

**HOUSE . . . . . No.**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

*Patricia A. Duffy 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 Establishing the Massachusetts Farm to School Program.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>1/14/2025</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>	<i>1/14/2025</i>

**HOUSE . . . . . No.**

[Pin Slip]

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**

An Act Establishing the Massachusetts Farm to School Program.

*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 69 of the General Laws is hereby amended by adding the following  
2 section:-

3 Section 38. (a) (1) The department of elementary and secondary education shall  
4 administer a Massachusetts Farm to School Program, consisting of a grant program and a local  
5 food incentive, with the aim of strengthening the commonwealth’s food and agriculture  
6 economy, improving student health and nutrition and building food literacy amongst students.  
7 The program shall build the capacity of primary and secondary schools and licensed childcare  
8 programs to purchase ingredients grown, raised, caught and processed in Massachusetts and  
9 other states in the New England region or the state of New York, prepare scratch-cooked meals  
10 and provide food literacy education to students, including, but not limited to, curriculum on the  
11 food system and the use of experiential and garden-based learning.

12 (2) The department shall establish an advisory committee to advise the department on the  
13 development and administration of the Farm to School Program. The council shall include a

14 representative from each of the following groups: the department of agricultural resources, the  
15 department of early education and care, the division of marine fisheries, Massachusetts Farm to  
16 School, and the School Nutrition Association of Massachusetts, Inc., and a geographically and  
17 demographically diverse group of stakeholders appointed by the commissioner.

18 (3) The department shall employ a full time program coordinator for the Farm to School  
19 Program. The responsibilities of the program coordinator shall include:

20 (i) working with the advisory committee to instruct the department on actions and  
21 strategies for establishing and implementing the Massachusetts Farm to School program; (ii)  
22 overseeing program implementation; (iii) assessing and building the capacity of interested  
23 School Food Authorities and early education and care programs to participate in the program,  
24 which may include contracting with public and nonprofit entities to provide technical assistance  
25 to school and early education staff, farmers, food distributors and processors; and (iv) ensuring  
26 timely reimbursement to participating SFAs and early education and care programs.

27 (b) (1) The department shall, in consultation with the advisory committee established in  
28 subsection (a) of this section, establish a Farm to School grant program to advance the use of  
29 local foods in schools and provide food literacy education to students.

30 (2) To be eligible for grant funding the department shall require that applicants: (i) be a  
31 K-12 school or licensed child care program located in the commonwealth; and (ii) provide meals  
32 through the National School Lunch Program or the Child and Adult Care Feeding Program.

33 (3) The grant program shall provide, subject to appropriation, funding for the following  
34 local food and food literacy priorities: (i) adequate kitchen equipment used to prepare food for  
35 serving in school or early education meals and snacks including, but not limited to, local, fresh

36 produce, meats, seafood and dairy items; (ii) training for kitchen staff in preparing fresh meals  
37 using local ingredients and in procuring such ingredients; (iii) training for educators and other  
38 school or early education staff in adding or integrating food system lessons to their curriculum;  
39 (iv) programming for curricular and extracurricular activities, such as farm field trips and school  
40 gardens, for students to learn about agriculture and the food system; and (v) infrastructure for  
41 classroom projects related to food literacy such as school gardens or indoor growing systems.

42 (4) There shall be established and set up on the books of the commonwealth a separate  
43 fund, to be administered by the commissioner of the department of elementary and secondary  
44 education, which shall be known as the Massachusetts Farm to School Fund. The Fund shall  
45 consist of all revenues from public and private sources as appropriations, gifts, grants, donations,  
46 reimbursements from the federal government and grants-in-aid or other receipts to further the  
47 purposes of the Fund in accordance with this section. Any unexpended funds appropriated for  
48 purposes of this section shall not lapse at the end of the fiscal year but shall be available for  
49 expenditure during the next fiscal year.

50 (5) The department, in consultation with the advisory committee, shall promulgate  
51 regulations or guidelines to implement the grant program established pursuant to subsection (b)  
52 of this section. The regulations or guidelines promulgated by the department shall include  
53 eligibility criteria that promotes geographic, social, economic and racial equity in distribution of  
54 grant funds. Grants shall be awarded in consultation with the advisory committee.

