

**HOUSE . . . . . No. 3549**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Jennifer E. Benson***

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*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 relative to healthy eating in school cafeterias.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Jose F. Tosado</i>	<i>9th Hampden</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Dylan Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Mathew Muratore</i>	<i>1st Plymouth</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>
<i>David M. Nangle</i>	<i>17th Middlesex</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>
<i>Paul Tucker</i>	<i>7th Essex</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>

**HOUSE . . . . . No. 3549**

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By Ms. Benson of Lunenburg, a petition (accompanied by bill, House, No. 3549) of Jennifer E. Benson and others relative to healthy eating in school cafeterias. Education.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act relative to healthy eating in school cafeterias.

*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. Notwithstanding section 6D of chapter 29 of the General Laws, to provide  
2 for the farm-to-school grant program established in section 4, the sum set forth in section 2 is  
3 hereby appropriated from the General Fund.

4           SECTION 2.

5           The Department of Elementary and Secondary Education

6           XXXX- XXXX For the farm-to-school grant program established in section 4  
7 .....\$200,000.

8           SECTION 3. The Massachusetts School Building Authority, referred to in this section as  
9 the Authority, in collaboration with the department of elementary and secondary education, shall,  
10 subject to appropriation, develop a 3-year pilot program for up to 1 school per calendar year for  
11 public elementary and secondary schools with the purpose of updating school kitchens for fresh  
12 food preparation and storage.

13 Eligible schools electing to participate in the pilot program shall notify the Authority  
14 through an application procedure established by the Authority, on or before January 31 of each  
15 calendar year during the pilot program.

16 After the initial application, the Authority shall determine the best candidates for the pilot  
17 program using the following criteria:

18 (i) The scope of renovations needed to fully update the kitchen to prepare fresh food;

19 (ii) The school's capacity to implement such measures;

20 (iii) The school's plans on how best to use a newly renovated space with the additional  
21 features to allow for fresh food preparation; and

22 (iv) The existence of the school's plan to purchase food produced in Massachusetts and  
23 a plan to provide food- based, agriculture-based or garden-based educational activities; and

24 (v) Any additional criteria as established by the Authority.

25 Schools electing to participate shall be eligible for financial support of up to 70 per cent  
26 of the cost for updating the kitchen, as determined by the Authority, using criteria established  
27 pursuant to this section.

28 The Authority shall develop guidelines for a quarterly review of the progress being made  
29 by each school participating in the pilot program. Strategies shall be researched to fully utilize  
30 the kitchen's space to prepare and store fresh and nutritious food for students.

31 The participating schools and the Authority shall prepare and submit an annual report  
32 during each year renovation is taking place and 3 years thereafter analyzing the implementation

33 and efficacy of the pilot program to determine evidence-based standards for school kitchens to  
34 adhere to across school districts in the commonwealth. The Authority shall submit such annual  
35 report to the joint committee on education and the house and senate committees on ways and  
36 means on or before September 1 of each year such report is required. The last such report shall  
37 contain recommendations for legislation, if any, together, with drafts of legislation necessary to  
38 carry those recommendations into effect.

39 SECTION 4. (a) There shall be a 4-year pilot program administered by the department of  
40 elementary and secondary education, in consultation with the department of public health and the  
41 department of agriculture, to create a farm-to-school community challenge which aims to  
42 promote locally grown food as well as nutritious school meals with the purpose of providing  
43 evidence that communities gain positive changes in the eating habits of children and adolescents.

44 The farm-to-school pilot program aims to improve access to local foods in eligible  
45 schools; increase the supply of fresh, locally grown farm products served for meals and snacks in  
46 in public elementary and secondary schools and incorporates better education and engagement  
47 around healthy food choices. The program shall be implemented in a collaborative manner that  
48 recognizes the specific expertise of the agencies and makes effective use of that expertise to  
49 more efficiently implement a successful program.

50 (b) The pilot program shall include a Farm-to-School Grants Program. The program shall  
51 be administered by the department of elementary and secondary education and shall have the  
52 following purposes: (i) to award local grants for the purpose of helping Massachusetts schools  
53 develop and sustain relationships with local farmers and producers (ii) to enrich the educational

54 experience of students (iii) to improve the health of Massachusetts children and (iv) to enhance  
55 the Massachusetts agricultural economy.

