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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1514 Session of  
2019

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INTRODUCED BY HERSHEY, BURGOS, CAUSER, PASHINSKI, BERNSTINE,  
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SNYDER, STRUZZI, WEBSTER, ZIMMERMAN AND IRVIN, MAY 29, 2019

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REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,  
MAY 29, 2019

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AN ACT

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

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

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

8 CHAPTER 109

9 FARM-TO-SCHOOL PROGRAM

10 Sec.

11 10901. Short title of chapter.

12 10902. Findings and declarations.

13 10903. Definitions.

14 10904. Grant program.

15 10905. Limitation on grants.

16 10906. Applications and review of applications.

1 10907. Disposition of grants.

2 10908. Administration and contracting.

3 10909. Regulations.

4 10910. Funding.

5 § 10901. Short title of chapter.

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

8 § 10902. Findings and declarations.

9 The General Assembly finds and declares as follows:

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

22 (2) The purposes of this program are to educate  
23 prekindergartners through fifth graders and their families  
24 about the importance of choosing healthy, locally produced  
25 foods and increase awareness of Pennsylvania agriculture.  
26 Furthermore, the initiative should aid Pennsylvania farmers  
27 in gaining access to new markets within this Commonwealth.  
28 Consequently, the Commonwealth should institute a program  
29 including:

30 (i) Nutrition education involving student

1 participation which is integrated into regular subjects  
2 in the curriculum of primary and secondary education  
3 institutions.

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

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

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

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

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

17 § 10903. Definitions.

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

21 "Commission." The Commission for Agricultural Education  
22 Excellence established under section 1549.1 of the act of March  
23 10, 1949 (P.L.30, No.14), known as the Public School Code of  
24 1949.

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

27 § 10904. Grant program.

28 (a) Authorization.--The department, in consultation with the  
29 commission and the Department of Health, is authorized to  
30 establish a program to award grants for the purpose of

1 developing the Farm-to-School Program in prekindergarten  
2 classes, kindergarten classes or elementary school classes  
3 through the fifth grade in this Commonwealth.

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

8 (c) Program requirements.--The program shall contain the  
9 following elements:

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

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

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

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

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

22 § 10905. Limitation on grants.

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

27 (b) Conditions.--The secretary may approve a grant in an  
28 amount less than the requested amount. The secretary may also  
29 impose restrictions or special conditions upon issuance of the  
30 grant.

1 § 10906. Applications and review of applications.

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

4 (b) Evaluation.--When reviewing applications, the secretary  
5 shall evaluate applications annually on the basis of all of the  
6 following:

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

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

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

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

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

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

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

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

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

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

29 § 10907. Disposition of grants.

30 (a) Written agreement.--The department may require a written

1 agreement describing the terms and conditions of the grant.

2 (b) Verification.--The department may require verification  
3 of grant expenditures.

4 (c) Criteria.--The department may establish criteria under  
5 which the department may demand the return of all or a portion  
6 of the grant money.

7 § 10908. Administration and contracting.

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

12 § 10909. Regulations.

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

15 § 10910. Funding.

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

18 Section 2. Repeals are as follows:

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

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

25 Section 3. Continuation is as follows:

26 (1) (Reserved).

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

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

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

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

24                   (A) 3 Pa.C.S. § 10903.

25                   (B) 3 Pa.C.S. § 10904(a) and (b).

26                   (C) 3 Pa.C.S. § 10907(c).

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