



United States  
Department of  
Agriculture

Food and  
Nutrition  
Service

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Alexandria, VA  
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MEMO CODE: SP 19-2009

DATE: March 18, 2009

SUBJECT: Fresh Fruit and Vegetable Program (FFVP): Adherence to School Selection Criteria and Outreach to Potentially Eligible Schools

TO: Regional Directors  
Special Nutrition Programs  
All Regions

State Directors  
School Nutrition Programs  
All States

The new allocation of FFVP funds will be made available July 1, 2009 and many States have begun the process for selecting elementary schools to participate in the program for the 2009-2010 school year. The criteria for school selection are set forth in section 19 of the Richard B. Russell National School Lunch Act (NSLA) and were provided in our July 7, 2008, memorandum (SP 31-2008) and in the FFVP handbook. This memorandum provides a reminder of the statutory requirements for selecting schools, especially the requirement that selected FFVP schools meet the highest free and reduced price need level as required in the Act, and also provides clarification on requirements for State outreach to schools.

All elementary schools selected for the 2009-2010 school year must meet the school selection criteria. State agencies may permit previously participating secondary schools to continue to participate for school year 2009-2010 provided they fall within the highest percentage free and reduced price level of need. The upcoming school year (2009-2010) is the final school year secondary schools may participate.

Section 19 requires that to the maximum extent practicable the highest priority be given to elementary schools with the highest percentage of free and reduced price students including Native American schools, and specifically directs States to conduct outreach to these schools. After identifying the schools with the highest percentage of free and reduced price meals, States must then inform these schools of their priority for selection, that is, because of their high need they will likely be selected to participate in the FFVP.

All schools that want to participate must complete an application and agree to operate the FFVP according to statutory requirements found in section 19 of the NSLA. The specific outreach process and ranking of schools from highest percentage of need to lowest percentage of need must be conducted before the State agency selects schools for participation in the program. In SP 31-2008, we indicated that States must at a

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minimum inform all elementary schools at or above 50 percent free and reduced price enrollment of the FFVP. However, States that have a much larger number of elementary schools at or above 50 percent free/reduced price enrollment than could possibly be funded through FFVP may instead choose to target just those schools with the highest need. In any case, States must ensure that all schools that may be funded are notified of their potential participation in the Program. It is especially important in performing outreach to potentially eligible schools to keep in mind that FFVP funding will increase substantially in the next several years and it is useful for some schools to know about the FFVP even if they may not be able to participate immediately.

Additionally, currently participating elementary schools that do not reflect a State's highest percentage of need, cannot be selected to continue participation in the coming school year in place of schools with higher percentages of free and reduced price students. The only exception would be if a school with high percentages of free and reduced price students did not want to participate or the State had concerns with their administration of another child nutrition program or their ability to administer the FFVP.

For your convenience we have attached memo, SP-31-2008 for reference. Please contact Mara McElmurray or Bill Wagoner if you have questions.

**Original Signed**

Cynthia Long  
Director  
Child Nutrition Division