b>54.62%</b>
Lakeview Union USD #43	189 Lauredon Ave Greensboro 05841	K,1,2,3,4,5,6	21	14	64	54.69%
<b>Totals:</b>	<b>Lakeview Union SD #43</b>		<b>21</b>	<b>14</b>	<b>64</b>	<b>54.69%</b>
Learning Together Program	480 Cadys Fall Rd Morrisville 05661	9,10,11,12	9	0	10	90.00%
<b>Totals:</b>	<b>Lamoille Valley Learning Together</b>		<b>9</b>	<b>0</b>	<b>10</b>	<b>90.00%</b>
Laraway School	95 school street Johnson 05656	6,7,8,9,10,11,12	24	0	24	100.00%
<b>Totals:</b>	<b>Laraway School, Inc.</b>		<b>24</b>	<b>0</b>	<b>24</b>	<b>100.00%</b>
Lowell Graded School	52 Gelo Park Road Lowell 05847	P,K,1,2,3,4,5,6,7,8	55	22	123	62.60%
<b>Totals:</b>	<b>Lowell Town School District</b>		<b>55</b>	<b>22</b>	<b>123</b>	<b>62.60%</b>
Lund Family Center	76 Glen Road Burlington 05401	7,8,9,10,11,12	31	0	31	100.00%
<b>Totals:</b>	<b>Lund Family Center</b>		<b>31</b>	<b>0</b>	<b>31</b>	<b>100.00%</b>
Gilman Middle School	2720 River Rd. Gilman 05904	5,6,7,8	32	3	59	59.32%
Lunenburg Elementary	Bobbin Mill Rd. Lunenburg 05906	K,1,2,3,4	27	5	62	51.61%
<b>Totals:</b>	<b>Lunenburg Town School District</b>		<b>59</b>	<b>8</b>	<b>121</b>	<b>55.37%</b>
Lyndon Town School	2591 Lily Pond Road Lyndonville 05851	K,1,2,3,4,5,6,7,8	213	52	507	52.27%
<b>Totals:</b>	<b>Lyndon Town School District</b>		<b>213</b>	<b>52</b>	<b>507</b>	<b>52.27%</b>
Elizabeth Taylor Hatton Elementary School	158 Meade Hill Road Morgan 05853	K,1,2,3,4,5,6	17	2	33	57.58%
<b>Totals:</b>	<b>Morgan Town School District</b>		<b>17</b>	<b>2</b>	<b>33</b>	<b>57.58%</b>
New England Kurn Hattin Homes	708 Kurn Hattin Road Westminster 05158	1,2,3,4,5,6,7,8	71	0	71	100.00%
<b>Totals:</b>	<b>New England Kurn Hattin Homes</b>		<b>71</b>	<b>0</b>	<b>71</b>	<b>100.00%</b>
Newport City Elementary School	166 Sias Ave. Newport 05855	K,1,2,3,4,5,6	152	42	297	65.32%
<b>Totals:</b>	<b>Newport City School District</b>		<b>152</b>	<b>42</b>	<b>297</b>	<b>65.32%</b>
Orleans Elementary	53 School St. Orleans 05860	K,1,2,3,4,5,6,7,8	51	24	126	59.52%

**Vermont Department of Education  
Food and Nutrition Management  
Eligibility 50% Report for Fiscal Year: 2008**

Building Name	Address	Grades	Free Lunch	Redc Lunch	Enroll	% Low Income
<b>Totals:</b>	<b>Orleans Town School District</b>		<b>51</b>	<b>24</b>	<b>126</b>	<b>59.52%</b>

EVA	15 forest St Randolph 05060	6,7,8,9,10,11,12	8	4	13	92.31%
<b>Totals:</b>	<b>Randolph Union High School District</b>		<b>8</b>	<b>4</b>	<b>13</b>	<b>92.31%</b>
Reading Elementary School	632 VT Route 106 Reading 05062	K,1,2,3,4,5,6	13	8	40	52.50%
<b>Totals:</b>	<b>Reading Town School District</b>		<b>13</b>	<b>8</b>	<b>40</b>	<b>52.50%</b>
Richford Elementary School	1 Elementary Road Richford 05476	H,K,1,2,3,4,5,6	94	43	227	60.35%
Richford High School	1 Elementary Road Richford 05476	7,8,9,10,11,12	95	29	246	50.41%
<b>Totals:</b>	<b>Richford Town School District</b>		<b>189</b>	<b>72</b>	<b>473</b>	<b>55.18%</b>
Westshire Elementary	PO Box 610 West Fairlee 05083	K,1,2,3,4,5	33	13	86	53.49%
<b>Totals:</b>	<b>Rivendell Interstate School District</b>		<b>33</b>	<b>13</b>	<b>86</b>	<b>53.49%</b>
Rock Point School	1 Rock Point Road Burlington 05408	9,10,11,12	30	0	34	88.24%
<b>Totals:</b>	<b>Rock Point School</b>		<b>30</b>	<b>0</b>	<b>34</b>	<b>88.24%</b>
Central Elementary School	50 School Street Ext Bellows Falls 05101	K,1,2,3,4	92	17	213	51.17%
<b>Totals:</b>	<b>Rockingham Town School District</b>		<b>92</b>	<b>17</b>	<b>213</b>	<b>51.17%</b>
Northwest Elementary School	80 Pierpoint Avenue Rutland 05701	P,K,1,2	164	39	324	62.65%
<b>Totals:</b>	<b>Rutland City School District</b>		<b>164</b>	<b>39</b>	<b>324</b>	<b>62.65%</b>
Bennington Elementary School	Park St Bennington 05201	K,1,2,3,4,5	191	34	318	70.75%
Molly Stark School	181 Orchard Rd Bennington 05201	P,K,1,2,3,4,5	200	50	437	57.21%
Mt. Anthony Middle School	747 East Rd Bennington 05201	6,7,8	270	62	636	52.20%
Plus Program at Congress St.	Congress St Bennington 05201	9,10,11,12	26	0	26	100.00%
Pownal Elementary School	94 School House Rd Pownal 05261	K,1,2,3,4,5,6	114	27	267	52.81%
<b>Totals:</b>	<b>Southwest Vermont Supervisory Union</b>		<b>801</b>	<b>173</b>	<b>1,684</b>	<b>57.84%</b>
Barre City Elementary & Middle School	50 Parkside Terrace Barre 05641	K,1,2,3,4,5,6,7,8	371	101	847	55.73%
<b>Totals:</b>	<b>Spaulding High School/Barre City</b>		<b>371</b>	<b>101</b>	<b>847</b>	<b>55.73%</b>
Gateway School	199 Summer St Springfield 05156	1,2,3,4,5,6,7,8,9,10,11,12	15	3	21	85.71%
<b>Totals:</b>	<b>Springfield Town School District</b>		<b>15</b>	<b>3</b>	<b>21</b>	<b>85.71%</b>
Project Soar	PO Box 372 178 McGinn Drive St. Albans 05478	K,1,2,3,4,5,6,7,8	28	0	43	65.12%
<b>Totals:</b>	<b>St. Albans City School District</b>		<b>28</b>	<b>0</b>	<b>43</b>	<b>65.12%</b>
Caledonia School	125 School Street St. Johnsbury 05819	9,10,11,12	28	2	44	68.18%

**Vermont Department of Education  
Food and Nutrition Management  
Eligibility 50% Report for Fiscal Year: 2008**

Building Name	Address	Grades	Free Lunch	Redc Lunch	Enroll	% Low Income
Cornerstone School	510 Portland Street St. Johnsbury 05819	3,4,5,6,7,8,9,10,11,12	18	7	28	89.29%
Lyndon Educational Alternative Resources Network, Inc. (LEARN)	154 Main Street Lyndonville 05861	9,10,11,12	12	0	12	100.00%
The St. Johnsbury School	257 Western Avenue St. Johnsbury 05819	P,K,1,2,3,4,5,6,7,8,9,10,11,12	330	103	749	57.81%

