

JAN 13 2006
EDUCATION

HOUSE FILE 2061
BY SHOMSHOR

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act establishing a fresh fruits and vegetables pilot program
2 for schools to be administered by the department of education,
3 making an appropriation, and providing an effective date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

HF 2061

1 Section 1. DEPARTMENT OF EDUCATION -- FRESH FRUITS AND
2 VEGETABLES PILOT PROGRAM. There is appropriated from the
3 general fund of the state to the department of education for
4 the fiscal year beginning July 1, 2006, and ending June 30,
5 2007, the following amount, or so much thereof as is
6 necessary, to be used for the purposes designated:

7 For the establishment of the fresh fruits and vegetables
8 pilot program as provided in section 283A.11, if enacted,
9 including salaries, support, maintenance, and miscellaneous
10 purposes:

11 \$ 1,400,000

12 Sec. 2. NEW SECTION. 283A.11 FRESH FRUITS AND VEGETABLES
13 PILOT PROGRAM.

14 1. A fresh fruits and vegetables pilot program is
15 established to be administered by the department of education,
16 in consultation with the department of agriculture and land
17 stewardship and the department of public health, to provide
18 fresh fruits and vegetables for consumption by public school
19 and charter school students.

20 2. The department of education shall develop and
21 administer the program in such a manner as to encourage public
22 school districts and charter schools maintaining kindergarten
23 or any of grades one through twelve, inclusive, to newly
24 provide fruits and vegetables for consumption to students, to
25 supplement fruits and vegetables that are already available to
26 students with additional new fruits and vegetables for
27 consumption, and to generally promote the consumption of fresh
28 fruits and vegetables by school-age children.

29 3. Fruits and vegetables that are provided pursuant to
30 this section shall be provided free of charge to a student,
31 where appropriate.

32 4. Fruits and vegetables that are provided pursuant to
33 this section shall be provided during the school day, but not
34 during regularly scheduled lunch periods.

35 5. In making procurement decisions pursuant to this

1 section, a school district or a charter school shall give
2 priority to the purchase of fresh fruits and vegetables from
3 Iowa producers, when commercially available.

4 6. a. Subject to the appropriation of sufficient funds,
5 school districts and charter schools may apply to the
6 department of education for reimbursement of ten cents per
7 meal, to be paid in quarterly installments by the department
8 of education, to supplement, but not to supplant, a school
9 breakfast program provided in accordance with this chapter.

10 b. To be eligible to receive funds under this section, a
11 school district or charter school shall do all of the
12 following:

13 (1) Provide one to two servings of nutritious fruits or
14 vegetables, or both, at breakfast, and give priority to
15 serving fresh fruits and vegetables.

16 (2) Spend at least ninety percent of the funding received
17 pursuant to this section for the direct purchase of nutritious
18 fruits and vegetables.

19 (3) Not spend any of the funding received pursuant to this
20 section for the purchase of juice.

21 (4) Provide data as required by an independent evaluator
22 under contract to provide an evaluation pursuant to subsection
23 11, paragraph "b".

24 7. Funds received by a school district or charter school
25 under this section may be combined with other funding sources
26 to ensure that at least one serving per day of nutritious
27 fruits or vegetables, or both, is provided pursuant to the
28 pilot program.

29 8. School district or charter school attendance centers
30 that already offer two servings of nutritious fruits or
31 vegetables for breakfast may be reimbursed under this program
32 at ten cents per meal for providing nutritious fruits or
33 vegetables for after-school snacks.

34 9. Specific strategies for the provision of one to two
35 servings of nutritious fruits or vegetables, or both, may

- 1 include, but not be limited to, one or more of the following:
- 2 a. Fruit bars located at the school cafeteria with a
3 minimum of three choices of fruits or vegetables, or both.
- 4 b. Grab-and-go breakfasts with one to two servings of
5 fruits or vegetables, or both, to be eaten on the school
6 campus.
- 7 c. Universal classroom breakfasts that include one to two
8 servings of fruits or vegetables, or both.
- 9 10. As a condition of receipt of funds, an attendance
10 center participating in the pilot program shall include
11 tasting and sampling of nutritious fruits and vegetables as
12 part of nutrition education. Strategies for nutrition
13 education that include tasting and sampling of nutritious
14 fruits or vegetables, or both, may include, but not be limited
15 to:
- 16 a. Educational sampling and tasting supported with
17 nutrition education.
- 18 b. An offering of fruits or vegetables in the classroom
19 that is reinforced with nutrition and agricultural bulletins.
- 20 c. A monthly school campus farmers market that allows
21 opportunities for school clubs, organizations, boosters,
22 sports teams, and other groups to organize a farmers market
23 that highlights fresh produce for the student body to sample
24 and taste.
- 25 d. A produce sampling program that supports a school
26 garden's harvest through additional purchases of local, in-
27 season fruits or vegetables to be used for a sampling and
28 tasting program for the school campus featuring what is
29 growing in the school garden.
- 30 11. For each fiscal year in which funds are appropriated
31 for purposes of the pilot program, the department of education
32 shall reserve from the funds appropriated for the pilot
33 purpose an amount of not more than four hundred thousand
34 dollars to provide grants to a county office of education or a
35 community college selected on a competitive basis, to be

