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Strengthening the Farm to School Movement in Mississippi: Strategies and Policy Goals

Harvard Law School Mississippi Delta Project

September, 2016

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I. Introduction

In recent years, Mississippi has seen increasing demand for locally grown food. Many consumers, policymakers, and advocates now see locally grown food as bringing health, economic, and environmental benefits to the local community. “Farm to school,” a means of building relationships between local farms and schools, has become increasingly popular, increasing fruit and vegetable consumption among students and strengthening the local economy. In the last decade, farm to school in Mississippi has gone from a little-known concept to a state-supported approach adopted by school districts across the state. For example, through the Mississippi Department of Defense Farm to School Program, a partnership between Mississippi state agencies and federal agencies, the amount of local produce purchased in Mississippi schools increased by 334 percent between 2013 and 2015 alone.¹

Despite Mississippi’s success in encouraging farm to school, there are still areas of improvement and barriers that make it challenging to operate a farm to school program in the State. For example, many small and mid-sized farmers still do not have the safety certification required to participate in the statewide purchasing program.² Schools still find it challenging to identify farmers ready to sell their produce to schools.³ The Mississippi Farm to School Interagency Council noted that there are limited state funds for the purchase of local products.⁴

In fall 2015, the Mississippi Farm to School Network asked the Harvard Food Law and Policy Clinic and the Mississippi Delta Project to research and develop recommendations for state and local policy strategies for further strengthening farm to school. In developing this report, the authors conducted a fifty-state survey of farm to school legislation and policies in the United States. The authors also conducted interviews with key farm to school stakeholders in approximately twelve states, as well as in Mississippi, to better understand barriers and opportunities for farm to school.

Based on these findings, the report suggests how current Mississippi laws and policies could be amended to promote farm to school. Part II of this report provides a brief background of farm to school and describes federal and state statutes and regulations relevant to farm to school programs. Part III describes school-based activities related to

¹ *Progress Report to the Miss. Legislature on Farm to School in Mississippi*, MISS. FARM TO SCH. INTERAGENCY COUNCIL, 1, 3 (2014), http://www.mdac.ms.gov/wp-content/uploads/fts_report.pdf.

² *Expanding Farm to School in Mississippi: Analysis and Recommendations*, HARVARD LAW SCHOOL MISS. DELTA PROJECT 3-4 (May 2011), <http://blogs.harvard.edu/foodpolicyinitiative/files/2011/09/Expanding-Farm-to-School-in-Mississippi.pdf>.

³ *Id.* at 19.

⁴ *See Progress Report to the Miss. Legislature on Farm to School in Mississippi*, *supra* note 1, at 1, 2.

farm to school and provides recommendations to support and promote new activities. Part IV addresses the administrative, logistical, and regulatory barriers related to school procurement of locally grown foods. Part V discusses how to promote farm to school partnerships around the state. Part VI describes various funding strategies to support farm to school programs. Finally, Part VII analyzes how policy advocates in other states have promoted legislation to support farm to school, and provides recommendations for how policy advocates can push for farm to school legislation in Mississippi.

What is Farm to School?

“Farm to school” encompasses any initiative that connects K-12 schools with regional or local farmers. Its objectives include improving student nutrition; preventing diet-related disease among students; integrating education on health, nutrition and agriculture into the school day; supporting local farmers and local food systems; strengthening local economies; and introducing healthy and local foods into school cafeterias and classrooms.

II. Overview of Farm to School

A. Benefits of Farm to School

Farm to school provides significant health, economic, and educational benefits. Studies have found that farm to school programs can increase the amount of fruits and vegetables consumed by students, and improve attitudes about healthy eating.⁵ This is especially important as increased fruit and vegetable consumption can prevent and control obesity among children.⁶

In addition, farm to school programs can directly benefit the local and regional economy by increasing the amount of goods purchased locally by schools. Research has shown that dollars spent on local agricultural products also generate additional spending on other local products and services, such as through hiring local employees.⁷ Farm to school programs may also boost participation in school meal programs, resulting in increased

⁵ Anupama Joshi et al., *Do Farm-to-School Programs Make a Difference? Findings and Research Needs*, 3 J. HUNGER & ENVTL. NUTRITION 229, 236 (2008).

⁶ *Benefits of Farm-to-School, Healthy Eating and Physical Activity for School Children*, CENTERS FOR DISEASE CONTROL AND PREVENTION (May 15, 2009), <http://www.cdc.gov/washington/testimony/2009/t20090515.htm>.

⁷ Ken Meter and Jon Rosales, *Finding Food in Farm Country*, HIAWATHA’S PANTRY PROJECT 19 (2001), <http://www.crcworks.org/ff.pdf> (last visited April 4, 2016).

revenue for food service programs.⁸ This can have a particularly significant impact in states like Mississippi that have a high percentage of students receiving free or reduced-price meals as the federal government provides a higher reimbursement rate for those meals.⁹

Farm to school can be incorporated into school curriculums to teach nutrition, language arts, math, science, and more. For example, the U.S. Centers for Disease Control and Prevention has identified farm to school as an effective way to enhance nutrition education and eco-literacy through hands-on outdoors experiences.¹⁰ Additionally, school gardens have been shown to increase student achievement scores for science, math, and language arts.¹¹

B. Federal and State Laws Relevant to Farm to School Programs

1. Federal Laws

The main piece of federal legislation on school foods is the Child Nutrition Act, which is reauthorized every 5 years.¹² The act establishes the funding and policy for key programs, including the National School Lunch Program (NSLP), School Breakfast Program (SBP), Summer Food Service Program (SFSP), and Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). The last reauthorization occurred in 2010 and was called the Healthy, Hunger-Free Kids Act (HHFKA).¹³ The next reauthorization was scheduled to occur in September of 2015, but is on-going as of this report's publication, leaving the 2010 law in place.¹⁴

The HHFKA requires that schools follow certain nutrition standards in order to receive federal reimbursements for meals served under the NSLP and SBP.¹⁵ Recent HHFKA

⁸ *New USDA Data Show Growing Farm to School Efforts Help to Reduce Plate Waste, Increase Student Participation in Healthier School Meal Program*, U.S. DEP'T OF AGRIC., <http://www.fns.usda.gov/pressrelease/2015/029215> (last visited Sept. 22, 2016).

⁹ *Rates Table*, U.S. DEP'T OF AGRIC., <http://www.fns.usda.gov/cnd/Governance/notices/naps/nsl10-11t.pdf> (last visited April 4, 2016); *National School Lunch Program Fact Sheet*, U.S. DEP'T OF AGRIC., <http://www.fns.usda.gov/cnd/lunch/AboutLunch/NSLPFactSheet.pdf> (last visited April 4, 2016).

¹⁰ *Benefits of Farm-to-School, Healthy Eating and Physical Activity for School Children*, *supra* note 6.

¹¹ Dilafruz R. Williams, *Impact of Garden-Based Learning on Academic Outcomes in Schools: Synthesis of Research Between 1990 and 2010*, REV. OF EDUC. RES. (Feb. 27, 2013), <http://rer.sagepub.com/content/83/2/211>.

¹² *Child Nutrition and WIC Reauthorization Act*, PREVENTION INST., <http://www.preventioninstitute.org/policy-sa/federal/628-child-nutrition-and-wic-reauthorization-act-cnr.html> (last visited July 17, 2016).

¹³ 45 U.S.C. § 1751 (2013).

¹⁴ Nathanael Johnson, *Congress just missed a chance to help hungry kids. Here's what happened*, GRIST (Oct. 2, 2015), <http://grist.org/politics/congress-just-missed-a-chance-to-help-hungry-kids-heres-what-happened/>.

¹⁵ 45 U.S.C. § 1751, sec. 201(f)(ii) (2013).

regulations require schools to serve fruit at breakfast and lunch, vegetables at lunch, and specified amounts of vegetable subgroups weekly, such as leafy green vegetables or legumes.¹⁶ Therefore, farm to school may be an effective way to procure fruits and vegetables to meet these requirements.

In addition to reimbursing meals and snacks under these programs, the federal government also provides other funding opportunities to increase healthy food options for students:

First, the **USDA Farm to School Grant Program** was established under the HHFKA to introduce locally grown food into school cafeterias, integrate food education into the standard curriculum, and provide students with hands-on learning opportunities such as school gardens, farm field trips, and cooking classes.¹⁷ USDA annually awards up to \$5 million in competitive grants under this program.¹⁸ In 2016, 74 projects spanning 39 states were awarded grants.¹⁹

Second, the **Department of Defense Fresh Fruits and Vegetable Program** (DoD Fresh) provides state departments of education with additional funding to help high-need schools purchase fruits and vegetables.²⁰ Schools must apply for the funding, and those with the highest percentage of students receiving free and reduced-price meals will be given priority.²¹ Each selected school is given \$50-75 per student per school year.²² The fruits and vegetables may only be served during the school day, and not as part of any NSLP or SBP meal service or as part of a summer school session.²³ In Mississippi, this program is administered by the Mississippi Department of Education (MDE).²⁴

Third, the **Afterschool Snack Program** operates similarly to the NSLP. Public and private schools and childcare facilities that participate in the NSLP and operate afterschool care programs can receive reimbursements from the USDA for nutritious snacks.²⁵

¹⁶ *Fruits and Vegetables*, U.S. DEP'T OF AGRIC. 1, <http://www.fns.usda.gov/sites/default/files/ops/HHFKA-FruitsVegetables.pdf> (Jan. 2016).

¹⁷ *Farm to School Grant Program*, U.S. DEP'T OF AGRIC., <http://www.fns.usda.gov/farmtoschool/farm-school-grant-program> (last visited July 17, 2016).

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Fresh Fruit and Vegetable Program: A Handbook for Schools*, U.S. DEP'T OF AGRIC. (Dec. 2010), <http://www.fns.usda.gov/sites/default/files/handbook.pdf>.

²¹ *Id.* at 4.

²² *Id.* at 5.

²³ *Id.* at 12.

²⁴ *Fresh Fruit and Vegetable Program*, MISSISSIPPI DEP'T OF EDUC. OFF. OF HEALTHY SCHOOLS, <http://www.mde.k12.ms.us/OCN/SS/fresh-fruit-and-vegetable-program> (last visited Feb. 23, 2016).

²⁵ *School Meals*, U.S. DEP'T OF AGRIC., <http://www.fns.usda.gov/school-meals/afterschool-snacks-faqs>, (last visited Sept. 22, 2016).

Finally, **Let's Move Salad Bars to Schools Program**, inspired by Michelle Obama's Let's Move campaign, donated 2,800 salad bars to schools in 49 states between 2010-2014.²⁶ Fifty-seven percent of those schools saw increased school lunch participation rates after receiving salad bars.²⁷ As of this publication, three schools in Mississippi have applied for salad bars, and one has been entirely funded by the program.²⁸ The Let's Move Salad Bars to Schools website includes information about application process, as well as an advocacy toolkit for parents who want their child's schools to apply for salad bars.²⁹

2. State Laws

In 2007, Mississippi passed the Healthy Students Act (HSA), which set more stringent school food and physical education standards than federal regulations at that time. The HSA enacted requirements and guidelines for nutrition, food preparation, and food marketing.³⁰ Childhood and high-school obesity rates have fallen steadily since the HSA was passed.³¹ Though the 2010 HHS issued federal standards for nutrition food preparation and food marketing, the HSA's standards are still applicable where they are more stringent than the HHS.

Notably, the HSA went above federal standards by mandating that local school boards establish local school health councils for each school to strengthen and implement school wellness policies.³² Still, there are significant problems with school health councils. While 93 percent of Mississippi schools had established councils by 2013, only 18 percent of those schools met all the requirements under the HSA.³³ Less than 50 percent of councils included representation from school food service staff and less than 20 percent had health professionals on the council.³⁴ Many districts reported that they lacked the funding to institute a council in accordance with the law.³⁵ These problems are particularly

²⁶ *Executive Summary: Evaluation of the Let's Move Salad Bars to School Initiative*, GRETCHEN SWANSON CENTER FOR NUTRITION (Jan. 2014), <http://www.saladbars2schools.org/wp-content/themes/app/pdf/supporting-research.pdf>.

