**DRAFT CREATED BY: RS**

**581-017-0430 Noncompetitive Farm-to-School Grant for Reimbursement of Oregon Foods**

(1) As used in this section:

(a) “Education service district” has the meaning given that term in ORS 334.003.(b) “Eligible entity” means a school district, a provider of center-based programs for children, or a service institution.

(b) “Food processed in the State of Oregon” includes but is not limited to foods that were baked, frozen, ground, canned, or milled in the State of Oregon.

(c) “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.

(d) “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.

(e) “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.

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

(B) “School district” does not include an education service district.

(2) The purpose of the noncompetitive Oregon Farm-to-School grant for Reimbursement of Oregon foods is to assist eligible entities with paying the costs they incur purchasing 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.

(3) An eligible entity which receives a noncompetitive Oregon Farm to School grant for Reimbursement of Oregon foods may:

(a) 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; grantees may partner with other entities to provide this support.

(B) Providing education to children about foods produced or processed in the State of Oregon; and

(C) Promoting the use of foods produced or processed in the State of Oregon to children.

(4) The purchase of certain foods produced or processed in the State of Oregon may not be supplanted with grant funds. The department shall develop and publish a list of those foods. Recipients of a noncompetitive Oregon Farm-to-School grant for Reimbursement of Oregon Foods 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.

(5) Recipients of a noncompetitive Oregon Farm-to-School grant for Reimbursement of Oregon Foods 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.

(6)(a) For purposes of this subsection, “reimbursable meal” means a reimbursable breakfast, lunch, snack, or supper that is provided by an eligible entity through the federal National School Lunch, Child and Adult Care Food Program, or Summer Food Service Programs.

(b) The amount of a noncompetitive Oregon Farm-to-School Program grant recipient’s award will be based on the number of reimbursable meals served by the recipient through the federal National School Lunch and Summer Food Service Programs during the previous school year and summer.

(c) The department may develop or adopt a formula or method for converting different types of reimbursable meals and snacks to the equivalent of a reimbursable lunch. The department will publish the formula or method chosen on its website.

(7)(a) The department may reallocate noncompetitive grant for Reimbursement of Oregon Foods funds to other eligible entities if noncompetitive grant for Reimbursement of Oregon Foods 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.

(b) The department will notify noncompetitive grant for Reimbursement of Oregon Foods recipients if their claimed program expenses do not show that the recipients are making adequate progress towards spending all of their grant awards during the biennium in which the awards were made.

(8) The Department of Education will apply the Oregon Equity Lens when administering this grant including when determining resource allocation and making strategic investments.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 336.431

**581-017-0435 Purpose: Competitive Farm-to-School Education Grant**

(1) The purpose of the competitive Oregon Farm-to-School education grant is to assist entities in paying the costs they incur providing food-based, agriculture-based, or garden-based educational activities for the benefit of children enrolled in a public school or public charter school within a school district, or a center-based program for children.

(2) An eligible entity that receives a competitive Oregon Farm-to-School Program education grant may use the grant for costs directly associated with the educational activities offered to children enrolled in either a public school or public charter school within a school district, or a center-based program for children, including staff time, supplies, equipment, farm products for samples, and travel.

Statutory/Other Authority: ORS 326.051, ORS 336.431 & Enrolled HB 2579 (2019)

Statutes/Other Implemented: ORS 336.431 & Enrolled HB 2579 (2019)

**581-017-0438 Eligibility: Farm-to-School Education Grant**

(1) An eligible entity may apply for a competitive Oregon Farm-to-School Program education grant.

(2)(a) An eligible entity that applies for a competitive Oregon Farm-to-School Program education grant may partner with one or more organizations to provide food-based, agriculture-based, or garden-based educational activities. Grant applicants that partner with other organizations to provide educational activities must serve as the fiscal agent for the partnered organizations.