<b>Totals:</b>	<b>St. Johnsbury Town School District</b>		<b>388</b>	<b>112</b>	<b>833</b>	<b>60.02%</b>
Pittsfield Academy	RT 100 Pittsfield 05762	9,10,11	2	0	4	50.00%
<b>Totals:</b>	<b>Stockbridge Town School District</b>		<b>2</b>	<b>0</b>	<b>4</b>	<b>50.00%</b>
Sutton Village School	95 Underpass Rd. Sutton 05867	K,1,2,3,4,5,6,7,8	43	22	92	70.65%
<b>Totals:</b>	<b>Sutton Town School District</b>		<b>43</b>	<b>22</b>	<b>92</b>	<b>70.65%</b>
Meadows School	Anna Marsh Lane Brattleboro 05301	1,2,3,4,5,6,7,8,9,10,11,12	67	0	67	100.00%
<b>Totals:</b>	<b>The Brattleboro Retreat</b>		<b>67</b>	<b>0</b>	<b>67</b>	<b>100.00%</b>
Granville School	4157 VT ROUTE 100 Granville 05747	K,5,6	8	2	14	71.43%
Hancock School	1027 VT ROUTE 100 Hancock 05748	1,2,3,4	9	5	20	70.00%
<b>Totals:</b>	<b>The Village School</b>		<b>17</b>	<b>7</b>	<b>34</b>	<b>70.59%</b>
Troy Elementary School	PoBox 110 126 Main Street North Troy 05859	K,1,2,3,4,5,6,7,8	99	32	172	76.16%
<b>Totals:</b>	<b>Troy Town School District</b>		<b>99</b>	<b>32</b>	<b>172</b>	<b>76.16%</b>
Baird	88 Park St Rutland 05701	6,7,8,9,10,11,12	13	0	13	100.00%
<b>Totals:</b>	<b>Vermont Achievement Center</b>		<b>13</b>	<b>0</b>	<b>13</b>	<b>100.00%</b>
Wells Village School	135 VT Route 30 Wells 05774	K,1,2,3,4,5,6	34	6	77	51.95%
<b>Totals:</b>	<b>Wells Town School District</b>		<b>34</b>	<b>6</b>	<b>77</b>	<b>51.95%</b>
Westminster Center School	301 School Street Westminster 05158	K,1,2,3,4,5,6	77	20	178	54.49%
<b>Totals:</b>	<b>Westminster Town School District</b>		<b>77</b>	<b>20</b>	<b>178</b>	<b>54.49%</b>
Mountain Side House	Mountainside House 6 Mill Street Ludlow 05149-1318	6,7,8,9,10,11,12	12	0	12	100.00%
<b>Totals:</b>	<b>Windsor County Youth Services</b>		<b>12</b>	<b>0</b>	<b>12</b>	<b>100.00%</b>
The Family Center	c/o Winooski School District 60 Normand Street Winooski 05404	U,P	7	1	11	72.73%
Winooski Schools	60 Normand Street Winooski 05404	H,P,K,1,2,3,4,5,6,7,8,9,10,11,12	448	65	687	74.67%
<b>Totals:</b>	<b>Winooski School District</b>		<b>455</b>	<b>66</b>	<b>698</b>	<b>74.64%</b>
Woodside Juvenile Rehabilitation Center	26 Woodside Drive East Colchester 05446	U	31	0	31	100.00%
<b>Totals:</b>	<b>Woodside Juvenile Rehabilitation Center</b>		<b>31</b>	<b>0</b>	<b>31</b>	<b>100.00%</b>

< Report Parameters

Back to the Report Parameter Selection Screen





**Mailing Address:**  
1 Baldwin Street  
Drawer 33  
Montpelier, Vermont 05633-5701

Tel.: (802) 828-2295  
Fax: (802) 828-2483

**STATE OF VERMONT**  
**JOINT FISCAL COMMITTEE**  
1 Baldwin Street  
Montpelier, Vermont 05633-5701

## MEMORANDUM

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**To:** Joint Fiscal Committee Members

**From:** Nathan Lavery, Fiscal Analyst *NL*

**Date:** April 10, 2008

**Subject:** Grant Request

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Enclosed please find one (1) request which the Joint Fiscal Office recently received from the Administration:

**JFO #2323** — \$250,000 grant from the U.S. Department of Agriculture to the Department of Education. These grant funds will be used to provide fresh fruit and vegetable snacks to students at 25 schools.  
[JFO received 04/09/08]

The Joint Fiscal Office has reviewed this submission and determined that all appropriate forms bearing the necessary approvals are in order.

In accordance with the procedures for processing such requests, we ask you to review the enclosed and notify the Joint Fiscal Office (Nathan Lavery at 802/828-1488; [nlavery@leg.state.vt.us](mailto:nlavery@leg.state.vt.us) or Stephen Klein at 802/828-5769; [sklein@leg.state.vt.us](mailto:sklein@leg.state.vt.us)) if you have questions or would like this item held for legislative review. Unless we hear from you to the contrary by April 24 we will assume that you agree to consider as final the Governor's acceptance of this request.

cc: James Reardon, Commissioner  
Linda Morse, Administrative Assistant  
Richard Cate, Commissioner

STATE OF VERMONT  
GRANT ACCEPTANCE FORM

JFO #

2323

DATE: March 25, 2008

DEPARTMENT: Department of Education

GRANT/DONATION (brief description and purpose): Federal reimbursement to Local Education Agencies for the cost of providing fresh fruits and vegetables to students at snack time.

GRANTOR/DONOR: U.S. Department of Education

GRANT PERIOD: 7/01/08-09/30/09

AMOUNT/VALUE: \$250,000

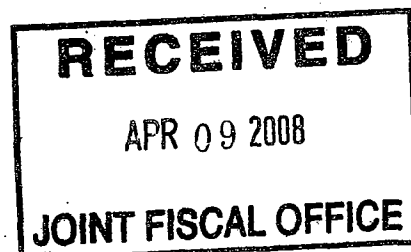
POSITIONS REQUESTED (LIMITED SERVICE): None

ANY ON-GOING, LONG-TERM COSTS TO THE STATE: None

COMMENTS:

DEPT. FINANCE AND MANAGEMENT:  
SECRETARY OF ADMINISTRATION:  
SENT TO JOINT FISCAL OFFICE:

(INITIAL) JK 3/25/08  
(INITIAL) SPM 3/31/08  
(DATE) 4/3/08



STATE OF VERMONT  
REQUEST FOR GRANT ACCEPTANCE  
(use additional sheets as needed)

FORM AA-1  
(Rev. 9-90)

1. Agency:  
2. Department: Department of Education  
3. Program: Child Nutrition Programs

4. Legal Title of Grant: The Fresh Fruit & Vegetable Program  
5. Federal Catalog No.: 10.582  
6. Grantor and Office Address:  
U.S. Department of Agriculture  
Food and Nutrition Service  
2102 Park Center Drive  
Alexandria, Virginia

7. Grant Period: From: 7/1/2008 To: 9/30/2009

8. Purpose of Grant: (attach additional sheets if needed)  
The grant provides reimbursement to 25 schools for fresh fruits and vegetables served to all students in settings outside the regular school breakfast and school lunch programs.

9. Impact on Existing Programs if Grant is not Accepted:  
School children in Vermont who would otherwise have the opportunity to get free fresh fruits and vegetables at snack time, at after school activities and the like will not have that opportunity.