²⁷ *Id.*

²⁸ *Let's Move Salad Bars to Schools*, LET'S MOVE SALAD BARS TO SCHOOLS, <http://www.saladbars2schools.org/> (last visited Sept. 22, 2016).

²⁹ *Get a Salad Bar (Schools)*, LET'S MOVE SALAD BARS TO SCHOOLS, <http://www.saladbars2schools.org/get-a-salad-bar/schools/> (last visited Jan. 14, 2015).

³⁰ MISS. CODE ANN. § 37-13-134 (2007).

³¹ H. 3850, 121st Legis., (S.C., 2015).

³² *Id.*

³³ *Assessing the Impact of the Mississippi Healthy Students Act on Childhood Obesity*, CENTER FOR MISSISSIPPI HEALTH POLICY (Sept. 2013), <http://www.mshealthpolicy.com/wp-content/uploads/2013/10/RWJF-Year-4-Report-2013.pdf>.

³⁴ *Id.*

³⁵ Chris Aloia, *The Healthy Students Act Has Reduced Obesity Among White Child. Why Not Anyone Else?* RETHINK MISSISSIPPI (Mar. 31, 2014), <http://www.rethinkms.org/2014/03/31/the-mississippi-healthy-students-act-wheres-the-equity/>.

pronounced in African-American areas of the state, where obesity rate have remained high, even after the passage of the HSA.³⁶

III. Promoting Farm to School Activities in Schools

States can encourage farm to school by providing incentives at the outset, to get schools to initiate programs, as well as providing ongoing resources and technical support to strengthen existing programs and inspire other schools.

Mississippi already offers several resources to help schools implement farm to school programs. In 2012, the Mississippi Legislature created a statewide Farm to School Week during the first week in October.³⁷ Mississippi Farm to School Week provides an excellent opportunity for schools to pilot farm to school by purchasing a small amount of local produce, testing out quality, and figuring out logistics. Through its Farm to School Week website, the Mississippi Department of Agriculture and Commerce (MDAC) provides resources for participating schools, including educational posters, sample menus, and games designed to educate students about the benefits of eating locally grown healthy foods.³⁸ MDAC also offers a grant of \$500 to fund the construction of school gardens.³⁹ However, these funds are extremely limited and demand far exceeds the supply.⁴⁰

As Mississippi strives to increase the amount of local produce in its schools, it can look to other states for inspiration. While many states have implemented incentives similar to Mississippi's efforts, such as school garden grants and farm to school weeks, some have also expanded on these incentives. In addition, states have found other creative means to raise the profile of farm to school and generate interest.

A. Awards

Issuing awards to schools that excel in advancing farm to school is a cost-effective way to encourage programming across the state. **Georgia** and **New Jersey** both publicly recognize schools with successful farm to school programs. **Georgia** awards the "Golden Radish Award" each year to schools that meet certain standards for local procurement and

³⁶ *Id.*

³⁷ H. Con. Res. 112, 2012 Leg., Reg. Sess. (Miss. 2012).

³⁸ *Farm to School Week*, MISS. DEP'T OF AGRIC. AND COMMERCE, <https://www.mdac.ms.gov/bureaus-departments/market-development/farm-to-school-week/> (last visited July 17, 2016).

³⁹ *Growing School Lunch Garden Grant*, MISS. DEP'T OF AGRIC. AND COMMERCE, <http://www.mdac.ms.gov/bureaus-%20departments/market-development/growing-lunch-school-garden-grant/> (last visited Feb. 21, 2016).

⁴⁰ *School Garden Grant Application*, MISS. DEP'T OF AGRIC. AND COMMERCE, <http://www.mdac.ms.gov/wp-content/uploads/SchoolGardenGrantApplication.pdf> (last visited Feb. 21, 2016). All grant funds for the 2015-16 school year had been exhausted by February 21, 2016.

agricultural education.⁴¹ The award not only demonstrates that meeting these standards is possible, but also fosters competition among school administrators.⁴² The number of award-winners grows each year, with 39 school districts recognized in 2015.⁴³ The State School Superintendent, the Commissioner of Agriculture, the Public Health Commissioner, and the Georgia Organics chair host an annual award ceremony in Atlanta, which features formal recognition of award winners followed by a reception.⁴⁴

The **New Jersey Legislature** created the “Best in New Jersey Farm to School Award Program” in 2014.⁴⁵ Schools may qualify for the award if they engage in farm to school activities such as farm visits, school gardens, and local taste tests, among others.⁴⁶ The program recognizes schools by publishing their names in an honor roll on the New Jersey Department of Agriculture website.⁴⁷ Award-winners also receive a certificate and a press announcement.⁴⁸

For several years, the Mississippi Farm to Cafeteria Conference included an awards ceremony for champions of farm to school, but the conference did not take place in 2016.⁴⁹ Advocates could partner with MDAC to revive that award, and to tie it to a specific set of standards, like the Golden Radish award in Georgia.⁵⁰ By setting benchmarks, the award

⁴¹ *The Golden Radish*, GEORGIA ORGANICS, [https://georgiaorganics.org/for-schools/goldenradish#Criteria%20for the Golden Radish Award](https://georgiaorganics.org/for-schools/goldenradish#Criteria%20for%20the%20Golden%20Radish%20Award) (last visited Nov. 15, 2015). To qualify for the award, school districts satisfy at least 7 of the following 10 criteria: (1) feature locally grown items on the school menu, (2) have students participate in taste tests that feature fresh, local food, (3) organize field trips to farms or farmer visits to the classroom, (4) host farm to school promotions throughout the school environment, (5) integrate farm to school into the curriculum, (6) have a productive school garden, (7) make hands-on cooking and food activities available to students, (8) involve parents and/or community members in the farm to school program, (9) provide farm to school professional development training to staff, and (10) adopt farm to school language into a district-wide policy or procedure. The award tailors the requirement to the size of the school district, so larger districts must offer more programming in order to be recognized (e.g. a district with more than 50 schools must feature local items on school menus at least 50 times per year, while a district with 15 schools must do so only 15 times per year).

⁴² Telephone Interview with Erin Croom, Farm to School Director, Georgia Organics (Oct. 23, 2015).

⁴³ *Id.*

⁴⁴ Awards are presented by the State School Superintendent, the Commissioner of Agriculture, the Public Health Commissioner, and the Georgia Organics Board Chair. *Golden Radish Awards*, NORTHEAST GA FARM TO SCHOOL (Oct. 8, 2015), <https://northeastgafarm2school.wordpress.com/2015/10/08/962/>.

⁴⁵ N.J. STAT. ANN. § 4:10-25.2b (2014).

⁴⁶ *Farm to School Recognition and Award Program*, JERSEY FRESH FARM TO SCHOOL, <http://www.farmtoschool.nj.gov/agriculture/farmtoschool/schools/award-program/> (last visited Sept. 22, 2016).

⁴⁷ N.J. STAT. ANN. § 4:10-25.2b (2014).

⁴⁸ *Id.*

⁴⁹ Interview with Sunny Young, Good Food for Oxford Schools, and Dorothy Grady-Scarborough, Mississippians Engaged in Greener Agriculture, (Mar. 3, 2016).

⁵⁰ See *The Golden Radish*, *supra* note 41 for a full list.

could encourage specific activities, such as incorporating local foods into school meals and snacks and incorporating nutrition education into the school curriculum. An award ceremony with some pomp, like New Jersey’s press announcement or the ceremony for the Golden Radish winners, would further encourage schools to participate.

B. Farm to School Weeks

Like Mississippi, many states designate a week each year to celebrate and encourage farm to school activities (see Table 1). Farm to School Weeks provide schools with an opportunity to celebrate locally grown food and experiment with small-scale purchasing of local food. They encourage schools to make connections with local farmers, and can inspire a lasting commitment to further incorporating local food into the classroom and cafeteria.

Table 1: Farm to School Weeks Across the United States

State	Description
Connecticut	During CT Grown for CT Kids Week, school districts are encouraged to purchase local produce and increase farm to school programming. ⁵¹
Delaware	During DE Strawberry Week, all 19 of the State’s school districts incorporate locally grown strawberries into their lunch menus. ⁵²
Georgia	The GA Department of Agriculture selects six schools to serve meals that are 70–100 percent locally grown for one week each year. ⁵³
Massachusetts	During MA Harvest for Students Week, schools are encouraged to serve local products and create farm to school programming. ⁵⁴
Mississippi	During MS Farm to School Week, MDAC and MDE jointly encourage school districts to promote local agriculture in both the cafeteria and the classroom, providing sample menus and lesson plans. ⁵⁵
New Jersey	During Jersey Fresh Farm to School Week, schools are encouraged to serve local products and create farm to school programming. The Department of Agriculture has provided a toolkit to assist them. ⁵⁶

⁵¹ CONN. GEN. STAT. § 22-38d (2006).

⁵² *Farm to School*, DEL. DEP’T OF AGRIC., <http://dda.delaware.gov/farmtoschool/index.shtml> (last visited Nov. 15, 2015).

⁵³ *Educational Goals*, GA. DEP’T OF AGRIC., <http://agr.georgia.gov/educational-goals.aspx> (last visited Jan. 9, 2016).

⁵⁴ *Harvest for Students Week 2014*, MASS. FARM TO SCHOOL, <http://www.massfarmtoschool.org/programs/harvest-for-students/> (last visited Nov. 15, 2015).

⁵⁵ *See Teacher Resources*, MISS. DEP’T OF AGRIC. AND COMMERCE, <https://www.mdac.ms.gov/bureaus-departments/market-development/farm-to-school-week/teacher-resources/> (last visited Feb. 21, 2016).

⁵⁶ N.J. STAT. ANN. § 4:10-25.1 (2011); *see also News Events*, DEP’T OF AGRIC. JERSEY FRESH FARM TO SCHOOL, <http://www.farmtoschool.nj.gov/agriculture/farmtoschool/news-events/> (last visited Jan. 9, 2016).

North Dakota	During ND Farm to School Week, schools are encouraged to design farm to school programming. Schools that submit a list of planned activities to state administrators are eligible to win a gift basket. ⁵⁷
Texas	During School Breakfast Week, schools are encouraged to plan activities that incorporate local ingredients in school breakfast. The State also holds a Local Products Challenge annually where schools pledge to use local ingredients for an entire month. The Department of Agriculture provides resources to help schools meet that goal. ⁵⁸
Virginia	During VA Farm to School Week, schools are encouraged to feature local produce in their cafeterias, host food tastings and guest speakers, and incorporate agriculture into lesson plans. The VA Department of Agriculture and Consumer Services provides resources for teachers and administrators on its website. ⁵⁹

Dedicating specific weeks, or even a specific month, to farm to school has been particularly successful in **Texas** and **Georgia**. The **Texas Department of Agriculture** holds a Local Products Challenge every year during the month of October.⁶⁰ Texas schools can participate in the Challenge by pledging to use local ingredients in their cafeterias for the entire month.⁶¹ Any school that submits a menu to the Department of Agriculture proving that they fulfilled their pledge receives a certificate of recognition.⁶² Participation in the Challenge has grown over the past two years, with 91 public school districts, representing over 2,000 schools, participating in 2015.⁶³

Georgia's program, "Feed my School for a Week," allows schools to apply to the State Department of Agriculture for assistance in increasing the amount of local produce in their cafeterias.⁶⁴ Participating schools, once selected, commit to serving meals that are 75-100

⁵⁷ Jack Dalrymple, *North Dakota Farm-to-School Week*, STATE OF ND OFFICE OF THE GOVERNOR, <http://governor.nd.gov/files/proclamation/Farm-To-School%20Week.pdf>; *see also Welcome*, ND FARM TO SCHOOL, <http://ndfarmtoschool.org/> (last visited Jan. 9, 2016).