(b) Fiscal agents are responsible for:

(A) Ensuring that their partner organizations comply with the terms and conditions of the competitive Oregon Farm-to-School Program education grant;

(B) Overseeing the delivery of food-based, agriculture-based, or garden-based educational activities to children enrolled in either a public school or public charter school within a school district;

(C) Ensuring that the educational activities offered satisfy the criteria identified in OAR 581-017-0441, the request for proposals, and any related guidance documents produced by the Oregon Department of Education;

(D) Incorporating the principles of the Oregon Equity Lens, OAR 581-017-0010, into the development and delivery of educational activities funded with competitive Oregon Farm-to-School Program education grant dollars;

(E) Maintaining all records regarding the educational activities offered using, and costs paid for with, grant funds; and

(F) Delivering those records and any completion reports regarding the educational activities funded with, and the expenditure of, grant funds to the Oregon Department of Education.

(3) An eligible entity may lose its eligibility to apply for a competitive Oregon Farm-to-School Program education grant during the succeeding biennium, or continue receiving a previously awarded grant, if the eligible entity does not:

(a) Comply with the applicable provisions of ORS 338.431;

(b) Comply with the provisions of OAR 581-017-0432 to 581-017-0447;

(c) Comply with the grant criteria printed in the competitive Oregon Farm to School Program education grant request for proposals and any related guidance documents produced by the Oregon Department of Education;

(d) If awarded a competitive Oregon Farm to School Program education grant, spend the entire amount of the grant award during the biennium for with the grant was awarded; or

(e) If awarded a competitive Oregon Farm to School Program education grant, spend the majority of the grant award on food-based, agriculture-based, or garden-based educational activities for the benefit of children enrolled in either a public school or public charter school within a school district, or a center-based program for children.

Statutory/Other Authority: ORS 326.051, HB 2579 (2019) & ORS 336.431

Statutes/Other Implemented: HB 2579 (2019) & ORS 336.431

**581-017-0441 Application Process and Criteria for Oregon Farm to School Education Grant**

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

(2) The department shall notify eligible entities of the proposal process and the dates when proposals are due, and make available necessary guidelines and application forms.

(3)(a) Eligible entities must submit their grant proposals on the most current form prescribed by the department. The department shall publish the current request for proposals solicitation forms on the department’s website.

(b) If an eligible entity that has applied for a competitive Oregon Farm to School Program education grant is unable to provide the information required in the request for proposals, 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 proposals.

(4) To be considered by the department, the grant proposals submitted by eligible entities must include the following information:

(a) The name of the school district in which the educational activities will be offered;

(b) The name of the person who will serve as the grant applicant’s primary contact regarding the grant proposal and that person’s contact information, including the primary contact’s email address and telephone number;

(c) The name of the organizations which the grant applicant either has partnered, or is intending to partner, with for the purpose of providing food-based, agriculture-based, or garden-based educational activities for the benefit of children enrolled in a public school or public charter school within a school district, or a center-based program for children;

(d) The name and contact information of the persons who will serve as the partner organizations’ primary contacts regarding the grant proposal and the educational activities the grant applicant and its partner organizations intend to provide;

(e) A description of the educational activities the grant applicant proposes to offer;

(f) An explanation of how the educational activities the grant applicant proposes to offer with grant funds will address the grant criteria and benefit children enrolled in a public school or a public charter school within a school district, or a center-based program for children;

(g) An estimate of the costs associated with providing the proposed educational activities; and

(h) An analysis of the proposed educational activities and the proposed means of delivering those programs using the Equity Lens adopted under OAR 581-017-0010.

(5) Grant applicants’ proposals will be reviewed for completeness and how well they address the evaluation criteria adopted by the department. The Oregon Department of Education shall give preference to eligible entities that propose educational activities that:

(a) Are well designed;

(b) Promote healthy food activities;

(c) Have clear educational objectives;

(d) Involve parents or the community;

(e) Are connected to a school district’s farm-to-school procurement activities; and

(f) Are culturally relevant to the students being served by the grant moneys.

(6) Additional information may be required and additional criteria may be identified in the applicable request for proposal and guidelines published by the department.