55 (c) (1) The department shall, in consultation with the advisory committee established in  
56 subsection (a), develop a Massachusetts Local Food Incentive program, to reimburse school food  
57 authorities, as defined in 7 CFR 225.2 and hereinafter referred to as SFAs, and licensed early

58 education and care programs participating in the Child and Adult Care Feeding Program, as  
59 defined in section 1 of chapter 15D, for money spent to purchase food from local farms, fishers  
60 and producers.

61 (2) School districts participating in the federal National School Lunch Program and  
62 licensed early education and care programs participating in the federal Child and Adult Care  
63 Feeding Program shall be eligible for participation and reimbursement through the program.  
64 Participants in the program shall be reimbursed 1 dollar for every 2 dollars of purchases of  
65 products grown, raised or caught in Massachusetts. Participants in the program shall be  
66 reimbursed 1 dollar for every 3 dollars of purchases from regional vendors where such product  
67 originates within other states in the New England region or the state of New York. Food  
68 purchases eligible for reimbursement shall include direct purchases from farms and farmer  
69 cooperatives, fishers and fishing cooperatives, food hubs and wholesale distributors. The  
70 department shall confirm the place of origin for the products through self-attestation from the  
71 originating producer or any other user-friendly means required by the department.

72 (3) The department, in consultation with the advisory committee, shall promulgate rules  
73 relative to the specifications and qualifications for eligible foods for the program including, but  
74 not limited to, value-added dairy, unprocessed and lightly processed seafood, pork, beef, poultry,  
75 eggs, fruits, vegetables, grains, honey and maple syrup. The department shall encourage  
76 purchases of products originating from socially disadvantaged farmers or producers or from  
77 small farm or seafood businesses, as documented to participating SFAs or early education and  
78 care programs. All food items purchased through the program shall comply with federal Child  
79 Nutrition Program guidelines. When developing the rules, the department, in consultation with

80 the advisory committee, shall consider any necessary differences in program administration to  
81 ensure equitable participation by early education programs.

82 (4) The department shall, in consultation with the advisory committee, promulgate  
83 regulations to implement the program, which shall include eligibility criteria, promotional and  
84 outreach campaigns, identification of product eligibility, sourcing information and guidelines for  
85 reimbursement and reporting requirements. The department shall annually determine the  
86 maximum funding award per district or early education program based on the annual  
87 appropriation level and any available federal funding. The department shall maximize federal  
88 financial participation for state expenditures made on behalf of program enrollees and work to  
89 ensure any available federal funds are incorporated into existing programs for eligible SFAs and  
90 early education programs. The regulations or guidelines promulgated by the department shall  
91 promote geographic, social, economic and racial equity in program impact and in distribution of  
92 state funds.

93 (d) The department shall, in consultation with the advisory committee, annually on or  
94 before January 31, submit a report of the Massachusetts Farm to School program's activities and  
95 impact to the clerks of the house and the senate, the house and senate committees on ways and  
96 means, the joint committee on education and the joint committee on agriculture. To write this  
97 report, the department shall, in consultation with the advisory committee, develop a survey on  
98 the grant program and the local food incentive to be distributed annually to participating school  
99 districts and early education programs in order to collect data to document the impacts of the  
100 program and any challenges, including additional staffing or training needs. The annual report  
101 shall describe the program's impacts including, but not limited to: (i) testimonials from students,  
102 teachers and staff at participating schools and early education programs and participating

103 producers and food businesses; (ii) the number of impacted students in participating schools and  
104 early education programs; (iii) the number of new or expanded school gardens; (iv) the value of  
105 food purchased through the incentive program, including a breakdown of the number, business  
106 type and geographic location of participating farms, producers and food businesses; and (v)  
107 analysis of the current unmet need for the program and what financial and other resources are  
108 needed to meet said needs.

109           SECTION 2. The department of elementary and secondary education shall promulgate  
110 regulations pursuant to the program set forth in section 1 within 180 days of the effective date of  
111 this act.