⁵⁸ *School Breakfast Week*, SQUARE MEALS, <http://www.squaremeals.org/Programs/SchoolBreakfastProgram/2015SchoolBreakfastWeek.aspx> (last visited Nov. 15, 2015).

⁵⁹ *Farm to School Program*, VA. DEP'T OF AGRIC. AND CONSUMER SERVICES, <http://www.vdacs.virginia.gov/marketing-virginia-farm-to-school-program.shtml> (last visited Feb. 21, 2016).

⁶⁰ *Local Products Challenge*, SQUARE MEALS, <http://www.squaremeals.org/FandNResources/TexasFarmFresh/LocalProductsChallenge.aspx> (last visited Nov. 15, 2015).

⁶¹ *Id.*

⁶² *Id.*

⁶³ Telephone Interview with Alyssa Herold, Farm to School Coordinator, Texas Department of Agriculture (Oct. 27, 2015).

⁶⁴ *Feed My School for a Week*, GA. DEP'T OF AGRIC., <http://www.agr.georgia.gov/feed-my-school-for-a-week.aspx> (last visited Nov. 15, 2015).

percent locally grown for one week each year for three years.⁶⁵ To help achieve this goal, the Georgia Department of Agriculture provides trainings in food safety, recipes, age-appropriate children's literature and educational handouts, and a seasonal growing chart to inform administrators of available produce options.⁶⁶ In addition, the Georgia Department of Agriculture assists in securing media attention for schools' participation in the program.⁶⁷ Participation in the program has increased each year since its inception.⁶⁸ Nineteen schools currently participate in the program.⁶⁹

These pledge-based programs, where school districts commit themselves to serving locally grown produce for a designated period each year, seem to be particularly effective in strengthening schools' commitment to farm to school, whether they are trying programs for the first time or have implemented them previously. They provide greater visibility to farm to school, which can provide additional motivation for schools to implement programs and, in addition, they create accountability for participating schools. In Texas, schools that participated in Farm to School Week made a broader, year-round commitment to farm to school; following the 2015 Challenge, 87 percent of participating schools pledged to continue to use local products in their cafeterias.⁷⁰

C. Education Programming

There are two main ways for schools to incorporate farm to school into their curriculums: incorporating related subjects, such as agriculture, nutrition, and cooking, into traditional subjects like science and history, or establishing a separate farm to school curriculum.

For example, students at the **Urban League of Pittsburgh Charter School** grow vegetables of significance to African-American culture to supplement their history curriculum.⁷¹ At the nearby **Penn Hills School District** in Pittsburgh students augmented their study of Native American culture by learning how to grow the three main Native American crops in North America: squash, corn, and beans.⁷²

⁶⁵ Telephone Interview with Laura Tanase, Education and Wellness Specialist, Georgia Department of Agriculture (Nov. 2, 2015); *see also About FMS*, FEEDMYSCHOOL.ORG, http://feedmyschool.org/FMS/about_fms (last visited Jan. 9, 2016).

⁶⁶ *Educational Goals*, GA. DEP'T OF AGRIC., <http://agr.georgia.gov/educational-goals.aspx> (last visited Jan. 9, 2016).

⁶⁷ *Id.*

⁶⁸ *Id.*

⁶⁹ *About FMS*, FEED MY SCHOOL, http://feedmyschool.org/FMS/about_fms (last visited Jan. 9, 2016).

⁷⁰ *The Local Products Challenge*, *supra* note 60.

⁷¹ *Promising Practices*, PROJECT PA, <http://www.projectpa.org/ppa-v3/index.php/2012-05-21-07-50-39/farm-to-school-promising-practices> (last visited Apr. 1, 2016).

⁷² *Id.*

Many states, like Mississippi, provide sample farm to school educational materials to teachers through their departments of agriculture or education.⁷³ Non-governmental organizations and foundations can also offer training materials and resources. For example, the Bower Foundation offers education programming and instructional videos through its Move to Learn service.⁷⁴ Move to Learn focuses mainly on physical fitness, but also offers some lesson plans about nutrition.⁷⁵ Expanding Move to Learn to include more nutritional programming could create a useful tool for teachers, helping them to design better nutritional curricula.

Students can also learn about food and nutrition and engage with the food system through extra-curricular opportunities. For example, the **Kentucky Department of Agriculture** sponsors a junior chef competition, which teaches high school students how to develop recipes and exposes them to local food products.⁷⁶ The **North Carolina Department of Agriculture and Consumer Services** runs an art contest each year in which students submit artwork relating to North Carolina agriculture and produce, and the twelve winning submissions are compiled into a calendar available on the North Carolina farm to school website.⁷⁷ The **University of Missouri Extension** operates a program that sends kindergarteners on field trips to local farms, and then sends produce from those farms back into the classroom.⁷⁸

D. School Gardens

School gardens provide hands-on opportunities for students to learn about agriculture and food. School gardens also funnel fresh produce into the classroom, giving children access to healthy snacks they have grown themselves. However, a school garden can be expensive and difficult to maintain, requiring knowledgeable and dedicated garden managers.⁷⁹

Currently, MDAC awards grants of \$500 to eligible schools for purchasing supplies for school gardens.⁸⁰ In order to be eligible for a grant, the garden must be located on school

⁷³ See, e.g., *Teacher Resources*, MISS. DEP'T OF AGRIC. AND COMMERCE, <https://www.mdac.ms.gov/bureaus-departments/market-development/farm-to-school-week/teacher-resources/> (last visited Apr. 1, 2016).

⁷⁴ *Move to Learn Initiative*, MOVE TO LEARN, <http://www.movetolearnms.org/about/move-to-learn-initiative/> (last visited Apr. 1, 2016).

⁷⁵ *Download Lesson Plans*, MOVE TO LEARN, <http://lessonplans.movetolearnms.org/Search.aspx> (last visited Apr. 1, 2016).

⁷⁶ *Junior Chef*, KY. DEP'T OF AGRIC., <http://www.kyagr.com/junior-chef/> (last visited Nov. 15, 2015).

⁷⁷ *Art Contest Calendar*, NC FARM TO SCHOOL, <http://www.ncfarmtoschool.com/html/downloads/artcal.htm> (last visited Feb. 13, 2016).

⁷⁸ *Food From the Farm: kindergarten farm to school*, MISSOURI FAMILIES, <http://missourifamilies.org/Kindergarten/> (last visited Nov. 15, 2015).

⁷⁹ Heather Graham et al., *Use of School Gardens in Academic Instruction*, 37 J. Nutrition, Educ. Behav. 147, 147–51 (2005).

⁸⁰ *Growing School Lunch Garden Grant*, MISS. DEP'T OF AGRIC., <http://www.mdac.ms.gov/bureaus-%20departments/market-development/growing-lunch-school-garden-grant/> (last visited Feb. 21, 2016).

grounds, teachers must be involved in the garden's operation, and at least one class must use the garden.⁸¹ Grants are dispensed on a first come, first serve basis and applications for 2016 exceeded available funding in February.⁸² MDAC does not provide on-site assistance or curricular materials to schools that secure grants.⁸³ This means that even schools that receive the grant funding may not be able to maintain the program over time.

One way to ease the burden of installing a garden, incorporating it into the curriculum, and ensuring its sustainability would be to enlist the help of the extension services from Mississippi universities. In South Dakota, the **South Dakota State University (SDSU) Extension** offers a \$1,000 grant to fund the construction of new school gardens.⁸⁴ The grant also provides schools with 20 seed packets and project development coaching from SDSU staff.⁸⁵ SDSU Extension also provides assistance to schools that did not receive grant funding through its "Ask an Expert" service, which makes specialists available to anyone in need, and promises responses by email within 48 hours.⁸⁶ Those using the service can send in pictures to help diagnose any problems, as well as specify their county so as to be matched with a specialist familiar with the soil and climate there.⁸⁷

MDAC could also support community organizations to assist school gardens. In 2014, the **Alabama Department of Economic and Community Affairs** awarded a \$75,000 grant to Jones Valley Teaching Farm⁸⁸ to set up gardens in five Birmingham schools.⁸⁹

IV. Barriers and Incentives for Local Procurement

Schools are responsible for procuring, processing, and serving the food that students eat in school cafeterias while ensuring that the food is safe and meets national and state nutrition requirements. Public schools in Mississippi generally procure food from three different sources: independent distributors, the MDE statewide purchasing cooperative, and the USDA Foods Programs.⁹⁰

⁸¹ *Id.*

⁸² *School Garden Grant Application, supra* note 40; Interview with Sunny Young and Dorothy Grady-Scarborough, *supra* note 49.

⁸³ Interview with Sunny Young and Dorothy Grady-Scarborough, *supra* note 49.

⁸⁴ *South Dakota School Garden Grant*, IGROW, <http://igrow.org/community-development/local-foods/youth-community-gardening-grants/> (last visited Feb. 21, 2016).

⁸⁵ *Id.*

⁸⁶ *Ask an Expert*, IGROW, <http://igrow.org/gardens/gardening/gardening-ask-an-expert/> (last visited Apr. 1, 2016).

⁸⁷ *Id.*

⁸⁸ Kelly Poe, *Five Birmingham-area Schools to get Urban Farming Program*, ALABAMA.COM (September 26, 2014, 11:49 AM), http://www.al.com/business/index.ssf/2014/09/five_birmingham-area_schools_t.html.

⁸⁹ *Id.*

⁹⁰ Alicia Landry, et al., *Barriers and Possible Facilitators to Participation in Farm to School Week*, 39 J CHILD NUTR. AND MANAG. (2015).

Incentivizing schools to procure food from local farmers and helping local farmers and schools ensure that all food meets food safety certification standards can help ease some of the regulatory barriers that prevent schools from using local foods.

A. Incentives for Local Procurement

There are several types of laws that can incentivize institutions, including schools, to procure food locally. One type of law sets a preference for local food products when schools or other institutions review supplier bids. The preference can be based on the supplier's geographic location, residency, or where the product originated.⁹¹ States vary in how they implement their local preference policies. Some states use a tie-breaker preference, where preference is given to a local producer when two or more producers provide the same product for equal terms. For example, **Washington DC** passed a regulation in 2010 that requires public schools and public charter schools to give a preference for "fresh, unprocessed agricultural products grown and processed in the District of Columbia, Maryland, and Virginia."⁹² In the year after the law was passed, 35 percent of all produce served to students came from farms in the mid-Atlantic region.⁹³ Other states have enacted a "reasonably exceeds" preference by preferring higher priced, in-state items even if it "reasonably exceeds" the out-of-state product. **Georgia**, for example has a local preference law that requires public elementary and secondary schools to give preference to local businesses "as far as may be reasonable and practical" as long as "preference does not sacrifice quality."⁹⁴ The local preference applies to agricultural products for contracts below \$100,000.⁹⁵ For contracts above \$100,000, the schools have to consider the effect on state domestic product and state public revenues.⁹⁶ Other local preference laws permit governments to purchase higher-priced products from an in-state producer if an out-of-state competitor would receive such a preference in his own state.⁹⁷

Another type of law sets a target for the amount of food to be purchased from local sources.⁹⁸ **Illinois**, for example, has a local procurement law that states by 2020, 20 percent of all products purchased from state agencies and universities should be from local farms.⁹⁹ To meet this goal, Illinois allowed state agencies to give preference to local farm or food products as long as the cost included in the bid was not 10 percent more expensive than

⁹¹ Y Qiao, et al., *State and Local Procurement Preferences: A Survey*, 9 J PUB PROCUREMENT 371-410 (2009).

⁹² D.C. Code § 38-823.01.

⁹³ *The Health Schools Act of 2010 (D.C. Law 18-209) Report*, OFFICE OF THE SUPERINTENDENT OF EDUCATION (2010), <http://dcgreens.org/wp-content/uploads/2013/05/Healthy-Schools-Annual-Report.pdf>.

⁹⁴ GA. CODE ANN. § 50-5-60.