(7) Recipients of a competitive Oregon Farm to School Program education grant will:

(a) Represent a variety of school sizes and geographic locations; and

(b) Serve a high percentage of children who qualify for free or reduced price school meals under the federal National School Lunch Program.

(8) The Department of Education will apply the Oregon Equity Lens when administering this grant including when determining resource allocation and making strategic investments.

Statutory/Other Authority: ORS 326.051, HB 2579 (2019) & ORS 336.431

Statutes/Other Implemented: HB 2579 (2019) & ORS 336.431

**581-017-0444 Awarding and Using Competitive Oregon Farm to School Education Grants**

(1) The Oregon Department of Education shall allocate funds for competitive Oregon Farm to School Program education grants.

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

(3) The department will notify the eligible entities selected for a proposed competitive education grant award by either mail or email. Within two weeks of receiving notice, the entity must notify the department whether it accepts the award.

(4) The department will award competitive Oregon Farm to School Program education grants for the biennium beginning on July 1, of the first year of the biennium, and ending on June 30, on the second year of the biennium. If funding is available, additional competitive grants will be awarded in subsequent biennia.

(5) The amount of any competitive Oregon Farm to School education grants awarded by the department on or after July 1, on the first year of the biennium, for the biennium beginning on July 1, , will be at least $2,000.00 and no more than $100,000.00.

(6)(a) The recipient of a competitive Oregon Farm to School Program education grant that was awarded by the department on or after July 1, on the first year of the biennium, for the biennium beginning on July 1, may reserve up to twenty-five percent of the total amount awarded for all costs incurred:

(A) Through direct administration of the food-based, agriculture-based, or garden-based educational activities offered by the grant recipient, including administrative labor,supplies and indirect costs.

(b) The department may reallocate competitive Oregon Farm to School Program education grant funds to other eligible entities if education 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.

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

(9) Recipients of a competitive Oregon Farm-to-School Program education 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. Grant funds may only be used for the purpose of providing the food-based, agriculture-based, or garden-based educational activities it proposed to offer for the benefit of children enrolled in a public school or public charter school within a school district, or a center-based program for children.

(10) The department may reallocate competitive education grant funds to other eligible entities if competitive education grant funds either remain after awards are made or become unobligated, or if a grant recipient does not spend all of its grant award during the biennium in which the award was made.

(11) The department, at its sole discretion, may disburse up to twenty-five percent of a grant recipient’s award in advance if the recipient can first demonstrate a compelling need.

Statutory/Other Authority: ORS 326.051, HB 2579 (2019) & ORS 336.431

Statutes/Other Implemented: HB 2579 (2019) & ORS 336.431

**581-017-0448 Competitive Oregon Farm-to-School Technical Assistance Grants**

(1) As used in this section:

(a) “Commodity commission or council” means a commodity commission or council organized under ORS 576.051 to 576.455, the Oregon Beef Council, or the Oregon Wheat Commission.

(b) “Education service district” has the meaning given that term in ORS 334.003.

(c) “Eligible entity” means:

(A) A commodity commission or council;

(B) An education service district;

(C) A federally recognized Indian tribe;

(D) An institution of higher education;

(E) A nonprofit organization;

(F) A school district;

(G) A school overseen by the federal Bureau of Indian Education; or

(H) An administrative agency within the executive branch of Oregon’s state government.

(d) “Including” means “including but not limited to.”

(e) “Institution of higher education” means:

(A) A public university listed in ORS 352.002;

(B) A community college, as defined in ORS 341.005;

(C) The Oregon Health and Sciences University; or

(D) An Oregon-based, accredited, private, non-profit college or university that is authorized to confer degrees in this state.

(f) “Nonprofit organization” means:

(A) A nonprofit business corporation incorporated under ORS Chapter 65;

(B) A foreign nonprofit business corporation authorized to transact business in the state of Oregon; or

(C) An organization that is recognized as tax exempt under section 501(c)(3) of the Internal Revenue Code of 1986.

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

(B) “School district” does not include an education service district.

