

No. 2019-34

AN ACT

HB 1514

Amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for the Farm-to-School Program; and making a related repeal.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Title 3 of the Pennsylvania Consolidated Statutes is amended by adding a chapter to read:

CHAPTER 109
FARM-TO-SCHOOL PROGRAM

Sec.

10901. Short title of chapter.

10902. Findings and declarations.

10903. Definitions.

10904. Grant program.

10905. Limitation on grants.

10906. Applications and review of applications.

10907. Disposition of grants.

10908. Administration and contracting.

10909. Regulations.

10910. Funding.

§ 10901. Short title of chapter.

This chapter shall be known and may be cited as the Farm-to-School Act.

§ 10902. Findings and declarations.

The General Assembly finds and declares as follows:

(1) Agriculture is this Commonwealth's leading economic enterprise. Unfortunately, the percentage of our population directly involved in agriculture has decreased dramatically over the last several decades. Knowledge about the sources of our food and agriculture in Pennsylvania is not widespread in our communities, particularly in less affluent areas. Educational programs for young children providing hands-on experience with agriculture increases an awareness of what constitutes a healthy diet. Thus, it is vital to inform the future citizens of this Commonwealth about good eating habits, while demonstrating the importance of the role of local farms in achieving this crucial goal.

(2) The purposes of this program are to educate prekindergartners through fifth graders and their families about the importance of choosing healthy, locally produced foods and increase awareness of Pennsylvania agriculture. Furthermore, the initiative should aid Pennsylvania farmers in gaining access to new markets within this

Commonwealth. Consequently, the Commonwealth should institute a program including:

(i) Nutrition education involving student participation which is integrated into regular subjects in the curriculum of primary and secondary education institutions.

(ii) Focusing on locally grown foods provided from Pennsylvania farms.

(iii) Equipping teachers and other educators to incorporate nutrition and agriculture education into their instruction.

(iv) Providing for new direct marketing opportunities for Pennsylvania farmers.

(v) Providing for family and community involvement, including parent, caregiver and community group participation in education activities.

(vi) Visits to nearby farms for school children so they may understand and learn more about the sources of their food.

§ 10903. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Commission." The Commission for Agricultural Education Excellence established under section 1549.1 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.

"Program." The Farm-to-School Program established under this chapter.

§ 10904. Grant program.

(a) Authorization.—The department, in consultation with the commission and the Department of Health, is authorized to establish a program to award grants for the purpose of developing the Farm-to-School Program in prekindergarten classes, kindergarten classes or elementary school classes through the fifth grade in this Commonwealth.

(b) Eligibility.—Any school district, charter school or private school with prekindergarten classes, a kindergarten program or elementary school classes through the fifth grade may submit an application to the department for funding.

(c) Program requirements.—The program shall contain the following elements:

(1) A list of Pennsylvania farmers who have agreed to supply food products from Pennsylvania farms, verifiable by the department.

(2) Nutrition and agriculture education, including integration into regular classroom subjects.

(3) Training of teachers and other educational staff on nutrition and agriculture education.

(4) The inclusion of parents, caregivers and community groups in educational activities.

(5) Field trips to Pennsylvania farms or other direct agricultural educational experiences which teach children about sources of food and Pennsylvania agriculture.

§ 10905. Limitation on grants.

(a) *Matching.*—Grant amounts shall be limited to 75% of the amount necessary to develop the program, not to exceed \$15,000 annually, per school. Applicants may use in-kind support to match the amount granted.

(b) *Conditions.*—The secretary may approve a grant in an amount less than the requested amount. The secretary may also impose restrictions or special conditions upon issuance of the grant.

§ 10906. *Applications and review of applications.*

(a) *Submission.*—Applications for grants shall be submitted in a manner and form as prescribed by the secretary.

(b) *Evaluation.*—When reviewing applications, the secretary shall evaluate applications annually on the basis of all of the following:

(1) *The ability of the applicant to complete the program.*

(2) *The ability of the applicant to incorporate all of the program requirements.*

(3) *The location of the school in an area where a high percentage of the children receive free or reduced-price school meals.*

(4) *The potential of the program to increase knowledge about nutrition and healthy eating habits for the children, their caregivers and the community.*

(5) *The potential of the program to increase knowledge about Pennsylvania agriculture for the children, their caregivers and the community.*

(6) *The ability of the applicant to procure locally grown foods for the applicant's program.*

(7) *The potential of the program to increase markets for local agricultural producers.*

(8) *The number of people who will be served by the program.*

(9) *The ability of the applicant to sustain the program.*

(10) *The overall performance of the applicant if a grant was received in a previous year.*

§ 10907. *Disposition of grants.*

(a) *Written agreement.*—The department may require a written agreement describing the terms and conditions of the grant.

(b) *Verification.*—The department may require verification of grant expenditures.

(c) *Criteria.*—The department may establish criteria under which the department may demand the return of all or a portion of the grant money.

§ 10908. *Administration and contracting.*

Money appropriated for the program may be used for administrative purposes which execute the program, including contracting with one or more entities to carry out the provisions of this chapter.

§ 10909. *Regulations.*

The department shall promulgate regulations as it deems necessary to carry out the purposes of this chapter.

§ 10910. *Funding.*

Grants shall be awarded under the program to the extent money is made available by the General Assembly.

Section 2. Repeals are as follows:

(1) The General Assembly declares that the repeal under paragraph (2) is necessary to effectuate the addition of 3 Pa.C.S. Ch. 109.

(2) The act of November 29, 2006 (P.L.1621, No.184), known as the Healthy Farms and Healthy Schools Act, is repealed.

Section 3. Continuation is as follows:

(1) (Reserved).

(2) The addition of 3 Pa.C.S. Ch. 109 is a continuation of the act of November 29, 2006 (P.L.1621, No.184), known as the Healthy Farms and Healthy Schools Act. The following apply:

(i) Except as otherwise provided in 3 Pa.C.S. Ch. 109, all activities initiated under the Healthy Farms and Healthy Schools Act shall continue and remain in full force and effect and may be completed under 3 Pa.C.S. Ch. 109. Orders, regulations, rules and decisions which were made under the Healthy Farms and Healthy Schools Act and which are in effect on the effective date of section 2 of this act shall remain in full force and effect until revoked, vacated or modified under 3 Pa.C.S. Ch. 109. Contracts, obligations and collective bargaining agreements entered into under the Healthy Farms and Healthy Schools Act are not affected nor impaired by the repeal of the Healthy Farms and Healthy Schools Act.

(ii) Except as set forth in subparagraph (iii), any difference in language between 3 Pa.C.S. Ch. 109 and the Healthy Farms and Healthy Schools Act is intended only to conform to the style of the Pennsylvania Consolidated Statutes and is not intended to change or affect the legislative intent, judicial construction or administration and implementation of the Healthy Farms and Healthy Schools Act.

(iii) Subparagraph (ii) does not apply to the addition of the following provisions:

(A) 3 Pa.C.S. § 10903.

(B) 3 Pa.C.S. § 10904(a) and (b).

(C) 3 Pa.C.S. § 10907(c).

Section 4. This act shall take effect in 60 days.

APPROVED—The 1st day of July, A.D. 2019

TOM WOLF