⁹⁵ *Id.*

⁹⁶ *Id.*

⁹⁷ *See, e.g.*, COLO. REV. STAT. § 8-18-103 (2005); KY. REV. STAT. ANN. § 45A.645 (West 2016).

⁹⁸ *Tools for Advocates: Increasing Local Food Procurement by State Agencies, Colleges, and University*. HARVARD FOOD LAW AND POLICY CLINIC, 2 (2013).

⁹⁹ 30 IL. .ST. § 595/10

the cost for non-local foods.¹⁰⁰ Although ultimately not passed into law, a 2011 bill introduced in the Missouri legislature would have set a goal that local cafeterias purchase 10 percent of total food from “local small farmers and small agribusinesses” by 2013, and 20 percent of total food by 2018.¹⁰¹

Several states have not enacted general regulations but are issuing grants to incentivize local food procurement. In 2011, the Farm to School and School Garden bill appropriated \$200,000 for the **Oregon Department of Education** to administer a competitive grant pilot program in two medium-sized school districts.¹⁰² These grants were used to reimburse local purchasing and fund agricultural education programs.¹⁰³ Due to this program’s success, the Oregon Legislature appropriated \$1.2 million to expand it in 2013.¹⁰⁴ The Oregon Department of Education used this money to administer competitive grants to school districts, and required that at least 80 percent of each award be used for local procurement, and at least 10 percent for agriculture-based education.¹⁰⁵ Between 20 and 22 school districts received funding.¹⁰⁶ Through the program, they discovered that local, unprocessed foods procured in-season were not necessarily more expensive than food on the national market.¹⁰⁷ In 2015, the Oregon Legislature applied this program state-wide, and appropriated \$4.5 million to allow all Oregon schools to receive noncompetitive grants to fund the purchase of Oregon grown or processed food.¹⁰⁸ Grants for agriculture-based education are still available, but on a competitive basis.¹⁰⁹

As a first step, Mississippi could consider sponsoring a competitive grant program that would reimburse schools for foods purchased locally, or for any added incremental cost of purchasing locally. Grant funds could also be directed to nutrition education programs or covering start-up costs associated with food processing.

B. Barriers for Farmers and Schools

¹⁰⁰ 30 Ill. .ST. § 595/10

¹⁰¹ H.B. 1833, 95th Gen. Assem., 2d Reg. Sess. (Mo. 2011).

¹⁰² H.B. 2800, 76th Leg., Reg. Sess. (Or. 2011).

¹⁰³ *Id.*

¹⁰⁴ Cassandra Profita, *Oregon Farm to School Funding Balloons to \$1.2 Million*, OREGON PUB. BROADCASTING (July 23, 2013), <http://www.opb.org/news/blog/ecotrope/oregon-farm-to-school-funding-balloons-to-12-million/>.

¹⁰⁵ H.B. 2649, 77th Leg., Reg. Sess. (Or. 2013).

¹⁰⁶ Telephone Interview with Amy Gilroy, Farm to School Program Manager, Oregon Department of Agriculture (Oct. 26, 2015).

¹⁰⁷ *Id.*

¹⁰⁸ OR. REV. STAT. § 336.431 (2015). The amount of funding administered to a school is determined by the number of lunches it served during the previous school year. *Id.* See also Phoebe Flanigan, *Oregon Quadruples Farm to School Funding*, OREGON PUBLIC BROADCASTING (AUG. 7, 2015), <http://www.opb.org/news/article/oregon-farm-to-school-funding/>.

¹⁰⁹ OR. REV. STAT. § 336.431 (2015)

Even when schools wish to procure foods locally, additional administrative, logistical, and regulatory barriers may prevent them from doing so. One barrier lies in preparing and processing local foods. As Lindsey Grubbs, the Florida Farm to School Coordinator at the Department of Agriculture noted, “There are [] capacity and training issues—it’s difficult to store fresh produce and cook from scratch rather than canned.”¹¹⁰

To help deal with these capacity issues, some states have developed training materials to help schools determine which foods are best suited to farm to school because they require minimal processing, making it possible to prepare them even in the most basic cafeterias. **Oregon** provides a training webinar to state schools to determine which products are easiest to use with minimal processing.¹¹¹ For example, products that need minimal processing include tomatoes, cucumbers, and broccoli, which need to be sliced, but do not require special equipment. On the other hand, schools with processing equipment (such as scratch kitchens and bakeries) could buy meat, and flour, or seafood. Mississippi school districts could benefit from training materials that encourage them to think critically about which products might work best for their schools.

Some states have statewide farm to school programs to serve as a resource to local farmers when addressing food-processing difficulties unique to schools. **Florida**, for example, houses a statewide farm to school program in the state’s Department of Agriculture. The farm to school program, working with the Department, provides technical assistance to growers on how to provide washed and processed produce and other locally grown food to school systems.¹¹²

Finally, non-profit organizations can contribute to overcoming the food safety barrier. The LiveWell@School Food Initiative, for example, partners with food service staff in schools to provide training on how to prepare meals using fresh produce.¹¹³

State food safety laws, regulations, and program requirements also serve as barriers to potential contracts with school districts. The USDA lists separate safety guidelines for on-farm safety and school garden safety, and offers voluntary audits for Good Agriculture Practices (GAP) and Good Handling Practices (GHP).¹¹⁴ USDA developed GAP and GHP to ensure that produce is grown, handled, and stored in a way that protects against foodborne illness, based on recommendations made in the Food and Drug Administration’s Guide to

¹¹⁰ Telephone Interview with Lindsey Grubbs, Florida Farm to School Coordinator, Department of Agriculture (Oct. 23, 2015).

¹¹¹ Megan Kemple, *FEAST Webinar: Farm to School*, FEAST LEADERSHIP NETWORK (2015), <http://www.ode.state.or.us/search/page/?id=4340>.

¹¹² Telephone Interview with Lindsey Grubbs, *supra* note 110.

¹¹³ *Feeding Success*, LIVEWELL COLORADO, <http://livewellcolorado.org/healthy-schools/food-initiative> (last visited Oct. 20, 2015).

¹¹⁴ *Community Food Systems*, U.S. DEP’T OF AGRIC. FOOD AND NUTRITION SERV., <http://www.fns.usda.gov/farmtoschool/farm-school-resources#Food%20Safety> (last visited Feb. 24, 2016).

Minimize Microbial Food Safety Hazards for Fresh Fruits and Vegetables.¹¹⁵ However GAP/GHP certification is voluntary,¹¹⁶ and, as discussed below, states are free to establish their own safety standards.

In Mississippi, the MDE statewide purchasing cooperative and the DoD Fresh program purchase from distributors and farmers who meet nationally-recognized food safety certification standards, such as GAP/GHP certification.¹¹⁷ Though some schools also buy from independent distributors, many of the large distributors require that farmers have GAP/GHP certification, meaning that smaller local farms may not be able to sell through these channels.¹¹⁸ MDAC offers farmers up to \$500 to help cover the cost of GAP certification.¹¹⁹ However, aside from the cost of certification, the training requirements can be difficult for some small farmers. Some farm to school programs recognize this barrier and seek to help farmers in obtaining GAP certification. For example, the **South Carolina Department of Agriculture** offers trainings and on-site consultations to help prepare farmers for the GAP certification process.¹²⁰

Many farm to school programs and their partners offer safety checklists to help new farm to school programs make sure their suppliers are complying with food safety regulations and best practices.¹²¹ The National Food Service Management Institute recommends that, prior to ordering food from local farms, school nutrition specialists make on-site visits to verify on-farm food safety; they also provide specific tips on how to organize and what

¹¹⁵ See *Good Agricultural Practices (GAP) & Good Handling Practices (GHP)*, USDA, <https://www.ams.usda.gov/services/auditing/gap-ghp> (last visited Sept. 23, 2016).

¹¹⁶ See USDA, GAP & GHP AUDIT PROGRAM: USER'S GUIDE 2 (2011), https://www.ams.usda.gov/sites/default/files/media/GAPGHP_Audit_Program_User%27s_Guide%5B1%5D.pdf.

¹¹⁷ *Expanding Farm to School in Mississippi: Analysis and Recommendations*, *supra* note 2. See also *Farm to School Overview*, MDAC, <https://www.mdac.ms.gov/bureaus-departments/market-development/farm-to-school-week/farm-to-school-overview-2/> (last visited Sept. 23, 2016).

¹¹⁸ See *Farm to School in Mississippi: A Step-by-Step Guide to Purchasing Mississippi Products*, HARVARD LAW SCHOOL FOOD LAW AND POLICY CLINIC, 16 (2012).

¹¹⁹ See *GAP/GHP Certification Cost-Share Program*, MDAC, <https://www.mdac.ms.gov/bureaus-departments/market-development/gapghp-certification-cost-share-program/> (last visited Sept. 23, 2016).

¹²⁰ *Farmer Resources*, SOUTH CAROLINA FARM TO INSTITUTION, <http://scfarmtoinstitution.com/farmer-resources/> (last visited Feb. 24, 2016).

¹²¹ See, e.g., *A Checklist for Purchasing Local Produce*, IOWA STATE UNIVERSITY & LEOPOLD CENTER FOR SUSTAINABLE AGRICULTURE, <http://www.extension.iastate.edu/NR/rdonlyres/20C4D693-445E-4044-AA0A-B6E3AE3F64AE/65301/AChecklistforPurchasingLocalProduce.pdf> (last visited Feb. 24, 2016) (listing questions to ask on farm and production practices and on worker sanitation and safety); *Farm-to-School Toolkit*, GRETCHEN SWANSON CENTER FOR NUTRITION, <http://toolkit.centerfornutrition.org/wp-content/uploads/2011/11/safety-checklist.pdf>.

(last visited Feb. 24, 2016) (listing questions on production practices, product handling, transportation, facilities, workers' health and hygiene, and "other", which includes pesticide use).

questions to ask from the farmers.¹²² State agencies could play a role in issuing checklists for purchasing local produce that does not necessarily require GAP/GHP certification. The **Oregon Department of Education**, for example, provides schools with a checklist to help schools demonstrate “reasonable care” in determining whether a farm is safe for food procurement.¹²³ The checklist provides schools with a series of questions to ask potential farmers ranging from topics such as food and production practices to worker sanitation and safety.¹²⁴ **Minneapolis Public Schools** have produced a comprehensive form to help schools determine whether a specific farm meets food safety requirements.¹²⁵ Having official state agencies provide checklists to assess site safety could provide credibility and assurance for school districts unsure about whether local farms meet safety and quality standards. If MDE endorses and promotes a school safety checklist outside of GAP/GHP certification, schools may feel more empowered to take on farm to school and less concerned about meeting vague safety standards.

States can also establish alternative food safety certifications for farms. **Kentucky** runs a GAP Training Program where producers can learn best practices of reducing food contamination risks.¹²⁶ Upon completion of the training program, the participants receive a certificate issued by the Kentucky Department of Agriculture, which allows them to sell their products on certain Certified Roadside markets.¹²⁷ The **Vermont Agency of Agriculture** and the Vermont Vegetable and Berry Growers Association (VVBGA) have produced the Community Accreditation for Produce Safety (CAPS), a voluntary approach to documenting practices that reduce food safety risks on farms that grow fresh produce.¹²⁸ Farms accredited under CAPS must demonstrate that they adhere to 18 practices, including manure and compost overview, rodent management, and irrigation risk reduction.¹²⁹ CAPS is not a regulatory program, but serves as an alternative way to demonstrate compliance

¹²² *Verifying On-Farm Food Safety*, NATIONAL FOOD SERVICE MANAGEMENT INSTITUTE, <http://www.nfsmi.org/documentlibraryfiles/PDF/20110822025822.pdf> (last visited Feb. 24, 2016). Suggested topics to discuss with farmers include land use history, liability insurance, soil composition and testing, traceability methods, water sources, GAPs audit results and documentation, wildlife control, composting practices, organic procedures, chemical and pesticide management, crop selection.

