

Sample Memorandum of Understanding (MOU) between School Garden and School Nutrition Programs

***INSTRUCTIONS:** It is a best practice to have a written agreement between the school nutrition program and a school garden representative when food is grown on school property to be used in the school nutrition, summer feeding, or CACFP At-Risk After School programs. This document should be signed by the school nutrition program director and the division-level garden administrator over multiple sites, i.e., the Career and Technical Education (CTE) director, or a school administrator. School food authorities may sign intergovernmental agreements with operators of the school garden when the operator is a governmental agency such as the LEA (school division) or a municipal Parks and Recreation Department. If the garden operator is a non-profit or for-profit entity, proper procurement methods must be followed. See USDA FNS Memo SP 06-2015 for more information.*

*This is a sample MOU. The school food authority (SFA) is responsible to comply with procurement guidance. The content formatted in bold and italics throughout this document is instructional and should not be included in the MOU. All content within **[brackets]** should be modified, as needed, according to each SFA/school garden agreement.*

**[NAME OF SCHOOL DIVISION]
SCHOOL YEAR [20xx-20xx]**

**MEMORANDUM OF UNDERSTANDING BETWEEN
[SCHOOL GARDEN REPRESENTATIVE] AND SCHOOL NUTRITION PROGRAMS
DIRECTOR/ADMINISTRATOR**

The Memorandum of Understanding (MOU) covers the period commencing [date] through [date].

[SCHOOL GARDEN REPRESENTATIVE,
NAME OF SCHOOL DIVISION]

Date

[SCHOOL NUTRITION PROGRAM
DIRECTOR, TITLE]

Date

SCHOOL GARDENS COVERED UNDER THIS MOU

Enter information for each school garden site to be considered for this MOU. Attach a separate sheet or use a spreadsheet if desired.

Name of School:

Address:

Cafeteria Manager:

Phone:

Email:

Garden Site Leader:

Phone:

Email:

Garden Co-Leader (if applicable):

Phone:

Email:

Garden Location on Campus:

Name of School:

Address:

Cafeteria Manager:

Phone:

Email:

Garden Site Leader:

Phone:

Email:

Garden Co-Leader (if applicable):

Phone:

Email:

Garden Location on Campus:

[SCHOOL DIVISION NAME]

**SCHOOL GARDEN/FARM AND SCHOOL NUTRITION PROGRAM
MEMORANDUM OF UNDERSTANDING**

Introduction

(Adapt as applicable.) This MOU establishes guidelines for providing school garden/farm grown foods for use in the school nutrition program.

Ensuring the safety of the food supply is critical to a healthy student and healthy community. School and retail food facilities regulated under the Virginia Food Code are required to obtain their food from an approved source, as defined in §12 VAC 5-421-10 of the Virginia Food Code. “‘Approved’ means acceptable to the department based on a determination of conformity with principles, practices, and generally recognized standards that protect public health” (VDH, 2016). The regulation of food sources helps ensure a safe food supply.

Purpose

The purpose of this agreement is to establish a memorandum of understanding between the [School Division] nutrition program and the [name of school/school garden program]. The intention is to feature student-grown products in the school nutrition program and to provide hands-on learning experiences in food production, marketing, and food safety.

Terms and Payment

Select the appropriate scenario(s) below to include in the agreement. Delete scenarios that do not apply.

1. The school nutrition program will purchase unprocessed school garden/farm grown foods at a fair market value using the micro purchase process, spreading purchases equitably among qualified sources (i.e., other local vendors).

OR

The school nutrition program will purchase unprocessed student-grown products at a fair market value using the small purchase method, in which student-grown produce is the lowest priced vendor among qualified vendors. Geographic preference may be used if the SFA is using a small purchase method to purchase when the school garden is one source. (Note: fair market value can be obtained using daily wholesale market reports published on the USDA Agricultural Marketing Service website.)

OR

March 15, 2021

The school nutrition program will develop a forward contract for purchasing select items from the school garden or school farm at a set price for the growing season using the micro-purchase or small purchase method. All produce is to be the current season's harvest. Products will be used to enhance nutrition and agricultural education opportunities in cafeterias, classrooms, and school gardens through Farm to School efforts such as the Virginia Harvest of the Month program.