10. Budget Information:	(1st State FY) FY 2008	(2nd State FY) FY 2009	(3rd State FY) FY 2010
<b>EXPENDITURES:</b>			
Personal Services	\$	\$	\$
Operating Expenses	\$	\$	\$
Other	\$ -	\$ 250,000	\$
TOTAL	\$ -	\$ 250,000	\$ -
<b>REVENUES:</b>			
<u>State Funds:</u>			
Cash	\$	\$	\$
In-Kind	\$	\$	\$
<u>Federal Funds:</u>			
(Direct Costs)	\$	\$	\$
(Department Indirect)	\$ -	\$ -	\$ -
<u>Other Funds:</u>			
(source) Grant	\$	\$ 250,000	\$ -
TOTAL	\$ 0	\$ 250,000	\$ 0

Federal funds will be allocated to these appropriation expenditure accounts: in SFY08	Fund	DeptID	Amounts
			\$

-over-

REC'D MAR 1 9 2008

11. Will grant monies be spent by one or more personal service contracts?

YES  NO

If YES, signature of appointing authority here indicates intent to follow current guidelines on bidding.

X

12a. Please list any requested Limited Service positions:

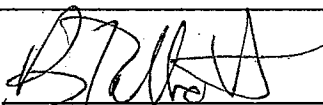
Titles	Number of Positions
<b>TOTAL Positions</b>	0

12b. Equipment and space for these positions:

- Is presently available.
- Can be obtained with available funds.

13. Signature of Appointing Authority

I certify that no funds have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant.

  
(Signature)

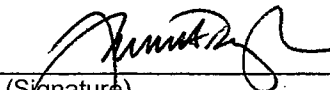
3-17-08

(Date)

CFO / Dep Commissioner  
(Title)

14. Action by Governor:

- Approved
- Rejected

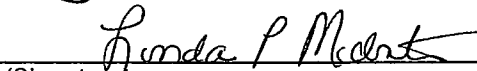
  
(Signature)

4/3/08

(Date)

15. Secretary of Administration:

- Request to JFO
- Information to JFO

  
(Signature)

3/31/08

(Date)

16. Action by Joint Fiscal Committee:

(Dates)

- Request to be placed on JFC agenda
- Approved (not placed on agenda in 30 days)
- Approved by JFC
- Rejected by JFC
- Approved by Legislature

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(Signature)

(Date)



REC'D MAR 28 2008

United States  
Department of  
Agriculture

MEMO CODE: SP 08-2008  
Date: January 16, 2008  
Subject: Fresh Fruit and Vegetable Program  
To: State Agencies  
Child Nutrition Programs  
All States  
Regional Directors

Food and  
Nutrition  
Service

3101 Park  
Center Drive  
Alexandria, VA  
22302-1500

This is to make you aware of a provision in the Fiscal Year 2008 Omnibus Appropriation Act.

Effective for the school year beginning July 1, 2008, the Act provides \$9.9 million to expand the Fresh Fruit and Vegetable Program (FFVP) to those States that were not previously authorized to participate on a permanent basis and not part of the FY 2006 Appropriation. These funds will allow for Program expansion to all States not currently authorized and to the District of Columbia.

States not currently participating in the program are advised to begin the selection process of 25 schools. When selecting schools, States must comply with Section 18(g)(3) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(g)). Section 18(g)(3) of the National School Lunch Act is attached and can also be found at:  
<http://www.fns.usda.gov/cnd/Governance/Legislation/Historical/NSLA-Nov-10-2005.pdf>

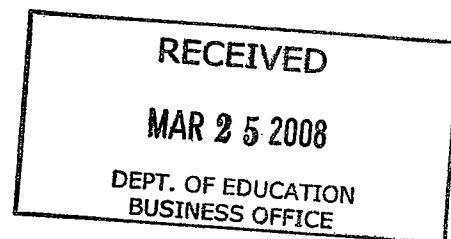
It is important to note that legislation currently being discussed by Congress could have some additional effect on the future scope of the FFVP, but it will not affect the \$9.9 million from Appropriations.

For now, we wish to make sure that you are aware that funding is available for SY 2008-2009 and that it is advisable to begin the school selection process as soon as possible. We will schedule conference calls shortly to provide additional information and answer questions.

Sincerely,

ROBERT M. EADIE  
Acting Director  
Child Nutrition Division

Enclosure



**Brodeur, Aaron**

---

**From:** Flanagan, Kathy  
**Sent:** Friday, March 28, 2008 9:55 AM  
**To:** Brodeur, Aaron  
**Cc:** Talbott, Bill  
**Subject:** Fruit & Vegetable AA-1

Aaron,

Our program person has just confirmed that the Fruit & Vegetable allocation from the Feds is for one year only.

---

*Kathy Flanagan*  
Assistant Division Director  
Finance & Administration  
Vermont Department of Education  
(802) 828-0482  
[kathy.flanagan@state.vt.us](mailto:kathy.flanagan@state.vt.us)

**From:** "Flanagan, Kathy" <Kathy.Flanagan@state.vt.us>  
**To:** <rbuck@leg.state.vt.us>  
**Date:** 4/9/2008 9:03 AM  
**Subject:** Fruit & Vegetable AA-1

**CC:** "Busha, Josephine" <Josephine.Busha@state.vt.us>, "Talbot, Bill" <Bill....  
Becky,

Here is the information I received from the Child Nutrition program manager, per your request.

The Federal rules established that 25 schools per state can participate. Only schools with at least 50% free and reduced students can apply (Vermont has approximately 50-60 schools that meet this criteria). We are using a selection process suggested by the federal government. Schools when they apply are asked to explain what their project will entail, and what kind of nutrition education will be included in their project. We expect to assign points to the criteria noted in the application, and select schools based on their "scores".

Please let me know if you require additional information.

Kathy

-----  
Kathy Flanagan  
Assistant Division Director  
Finance & Administration  
Vermont Department of Education  
(802) 828-0482  
kathy.flanagan@state.vt.us

(i) any effect on participation by children and service institutions in the summer food service program in the eligible State in which the program is carried out; (ii) any effect of the program on the quality of the meals and supplements served in the eligible State in which the program is carried out; and

(iii) any effect of the program on program integrity.

(6) <sup>18-21</sup> REPORT.—Not later than April 30, 2007, the Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes—

(A) the evaluations completed by the Secretary under paragraph (5); and

(B) any recommendations of the Secretary concerning the programs.

(g) <sup>18-22</sup> FRESH FRUIT AND VEGETABLE PROGRAM.—

(1) IN GENERAL.—For the school year beginning July 2004 and each subsequent school year, the Secretary shall carry out a program to make free fresh fruits and vegetables available, to the maximum extent practicable, to—

(A) 25 elementary or secondary schools in each of the 4 States authorized to participate in the program under this subsection on May 1, 2004;

(B) 25 elementary or secondary schools (as selected by the Secretary in accordance with paragraph (3)) in each of 4 States (including a State for which funds were allocated under the program described in paragraph (3)(B)(ii)) that are not participating in the program under this subsection on May 1, 2004; and

(C) 25 elementary or secondary schools operated on 3 Indian reservations (including the reservation authorized to participate in the program under this subsection on May 1, 2004), as selected by the Secretary.

(2) PROGRAM.—A school participating in the program shall make free fresh fruits and vegetables available to students throughout the school day in 1 or more areas designated by the school.

