**REVIEWED BY: EN and JW 8-21-2020**

OAR 581-017-0711 - Competitive Oregon Farm-to-School Program Procurement Grant: Definitions

(1) As used in this section:

(a) “Food processed in the State of Oregon” includes foods that were baked, frozen, ground, canned, or milled in the State of Oregon.

(b) “Food produced in the State of Oregon” includes but is not limited to foods that were grown, caught, harvested, or raised in the State of Oregon.

(c) “Minimally processed” means that the food product was processed in a manner that does not fundamentally alter the product and the product retains its inherent character. The term includes, but is not limited to, butchering livestock and poultry, cleaning fish, dicing meats, slicing produce, forming ground food products into patties, grinding meats, drying or dehydrating food products, and washing produce.

(d) “Provider of center-based programs for children” means a child care center certified by the Office of Child Care, a Head Start center, an Oregon prekindergarten program, a school district, or an education service district that both provides non-residential child care services to enrolled children and participates in the federal Child and Adult Care Food Program.

(e) “Public charter school” means a public charter school means an elementary or secondary school offering a comprehensive instructional program operating under a written agreement entered into between a sponsor and an applicant and operating pursuant to ORS 338.

(f) “Service institution” means a public or private nonprofit school, a public or private nonprofit residential summer camp, or other program sponsor that participates in the federal Summer Food Service Program.

(g)“School district” means an Oregon common school district, joint school district, or union high school district.

Stat Auth: ORS 336.431

Stat implement: ORS 336.431

OAR 581-017-0714 - Competitive Oregon Farm-to-School Program Procurement Grant: Establishment

(1) The purpose of the competitive Oregon Farm-to-School Program procurement grant is to encourage and sustain successful efforts by eligible entities to purchase or promote foods that were:

(a) Produced in the State of Oregon;

(b) More than minimally processed in the State of Oregon; or

(c) Both produced and processed in the State of Oregon.

Stat Auth: ORS 336.431

Stat implement: ORS 336.431

OAR 581-017-0717 - Competitive Oregon Farm-to-School Program Procurement Grant: Eligibility

(1) The following entities are eligible for this grant:

(a) School district,

(b) Public charter school,

(c) A provider of center-based programs for children in the Child and Adult Care Food Program, or

(d) An entity that provides meals through the Summer Food Service Program

(2) All eligible entities shall be:

(a) The recipient of a noncompetitive Oregon Farm-to-School Program procurement grant; and

(b) Has either expended or obligated, or both, the entire amount of its initial noncompetitive Oregon Farm-to-School Program procurement grant award.

(3)(a) Eligible entities must submit their grant applications on the most current form prescribed by the Oregon Department of Education. The department shall publish the current request for applications form on the department’s website.

(b) If an eligible entity that has applied for a competitive Oregon Farm-to-School Program procurement grant is unable to provide the information requested in the application form, then the grant applicant must provide an explanation why the information cannot be provided. Grant applicants may submit additional information that will aid the department in evaluating their grant applications.

Stat Auth: ORS 336.431

Stat implement: ORS 336.431

OAR 581-017-0720 – Competitive Oregon Farm-to-School Program Procurement Grant: Criteria

(1) The Oregon Department of Education shall establish a request for applications solicitation and approval process to be conducted each biennium for which competitive Oregon Farm-to-School Program procurement grant funds are available.

(2)(a) Competitive Oregon Farm-to-School Program procurement grants will be awarded to those eligible entitieswhose grant proposals are judged by the department as best addressing the applicable evaluation criteria.

(b) The Oregon Department of Education may grant a preference to applications which address how the applicant will implement or contribute to a successful Farm-to-School operation as determined by the department. Factors that may be considered include whether the applicant has proposed:

(A) Increasing purchases of foods produced or processed in the State of Oregon;

(B) Purchasing foods produced or processed in the State of Oregon by a federally recognized Indian tribe or Native American-owned business;

(C) Implementing a plan for incorporating culturally relevant foods produced or processed in the State of Oregon into its menu;

(D) Purchasing foods produced or processed in the State of Oregon by producers or processors that have been certified in a specific production or management practice, such as fair trade, sustainability, or animal welfare; or

(E) Developing new commercial relationships with producers or processors of foods produced or processed in the State of Oregon that have been certified as disadvantaged business enterprises, minority-owned businesses, woman-owned businesses, businesses owned by a service-disabled veteran, or emerging small businesses under ORS 200.005.

Stat Auth: ORS 336.431

Stat implement: ORS 336.431

OAR 581-017-0723 - Competitive Oregon Farm-to-School Program Procurement Grant: Funding

(1)The Oregon Department of Education will award competitive Oregon Farm-to-School Program procurement grants for each biennium. If funding is available, additional competitive grants will be awarded in subsequent biennia.

(2) An eligible entity which receives a competitive Oregon Farm-to-School Program procurement grant:

(a) May use the grant to supplant purchases of food produced or processed in the State of Oregon that the eligible entity had regularly purchased prior to the date it first received a noncompetitive Oregon Farm to School Program procurement grant if either the food produced or processed, or the food components of that food, were:

(A) Produced in the State of Oregon;

(B) More than minimally processed in the State of Oregon; or

(C) Both produced and processed in the State of Oregon.

(b) May reserve up to twenty-five percent of the total amount awarded for all reasonable costs incurred:

(A) Growing, harvesting, processing, packaging, sourcing, or transporting food produced or processed in the State of Oregon, including but not limited to purchasing supplies, labor costs, and mileage; and

(B) Developing or sustaining successful efforts to purchase or promote foods produced or processed in the State of Oregon.

(c) May not use more than ten percent of their total award for any direct administrative costs, including administrative labor and supplies.

(d) May not charge indirect costs to their grant award.

(3) The purchase of certain foods produced or processed in the State of Oregon may not be supplanted with grant funds. The Oregon Department of Education shall develop and publish a list of those foods. Recipients of a competitive Oregon Farm-to-School Program procurement grant may not use their grants to supplant purchases of foods produced or processed in the State of Oregon that are included on the current list of ineligible foods published by the department.

(4) Recipients of a competitive Oregon Farm-to-School Program procurement grant must deposit the grant funds they receive in an account that is separate from their nonprofit food service account, or assign those funds a separate account or index number.

(5) The Oregon Department of Education may reallocate competitive Oregon Farm-to-School procurement grant funds to other eligible entities if grant funds either remain after awards are made or become unobligated, or if a grant recipient is not making adequate progress towards spending all of its grant award during the biennium in which the award was made.

(6) Grant funds awarded for use in one biennium may not be carried over to the following biennium, and will revert to the Oregon Department of Education at the end of the biennium, unless otherwise determined by the department.

Stat Auth: ORS 336.431

Stat implement: ORS 336.431

OAR 581-017-0726 - Competitive Oregon Farm-to-School Program Procurement Grant: Reporting

(1)(a) The Oregon Department of Education shall publish performance measures for recipients of a competitive Oregon Farm to School Program procurement grant in the request for applications and any related guidance documents produced by the department.

(b) The department shall provide grant recipients with a template for an interim and final grant report. To receive the final disbursement of grant funds, grant recipients must submit both a completed interim and final grant report to the department.

Stat Auth: ORS 336.431

Stat implement: ORS 336.431