¹²³ *A Checklist for Purchasing Local Produce*, IOWA STATE UNIVERSITY EXTENSION, <http://www.ode.state.or.us/services/nutrition/f2s/pdf/checklist.pdf> (last visited July 17, 2016).

¹²⁴ *Id.*

¹²⁵ *Farm to School Site Assessment Form*, MINNEAPOLIS PUBLIC SCHOOLS, (2016), http://nutritionservices.mpls.k12.mn.us/uploads/appendix_13_-_site_visit_checklist.pdf.

¹²⁶ *Ky. Good Agricultural Practices (GAP) Program*, KY. DEP'T OF AGRIC., <http://www.kyagr.com/marketing/GAP.html> (last visited Apr. 17, 2016).

¹²⁷ *Id.*

¹²⁸ *Community Accreditation for Produce Safety*, VT. VEGETABLE & BERRY GROWERS ASSOC., (2016), <http://ciids.org/vvbga/farmer/>.

¹²⁹ *VVBGA Caps – Application Check List!*, VT. VEGETABLE & BERRY GROWERS ASSOC., <https://practicalproducesafetyvt.files.wordpress.com/2016/01/2016-caps-application-checklist.pdf> (last visited July 17, 2016).

with food safety laws and adherence to food safety practices. In 2016, 67 Vermont farms registered and submitted CAPS safety plans for review.¹³⁰

Finally, states can make use of external resources to help schools, farmers, and distributors comply with food safety requirements. Federal grants exist to pay for equipment and fund training and technical assistance for farmers and distributors to meet GAP certification, as well as food safety, food preparation, and cooking skills training for school health officials and food service directors. For example, in 2012 the **Nevada Department of Agriculture** used a USDA Farm to School grant to provide food safety training and build relationships necessary for a Nevada Food Safety Program.¹³¹ The Nevada Department of Agriculture also offers School Garden Food Safety Guidelines to Pre-K through 12 and School Garden Inspections to K-12 to verify food safety plans so that local health officials will allow produce to be served at schools or distributed.¹³²

USDA has also launched the Group GAP Certification program, a project to help small and mid-sized farmers achieve GAP certification.¹³³ An important benefit of the group audit is that it allows group members to pool resources and to share the cost of certification; this approach also promotes GAP certification, expanding its reach.¹³⁴

V. State Farm to School Programs and Coordinators

Engaging state or local government in the farm to school process sends a strong message of support for the movement. Government involvement may take the form of formalized state-run programs, state or regional coordinators, or support through state universities.

A. Statewide Programs

Several U.S. states have state-run farm to school programs.¹³⁵ Many of these programs were created through legislation; this is the case in **California**,¹³⁶ **Hawaii**,¹³⁷ **Iowa**,¹³⁸ and

¹³⁰ *2016 CAPS Take Off!*, VT. VEGETABLE & BERRY GROWERS ASSOC., (Apr. 6, 2016), <https://practicalproducesafetyvt.wordpress.com/>.

¹³¹ *Farmers*, DEP'T OF AGRIC. CHILD NUTRITION PROGRAM, http://nutrition.nv.gov/Programs/Farm_to_School/Farmers/ (last visited Feb. 12, 2016).

¹³² *School Garden Inspections*, DEP'T OF AGRIC., http://agri.nv.gov/Plant/FTS-FSP/School_Garden_Inspection/ (last visited Feb. 12, 2016).

¹³³ *Group GAP for Growers*, U.S. DEP'T OF AGRIC., <https://www.ams.usda.gov/sites/default/files/media/Fact%20Sheet%20-%20GroupGAP%20for%20Growers.pdf/> (last visited July 17, 2016).

¹³⁴ *Id.*

¹³⁵ *State Farm to School Legislative Survey 2002-2014*, NAT'L FARM TO SCH. NETWORK 9 (Mar. 2015), <http://www.farmtoschool.org/Resources/F2S-Survey-2014.pdf>.

¹³⁶ CAL. FOOD & AGRIC. CODE § 49002 (2015).

¹³⁷ HAW. REV. STAT. ANN. § 141-11 (2015).

¹³⁸ IOWA CODE ANN. § 190A.1 (2007).

Maryland, among others.¹³⁹ Other state programs were created through a non-legislative process. For example, in **Delaware**, three state agencies signed an agreement to start a unified state program.¹⁴⁰ The **Massachusetts Farm to School Project** was created by a former employee of the Department of Food and Agriculture, with funding and support from other state agencies.¹⁴¹ Some statewide programs, such as in **Alaska**¹⁴² and **Maine**,¹⁴³ developed out of legislatively-created pilot programs. Most of these programs are run out of state Departments of Agriculture or Education, though some are coordinated through public universities (**Ohio**¹⁴⁴ and **New Hampshire**¹⁴⁵) or other departments. Many of these programs provide education and communication tools, such as training programs, manuals, databases, and websites. For example, **New Jersey's** program includes a teacher training program, a bidding matrix to facilitate local purchasing, and a website to serve as a clearinghouse for farmers to provide products to schools and food banks.¹⁴⁶ **Idaho Farm to School** published a manual for producers and hosts workshops and trainings.¹⁴⁷ Other states have programs devoted to building agricultural infrastructure. In **Montana**, a program in the Department of Agriculture is charged with creating four “food and agriculture development centers” throughout the state to develop agricultural infrastructure and help farmers serve in-state markets, including schools.¹⁴⁸ Mississippi currently does not have a statewide program.¹⁴⁹

B. Leadership Structure

Most state programs have one state coordinator located in either its Department of Agriculture or Education. Some states — such as **Maryland**¹⁵⁰ and **Oregon**¹⁵¹ — have farm

¹³⁹ MD. CODE ANN., AGRIC. § 10-1601 (2011).

¹⁴⁰ *Farm to School*, STATE OF DEL., <http://dda.delaware.gov/farmtoschool/index.shtml> (last visited July 10, 2016).

¹⁴¹ *About*, MASS. FARM TO SCHOOL PROJECT, <http://www.massfarmtoschool.org/about-us/> (last visited July 10, 2016).

¹⁴² *State Farm to School Legislative Survey 2002-2014*, *supra* note 135 at 14.

¹⁴³ *Id.* at 49.

¹⁴⁴ *Farm to School*, THE OHIO STATE UNIV. EXTENSION, <http://farmtoschool.osu.edu> (last visited Feb. 19, 2016).

¹⁴⁵ *About Us*, NH FARM TO SCHOOL, <http://www.nhfarmtoschool.org/about.html> (last visited Feb. 19, 2016).

¹⁴⁶ N.J. STAT. ANN. § 4:10-25.2 (2014).

¹⁴⁷ *Idaho*, NATIONAL FARM TO SCHOOL NETWORK, <http://www.farmtoschool.org/our-network/Idaho> (last visited July 10, 2016).

¹⁴⁸ MONT. CODE ANN. § 80-11-901 (2009). Among other things, development centers can provide business assistance, nutritional analysis and labeling, and assistance with food safety regulation compliance. *Id.*

¹⁴⁹ *State Farm to School Legislative Survey 2002-2014*, *supra* note 135, at 9.

¹⁵⁰ *Farm to School*, MD. DEP'T OF AGRIC., http://mda.maryland.gov/farm_to_school/Pages/farm_to_school.aspx (last visited Feb. 19, 2016).

¹⁵¹ *Oregon Farm to School and School Garden Program*, OR. DEP'T OF EDUC., <http://www.ode.state.or.us/search/results/?id=379> (last visited Feb. 19, 2016); *Staff Directory*, OR. DEP'T OF AGRIC., <http://www.oregon.gov/oda/aboutus/Pages/ODADirectory.aspx> (last visited Feb. 19, 2016).

to school coordinators in both the Departments of Agriculture and Education. **Michigan** has one state coordinator that manages members from the Agriculture, Education, and Community Health Departments.¹⁵² There are alternatives to this model, though, and some states take a different approach: **New York's** coordinator is the food service director in Brockport Central School District,¹⁵³ while both **Ohio** and **New Hampshire's** programs are run by coordinators in the states' public universities.

Two other states have taken a regional approach, appointing separate farm to school coordinators for different parts of their states. **California's** program is split into eight different geographical regions,¹⁵⁴ each with a different regional coordinator—an approach the state has taken because of its size.¹⁵⁵ **Massachusetts** has one coordinator for the eastern part of the state and one for its western and central regions.¹⁵⁶

One disadvantage to the regional coordinator approach is that it might cost more money, given that states have more coordinators on payroll. On the other hand, regional coordinators could be particularly effective in Mississippi for several reasons. Regional coordinators can address different geographical needs and would convey the message that local interests are taken into account. Furthermore, regional coordinators can promote greater coordination with the National Farm to School Network and decentralization of information—**California** forwards inquiries from the network directly to the regional leads in question, who are better able to answer questions specific to their geographical area.¹⁵⁷

VI. Funding Solutions

Securing reliable funding is a central challenge for farm to school programs. As discussed in Section II, in addition to its state programs, Mississippi is also involved with several federal farm to school programs. For example, DoD Fresh provides federal funds that schools use to spend on fresh produce.¹⁵⁸ MDE has adjusted the system to encourage schools to purchase

¹⁵² MICH. COMP. LAWS SERV. § 315.3(3)(a) (2008); MICH. COMP. LAWS SERV. § 380.1274 (2008); H.R. 6365, 94th Leg., Reg. Sess. (Mich. 2008).

¹⁵³ *Governor Cuomo Announces \$350,000 in Funding Available to Increase Use of Locally Grown Foods in Schools*, NY STATE GOVERNOR'S OFFICE (Sept. 28, 2015), <https://www.governor.ny.gov/news/governor-cuomo-announces-350000-funding-available-increase-use-locally-grown-foods-schools>.

¹⁵⁴ *Regions*, CAL.FARM TO SCHOOL, <http://www.cafarmtoschool.org/about/regions/> (last visited Feb. 19, 2016).

¹⁵⁵ Telephone Interview with Sheila Golden, California state lead for the National Farm to School Network (Mar. 30, 2016).

¹⁵⁶ *Staff*, MASS. FARM TO SCHOOL PROJECT, <http://www.massfarmtoschool.org/about-us/staff/> (last visited Feb. 19, 2016).

¹⁵⁷ Telephone Interview with Sheila Golden, *supra* note 144.

¹⁵⁸ *Using DoD Fresh to Purchase Local Produce*, U.S. DEP'T OF AGRIC. (July 2013), http://www.fns.usda.gov/sites/default/files/F2S_using_dod.pdf.

more Mississippi-grown produce through the program.¹⁵⁹ Due to MDE's efforts, this program has grown rapidly; there are many more Mississippi products available, and between the 2013-2014 school years, the amount that schools spent on Mississippi produce through the DoD Fresh program increased from around \$265,000 to over \$1 million (out of a total \$2.5 million budget).¹⁶⁰

Mississippi can build on its current programs through a variety of funding mechanisms. Funding through state-level appropriations, state agencies, federal grant programs, and local grant programs are several strategies that other states have employed to fund farm to school programs. A few states have experimented with other innovative strategies for fundraising, such as the sale of specialty license plates.

A. State Appropriations

In most states, state appropriations are typically made through a budget process that begins with state agencies submitting funding requests to the Governor. The agency requests are then reviewed by the state Budget Office, approved by the Governor, and submitted to the Legislature.¹⁶¹ Legislative review usually involves each chamber passing its own version of the budget with a conference committee made up of representatives from each chamber resolving the differences.¹⁶² After passing the conference committee, the budget goes back to the Governor for final approval or approval with modification through use of line-item veto authority.¹⁶³ Mississippi follows this basic process for passing its annual budget. The Governor of Mississippi does have line-item veto authority,¹⁶⁴ and the Legislature is required by state statute to pass a balanced budget.¹⁶⁵

Appropriations can be made on either a continuous or one-time basis. Continuous appropriations are funds provided annually to a program authorized by state statute. Securing this type of appropriation for farm to school programming can be politically challenging, but it is one of the steadiest sources of funding because the funds are provided each year without further legislative action. Currently, three states provide continuous appropriations for their farm to school programs: **Oregon, Texas, and Vermont.**¹⁶⁶ Of

¹⁵⁹ *Good Laws, Good Food for Our Schools: Strategies to Improve School Food in Montgomery County and Winston County, Mississippi*, 26 HARVARD LAW SCHOOL MISSISSIPPI DELTA PROJECT (Jan. 2015), <http://www.chlpi.org/wp-content/uploads/2013/12/Winston-Montgomery-Counties-ADC-School-Foods-Report-January-2015.pdf>.