(3) SELECTION OF SCHOOLS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), in selecting additional schools to participate in the program under paragraph (1)(B), the Secretary shall—

(i) to the maximum extent practicable, ensure that the majority of schools selected are those in which not less than 50 percent of students are eligible for free or reduced price meals under this Act;

(ii) solicit applications from interested schools that include—

(I) information pertaining to the percentage of students enrolled in the school submitting the ap-

<sup>is-21</sup> Section 116(f)(4) of P.L. 108-265, 118 Stat. 751, June 30, 2004, amended paragraph (6) in its entirety. For guidance requirement, see note 1-1.  
<sup>is-22</sup> Section 120 of P.L. 108-265, 118 Stat. 756, June 30, 2004, amended subsection (g) in its entirety. For guidance requirement, see note 1-1. Previously, subsec. (g) added by sec. 4305(a) of P.L. 107-171, 116 Stat. 332, May 13, 2002, and amended by section 1 of P.L. 108-30, 117 Stat. 774, May 29, 2003. November 16, 2005

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MAR 25 2008

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BUSINESS OFFICE



plication who are eligible for free or reduced price school lunches under this Act;

(II) a certification of support for participation in the program signed by the school food manager, the school principal, and the district superintendent (or equivalent positions, as determined by the school); and

(III) such other information as may be requested by the Secretary;

(iii) for each application received, determine whether the application is from a school in which not less than 50 percent of students are eligible for free or reduced price meals under this Act; and

(iv) give priority to schools that submit a plan for implementation of the program that includes a partnership with 1 or more entities that provide non-Federal resources (including entities representing the fruit and vegetable industry) for—

(I) the acquisition, handling, promotion, or distribution of fresh and dried fruits and fresh vegetables; or

(II) other support that contributes to the purposes of the program.

(B) NONAPPLICABILITY TO EXISTING PARTICIPANTS.—Subparagraph (A) shall not apply to a school, State, or Indian reservation authorized—

(i) to participate in the program on May 1, 2004;

or

(ii) to receive funding for free fruits and vegetables under funds provided for public health improvement under the heading "DISEASE CONTROL, RESEARCH, AND TRAINING" under the heading "CENTERS FOR DISEASE CONTROL AND PREVENTION" in title II of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004 (Division E of Public Law 108-199; 118 Stat. 238).

(4) NOTICE OF AVAILABILITY.—To be eligible to participate in the program under this subsection, a school shall widely publicize within the school the availability of free fresh fruits and vegetables under the program.

(5) REPORTS.—

(A) INTERIM REPORTS.—Not later than September 30 of each of fiscal years 2005 through 2008, the Secretary, acting through the Administrator of the Food and Nutrition Service, shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an interim report that describes the activities carried out under this subsection during the fiscal year covered by the report.

(B) FINAL REPORT.—Not later than December 31, 2008, the Secretary, acting through the Administrator of the Food and Nutrition Service, shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Agriculture, Nutrition, and

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Forestry of the Senate a final report that describes the results of the program under this subsection. (6) FUNDING.—

(A) EXISTING FUNDS. — The Secretary shall use to carry out this subsection any funds that remain under this subsection on the day before the date of enactment of this subparagraph.

(B) MANDATORY FUNDS. —

(i) IN GENERAL. — On October 1, 2004, and on each October 1 thereafter, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Agriculture to carry out this subsection \$9,000,000, to remain available until expended.

(ii) RECEIPT AND ACCEPTANCE. — The Secretary shall be entitled to receive, shall accept, and shall use to carry out this subsection the funds made available under this subparagraph, without further appropriation.

(C) AUTHORIZATION OF APPROPRIATIONS. — In addition to any amounts made available under subparagraphs (A) and (B), there are authorized to be appropriated such sums as are necessary to expand the program carried out under this subsection.

(D) REALLOCATION. — The Secretary may reallocate any amounts made available to carry out this subsection that are not obligated or expended, as determined by the Secretary.

(h)<sup>J 8 ~ 23</sup> SUMMER FOOD SERVICE RESIDENTIAL CAMP ELIGIBILITY.—

(1) IN GENERAL. — During the month after the date of enactment of this subsection through September, 2004, and the months of May through September, 2005, the Secretary shall modify eligibility criteria, at not more than 1 private nonprofit residential camp in each of not more than 2 States, as determined by the Secretary, for the purpose of identifying and evaluating alternative methods of determining the eligibility of residential private nonprofit camps to participate in the summer food service program for children established under section 13.

(2) ELIGIBILITY. — To be eligible for the criteria modified under paragraph (1), a residential camp —

(A) shall be a service institution (as defined in section

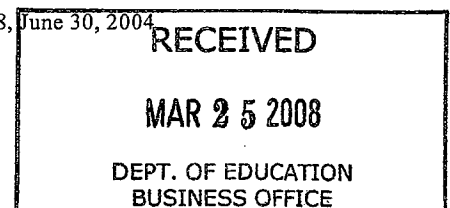
(B) may not charge a fee to any child in residence at the camp; and

(C) shall serve children who reside in an area in which poor economic conditions exist (as defined in section

(3) PAYMENTS. —

(A) IN GENERAL. — Under this subsection, the Secretary shall provide reimbursement for meals served to all children at a residential camp at the payment rates specified in section 13(b)(1).

(B) REIMBURSABLE MEALS. — A residential camp selected by the Secretary may receive reimbursement for not



## **Background**

### Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265),

P.L. 108-265, The Child Nutrition and WIC Reauthorization Act of 2004, authorized the FFVP as a permanent program in 11 states with annual funding of \$9 million. The permanent program operates in the following 8 states and 3 Indian Tribal Organizations: Indiana, Iowa, Michigan, Mississippi, North Carolina, Ohio, Pennsylvania, Washington, Arizona Inter-Tribal Council ITO, New Mexico-Zuni-ITO, and South Dakota-Oglala Sioux Tribe ITO.

### Appropriations Act of 2006, P.L. 109-97

P.L. 109-97, The Appropriations Act of FY 2006, appropriated \$6 million to expand the program to 6 additional states: Connecticut, Idaho, New Mexico, Texas, Utah and Wisconsin. No additional funds were appropriated for these states in FY 2007.

### The Consolidated Appropriations Act of 2008, P.L. 110-161

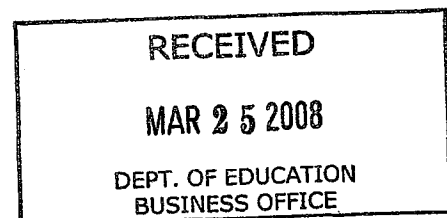
P.L.110-161, The Consolidated Appropriations Act of 2008, appropriated \$9.9 million to expand the FFVP nationwide (37 remaining states). The Act also allowed FNS to reallocate \$3.4 million of recovered FFVP funds to the six states under P.L. 109-97

## **School Selection Process**

States currently not participating in the FFVP, (including Arizona and South Dakota) must select 25 schools (no more, no less). **It is important that each State begin the school selection process as soon as possible given the process can be lengthy.** The six states authorized under P.L. 110-161 have FFVP funds currently available and should start the program as soon as possible. Once schools are selected, states may choose to select all, some or no new schools in latter years. If the State agency elects not to select new schools, the enrollment figures still must be reviewed/adjusted each year.

Schools are to be selected according to the criteria in section 18(g) of the Richard B Russell National School Lunch Program. For your convenience, below is a summary of the criteria.

- To the maximum extent practicable, the majority of schools selected are those in which 50% or more of students are eligible for free or reduced price meals;
- Priority is given to schools that submit a plan for implementation of the program that includes
  - A partnership with one or more entities that provide non-Federal resources (including entities representing the fruit and vegetable industry) for the acquisition, handling, promotion, or distribution of fresh fruits and vegetables; or
  - Other support that contributes to the purposes of the program, such as nutrition education.
- Schools that are applying must provide a certification of support signed by the
  - school food manager,
  - the school principal and,



- the district superintendent or equivalent position as determined by the school.

## **Funding Process and Life of the Funds**

### **Fiscal Year 2008 Funds:**

#### **11 Permanent States \$9 million:**

- States operating under P.L. 108-265, received a prorated share, based on the enrollment of all participating schools, of \$9 million on October 1, 2007, and will continue to receive FFVP funds in the same manner as authorized under this law.
- The period of performance is the federal fiscal year, October 1 through September 30.

