

HOUSE No. 3993

The Commonwealth of Massachusetts

PRESENTED BY:

Mindy Domb and Andres X. Vargas

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act supporting farm and school partnerships in school meals.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/19/2023</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>	<i>1/20/2023</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>1/25/2023</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>3/19/2023</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>	<i>11/13/2023</i>
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>11/15/2023</i>
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>11/15/2023</i>
<i>Simon Cataldo</i>	<i>14th Middlesex</i>	<i>11/22/2023</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>12/7/2023</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>1/4/2024</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>1/10/2024</i>
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>1/10/2024</i>
<i>Rob Consalvo</i>	<i>14th Suffolk</i>	<i>1/11/2024</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>1/22/2024</i>
<i>Erika Uytterhoeven</i>	<i>27th Middlesex</i>	<i>1/25/2024</i>
<i>William J. Driscoll, Jr.</i>	<i>7th Norfolk</i>	<i>1/31/2024</i>

HOUSE No. 3993

By Representatives Domb of Amherst and Vargas of Haverhill, a petition (accompanied by bill, House, No. 3993) of Mindy Domb, Andres X. Vargas and others relative to farm and school partnerships in school meals. Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act supporting farm and school partnerships in school meals.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 15 of the General Laws is hereby amended by adding the following
2 section:-

3 Section 67. (a) The department shall, in consultation with the advisory committee
4 established in subsection (b), develop, implement and evaluate a 3-year pilot program, to be
5 known as the Massachusetts Farm to School Incentive program, to reimburse school food
6 authorities, as defined in 7 CFR 225.2 and hereinafter referred to as SFAs, and licensed early
7 education and care programs, as defined in section 1 of chapter 15D, for money spent to
8 purchase food from local farms, fishers and producers.

9 (b) The commissioner shall establish an advisory committee to assist in the development,
10 implementation and evaluation of the pilot program established pursuant to subsection (a). The
11 advisory committee shall include a representative from the department of agricultural resources,
12 the division of marine fisheries, the department, the Massachusetts Farm to School program, the

13 School Nutrition Association of Massachusetts, Inc., and a geographically and demographically
14 diverse group of stakeholders appointed by the commissioner.

15 (c) School districts participating in the federal National School Lunch Program and
16 licensed early education and care programs participating in the federal Child and Adult Care
17 Feeding Program shall be eligible for participation and reimbursement through the pilot program.
18 Participants in the pilot program shall be reimbursed \$1 for every \$3 of purchases of products
19 grown or caught in Massachusetts. Participants in the pilot program shall be reimbursed \$1 for
20 every \$5 of purchases from regional vendors where such product originates within any other
21 New England state. Year 1 of the program shall exclusively reimburse National School Lunch
22 Program sponsors and Year 2 shall provide reimbursement for both Child and Adult Care
23 Feeding Program and National School Lunch Program sponsors. Food purchases eligible for
24 reimbursement shall include direct purchases from farms and farmer cooperatives, fishers and
25 fishing cooperatives, food hubs and wholesale distributors. The department shall confirm the
26 place of origin for the products through self-attestation from the originating producer or any
27 other user-friendly means required by the department.

28 (d) The department, in consultation with the advisory committee, shall promulgate rules
29 relative to the specifications and qualifications for eligible foods for the pilot program including
30 value-added dairy, unprocessed and lightly processed seafood, pork, beef, poultry, eggs, fruits,
31 vegetables, grains, honey and maple syrup. The department shall establish a preference for
32 participation in the pilot program for those products originating from socially disadvantaged
33 farmers or producers or from small farm or seafood businesses, as documented to participating
34 SFAs or early education and care programs.

35 (e) All food items purchased through the pilot program shall comply with federal Child
36 Nutrition Program guidelines. Funding shall support local purchases made by licensed early
37 education and care programs and SFA sponsors of the federal Child and Adult Care Food
38 Program and the federal National School Lunch Program.

39 (f) The department shall employ 1 full-time employee as a program coordinator to
40 develop and implement the pilot program. The responsibilities of the program coordinator shall
41 include:

42 (1) working with the advisory committee to instruct the department on needed actions
43 and strategies to implement the Massachusetts Farm to School Incentive Program;

44 (2) oversee pilot program implementation;

45 (3) assess the capacity of interested SFAs and early education and care programs to
46 participate in the pilot program and take steps to build necessary capacity. The assessment may
47 include coordinating and delivering workshops, training sessions, peer to peer support and other
48 technical assistance to stakeholders including school food service directors, personnel, farmers
49 and produce distributors and processors. This may include contracting with public and nonprofit
50 entities to provide such technical assistance, recommendations for supporting staffing in SFAs
51 and early education and care programs to source food, to build relationships with local
52 agriculture and fisheries and to prepare nutritious meals with incentivized purchases; and

53 (4) ensure timely reimbursement to participating SFAs and early education and care
54 programs.

55 (g) The department shall, in consultation with the advisory committee, promulgate
56 regulations to implement the pilot program, which shall include criteria for eligibility in the pilot
57 program, program promotion information, identification of product eligibility, potential sourcing
58 information, guidelines for reimbursement and reporting requirements. The department shall
59 annually determine the maximum funding award per district based on the annual appropriation
60 level. The regulations or guidelines promulgated by the department shall promote geographic,
61 social, economic and racial equity in program impact and in distribution of state funds.

62 (h) The department shall, in consultation with the advisory committee, develop a survey
63 to be distributed annually to participating school districts in order to collect data to document the
64 impacts of the program and its challenges, suggest improvements, identify any technical
65 assistance participating programs received, report on the number of students served, describe
66 partnerships developed as a result of program participation, identify meal preparation needs,
67 describe technical assistance that was needed but not provided, and needs around local staffing
68 that were unmet. The survey may allow for other benefits to be identified. The annual report
69 shall describe the program's impacts including how much food was grown, caught or purchased
70 in Massachusetts and New England, from how many farms and fisheries and at what cost to the
71 commonwealth. The report shall be filed with the house and senate chairs of the joint committee
72 on education and the joint committee on ways and means.

73 SECTION 2. The department of elementary and secondary education shall promulgate
74 regulations pursuant to subsection (g) of section 67 of chapter 15 of the General Laws no later
75 than 9 months from the effective date of this act.