Sample Specifications for Desired Products

[edit to meet the child nutrition program's needs]

Produce Item	Product Description	Pack Size/Description	Approximate Delivery Periods	Approximate Quantity Needed	Estimated Qty Available; Price per unit
Sweet Potatoes	Use baked or mashed. Large size preferred. Cosmetic issues are okay.	Bushel (approx. 55 # or Crate (approx. 50 #). Rinsed, debris-free.	Monthly delivery October-January or can drop for dry storage at one delivery time.	x bushels or y crates per week	z bushels available @ \$ per crate
Butternut Squash	Use roasted, mashed, in soups. Large sizes preferred. Cosmetic issues okay.	Bushel (approx. 55 # or Crate (approx. 50 #). Rinsed, debris-free.	Monthly delivery October-January or can drop for dry storage at one delivery time.	x bushels or y crates per month	z bushels available @ \$ per crate
Kale	Use fresh or cooked. Minor insect damage accepted, bronze or slightly yellowish edge okay if the edges are not dried. Insect free.	10 # case or 25# carton or crate. Fully washed, partly trimmed, with stem.	October-December as available; March and April (approx. 16 weeks)	x cartons or y crates per week	z cartons available @ \$ per crate
Lettuce, Hydroponic	Use fresh on salad bar, in	Carton packed, 24 heads or 10 #	Year-round.	x cartons or y cases last	z cases available

March 15, 2021

Produce Item	Product Description	Pack Size/Description	Approximate Delivery Periods	Approximate Quantity Needed	Estimated Qty Available; Price per unit
Head	chef salads, on sandwiches. Insect free.	case. Root intact.		week Aug-first week June; x cartons or y cases June-Aug for summer feeding program	@ \$ per crate
Lettuce, Romaine Head	Use fresh on salad bar, in chef salads, on sandwiches. Insect free.	Carton packed, 24 heads or 10 # case. Fully washed and trimmed.	April-June and September-October as available (approx. 20 weeks)	x cartons or y cases per week	z cases available @ \$ per crate
Strawberries	Use fresh whole, sliced, and in smoothies. Can freeze bulk deliveries for later use. Blemish free.	24-quart crate (approx. 36 #) or 12-quart crate (approx. 18 #)	May-June as available (approx. 6 weeks)	x 24-quart crates or y 12-quart crates per week	z 12-quart crates @ \$ per crate
Cucumbers	Use sliced or diced. Large size or cosmetic issues okay but not hard or over-ripe.	1+1/9 Bushel Waxed Box or Carton. Fully washed.	June-3 rd week of Aug for summer feeding program; September-October (approx. 19 weeks)	x 1+1/9 bushels, June-3 rd week Aug; y 1+1/9 bushels September-October	z 1+1/9 bushel box @ \$ per bushel box
Zucchini	Use sliced, diced, or spears. Mostly straight.	20# box. Rinsed, free of debris and soil.	July for summer feeding program, last week August	x 20# boxes every two weeks.	y 20# boxes total @ \$ per box

March 15, 2021

Produce Item	Product Description	Pack Size/Description	Approximate Delivery Periods	Approximate Quantity Needed	Estimated Qty Available; Price per unit
	Large size or cosmetic issues are okay but not hard or over-ripe.		through first frost (approx. 10 weeks)		
Tomato	Used sliced or diced. Cosmetic issues okay but no decay. Medium (2 ¼") to large 2 ½" diameter) preferred.	Lug Box Lug Box (approx. 32 #), 2-layer flat (approx. 21 #), or Case (approx. 10#). Free of debris. ¾ ripe to fully ripe. (approx. 32 #), 2-layer flat (approx. 21 #), or Case (approx. 10#). Free of debris. ¾ ripe to fully ripe.	July-3 rd week of August for summer feeding program. Last week August-October as available (approx. 15 weeks)	x lug boxes, y 2-layer flats, or z cases every two weeks.	a cases total @ \$ per case
Sweet Red Bell Peppers	Use fresh, sliced or diced and cooked. Medium or Large preferred	Bushel (approx. 25 #) or Carton (approx. 16-25#). Free of debris, ¾ ripe to fully ripe.	September (approx. 4 weeks)	x bushels or y cartons every two weeks.	z cartons total @ \$ per carton
Apples	Primarily fresh, whole or sliced. 125-138 count preferred. 125s=2.75" diameter. 138s=2.68" diameter. Prefer Ginger Gold,	Bushel (approx. 48 #) or loose pack case (approx. 38-42#)	September-March as available	x bushels or y loose pack cases every two weeks.	z cases @ \$ per case