¹⁶⁰ *Id.*

¹⁶¹ *Budget Processes in the States*, NAT'L ASS'N OF STATE BUDGET OFFICERS 1, 4 (Spring 2015), <http://www.nasbo.org/sites/default/files/2015%20Budget%20Processes%20-%20S.pdf>.

¹⁶² *Id.*

¹⁶³ *Id.*

¹⁶⁴ *Id.* at 49.

¹⁶⁵ *Id.* at 52.

¹⁶⁶ S.B. 501, 2015 Reg. Sess. (Or. 2015); TEX. AGRIC. CODE § 25 (2009); H. B. 91, 2007-2008 Leg. Sess. (Vt. 2007).

these three, Oregon provides the greatest support, appropriating \$1.2 million a year for its Farm to School and School Garden program.¹⁶⁷ In securing this funding, the Oregon Farm to School Network relied on data gathered from a pilot program funded by a one-time appropriation of \$200,000.¹⁶⁸

In addition to funding pilot programs, one-time appropriations can also be used to establish the infrastructure required for new programs or to extend existing programming. One-time appropriations may be less challenging to secure politically because they impose a lower long-term budget burden and may take advantage of budget windfalls. To date, nine states have made one-time appropriations for farm to school programming: **Alaska, California, Iowa, Massachusetts, New Mexico, Oklahoma, Oregon, Vermont, and Washington.**¹⁶⁹ In **California, Massachusetts, Oklahoma, Vermont, and Washington,** these appropriations funded new farm to school programs or activities.¹⁷⁰ In **Iowa,** a one-time appropriation funded a farm to school program coordinator at the Department of Agriculture;¹⁷¹ in **New Mexico,** it funded local food purchases for the Albuquerque School District;¹⁷² and in **Oregon and Alaska** it funded a pilot grant program.¹⁷³

B. State Agency Funding

Securing funding through a state agency is less politically challenging than appropriating funds through the budgeting process, but requires support from the agencies providing the funding. Agency support may be particularly effective for programs focused on developing educational activities, connecting food producers to schools, and training school food procurement directors, because these activities are less resource-intensive than grant programs.

State agencies can support state farm to school programs in a number of ways. First, an agency can provide funding directly to the program if it is housed in or operated out of that agency. Currently, nine state farm to school programs receive direct funding from state agencies.¹⁷⁴ Second, agencies may support farm to school by employing a full- or part-time staff member to direct or coordinate the program or some part of it. Twenty-seven state programs have an employee at a state agency that works at least part-time on farm to

¹⁶⁷ S.B. 5507, 2015 Reg. Sess. (Or. 2015).

¹⁶⁸ Telephone Interview with Megan Kemple, Farm to School Program Director, Willamette Food & Farm Coalition (Oct. 27, 2015).

¹⁶⁹ *State Farm to School Legislative Survey 2002-2014*, *supra* note 135 at 14, 43, 51, 64, 73, 75, 80, 84;

¹⁷⁰ CAL. FOOD & AGRIC. CODE § 49002 (2015).

CAL. FOOD & AGRIC. CODE § 49002 (2015); *State Farm to School Legislative Survey 2002-2014*, *supra* note 135 at 64(MA), 73(OK), 80, 84.

¹⁷¹ *State Farm to School Legislative Survey 2002-2014*, *supra* note 135 at 43.

¹⁷² S.B. 611, 2007 Reg. Sess. (N.M. 2007)

¹⁷³ Telephone Interview with Megan Kemple, *supra* note 168.

¹⁷⁴ See Table 1, *infra*.

school.¹⁷⁵ **Georgia** has employees at three state agencies who have farm to school activities as part of their official duties.¹⁷⁶ In addition, an agency may collect donations from private parties and maintain a fund for the program. Thus far, only two states have authorized state agencies to accept donations for farm to school programs.¹⁷⁷ See Appendix Table 1 for more information regarding state agency funding.

C. Federal Grants

Grants from federal government agencies can be an effective way to fund farm to school programs in order to demonstrate success and create momentum for securing funding from other means. These federal grants are competitive, and programs seeking them may need to develop detailed plans for how the funds will be used.

The most notable of these programs is the USDA Farm to School Grant Program, through which the USDA awards \$5 million a year in grants to local and state farm to school programs.¹⁷⁸ Congress established the Farm to School Grant Program to assist school districts or schools to plan, design, implement, or expand farm to school programs. These grants range from \$20,000 to \$100,000 per award, depending on the type of project and anticipated project costs.¹⁷⁹ Thirteen state farm to school programs, including Mississippi's, have received USDA farm to school grants.

In Mississippi, the **Oxford School District** successfully applied for and received a USDA Farm to School Grant.¹⁸⁰ They were awarded \$38,145 in 2013 in order to begin their planned farm to school program.¹⁸¹ Their plan included "coordinating with local farmers and partners; preparing kitchens and training staff; making classroom connections for deeper student learning; and engaging and educating parents on how to keep this going at home."¹⁸² Oxford School District added to its success in the 2016 grant cycle, receiving an additional \$79,596 grant to implement the plan it made using its 2013 grant.¹⁸³ The School District will partner with the Oxford City Market to turn community gardens into educational resources.¹⁸⁴ To apply for the grant in future cycles, advocates and schools can visit the USDA website and start the application once it is posted in September.¹⁸⁵

¹⁷⁵ *See id.*

¹⁷⁶ Telephone Interview with Laura Tanase, *supra* note 65.

¹⁷⁷ *See id.*

¹⁷⁸ *Farm to School Grant Program*, *supra* note 17.

¹⁷⁹ *Id.*

¹⁸⁰ *USDA Farm to School FY 2013 Grant Awards*, U.S. DEP'T OF AGRIC. 12 (Nov. 14, 2012), http://www.fns.usda.gov/sites/default/files/F2S_Grants-FY2013.pdf.

¹⁸¹ *Id.*

¹⁸² *Id.*

¹⁸³ *FY 2016 USDA Farm to School Grant Awards*, U.S. DEP'T OF AGRIC. 11 (Nov. 17, 2015), http://www.fns.usda.gov/sites/default/files/f2s/FY_2016_Grant_Award_Summaries.pdf.

¹⁸⁴ *Id.*

¹⁸⁵ *Farm to School Grant Program*, *supra* note 17.

See Appendix Table 2 for a partial list of the private grants and USDA grants that might be helpful for Mississippi farm to school programs.

D. State Grants

State grants are another potential source of funds for farm to school projects. While there are examples of successful programs across the country, **Alaska** in particular provides an example of the significant benefits of investing in local communities.

Alaska demonstrates that states can design grant programs to target certain populations, which may particularly lack access to local healthy foods. Eighty percent of Alaska's school districts are only accessible by water or air.¹⁸⁶ To serve these communities, the state farm to school program offers mini-grants to rural projects and school districts.¹⁸⁷ **Texas**, which runs its statewide program out of its Department of Agriculture, has also designed grant programs to target particularly underserved communities; it created one for urban schools¹⁸⁸ and another to serve low-income students and their families.¹⁸⁹

These relatively inexpensive grants — Alaska's rural grants are typically between \$500-\$1,000¹⁹⁰ — can have significant impacts in local areas of need. For example, Alaska's Gateway¹⁹¹ and Thorne Bay¹⁹² School Districts have both built year-round greenhouses that provide fresh produce for the school district and communities. These grants allow communities to determine their nutritional and agricultural needs and set up programs accordingly.

E. Creative Funding Solutions

Maine has created specialty license plates that motorists can purchase at an additional cost, the proceeds of which go towards the state farm to school program.¹⁹³ In 2015, \$60,000 in awards and grants were given out across the state thanks to the license plate

¹⁸⁶ *State Farm to School Legislative Survey 2002-2014*, *supra* note 135 at 14.

¹⁸⁷ *Id.*

¹⁸⁸ TEX. AGRIC. CODE § 48 (1999).

¹⁸⁹ TEX. AGRIC. CODE § 25 (2009).

¹⁹⁰ *State Farm to School Legislative Survey 2002-2014*, *supra* note 135 at 14.

¹⁹¹ Robin Wood, *Tok Embraces Farm-to-School with Year-Round Greenhouse*, FAIRBANKS DAILY NEWS-MINER (Jan. 24, 2015), http://www.newsminer.com/news/local_news/tok-embraces-farm-to-school-with-year-round-greenhouse/article_69af5366-a3a8-11e4-965b-eb893c5a65ad.html.

¹⁹² Suzanna Caldwell, *In Remote Thorne Bay, Students Are Growing In More Ways Than One*, ALASKA DISPATCH NEWS (May 13, 2014), <http://www.adn.com/article/20140513/remote-thorne-bay-students-are-growing-more-ways-one-0>.

¹⁹³ See *Ag-Plate*, AGRIC. IN THE CLASSROOM, http://www.agclassroom.org/ME/programs/ag_plate.htm (last visited Sept. 23, 2016)

program.¹⁹⁴ **Louisiana** has a similar program; some of the proceeds earned by the “Louisiana Master Gardener” license plate program go toward enhancing school garden programs.¹⁹⁵

New Jersey has also pioneered a streamlined method for fundraising for its farm to school program. In 2014, the New Jersey State Legislature created the New Jersey Farm to School and School Garden Fund.¹⁹⁶ Taxpayers can contribute a portion of their tax refund to this fund by checking a box on their state income tax form.¹⁹⁷ Proceeds from the Fund are folded into the budget of the New Jersey Farm to School Program.¹⁹⁸ Table 4 shows how states choose to fund farm to school programs.

Table 4: Frequency of Funding Sources for State Farm to School Programs

Funding Source	Number of States
Appropriations for Pilot Program	2
One-Time Appropriation	9
Continuous Appropriation	3
Agency Funding for Program	15
Agency Funding for F2S Position	27
Agency Funding through Donations	2
Grant from NGO	3
Grant from Government Agency	13
Other	9

VII. Strategies to Promote Farm to School in Mississippi

While the recommendations discussed throughout this report may be useful in advancing farm to school goals, political support is necessary to implement many of them. In order to advance any farm to school programs or policies, advocates should be mindful of which strategies most appeal to policymakers. Mississippi may find inspiration from the ways that other states have framed farm to school policies in order to garner legislative and agency support. For instance, advocates of farm to school should attempt to present their goals as impactful, non-controversial, and inexpensive in order to appeal to agencies and the legislature.

¹⁹⁴ *Education Grants Program – 2015*, ME. AGRIC. IN THE CLASSROOM, <http://www.agclassroom.org/ME/programs/grants15.htm> (last visited Sept. 23, 2016).

¹⁹⁵ *State Farm to School Legislative Survey 2002-2014*, *supra* note 135 at 46.

¹⁹⁶ N.J. STAT. ANN. § 54A:9-25.36 (2014).

¹⁹⁷ *Id.*

¹⁹⁸ *Id.*

A. Legislative Advocacy

Farm to school advocates in **Oregon** highlighted the importance of finding a committed “legislative champion” to back a bill. The Willamette Food and Farm Coalition and the Oregon Department of Education stressed how valuable State Representative Brian Clem, a former farmer, was as a supporter of farm to school legislation.¹⁹⁹ In recruiting a representative to champion farm to school, advocates should appeal to related policies that farm to school supports, such as strengthening hands-on learning and public health outcomes for children. Alternately, advocates can seek out a legislator with a background in agriculture, and gauge his or her interest in supporting the bill.