(2) The purpose of the competitive Oregon Farm-to-School Program technical assistance grant is to help those entities identified in either OAR 581-017-0430 or 581-017-0432 as eligible to apply for a noncompetitive Oregon Farm-to-School reimbursement of Oregon Foods Grant or Oregon Farm-to-School education grant, respectively, as well as other entities that would contribute to the success of the Oregon Farm-to-School Program, receive the technical assistance, training, and resources they need for the successful operation of their programs.

(3) An eligible entity that receives a competitive Oregon Farm-to-School technical assistance grant may use the grant for costs directly associated with the provision of technical assistance, training, and resources that are:

(a) Provided to those entities identified in either OAR 581-017-0430 or 581-017-0432 as eligible to apply for a noncompetitive Oregon Farm-to-School Grant for reimbursement of Oregon Foods or Oregon Farm-to-School education grant, respectively, as well as other entities that would contribute to the success of the Oregon Farm-to-School Program; and

(b) Needed for the successful operation of their Oregon Farm-to-School Programs.

(4)(a) An eligible entity that applies for a competitive Oregon Farm-to-School technical assistance grant may partner with one or more organizations to provide technical assistance, training, and resources to those entities identified in either OAR 581-017-0430 or 581-017-0432 as eligible to apply for a noncompetitive Oregon Farm-to-School Grant for reimbursement of Oregon Foods or Oregon Farm-to-School education grant, respectively, as well as other entities that would contribute to the success of the Oregon Farm‑to‑School Program. Grant applicants that partner with other organizations to provide technical assistance, training, or resources must serve as the fiscal agent for the partnered organizations.

(b) Fiscal agents are responsible for:

(A) Ensuring that their partner organizations comply with the terms and conditions of the competitive Oregon Farm-to-School technical assistance grant;

(B) Overseeing the delivery of technical assistance, training, or resources to those entities identified in either OAR 581-017-0430 or 581-017-0432 as eligible to apply for a noncompetitive Oregon Farm-to-School Grant for reimbursement of Oregon Foods or Oregon Farm-to-School education grant, respectively, as well as other entities that would contribute to the success of the Oregon Farm-to-School Program;

(C) Incorporating the principles of the Oregon Equity Lens, OAR 581-017-0010, into the development and delivery of technical assistance, training, or resources funded with competitive Oregon Farm-to-School Program technical assistance grant dollars;

(D) Maintaining all records regarding the technical assistance, training, or resources provided using, and any costs paid for with, grant funds; and

(E) Delivering those records and any completion reports regarding the technical assistance, training, and resources funded with, and the expenditure of, grant funds to the department.

(5) An eligible entity may lose its eligibility to apply for a competitive Oregon Farm-to-School technical assistance grant during the succeeding biennium, or continue receiving a previously awarded grant, if the eligible entity does not:

(a) Comply with the applicable provisions of ORS 336.431;

(b) Comply with the provisions of this section;

(c) Comply with the grant criteria printed in the competitive Oregon Farm-to-School technical assistance grant request for proposals and any related guidance documents produced by the department;

(d) If awarded a competitive Oregon Farm-to-School technical assistance grant, spend the entire amount of the grant award during the biennium for which the grant was awarded; or

(e) If awarded a competitive Oregon Farm-to-School technical assistance grant, spend the majority of the grant award on technical assistance, training, or resources provided to those entities identified in either OAR 581-017-0430 or 581-017-0432 as eligible to apply for a noncompetitive Oregon Farm-to-School Grant for reimbursement of Oregon Foods or Oregon Farm-to-School education grant, respectively, as well as other entities that would contribute to the success of the Oregon Farm-to-School Program.

(6)(a) The Oregon Department of Education shall establish a request for proposal solicitation and approval process to be conducted each biennium for which competitive Oregon Farm-to-School technical assistance grant funds are available.

(b) The department shall notify eligible entities of the proposal process and the dates when proposals are due, and make available necessary guidelines and application forms.

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

(b) If an eligible entity that has applied for a competitive Oregon Farm-to-School technical assistance grant is unable to provide the information required in the request for proposals, 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 proposals.