#### **6 States, \$3.4 million:**

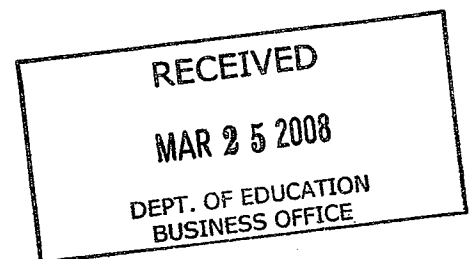
- 6 states- FNS allocated approximately \$3.4 million. States were notified of their prorated share of the allocation through emails in January from headquarters Financial Management Division.
- HQ's Grants Management Division has sent out an addendum to the current FFVP grant agreement. Please return the signed agreement to Leslie Byrd as soon as possible.
- The period of performance is January, 2008 through September 30, 2009.

#### **37 States, approximately \$9.9million:**

- Funds will be distributed equally among 37 states. Each state will receive a one-time allocation of approximately \$250,000.
- South Dakota and Arizona which participate as ITOs, will also participate with 25 additional schools.
- Funding for program operations will be disbursed through the Letter of Credit and schools may start expending funds July 1, 2008.
- July 1, 2008: States will receive a portion of their total allocated funds to start program operation for the first quarter of the school year. These funds will be closed out as of September 30, 2008.
- October 1, 2008: States will receive the remaining portion of their grant. These funds are available for the federal fiscal year, which ends September 30, 2009.

## **Guidance Material and Other Program Assistance**

- The guidance manual and FNS prototype forms, program background and legislation for the FFVP are available on-line at <http://www.fns.usda.gov/cnd/ffvp/ffvpdefault.htm>. States may develop their own forms or may use forms from currently participating states. At a minimum, any newly developed Claim Form or State/Local agreement must incorporate data elements from the Prototype forms. The forms currently on-line are:
  - Claim for Reimbursement (or FFVP Performance Report)
  - Sample Food Service Director Letter
  - Sample School Profile Sheet
  - Sample State/Local agreement



National Partners: **Center for Disease Control and Prevention** has served as a partner to the FFVP since the program started as a pilot, and their State level Fruit and Vegetable Nutrition Coordinators (or 5-A-Day) have worked closely with FFVP schools. Other national partners include National Cancer Institute, the American School Food Service Association, Produce for Better Health Foundation and United Fresh Fruit and Vegetable Association.

States and schools have also developed State level partnerships with their state Cancer Institute, American Heart Associations, and local businesses and grocery stores. Often times local and state organizations can provide free resources and are available for general program support. Attached by State, is a list of Fruit and Vegetable Nutrition Coordinators.

### **Program Oversight**

The FFVP operates under the NSLP and as such all reporting, recordkeeping and monitoring requirements, as pertinent, apply. Please note that while the NSLP can provide different types of processed fruits and vegetables, such as frozen and canned, the FFVP requirements only allow fresh fruits, dried fruits and fresh vegetables.

State agencies have direct oversight of the FFVP. Responsibilities include:

- Selecting 25 schools using criteria established in law. States may also include additional criteria they would like their schools to meet.
- allocating FFVP funds to their 25 schools based on the enrollment of the 25 selected schools.
- Reviewing schools' claims for appropriate expenditures;
- ensuring appropriate addenda are added to the State/local agreements for operation of the FFVP.

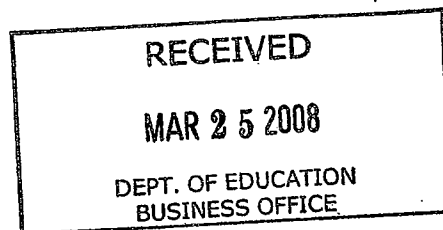
### **Monitoring**

When selecting schools for CREs or any oversight or monitoring activities, as possible, please ensure that at least one of the selected schools operates the FFVP. If reviewers are conducting any type of oversight activity in the same district as a FFVP school, please make every effort to review the FFVP school to assure this new program is operating properly.

### **Program Operations – Reporting**

#### **State Agencies:**

- Financial reporting for the Fresh Fruit and Vegetable Program (FFVP) will be conducted via the Food Programs Reporting System (FPRS)
- SF-269As for the FFVP have been set up in FPRS for all states.
- In order to report FFVP SF-269(A)s in FPRS, individuals must request access by submitting the FNS-674 and addendum.
- States must also complete the FNS-4 for the CN-FFVP.
- South Dakota, Arizona, and New Mexico: have to submit 2 SF-269(A)s for FFVP –



- one 269A for ITO schools. The new form in FPRS for ITO schools will be called **CN-FFVP-ITO** and be available soon.
- one 269A for geographic State schools
- New states reporting FY 2008 expenditures will submit **blank SF-269(A)s** for 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> quarters (please do not include zeros). (This includes SD and AZ with FFVP in geographic State schools.)
- Financial data will be submitted beginning 4<sup>th</sup> quarter for the 37 new states.

### **Recordkeeping**

Please follow the same recordkeeping requirements for the FFVP as with other Child Nutrition Programs.

Please note that the CFDA number for the Fresh Fruit and Vegetable Program is 10.582.

### **Procurement and Buy American "Provision"**

The FFVP is subject to the same procurement requirements that apply to any purchase from the nonprofit school food service account including the Buy American regulation and the prohibition against geographic preferences. State agencies should ensure that selected schools are aware of the procurement regulations.

#### Attachments/Resources:

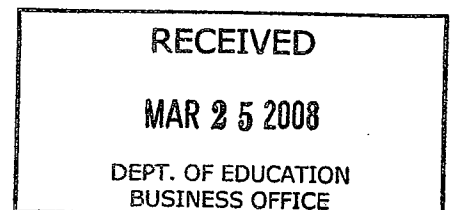
Richard B. Russell National School Lunch Act, section 18(g)  
Pertinent portion of The Consolidated Appropriations Act of 2008

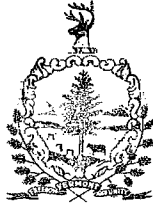
Claim for Reimbursement (or FFVP Performance Report)  
Sample Food Service Director Letter  
Sample School Profile Sheet  
Sample State/Local agreement

Financial Reporting Forms: FNS-269A, FNS-674, FNS-4  
Financial Reporting: 269A Reporting Chart (from HQ FM)

FFVP Guidance manual  
ME Guidance Section on FFVP

FFVP State agency contacts:  
Center for Disease Control & Prevention, Division of Nutrition & Physical Activity, More Matters, State  
FV Coordinators





**Mailing Address:**  
1 Baldwin Street  
Drawer 33  
Montpelier, Vermont 05633-5701

Tel.: (802) 828-2295  
Fax: (802) 828-2483

**STATE OF VERMONT**  
**JOINT FISCAL COMMITTEE**  
1 Baldwin Street  
Montpelier, Vermont 05633-5701

## MEMORANDUM

---

**To:** Joint Fiscal Committee Members

**From:** Nathan Lavery, Fiscal Analyst *NL*

**Date:** April 10, 2008

**Subject:** Grant Request

---

Enclosed please find one (1) request which the Joint Fiscal Office recently received from the Administration:

**JFO #2323** — \$250,000 grant from the U.S. Department of Agriculture to the Department of Education. These grant funds will be used to provide fresh fruit and vegetable snacks to students at 25 schools.

*[JFO received 04/09/08]*

The Joint Fiscal Office has reviewed this submission and determined that all appropriate forms bearing the necessary approvals are in order.

In accordance with the procedures for processing such requests, we ask you to review the enclosed and notify the Joint Fiscal Office (Nathan Lavery at 802/828-1488; [nlavery@leg.state.vt.us](mailto:nlavery@leg.state.vt.us) or Stephen Klein at 802/828-5769; [sklein@leg.state.vt.us](mailto:sklein@leg.state.vt.us)) if you have questions or would like this item held for legislative review. Unless we hear from you to the contrary by April 24 we will assume that you agree to consider as final the Governor's acceptance of this request.

cc: James Reardon, Commissioner  
Linda Morse, Administrative Assistant  
Richard Cate, Commissioner

INFORMATION NOTICE

The following item was recently received by the Joint Fiscal Committee:

**JFO #2323** — \$250,000 grant from the U.S. Department of Agriculture to the Department of Education. These grant funds will be used to provide fresh fruit and vegetable snacks to students at 25 schools.