Jay Hughes, a newly elected Democratic Representative in the Mississippi House of Representatives, recommended finding a Republican to help champion the bill because the procedure for presenting a bill in Mississippi favors the party in power.²⁰⁰ Republicans currently hold the Governor’s seat and have a super-majority in the House of Representatives and a majority in the Senate as well.²⁰¹ The process of passing a bill also depends heavily on the personalities of the representatives involved.²⁰² In addition, Hughes recommended proposing a bill costing no money with a clause saying it expires in one or two years, calculating the value achieved as a result of it, and then attempting to pass a full bill once its impact can be assessed.²⁰³

Second, advocates have focused on messaging the benefits of farm to school in the context of the particular state’s interests. Jason Watts, senior advisor to **Hawaii’s** Lieutenant Governor, noted that their state legislature is resistant to change.²⁰⁴ He called the effort to promote farm to school, in part, a public relations campaign aimed at reframing farming in a more positive light and emphasizing the importance of healthy eating and talking about where food comes from.²⁰⁵ Similarly, local advocacy groups in **Texas** have endorsed farm to school as a way of supporting local agriculture.²⁰⁶ In **Oregon**, farm to school advocates stressed that the grants would go to make up the cost between local, presumably more expensive food, and food coming from national distributors.²⁰⁷ The particular message changes depending on the state.

¹⁹⁹ Telephone Interview with Rick Sherman, Farm to School Specialist, Oregon Department of Education (Oct. 28, 2015).

²⁰⁰ Telephone Interview with Jay Hughes, State Representative for District 12, Mississippi State Legislature (Mar. 30, 2016).

²⁰¹ *Id.*

²⁰² *Id.*

²⁰³ *Id.*

²⁰⁴ Telephone Interview with Jason Watts, Senior Advisor to the Lieutenant Governor, State of Hawaii (Nov. 4, 2015).

²⁰⁵ *Id.*

²⁰⁶ Telephone Interview with Alyssa Herold, *supra* note 63.

²⁰⁷ Telephone Interview with Amy Gilroy, *supra* note 103.

Emphasizing the economic benefits of farm to school is one particularly effective messaging tool. Stakeholders in some states have focused on garnering support for farm to school bills with data showing how farm to school spending can benefit the local economy. Data can show the impact of farm to school in concrete terms, such as \$5 million kept in-state as the program encourages schools to divert money that they once spent on out-of-state products to in-state products. **Massachusetts** and **Maryland** have passed legislation requiring schools to report how much they purchased from local farms.²⁰⁸ Non-profit partners in **Oregon** hoped data from schools collected before and after the implementation of the farm to school grant program would show that the grants increased schools' spending on Oregon agricultural and processed products.²⁰⁹ Meanwhile, in **Vermont**, advocates promoted Vermont Act 145, which appropriated funding for farm to school, by stressing the bill's economic and health impacts.²¹⁰

In Mississippi, several different messaging techniques could be successful. Procedures in the state legislature require that all bills be presented with a fiscal note explaining whether its implementation would cost the state money, and how much.²¹¹ Consequently, Hughes suggested that a strategy focusing on keeping Mississippi resources inside Mississippi when it comes to school food procurement would be the strategy most likely to be successful.²¹² Hughes suggested that focusing on public health benefits could also be persuasive, if it could be sold as a way to decrease the state's health care costs, considering the strict fiscal note policy.²¹³ Finally, a messaging strategy could focus on farm to school's health benefits to children. However, Hughes predicted that any bill focusing on educational benefits or requiring spending on public education would fail to gain support, because of the hesitation to increase state spending.²¹⁴

B. State Agency Engagement

State agencies can advance the goals of farm to school in many ways, such as by offering technical trainings for food procurement professionals and farmers about food safety standards and food preparation. State agencies may also consider providing food processing equipment for producers as a part of this training.²¹⁵ Finally, as discussed

²⁰⁸ *State Farm to School Legislative Survey 2002-2014*, *supra* note 135 at 51 (citing H.B. 4449, 186th Gen. Ct. (Mass. 2010) and H.B. 751 (Md. 2011)).

²⁰⁹ Telephone Interview with Megan Kemple, *supra* note 168.

²¹⁰ Telephone Interview with Alexandra Zipparo, Senior Agriculture Development Coordinator, Vermont Agency of Agriculture, Food & Markets (Oct. 23, 2015).

²¹¹ Telephone Interview with Jay Hughes, *supra* note 200.

²¹² *Id.*

²¹³ *Id.*

²¹⁴ *Id.*

²¹⁵ For example, Arkansas has awarded grants under the Arkansas Grow Healthy Study, which can be used to obtain food processing equipment or transportation crates. In January 2016, forty-four organizations received awards through the program, after attending a one-day farm to school workshop run by the Childhood Obesity Prevention Research Program (COPRP). The awards were funded through

above, tracking purchases of local foods is an important way to demonstrate the success of farm to school programs in order to make them attractive to legislatures. State agencies could facilitate the tracking process by providing tools and incentives for schools to document the source of their food.

However, in order to take full advantage of the resource of state agencies, certain strategies should be employed in order to increase the likelihood of a successful program. For instance, finding a strong champion within one or more state agency could provide valuable support for a farm to school bill. Farm to school often touches on functions within both the Department of Agriculture and the Department of Education, and the support of each agency could help preserve the program in case funding from one agency is limited.

The Departments of Education and Agriculture could take advantage of existing resources in order to collect data on school food procurement so as to demonstrate the local economic impact of farm to school. The only measurement tool for procurement currently is the USDA Census, which schools are not routinely filling out.²¹⁶ The Department of Education could encourage schools to fill out their census data to track food procurement, and therefore could help gather important statistics without needing to create a reporting program from scratch.

The Department of Health could be another target as a partner in farm to school. In Mississippi, preschools fall within the purview of the Department of Health, which provides training to their food service directors.²¹⁷ If the Network chooses to focus on the public health benefits that farm to school offers for children and their families, the Department could be a natural ally.

In other states, farm to school advocates have engaged with state agencies in a number of ways. For instance, many states have brought together advocates and agencies to brainstorm farm to school strategies. In April of 2015, **Washington State Department of Agriculture** held a farm to school summit, which brought together stakeholders such as farmers, distributors, community partners, and school nutrition directors to discuss farm to school strategies.²¹⁸ The **Alaska Department of Natural Resources** also held a farm to school conference in 2015, which brought together 129 stakeholders from nearly 40

a USDA grant to the Arkansas Children's Hospital Research Institute, of which COPRP is a part. See *Arkansas Farm to School Award Winners Announced*, ARK. CHILDREN'S HOSPITAL (Jan. 20, 2016) <http://www.archildren.org/Press-Center/Current-News/2016/Arkansas-Farm-to-School-Award-Winners-Announced.aspx>.

²¹⁶ Interview with Sunny Young and Dorothy Grady-Scarborough, *supra* note 49.

²¹⁷ *Id.*

²¹⁸ *Summary of Washington Farm to School Summit*, WSDA FARM TO SCHOOL, <http://www.wafarmtoschool.org/Page/106/about> (last visited July 9, 2016).

communities.²¹⁹ Agencies and farm to school advocates can also engage through funding arrangements, such as in Rhode Island. **Farm Fresh Rhode Island** is a not-for-profit organization devoted to growing the local food system, including through farm to school, and is funded in part by the **Rhode Island Department of Environmental Management, Division of Agriculture**.²²⁰ Finally, in some states, agencies cooperate with other advocates in conducting training sessions. The **Washington State Department of Agriculture** partners with local organizations to offer workshops on food safety, preparation, purchasing, menu planning, insurance requirements, and more.²²¹

VIII. Conclusion

Increasing farm to school efforts in Mississippi can help stimulate the local economy, improve children’s diets and nutritional knowledge, and create an engaging learning environment. Mississippi has already made great strides in the past few years to strengthen the relationships between schools, farmers, and other interested stakeholders. However, farm to school advocates in Mississippi can still create an even more robust program. For instance, by creatively incorporating nutrition and agriculture into the school curriculum, addressing barriers related to food safety and processing, acquiring reliable funding, and working strategically with policymakers, farm to school advocates may gain widespread support throughout the state.

Appendix

Table 1: States that Receive Agency Funding by Agency and Type of Funding

Agency	Funding for Farm to School Programs	Funding for Farm to School Staff	Funding for Farm to School by Donations
Dep’t of Agriculture	California, Connecticut, Georgia, Maryland, Mississippi, Montana, Nevada, New York, South Carolina, Texas, Washington, Wisconsin, West	Alabama*, Alaska, Arizona, Connecticut, Delaware*, Florida, Georgia*, Hawaii, Idaho*, Iowa*, Kentucky, Maryland*, Michigan, Montana*,	New Jersey

²¹⁹ *2015 Farm to School Conference Material*, ALASKA DEP’T OF NAT. RESOURCES DIVISION OF AGRIC., http://dnr.alaska.gov/ag/ag_FTSConference.htm (last visited July 9, 2016).

²²⁰ *About Farm Fresh Rhode Island*, FARM FRESH RI, <http://www.farmfreshri.org/about/about.php#staff> (last visited July 9, 2016).

²²¹ *Mobile Workshops, and Farm & Food Service Trainings*, WSDA FARM TO SCHOOL, <http://www.wafarmtoschool.org/Page/30/farm-to-school-trainings-and-mobile-workshops> (last visited July 9, 2016).

	Virginia	Nevada*, New York*, Oregon, South Carolina, Texas, Vermont*, Virginia Washington, Wisconsin, Wyoming*	
Dep't of Education	Connecticut, Georgia, New York, West Virginia	Connecticut*, Georgia*, Idaho*, Kansas*, Maryland*, New York*, Oregon, South Carolina, Utah*, West Virginia	Oregon
Other	Georgia (Dep't of Community Health), Rhode Island (Dep't of Environmental Mgmt., Div. of Agriculture)	Georgia (Dep't of Community Health)*	

* part-time position

**Table 2: Available Grants
USDA Grants**

Farm to School Grant Program	
Issuing Agency:	USDA Food and Nutrition Service
Purpose:	To support farm to school training, supporting operations, planning, purchasing equipment, developing school gardens, developing partnerships, and implementing farm to school activities. ²²²
Eligible Entities:	Schools, school districts, state and local agencies, Indian tribal organizations, agricultural producers, groups of agricultural producers, and nonprofit entities ²²³

²²² *Farm to School Grant Program*, *supra* note 17.

²²³ *Id.*

Grant Types:	<p>Planning grants are for schools and school districts to help organize and structure new farm to school activities.</p> <p>Training grants are for non-school entities to hold farm to school trainings, workshops, and conferences.</p> <p>Support service grants are for non-school entities to assist school farm to school activities.</p> <p>Implementation grants are for schools and school districts to start or scale farm to school activities.²²⁴</p>
Amount:	Up to \$45,000 for planning grants, up to \$50,000 for training grants, and up to \$100,000 for support service and implementation grants ²²⁵
Matching Funds:	Yes - 25% of grant amount ²²⁶
Deadline:	November ²²⁷
Link to Apply:	http://www.fns.usda.gov/farmentoschool/farm-school-grant-program

Community Food Projects Competitive Grants

Issuing Agency:	USDA National Institute of Food and Agriculture (NIFA)
Purpose:	To enhance food security by tying local food processing and production to efforts to improve economic, social, and environmental conditions. ²²⁸
Eligible Entities:	Private nonprofit entities with experience in community food work, job training, business development or similar activities. Collaborations with private for-profit and public entities are recommended. ²²⁹
Grant Types:	<p>Community Food Project (CFP) grants fund projects like food hubs, farmers' markets, farm-to-institution programs, and marketing and consumer cooperatives.²³⁰</p> <p>Planning Project grants fund projects like community food assessments,</p>

²²⁴ *Id.*

²²⁵ *Id.*

²²⁶ *Id.*

²²⁷ *Id.*

²²⁸ *Community Food Projects Competitive Grant Program (CFPCGP)*, U.S. DEP'T OF AGRIC., <https://nifa.usda.gov/program/community-food-projects-competitive-grant-program-cfpcgp> (last visited Mar. 4, 2016).