56 (c) A school, a school district, a consortium of schools, or a consortium of school districts  
57 may apply to the department of elementary and secondary education for a grant award to:

58 (1) fund equipment, resources, training, and materials that will help to increase use of  
59 local foods in the participating schools;

60 (2) fund items, including local food products, gardening supplies, field trips to farms, and  
61 stipends to visiting farmers and fishermen, that will help teachers use hands-on educational  
62 techniques to teach children about nutrition and farm-and sea-to-school connections; and

63 (3) fund professional development and technical assistance, in partnership with the  
64 department of elementary and secondary education and farm-to-school technical service  
65 providers, to help teachers and members of the farm-to-school community educate students  
66 about nutrition and farm-to-school connections and assist schools in developing a farm-to-school  
67 program.

68 (d) The department of elementary and secondary education, in consultation with the  
69 Interagency farm-to-school interagency task force established in section 6, shall adopt rules  
70 relating to the content of the grant application and the criteria for making awards.

71 (e) No award shall be greater than \$15,000.00.

72 (f) The department of elementary and secondary education may expend for the  
73 administrative costs incurred under this section no more than 5 per cent of all moneys received  
74 by the department for the grant program.

75 SECTION 5. Chapter 267 of the acts of 2016 is hereby amended by striking out section  
76 2.

77 SECTION 6. (a) There is hereby established a farm-to-school interagency task force to  
78 study and investigate farm-to-school programs pursuant to this section and coordinate and  
79 advance the work of the pilot program established in section 4. The task force shall consist of 13  
80 members to be appointed by the governor, 2 of whom shall be nominated by the commissioner of  
81 the department of elementary and secondary education, 1 of whom shall be nominated by the  
82 secretary of housing and economic development, 1 of whom shall be nominated by the  
83 commissioner of agricultural resources, 1 of whom shall be nominated by the commissioner of  
84 public health, 1 of whom shall be nominated by the division of marine fisheries, 1 of whom shall  
85 be a representative of a school district, 1 of whom shall be a representative from the food service  
86 industry, 1 of whom shall be a farmer in the commonwealth, 1 of whom shall be a food  
87 distributor in the commonwealth, 1 of whom shall be a food processor in the commonwealth, 1  
88 of whom shall be a representative from an agricultural organization with a level of expertise in  
89 farm-to-school programs, and 1 of whom shall be a representative from a nonprofit organization  
90 with expertise in community food security.

91 Said task force shall meet within 90 days of the effective date of this act, and shall meet  
92 at least twice in each fiscal year at times determined by the task force

93 (b) The task force shall:

94 (i) Strategize ways to devote existing agency resources to promoting and sustaining farm-  
95 to-school programs in the Commonwealth;

96 (ii) Identify areas of capacity building needed both within and outside of participating  
97 agencies to ensure that farm-to-school programs can be sustained over time;

98 (iii) Identify and promote the critical components of successful local farm-to-school  
99 programs through new and existing training opportunities;

100 (iv) Provide guidance to the department of elementary and secondary education of local  
101 farm-to-school grants programs;

102 (v) Consider all of the following issues, in addition to any others it deems necessary:

103 (A) Coordination of rules and regulations to support farm-to-school activity, including  
104 but not limited to providing guidance on food safety practices in school gardens and nutrition  
105 education programs;

106 (B) Economic impacts of local food purchasing by Massachusetts institutions and  
107 opportunities to expand this sector;

108 (C) Opportunities to enhance state procurement processes and regulations to support local  
109 food purchasing by Massachusetts institutions;

110 (D) the adequacy of staffing, storage, and preparation equipment necessary to operate a  
111 farm-to-school program; and

112 (E) Integration of food and nutrition education curriculum and hands-on learning  
113 experiences through school gardens and farm visits that will enhance students' access to and  
114 understanding and acceptance of farm fresh foods.

115 (c) Said task force shall file an annual report at the end of each fiscal year with the  
116 governor and the clerks of the house of representatives and senate, who shall forward the same to  
117 the joint committee on education, along with recommendations, if any, together, with drafts of  
118 legislation necessary to carry those recommendations into effect. The executive office of  
119 education shall publish the task force report on its website.