*[JFO received 04/09/08]*



STATE OF VERMONT  
GRANT ACCEPTANCE FORM

JFO #  
2323

DATE: March 25, 2008

DEPARTMENT: Department of Education

GRANT/DONATION (brief description and purpose): Federal reimbursement to Local Education Agencies for the cost of providing fresh fruits and vegetables to students at snack time.

GRANTOR/DONOR: U.S. Department of Education

GRANT PERIOD: 7/01/08-09/30/09

AMOUNT/VALUE: \$250,000

POSITIONS REQUESTED (LIMITED SERVICE): None

ANY ON-GOING, LONG-TERM COSTS TO THE STATE: None

COMMENTS:

DEPT. FINANCE AND MANAGEMENT:  
SECRETARY OF ADMINISTRATION:  
SENT TO JOINT FISCAL OFFICE:

(INITIAL) 3/23/08  
(INITIAL) SPM 3/31/08  
(DATE) 4/3/08



STATE OF VERMONT  
 REQUEST FOR GRANT ACCEPTANCE  
 (use additional sheets as needed)

FORM AA-1  
 (Rev. 9-90)

1. Agency:
2. Department: Department of Education
3. Program: Child Nutrition Programs
  
4. Legal Title of Grant: The Fresh Fruit & Vegetable Program
5. Federal Catalog No.: 10.582
6. Grantor and Office Address:  
 U.S. Department of Agriculture  
 Food and Nutrition Service  
 2102 Park Center Drive  
 Alexandria, Virginia
  
7. Grant Period: From: 7/1/2008 To: 9/30/2009
8. Purpose of Grant: (attach additional sheets if needed)  
 The grant provides reimbursement to 25 schools for fresh fruits and vegetables served to all students in settings outside the regular school breakfast and school lunch programs.

9. Impact on Existing Programs if Grant is not Accepted:  
 School children in Vermont who would otherwise have the opportunity to get free fresh fruits and vegetables at snack time, at after school activities and the like will not have that opportunity.

10. Budget Information:	(1st State FY) FY 2008	(2nd State FY) FY 2009	(3rd State FY) FY 2010
<b>EXPENDITURES:</b>			
Personal Services	\$	\$	\$
Operating Expenses	\$	\$	\$
Other	\$	\$ 250,000	\$
<b>TOTAL</b>	\$	\$ 250,000	\$
<b>REVENUES:</b>			
<u>State Funds:</u>			
Cash	\$	\$	\$
In-Kind	\$	\$	\$
<u>Federal Funds:</u>			
(Direct Costs)	\$	\$	\$
(Department Indirect)	\$	\$	\$
<u>Other Funds:</u>			
(source) Grant	\$	\$ 250,000	\$
<b>TOTAL</b>	\$ 0	\$ 250,000	\$ 0

Federal funds will be allocated to these appropriation expenditure accounts: in SFY08	Fund	DeptID	Amounts
			\$

-over-

REC'D MAR 19 2008

11. Will grant monies be spent by one or more personal service contracts?

YES  NO

If YES, signature of appointing authority here indicates intent to follow current guidelines on bidding.

X \_\_\_\_\_

12a. Please list any requested Limited Service positions:

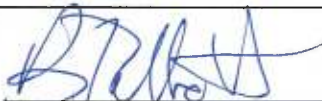
Titles	Number of Positions
TOTAL Positions	0

12b. Equipment and space for these positions:

- Is presently available.
- Can be obtained with available funds.

13. Signature of Appointing Authority

I certify that no funds have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant.

  
(Signature)

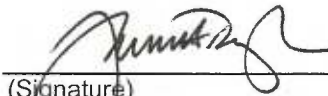
3-17-08

(Date)

CFO/Dep Commissioner  
(Title)

14. Action by Governor:

- Approved
- Rejected


  
(Signature)

4/3/08

(Date)

15. Secretary of Administration:

- Request to JFO
- Information to JFO

  
(Signature)

3/31/08

(Date)

16. Action by Joint Fiscal Committee:

(Dates)

- Request to be placed on JFC agenda
- Approved (not placed on agenda in 30 days)
- Approved by JFC
- Rejected by JFC
- Approved by Legislature


(Signature)

(Date)



REC'D MAR 28 2008

United States  
Department of  
Agriculture

MEMO CODE: SP 08-2008  
Date: January 16, 2008  
Subject: Fresh Fruit and Vegetable Program  
To: State Agencies  
Child Nutrition Programs  
All States  
Regional Directors

Food and  
Nutrition  
Service

3101 Park  
Center Drive  
Alexandria, VA  
22302-1500

This is to make you aware of a provision in the Fiscal Year 2008 Omnibus Appropriation Act.

Effective for the school year beginning July 1, 2008, the Act provides \$9.9 million to expand the Fresh Fruit and Vegetable Program (FFVP) to those States that were not previously authorized to participate on a permanent basis and not part of the FY 2006 Appropriation. These funds will allow for Program expansion to all States not currently authorized and to the District of Columbia.

States not currently participating in the program are advised to begin the selection process of 25 schools. When selecting schools, States must comply with Section 18(g)(3) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(g)). Section 18(g)(3) of the National School Lunch Act is attached and can also be found at:  
<http://www.fns.usda.gov/cnd/Governance/Legislation/Historical/NSLA-Nov-10-2005.pdf>

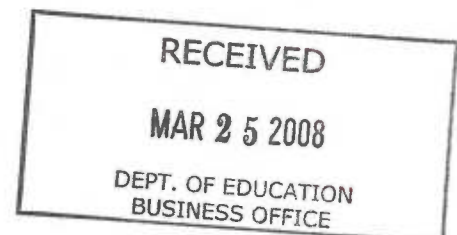
It is important to note that legislation currently being discussed by Congress could have some additional effect on the future scope of the FFVP, but it will not affect the \$9.9 million from Appropriations.

For now, we wish to make sure that you are aware that funding is available for SY 2008-2009 and that it is advisable to begin the school selection process as soon as possible. We will schedule conference calls shortly to provide additional information and answer questions.

Sincerely,

ROBERT M. EADIE  
Acting Director  
Child Nutrition Division

Enclosure



**Brodeur, Aaron**

---

**From:** Flanagan, Kathy  
**Sent:** Friday, March 28, 2008 9:55 AM  
**To:** Brodeur, Aaron  
**Cc:** Talbott, Bill  
**Subject:** Fruit & Vegetable AA-1

Aaron,

Our program person has just confirmed that the Fruit & Vegetable allocation from the Feds is for one year only.

---

*Kathy Flanagan*  
Assistant Division Director  
Finance & Administration  
Vermont Department of Education  
(802) 828-0482  
[kathy.flanagan@state.vt.us](mailto:kathy.flanagan@state.vt.us)

**From:** "Flanagan, Kathy" <Kathy.Flanagan@state.vt.us>  
**To:** <r buck@leg.state.vt.us>  
**Date:** 4/9/2008 9:03 AM  
**Subject:** Fruit & Vegetable AA-1

**CC:** "Busha, Josephine" <Josephine.Busha@state.vt.us>, "Talbot, Bill" <Bill....  
Becky,

Here is the information I received from the Child Nutrition program manager, per your request.

The Federal rules established that 25 schools per state can participate. Only schools with at least 50% free and reduced students can apply (Vermont has approximately 50-60 schools that meet this criteria). We are using a selection process suggested by the federal government. Schools when they apply are asked to explain what their project will entail, and what kind of nutrition education will be included in their project. We expect to assign points to the criteria noted in the application, and select schools based on their "scores".