²²⁹ *2016 Community Food Webinar Presentation*, NAT'L INST. OF FOOD AND AGRIC. 12–13 (2015), <http://nifa-connect.nifa.usda.gov/p80jemapmtv/>.

²³⁰ *Id.* at 8.

	GIS development and analysis, food sovereignty studies, and farm-to-institution planning activities. ²³¹
Amount:	Up to \$400,000 for Community Food Projects and up to \$35,000 for Planning Projects ²³²
Matching Funds:	Yes – 100% of grant amount ²³³
Deadline:	November ²³⁴
Link to Apply:	https://nifa.usda.gov/program/community-food-projects-competitive-grant-program-cfpcgp

Farmers Market Promotion Program	
Issuing Agency:	USDA Agricultural Marketing Service
Purpose:	To improve and expand domestic farmers markets, roadside stands, community-supported agriculture programs, agri-tourism, and other direct producer-to-consumer market opportunities. ²³⁵
Eligible Entities:	Agricultural cooperatives, producer networks, producer associations, local governments, nonprofit corporations, public benefit corporations, economic development corporations, regional farmers market authorities and Tribal governments. ²³⁶
Grant Types:	Capacity Building grants for developing organizational structure for direct-to-consumer marketing projects. Community Development, Training, and Technical Assistance grants for implementing direct-to-consumer marketing projects. ²³⁷
Amount:	\$50,000 to \$250,000 for Capacity Building grants, \$250,000 to \$500,000 for Community Development, Training, and Technical Assistance grants ²³⁸

²³¹ *Id.* at 10.

²³² *Id.* at 11.

²³³ *Id.*

²³⁴ *Id.* at 3.

²³⁵ *Farmers Market Promotion Program*, U.S. DEP'T OF AGRIC., <https://www.ams.usda.gov/services/grants/fmpp> (last visited Mar. 4, 2016).

²³⁶ *Id.*

²³⁷ *FMPP Questions and Answers*, U.S. DEP'T OF AGRIC., 1 (2016), <https://www.ams.usda.gov/sites/default/files/media/FMMPFAQ.pdf>.

²³⁸ *Id.*

Matching Funds:	Not required ²³⁹
Deadline:	May ²⁴⁰
Link to Apply:	https://www.ams.usda.gov/services/grants/fmpp

Local Food Promotion Program	
Issuing Agency:	USDA Agricultural Marketing Service
Purpose:	To promote intermediary supply chain activities that aggregate, distribute, process and/or store agricultural products. ²⁴¹
Eligible Entities:	Agricultural cooperatives, producer networks, producer associations, local governments, nonprofit corporations, public benefit corporations, economic development corporations, regional farmers market authorities and Tribal governments. ²⁴²
Grant Types:	Planning grants for intermediary supply chain projects that aggregate, distribute, process and/or store agricultural products. Must be completed within 18 months. Implementation grants for intermediary supply chain projects that must be completed within 36 months. ²⁴³
Amount:	\$25,000 to \$100,000 for planning grants, \$100,000 to \$500,000 for implementation grants ²⁴⁴
Matching Funds:	Yes - 25% of grant amount ²⁴⁵
Deadline:	May ²⁴⁶
Link to Apply:	https://www.ams.usda.gov/services/grants/lfpp

²³⁹ *Id.*

²⁴⁰ *How do I Apply for the FMPP Grant?*, U.S. DEP'T OF AGRIC., <https://www.ams.usda.gov/services/grants/fmpp/apply> (last visited Mar. 4, 2016).

²⁴¹ *Local Food Promotion Program*, U.S. DEP'T OF AGRIC., <https://www.ams.usda.gov/services/grants/lfpp> (last visited Mar. 4, 2016).

²⁴² *Id.*

²⁴³ *Id.*

²⁴⁴ *FMPP Questions and Answers*, *supra* note 237 at 1.

²⁴⁵ *Id.*

²⁴⁶ *How do I Apply for the LFPP Grant?*, U.S. DEP'T OF AGRIC., <https://www.ams.usda.gov/services/grants/lfpp/apply> (last visited Mar. 4, 2016).

Federal-State Marketing Improvement Program	
Issuing Agency:	USDA Agricultural Marketing Service
Purpose:	To assist in exploring new market opportunities for U.S. food and agricultural products, and to encourage research and innovation aimed at improving the efficiency and performance of the marketing system. ²⁴⁷
Eligible Entities:	State agencies or agricultural experiment stations ²⁴⁸
Grant Types:	FSMIP grants are awarded as matching funds for projects run through state agencies ²⁴⁹
Amount:	Average grant size in 2015 was \$67,060 with awards ranging from \$24,420 to \$104,405 ²⁵⁰
Matching Funds:	Yes – 100% of grant amount ²⁵¹
Deadline:	May ²⁵²
Link to Apply:	https://www.ams.usda.gov/services/grants/fsmip

Specialty Crop Block Grants	
Issuing Agency:	USDA Agricultural Marketing Service
Purpose:	To support the competitiveness of specialty crops such as fruits, vegetables, tree nuts, dried fruits, horticulture, and nursery crops. ²⁵³
Eligible Entities:	Only state departments of agriculture are eligible to submit SCBG applications, but may do so on behalf of academic programs, producer associations, and industry or community-based groups. ²⁵⁴

²⁴⁷ *Federal State Marketing Improvement Program*, U.S. DEP'T OF AGRIC., <https://www.ams.usda.gov/services/grants/fsmip> (last visited Mar. 4, 2016).

²⁴⁸ *Id.*

²⁴⁹ *Id.*

²⁵⁰ *2015 FSMIP Projects*, U.S. DEP'T OF AGRIC., , 1–3 (2015), <https://www.ams.usda.gov/sites/default/files/media/2015%20FSMIP%20awards.pdf>.

²⁵¹ *Federal State Marketing Improvement Program*, *supra* note 247.

²⁵² *FSMIP How to Apply*, U.S. DEP'T OF AGRIC., <https://www.ams.usda.gov/services/grants/fsmip/apply> (last visited Mar. 4, 2016).

²⁵³ *Specialty Crop Block Grant Program*, U.S. DEP'T OF AGRIC., <https://www.ams.usda.gov/services/grants/scbgb> (last visited Mar. 4, 2016).

²⁵⁴ *Id.*

Grant Types:	Grant funds may be used for any project that improves the competitiveness Mississippi-grown specialty crops, but cannot solely benefit a particular company, group, or institution. Grants may also be used to promote the competitiveness of disadvantaged specialty crop farmers. ²⁵⁵
Amount:	For FY2016, the MDAC will allocate \$336,946.96 among selected grant proposals. ²⁵⁶
Matching Funds:	Not required, but will strengthen project proposal ²⁵⁷
Deadline:	May ²⁵⁸
Link to Apply:	https://www.mdac.ms.gov/Marketing/SCBGP2016.pdf

Team Nutrition Grants	
Issuing Agency:	USDA Food and Nutrition Service
Purpose:	To support training and educational programs that incorporate the Dietary Guidelines for Americans and USDA foods in meals served under the National School Lunch Program (NSLP) or the Child and Adult Care Food Program (CACFP). ²⁵⁹
Eligible Entities:	State agencies that administer NSLP or CACFP. “Novice states” that have not been awarded a grant in the last five years are favored, and Mississippi qualifies as a novice state. ²⁶⁰
Grant Types:	Grant funds must be used to provide training and technical assistance to school nutrition foodservice professionals; provide interactive nutrition education for children, teachers, and parents; and build school and community support for creating healthy school environments. ²⁶¹
Amount:	Up to \$500,000 ²⁶²

²⁵⁵ *Specialty Crop Block Grant Program – Farm Bill: Request for Proposals*, MISS. DEP’T OF AGRIC. AND COMMERCE 4 (2016), <https://www.mdac.ms.gov/Marketing/SCBGP2016.pdf>.

²⁵⁶ *Id.* at 3.

²⁵⁷ *Id.* at 20.

²⁵⁸ *Specialty Crop Block Grant Program*, MISS. DEP’T OF AGRIC. AND COMMERCE, <https://www.mdac.ms.gov/bureaus-departments/market-development/specialty-crop-block-grant-program/> (last visited Mar. 4, 2016).

²⁵⁹ *FY2016 Team Nutrition Training Grants*, U.S. DEP’T OF AGRIC., <http://www.fns.usda.gov/tn/fy2016-team-nutrition-training-grants> (last visited Mar. 4, 2016).

²⁶⁰ *Id.*

²⁶¹ *Id.*

²⁶² *Id.*

Matching Funds:	Not required
Deadline:	May (intent to submit application due in April) ²⁶³
Link to Apply:	http://www.fns.usda.gov/tn/fy2016-team-nutrition-training-grants

Private Grants

W.K. Kellogg Foundation	
Purpose:	To support children, families and communities as they strengthen and create conditions that propel vulnerable children to achieve success as individuals and as contributors to the larger community and society. ²⁶⁴
Eligible Entities:	Registered non-profits ²⁶⁵
Grant Types:	Grant funds must be used to provide to support one of the Kellogg Foundation's five focus areas: educated kids, healthy kids, secure families, racial equity, and community and civic engagement. ²⁶⁶
Amount:	Grant amounts range from a few thousand dollars to a few million ²⁶⁷
Matching Funds:	Not required
Deadline:	Grant applications are reviewed on a rolling basis ²⁶⁸
Link to Apply:	http://www.wkkf.org/ApplyOnline

Let's Move Salad Bars to Schools	
Issuing Organization:	The Chef Ann Foundation

²⁶³ *Id.*

²⁶⁴ *Who We Are*, W.K. KELLOGG FOUND., <http://www.wkkf.org/who-we-are/overview> (last visited Mar. 28, 2016).

²⁶⁵ *Online Application*, W.K. KELLOGG FOUND., <http://www.wkkf.org/ApplyOnline> (last visited Mar. 28, 2016).

²⁶⁶ *Id.*

²⁶⁷ *Grants*, W.K. KELLOGG FOUND., <http://www.wkkf.org/grants> (last visited Mar. 28, 2016).

²⁶⁸ *FAQ/Glossary*, W.K. KELLOGG FOUND., <http://www.wkkf.org/faq-glossary> (last visited Mar. 28, 2016).

Purpose:	The goal of the program is for every school in the United States to have a salad bar as part of their school food service program so that every child has daily access to fresh fruits and vegetables, whole grains, and healthy proteins. ²⁶⁹
Eligible Entities:	Any district or independent school participating in the National School Lunch Program (NSLP) that serves at least 100 reimbursable meals daily ²⁷⁰
Grant Types:	Once an application is approved, Let's Move Salad Bars to Schools collects donations to fund the purchase and delivery of a six-foot, five-well salad bar, and delivers the salad bar as soon as it is fully-funded. Schools are encouraged to assist in fundraising for the salad bar. ²⁷¹
Amount:	A salad bar, with shipping, is worth \$2,825 ²⁷²
Matching Funds:	Not required
Deadline:	None
Link to Apply:	http://www.saladbars2schools.org/get-a-salad-bar/

²⁶⁹ *About Us*, LET'S MOVE SALAD BARS TO SCHOOLS, <http://www.saladbars2schools.org/about-us/> (last visited Mar. 28, 2016).

²⁷⁰ *Application Guidelines*, LET'S MOVE SALAD BARS TO SCHOOLS, <http://www.saladbars2schools.org/get-a-salad-bar/schools/application-guidelines/> (last visited Mar. 28, 2016).

²⁷¹ *Id.*

²⁷² *Donation FAQs*, LET'S MOVE SALAD BARS TO SCHOOLS, <http://www.saladbars2schools.org/grant/general-fund/> (last visited Mar. 28, 2016).