(8)(a) To be considered by the Oregon Department of Education, the grant proposals submitted by eligible entities must include the following information:

(A) The type(s) of the entities identified in either OAR 581-017-0430 or 581-017-0432 as eligible to apply for a noncompetitive Oregon Farm-to-School Grant for reimbursement of Oregon Foods or competitive Oregon Farm-to-School education grant, respectively, or the entities that would contribute to the success of the Oregon Farm-to-School Program, which will receive technical assistance, training, or resources;

(B) The name of the person who will serve as the grant applicant’s primary contact regarding the grant proposal and that person’s contact information, including the primary contact’s email address and telephone number;

(C) The name of the organizations with which the grant applicant has partnered, or is intending to partner, for the purpose of providing technical assistance, training, or resources;

(D) The name and contact information of the persons who will serve as the partner organizations’ primary contacts regarding the grant proposal and the technical assistance, training, or resources the grant applicant and its partner organizations intend to provide;

(E) A description of the technical assistance, training, or resources the grant applicant proposes to provide;

(F) An explanation of how the technical assistance, training, or resources will benefit those entities identified in either OAR 581-017-0430 or 581-017-0432 as eligible to apply for a noncompetitive Oregon Farm-to-School Grant for reimbursement of Oregon Foods or Oregon Farm-to-School education grant, respectively, as well as other entities that would contribute to the success of the Oregon Farm-to-School Program;

(G) An estimate of the costs associated with providing the proposed technical assistance, training, or resources; and

(H) An analysis of the proposed technical assistance, training, or resources, and the proposed means of delivering them, using the Oregon Equity Lens, OAR 581-017-0010.

(b) Additional information may be required and additional criteria may be identified in the applicable request for proposal and guidelines published by the department.

(9) Grant applicants’ proposals will be reviewed for completeness and how well they address the evaluation criteria adopted by the Oregon Department of Education.

(10) The Oregon Department of Education shall allocate funds for competitive Oregon Farm‑to‑School technical assistance grants.

(11) Competitive Oregon Farm‑to‑School Program technical assistance grants will be awarded to those eligible entities whose grant proposals are judged by the department as best addressing the applicable evaluation criteria.

(12) The Oregon Department of Education will notify the eligible entities selected for a proposed competitive technical assistance grant award by either mail or email. Within two weeks of receiving notice, the entity must notify the department whether it accepts the award.

(13) The Oregon Department of Education will award competitive Oregon Farm‑to‑School Program technical assistance grants for the biennium beginning on July 1, 2019, and ending on June 30, 2021. If funding is available, additional competitive grants will be awarded in subsequent biennia.

(14) The amount of any competitive Oregon Farm to School Program technical assistance grants awarded by the department on or after July 1 of the first year of the biennium, , for the biennium beginning on July 1, , will be at least $5,000.00.

(15) The recipient of a competitive Oregon Farm‑to‑School Program technical assistance grants that was awarded by the department on or after July 1, of the first year of the biennium, for the biennium beginning on July 1 may reserve up to twenty percent of the total amount awarded for all indirect costs incurred providing the technical assistance, training, or resources for which a grant was awarded.

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

(17) Recipients of a competitive Oregon Farm‑to‑School Program technical assistance grants:

(a) Must deposit the grant funds they receive in an account that is separate from their nonprofit food service account, if they have one, or assign those funds a separate account or index number.

(b) May only use their grant awards for the purpose of providing the technical assistance, training, or resources it proposed to offer.

(c) Comply with all applicable federal, state, and local procurement laws and procedures when purchasing equipment with grant dollars.

(18) The department may reallocate competitive Oregon Farm-to-School technical assistance grant funds to other eligible entities if competitive technical assistance grant funds either remain after awards are made or become unobligated, or if a grant recipient does not spend all of its grant award during the biennium in which the award was made.

(19) The department, at its sole discretion, may disburse up to twenty-five percent of a grant recipient’s award in advance if the recipient can first demonstrate a compelling need.