Please let me know if you require additional information.

Kathy

-----  
Kathy Flanagan  
Assistant Division Director  
Finance & Administration  
Vermont Department of Education  
(802) 828-0482  
kathy.flanagan@state.vt.us

(i) any effect on participation by children and service institutions in the summer food service program in the eligible State in which the program is carried out; (ii) any effect of the program on the quality of the meals and supplements served in the eligible State in which the program is carried out; and

(iii) any effect of the program on program integrity.

(6) 18-21 REPORT.—Not later than April 30, 2007, the Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes—

(A) the evaluations completed by the Secretary under paragraph (5); and

(B) any recommendations of the Secretary concerning the programs.

(g) 18-22 **FRESH FRUIT AND VEGETABLE PROGRAM.**—

(1) IN GENERAL.—For the school year beginning July 2004 and each subsequent school year, the Secretary shall carry out a program to make free fresh fruits and vegetables available, to the maximum extent practicable, to—

(A) 25 elementary or secondary schools in each of the 4 States authorized to participate in the program under this subsection on May 1, 2004;

(B) 25 elementary or secondary schools (as selected by the Secretary in accordance with paragraph (3)) in each of 4 States (including a State for which funds were allocated under the program described in paragraph (3)(B)(ii)) that are not participating in the program under this subsection on May 1, 2004; and

(C) 25 elementary or secondary schools operated on 3 Indian reservations (including the reservation authorized to participate in the program under this subsection on May 1, 2004), as selected by the Secretary.

(2) PROGRAM.—A school participating in the program shall make free fresh fruits and vegetables available to students throughout the school day in 1 or more areas designated by the school.

(3) SELECTION OF SCHOOLS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), in selecting additional schools to participate in the program under paragraph (1)(B), the Secretary shall—

(i) to the maximum extent practicable, ensure that the majority of schools selected are those in which not less than 50 percent of students are eligible for free or reduced price meals under this Act;

(ii) solicit applications from interested schools that include—

(I) information pertaining to the percentage of students enrolled in the school submitting the ap-

is-21 Section 116(f)(4) of P.L. 108-265, 118 Stat. 751, June 30, 2004, amended paragraph (6) in its entirety. For guidance requirement, see note 1-1.

is-22 Section 120 of P.L. 108-265, 118 Stat. 756, June 30, 2004, amended subsection (g) in its entirety. For guidance requirement, see note 1-1. Previously, subsec. (g) added by sec. 4305(a) of P.L. 107-171, 116 Stat. 332, May 13, 2002, and amended by section 1 of P.L. 108-30, 117 Stat. 774, May 29, 2003. November 16, 2005

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plication who are eligible for free or reduced price school lunches under this Act;

(II) a certification of support for participation in the program signed by the school food manager, the school principal, and the district superintendent (or equivalent positions, as determined by the school); and

(III) such other information as may be requested by the Secretary;

(iii) for each application received, determine whether the application is from a school in which not less than 50 percent of students are eligible for free or reduced price meals under this Act; and

(iv) give priority to schools that submit a plan for implementation of the program that includes a partnership with 1 or more entities that provide non-Federal resources (including entities representing the fruit and vegetable industry) for—

(I) the acquisition, handling, promotion, or distribution of fresh and dried fruits and fresh vegetables; or

(II) other support that contributes to the purposes of the program.

(B) NONAPPLICABILITY TO EXISTING PARTICIPANTS.—Subparagraph (A) shall not apply to a school, State, or Indian reservation authorized—

(i) to participate in the program on May 1, 2004;

or

(ii) to receive funding for free fruits and vegetables under funds provided for public health improvement under the heading "DISEASE CONTROL, RESEARCH, AND TRAINING" under the heading "CENTERS FOR DISEASE CONTROL AND PREVENTION" in title II of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004 (Division E of Public Law 108-199; 118 Stat. 238).

(4) NOTICE OF AVAILABILITY.—To be eligible to participate in the program under this subsection, a school shall widely publicize within the school the availability of free fresh fruits and vegetables under the program.

(5) REPORTS.—

(A) INTERIM REPORTS.—Not later than September 30 of each of fiscal years 2005 through 2008, the Secretary, acting through the Administrator of the Food and Nutrition Service, shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an interim report that describes the activities carried out under this subsection during the fiscal year covered by the report.

(B) FINAL REPORT.—Not later than December 31, 2008, the Secretary, acting through the Administrator of the Food and Nutrition Service, shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Agriculture, Nutrition, and

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Forestry of the Senate a final report that describes the results of the program under this subsection. (6) FUNDING.—

(A) EXISTING FUNDS. — The Secretary shall use to carry out this subsection any funds that remain under this subsection on the day before the date of enactment of this subparagraph.

(B) MANDATORY FUNDS. —

(i) IN GENERAL. — On October 1, 2004, and on each October 1 thereafter, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Agriculture to carry out this subsection \$9,000,000, to remain available until expended.

(ii) RECEIPT AND ACCEPTANCE. — The Secretary shall be entitled to receive, shall accept, and shall use to carry out this subsection the funds made available under this subparagraph, without further appropriation.

(C) AUTHORIZATION OF APPROPRIATIONS. — In addition to any amounts made available under subparagraphs (A) and (B), there are authorized to be appropriated such sums as are necessary to expand the program carried out under this subsection.

(D) REALLOCATION. — The Secretary may reallocate any amounts made available to carry out this subsection that are not obligated or expended, as determined by the Secretary.

(h) <sup>10</sup><sub>8</sub> <sup>23</sup> SUMMER FOOD SERVICE RESIDENTIAL CAMP ELIGIBILITY.—

(1) IN GENERAL. — During the month after the date of enactment of this subsection through September, 2004, and the months of May through September, 2005, the Secretary shall modify eligibility criteria, at not more than 1 private nonprofit residential camp in each of not more than 2 States, as determined by the Secretary, for the purpose of identifying and evaluating alternative methods of determining the eligibility of residential private nonprofit camps to participate in the summer food service program for children established under section 13.

(2) ELIGIBILITY. — To be eligible for the criteria modified under paragraph (1), a residential camp —

(A) shall be a service institution (as defined in section

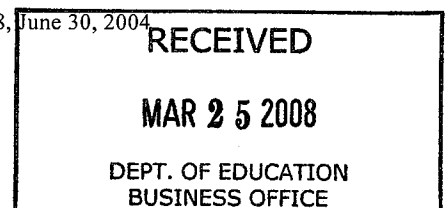
(B) may not charge a fee to any child in residence at the camp; and

(C) shall serve children who reside in an area in which poor economic conditions exist (as defined in section

(3) PAYMENTS. —

(A) IN GENERAL. — Under this subsection, the Secretary shall provide reimbursement for meals served to all children at a residential camp at the payment rates specified in section 13(b)(1).

(B) REIMBURSABLE MEALS. — A residential camp selected by the Secretary may receive reimbursement for not



## **Background**

Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265), P.L. 108-265, The Child Nutrition and WIC Reauthorization Act of 2004, authorized the FFVP as a permanent program in 11 states with annual funding of \$9 million. The permanent program operates in the following 8 states and 3 Indian Tribal Organizations: Indiana, Iowa, Michigan, Mississippi, North Carolina, Ohio, Pennsylvania, Washington, Arizona Inter-Tribal Council ITO, New Mexico-Zuni-ITO, and South Dakota-Oglala Sioux Tribe ITO.

### Appropriations Act of 2006, P.L. 109-97

P.L. 109-97, The Appropriations Act of FY 2006, appropriated \$6 million to expand the program to 6 additional states: Connecticut, Idaho, New Mexico, Texas, Utah and Wisconsin. No additional funds were appropriated for these states in FY 2007.