March 15, 2021

Produce Item	Product Description	Pack Size/Description	Approximate Delivery Periods	Approximate Quantity Needed	Estimated Qty Available; Price per unit
	Granny Smith, Fuji, Stayman, Winesap. Red Delicious or Golden Delicious accepted if spec'd with other varieties.				
Cabbage, green and red	Use shredded in slaw. Untrimmed whole.	Flat crate (1.75 bushels, 50-60 #) or Carton (53 #)	October-December as available (approx. 12 weeks)	x flat crates or y bushels every week. Every other week delivery can be considered.	z flat crates @ \$ per case
Spinach	Use fresh.	Bushel (approx. 18-20 #) or Case (approx. 10 #). Fresh, partly trimmed, fully washed.	September-June as available (approx. 36 weeks)	x bushels or y cases weekly.	z cases total @ \$ per case

Note: Use the [USDA Food Buying Guide](#) or the [Food Buying Guide Mobile App](#) to assist with planning purchases.

OR

The school nutrition program will purchase school garden seeds and garden supplies using school nutrition program funds from the non-profit school nutrition account in exchange for student-grown products throughout the year at no charge to be used in the nutrition program(s).

OR

The school garden/farm will donate food to the school nutrition program at no cost to the school nutrition program.

2. School nutrition professionals are provided access to visit the school garden/farm site to observe conditions under which foods are produced.

Responsibilities of the [School Division] Nutrition Program

1. *If applicable:* The school nutrition program will pay the school garden program for products (identify terms, i.e. net 30 invoicing and payment). *Describe the agreed-upon method of payment prior to signing agreement.*
2. The school nutrition program will promote the student-grown products to customers and parents.
3. The school nutrition program will maintain all receipts for three years as required by the federal National School Lunch Program procurement guidance
4. The school nutrition program will use proper procurement methods to obtain the school garden products.
5. The school nutrition program will follow food safety procedures and Hazard Analysis for Critical Control Points (HAACP) plans for all served foods, including school garden products.
6. The school nutrition program [will or will not] provide reusable containers for transport and storage and will sanitize containers before returning.

Responsibilities of the [School Division] School Garden/School Farm Program

1. The school garden/farm will follow all food safety guidelines to mitigate the risk of foodborne illness. This includes ensuring all food is grown, harvested, and delivered using food safety practices.
2. The school garden/farm will maintain logs of food safety trainings for students, staff, and volunteers.
3. The school garden/farm will provide itemized receipts for all products at the time of delivery.
4. The school garden/farm will provide a list of garden/farm grown products, including the estimated harvest time and estimated quantity available.
5. The school garden/farm will provide notice to the cafeteria manager prior to product delivery.

RESOURCES

[The Centers for Disease Control and Prevention. "State Indicator Report on Fruits and Vegetables."](#) Website accessed 17 July 2020.

San Diego Unified School District food Services Department Garden to Café Program. "[Conditional Approval of a School Garden Food Source for San Diego Unified District.](#)" Website accessed 17 July 2020.

United States Department of Agriculture, Agricultural Marketing Service. [Specialty Crops Market News.](#) Website accessed 17 July 2020.

United States Department of Agriculture, Food and Nutrition Services. Memo SP 06-2015, "[Farm to School and School Garden Expenses.](#)" Website accessed 17 July 2020.

United States Department of Agriculture, Food and Nutrition Services. Memo SP 32-2009, "[School Garden Q&As.](#)" Website accessed 17 July 2020.

United States Department of Agriculture, Food and Nutrition Services. "[Procuring Local Foods for Child Nutrition Programs.](#)" Pages 82-83. Website accessed 17 July 2020.

United States Department of Agriculture, Office of Community Food Systems. "[School Gardens: Using Gardens to Grow Healthy Habits in Cafeterias, Classrooms, and Communities.](#)" Website accessed 17 July 2020.

University of Arizona Cooperative Extension. "[School Garden Food Safety Training.](#)" Website accessed 17 July 2020.

University of Arizona Cooperative Extension. "[School Garden Training Log.](#)" Website accessed 17 July 2020.

Virginia Cooperative Extension. "[Food Safety for School and Community Gardens.](#)" 2018. Website accessed 17 July 2020.

The Virginia Department of Health. "[Food Safety Basics.](#)" Website accessed 17 July 2020.

Virginia Law Administrative Code. "[Chapter 421. Food Regulations](#)" 2016. Website accessed 17 July 2020.