1 allocated as follows:

2 a. Not more than one hundred thousand dollars to develop
3 an on-line professional development seminar for school
4 district or charter school attendance center staff on safe
5 handling, serving, marketing, and promoting of nutritious
6 fruits and vegetables.

7 b. Not more than three hundred thousand dollars to
8 contract with an independent evaluator to conduct a
9 comprehensive evaluation, including a determination of the
10 need for educational materials for students and staff
11 professional development programs on the safe handling,
12 serving, marketing, and promoting of nutritious fruits and
13 vegetables as part of the fresh fruits and vegetables pilot
14 program.

15 12. The department of education, in consultation with the
16 department of agriculture and land stewardship and the
17 department of public health, shall establish guidelines for
18 the evaluation of the pilot program developed pursuant to this
19 section.

20 13. For purposes of this section, unless the context
21 otherwise requires, "fruits and vegetables" means fruits and
22 vegetables that have not been deep fried.

23 14. School districts and charter schools that do not
24 operate school breakfast programs are encouraged to apply for
25 funding to establish breakfast programs in accordance with
26 this chapter.

27 Sec. 3. EMERGENCY RULES. The department of education may
28 adopt emergency rules under section 17A.4, subsection 2, and
29 section 17A.5, subsection 2, paragraph "b", to implement the
30 provisions of this Act and the rules shall be effective
31 immediately upon filing unless a later date is specified in
32 the rules. Any rules adopted in accordance with this section
33 shall also be published as a notice of intended action as
34 provided in section 17A.4.

35 Sec. 4. EFFECTIVE DATE. Sections 2 and 3 of this Act,

1 being deemed of immediate importance, take effect upon
2 enactment.

3 EXPLANATION

4 This bill provides for the establishment of a fresh fruits
5 and vegetables pilot program for schools to be administered by
6 the department of education, and appropriates \$1.4 million to
7 the department for the program.

8 The department is directed to encourage public school
9 districts to provide fruits and vegetables to students, to
10 supplement other fruits and vegetables that are available to
11 students, and to generally promote the consumption of fresh
12 fruits and vegetables by school-age children. Fruits and
13 vegetables provided under the program are to be free of charge
14 to a student, where appropriate, and provided during the
15 school day, but not during regularly scheduled lunch periods.

16 A school district or charter school must give priority to
17 the purchase of fresh fruits and vegetables from Iowa
18 producers when commercially available.

19 School districts and charter schools may apply to the
20 department for reimbursement of 10 cents per meal, to
21 supplement, but not supplant, a school breakfast program.

22 To be eligible for the pilot program, a school district or
23 charter school must provide one to two servings of nutritious
24 fruits or vegetables, or both, at breakfast, and give priority
25 to serving fresh fruits and vegetables; spend at least 90
26 percent of the funding received for the direct purchase of
27 nutritious fruits and vegetables; not spend any of the funding
28 for the purchase of juice; and provide data for evaluation of
29 the program as required by the department.

30 The bill provides specific strategies for the provision of
31 one to two servings of nutritious fruits or vegetables.

32 An attendance center participating in the program must
33 include tasting and sampling of nutritious fruits and
34 vegetables as part of nutrition education.

35 The department of education must reserve \$400,000 of the

1 funds appropriated for a fiscal year to provide grants to a
2 county office of education or a community college selected on
3 a competitive basis, to develop an on-line professional
4 development seminar for school district or charter school
5 attendance center staff on safe handling, serving, marketing,
6 and promoting of nutritious fruits and vegetables; and to
7 contract with an independent evaluator to conduct a
8 comprehensive evaluation.

9 The bill authorizes the department of education to adopt
10 emergency rules to implement the provisions of the bill. That
11 provision and the provision establishing the program take
12 effect upon enactment.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35