### The Consolidated Appropriations Act of 2008, P.L. 110-161

P.L. 110-161, The Consolidated Appropriations Act of 2008, appropriated \$9.9 million to expand the FFVP nationwide (37 remaining states). The Act also allowed FNS to reallocate \$3.4 million of recovered FFVP funds to the six states under P.L. 109-97

## **School Selection Process**

States currently not participating in the FFVP, (including Arizona and South Dakota) must select 25 schools (no more, no less). **It is important that each State begin the school selection process as soon as possible given the process can be lengthy.** The six states authorized under P.L. 110-161 have FFVP funds currently available and should start the program as soon as possible. Once schools are selected, states may choose to select all, some or no new schools in latter years. If the State agency elects not to select new schools, the enrollment figures still must be reviewed/adjusted each year.

Schools are to be selected according to the criteria in section 18(g) of the Richard B Russell National School Lunch Program. For your convenience, below is a summary of the criteria.

- To the maximum extent practicable, the majority of schools selected are those in which 50% or more of students are eligible for free or reduced price meals;
- Priority is given to schools that submit a plan for implementation of the program that includes
  - A partnership with one or more entities that provide non-Federal resources (including entities representing the fruit and vegetable industry) for the acquisition, handling, promotion, or distribution of fresh fruits and vegetables; or
  - Other support that contributes to the purposes of the program, such as nutrition education.
- Schools that are applying must provide a certification of support signed by the
  - school food manager,
  - the school principal and,

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- the district superintendent or equivalent position as determined by the school.

### **Funding Process and Life of the Funds**

#### Fiscal Year 2008 Funds:

##### 11 Permanent States \$9 million:

- States operating under P.L. 108-265, received a prorated share, based on the enrollment of all participating schools, of \$9 million on October 1, 2007, and will continue to receive FFVP funds in the same manner as authorized under this law.
- The period of performance is the federal fiscal year, October 1 through September 30.

##### 6 States, \$3.4 million:

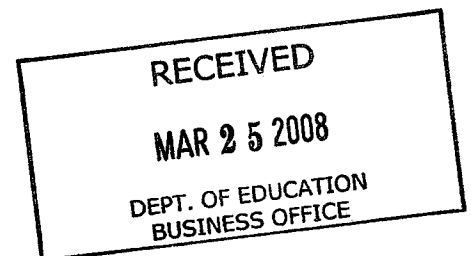
- 6 states- FNS allocated approximately \$3.4 million. States were notified of their prorated share of the allocation through emails in January from headquarters Financial Management Division.
- HQ's Grants Management Division has sent out an addendum to the current FFVP grant agreement. Please return the signed agreement to Leslie Byrd as soon as possible.
- The period of performance is January, 2008 through September 30, 2009.

##### 37 States, approximately \$9.9million:

- Funds will be distributed equally among 37 states. Each state will receive a one-time allocation of approximately \$250,000.
- South Dakota and Arizona which participate as ITOs, will also participate with 25 additional schools.
- Funding for program operations will be disbursed through the Letter of Credit and schools may start expending funds July 1, 2008.
- July 1, 2008: States will receive a portion of their total allocated funds to start program operation for the first quarter of the school year. These funds will be closed out as of September 30, 2008.
- October 1, 2008: States will receive the remaining portion of their grant. These funds are available for the federal fiscal year, which ends September 30, 2009.

### **Guidance Material and Other Program Assistance**

- The guidance manual and FNS prototype forms, program background and legislation for the FFVP are available on-line at <http://www.fns.usda.gov/cnd/ffvp/ffvpdefault.htm>. States may develop their own forms or may use forms from currently participating states. At a minimum, any newly developed Claim Form or State/Local agreement must incorporate data elements from the Prototype forms. The forms currently on-line are:
  - Claim for Reimbursement (or FFVP Performance Report)
  - Sample Food Service Director Letter
  - Sample School Profile Sheet
  - Sample State/Local agreement



National Partners: **Center for Disease Control and Prevention** has served as a partner to the FFVP since the program started as a pilot, and their State level Fruit and Vegetable Nutrition Coordinators (or 5-A-Day) have worked closely with FFVP schools. Other national partners include National Cancer Institute, the American School Food Service Association, Produce for Better Health Foundation and United Fresh Fruit and Vegetable Association.

States and schools have also developed State level partnerships with their state Cancer Institute, American Heart Associations, and local businesses and grocery stores. Often times local and state organizations can provide free resources and are available for general program support. Attached by State, is a list of Fruit and Vegetable Nutrition Coordinators.

### **Program Oversight**

The FFVP operates under the NSLP and as such all reporting, recordkeeping and monitoring requirements, as pertinent, apply. Please note that while the NSLP can provide different types of processed fruits and vegetables, such as frozen and canned, the FFVP requirements only allow fresh fruits, dried fruits and fresh vegetables.

State agencies have direct oversight of the FFVP. Responsibilities include:

- Selecting 25 schools using criteria established in law. States may also include additional criteria they would like their schools to meet.
- allocating FFVP funds to their 25 schools based on the enrollment of the 25 selected schools.
- Reviewing schools' claims for appropriate expenditures;
- ensuring appropriate addenda are added to the State/local agreements for operation of the FFVP.

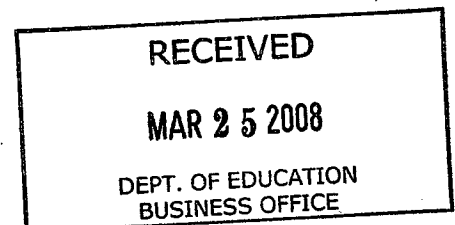
### **Monitoring**

When selecting schools for CREs or any oversight or monitoring activities, as possible, please ensure that at least one of the selected schools operates the FFVP. If reviewers are conducting any type of oversight activity in the same district as a FFVP school, please make every effort to review the FFVP school to assure this new program is operating properly.

### **Program Operations – Reporting**

#### **State Agencies:**

- Financial reporting for the Fresh Fruit and Vegetable Program (FFVP) will be conducted via the Food Programs Reporting System (FPRS)
- SF-269As for the FFVP have been set up in FPRS for all states.
- In order to report FFVP SF-269(A)s in FPRS, individuals must request access by submitting the FNS-674 and addendum.
- States must also complete the FNS-4 for the CN-FFVP.
- South Dakota, Arizona, and New Mexico: have to submit 2 SF-269(A)s for FFVP –



- one 269A for ITO schools. The new form in FPRS for ITO schools will be called **CN-FFVP-ITO** and be available soon.
- one 269A for geographic State schools
- New states reporting FY 2008 expenditures will submit **blank** SF-269(A)s for 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> quarters (please do not include zeros). (This includes SD and AZ with FFVP in geographic State schools.)
- Financial data will be submitted beginning 4<sup>th</sup> quarter for the 37 new states.

### **Recordkeeping**

Please follow the same recordkeeping requirements for the FFVP as with other Child Nutrition Programs.

Please note that the CFDA number for the Fresh Fruit and Vegetable Program is 10.582.

### **Procurement and Buy American “Provision”**

The FFVP is subject to the same procurement requirements that apply to any purchase from the nonprofit school food service account including the Buy American regulation and the prohibition against geographic preferences. State agencies should ensure that selected schools are aware of the procurement regulations.

#### Attachments/Resources:

Richard B. Russell National School Lunch Act, section 18(g)  
Pertinent portion of The Consolidated Appropriations Act of 2008

Claim for Reimbursement (or FFVP Performance Report)  
Sample Food Service Director Letter  
Sample School Profile Sheet  
Sample State/Local agreement

Financial Reporting Forms: FNS-269A, FNS-674, FNS-4  
Financial Reporting: 269A Reporting Chart (from HQ FM)

FFVP Guidance manual  
ME Guidance Section on FFVP

FFVP State agency contacts:  
Center for Disease Control & Prevention, Division of Nutrition & Physical Activity, More Matters, State  
FV Coordinators