(20)(a) The Oregon Department of Education shall publish performance measures for recipients of a competitive Oregon Farm to School Program technical assistance grant in the request for proposals solicitation forms 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.

(21)(a) If a grant recipient does not comply with this section, or the terms included in the request for proposals solicitation published by the Oregon Department of Education, then the department may take appropriate action, including wholly or partially terminating or suspending the recipient’s grant award, disallowing some or all unallowable or noncompliant costs, or recovering grant funds spent on unallowable or noncompliant costs.

(b) If the department takes action to address a grant recipient’s noncompliance with this section, or the terms included in the department’s request for proposals solicitation, then the grant recipient may appeal the department’s decision as provided in OAR 581-001-0005.

(22) The Department of Education will apply the Oregon Equity Lens when administering this grant including when determining resource allocation and making strategic investments.

Statutory/Other Authority: ORS 336.431

Statutes/Other Implemented: ORS 336.431

**581-017-0711 Competitive Oregon Farm-to-School Grant for Reimbursement of Oregon Foods: Definitions**

As used in this section:

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

(2) “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.

(3) “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.

(4) “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.

(5) “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.

(6) “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.

(7) “School district” means an Oregon common school district, joint school district, union high school district, or a public charter school.

Statutory/Other Authority: ORS 336.431

Statutes/Other Implemented: ORS 336.431

**581-017-0714 Competitive Oregon Farm-to-School Grant for Reimbursement of Oregon Foods: Establishment**

(1) The purpose of the competitive Oregon Farm-to-School grant for reimbursement of Oregon Foods 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.

Statutory/Other Authority: ORS 336.431

Statutes/Other Implemented: ORS 336.431

**581-017-0717 Competitive Oregon Farm-to-School Grant for Reimbursement of Oregon Foods: 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:

(a) Be the recipient of a noncompetitive Oregon Farm-to-School grant for reimbursement of Oregon foods; and

(b) Have a zero balance of its initial noncompetitive Oregon Farm-to-School grant for reimbursement of Oregon foods 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 grant for reimbursement of Oregon foods 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.

Statutory/Other Authority: ORS 336.431

Statutes/Other Implemented: ORS 336.431

**581-017-0720 Competitive Oregon Farm-to-School Grant for Reimbursement of Oregon Foods: 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 grant for reimbursement of Oregon foods funds are available.

(2)(a) Competitive Oregon Farm-to-School grants for reimbursement of Oregon foods will be awarded to those eligible entities whose 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 or self-certified in a specific production or management practice, such as fair labor, sustainability, or animal welfare;

(E) Commercial relationships with producers or processors of foods produced or processed in the State of Oregon that have been certified or self-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;

(F) Providing education or promotion of Oregon foods;

(G) Healthy foods (for example fruits and vegetables, minimally processed beans and grains);

(H) Purchases directly from producers and processors, rather than through a broad-line distributor, unless they meet some of the criteria above; or

(I) Matching Oregon purchases with their own funds with at least a 25% match.

(3) The Department of Education will apply the Oregon Equity Lens when administering this grant including when determining resource allocation and making strategic investments.

Statutory/Other Authority: ORS 336.431

Statutes/Other Implemented: ORS 336.431

**581-017-0723 Competitive Oregon Farm-to-School Grant for Reimbursement of Oregon Foods: Funding**

(1) The Oregon Department of Education will award competitive Oregon Farm-to-School grant for reimbursement of Oregon foods 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 grant for reimbursement of Oregon foods:

(a) 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, infrastructure, labor costs, and mileage; and

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

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

(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 grant for reimbursement of Oregon foods 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 grant for reimbursement of Oregon foods 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.

Statutory/Other Authority: ORS 336.431

Statutes/Other Implemented: ORS 336.431

**581-017-0726 Competitive Oregon Farm-to-School Program Procurement Grant for Reimbursemetn of Oregon Foods: Reporting**

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

(2) 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.

Statutory/Other Authority: ORS 336.431

Statutes/Other Implemented: ORS 336.431