

Date: 01/28/2011

Committee: House Agriculture

Department: Education

Person Testifying: Kathryn Matayoshi, Superintendent of Education

Title of Bill: HB 0701 RELATING TO SCHOOLS.

Purpose of Bill: Requires the DOE to purchase agricultural products for school meals programs that have a farm within a school's regional administrative district. Requires the agriculture education program to arrange for opportunities for students to work, volunteer, or study on farms within a school's regional administrative district.

Department's Position: While the Department of Education (DOE) supports the connection between farm and school cafeteria, it does not support the amended language, parts (b), (1) and (2) under Section 302A-404, HRS.

The DOE is one, statewide district, with centralized purchasing authority. Federal law prohibits the states from mandating through law or policy that institutions participating in the National School Lunch Program apply a geographic preference when soliciting agricultural products. Operators (such as the DOE) under the USDA Child Nutrition Programs have the discretion to determine whether and how a geographic preference meets its needs. Geographic preference may be used to encourage the purchase of locally grown products, but the provision does not eliminate the requirement that allows free and open competition, consistent with the responsibility to be prudent stewards of federal funds.

The revised language would be counter productive for statewide menu

planning requirements, with all students receiving same meal benefits, opportunities and nutrition standards. The department does not purchase food directly from farms, as the majority of local farms are not safety certified, nor do they have the means to deliver their produce to the many public schools in any given area, urban or rural. The volatility of the industry could not guarantee product availability. USDA reimbursement is contingent on students receiving the correct "meal components," if the quantity or quality of the "weekly" harvest is not guaranteed, the department can't claim federal reimbursement for those meals.

Referencing proposed subsection 13 of Section 302A-431.7, the DOE is already doing this. Aina In Schools, Ma'o Organic Farms, and The Kohala Center on the Big Island have partnered with DOE schools, developing farm to school projects, teaching environmental stewardship by connecting students to farming, and introducing the different types of locally grown produce.

In summary, the new statutory material in Section 303A-404, is contrary to federal law. A proposed subsection 13 of Section 302A-431.7 is not necessary.



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TESTIMONY

H.B. 701 Relating to Schools

Chair Tsuji and Members of the Committee;

Hawaii Farm Bureau Federation on behalf of our farm and ranch families and organizations supports with amendments, HB701, requiring increased use of local agricultural products in Hawaii's schools.

Last year, HFBF worked with the Legislature to clarify Hawaii's procurement law. We found it frustrating that very few of our farmers and ranchers were able to enter the State procurement system. HFBF has come before this body many times, with bills requiring increased use of local products in the State procurement system. During those hearings, the procurement office objected stating that agricultural products were exempted from the procurement process so the request was unreasonable. We did not understand the discrepancy.

Annually, HFBF had supported HDOA's request to the procurement office to exempt Hawaii agricultural products from the procurement process. While the justification was that it would allow payment at higher prices, it also provided a condition that the Office was not required to consider local agricultural products. The Bill passed, removed the exemption and required the consideration of local products. Existing laws have other preferential requirements that would need to be considered. By being part of the procurement process, all of these requirements would be in effect. It took us a while to understand this as it was exactly in opposition to what we had been told in the past. Since the passage of the Bill, we have had objections from many entities including the Department of Education that asked that we repeal the law.

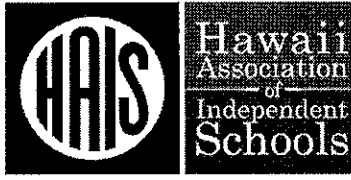
Unless the procurement process is remedied, the intent of this program will face challenges. The opportunity is huge. The new federal dietary

guidelines for school nutrition provides opportunities for our farmers and ranchers. However, they must be able to sell into the system.

We suggest amendments to this measure requiring the Department of Education Food Service department, procurement office, Department of Agriculture and members of the agricultural industry convene a task force of how products can be provided to the schools.

Without such collaborative efforts, this measure with good intentions may fail.

HFBF requests your support of this measure with amendments as suggested. We appreciate your consideration and am willing to work with you to implement this measure. If there are any questions, please contact Warren Watanabe at 2819718. Thank you.



Friday, January 28, 2011
11:00am
Conference Room 312

TESTIMONY TO
THE HOUSE COMMITTEE ON AGRICULTURE

RE: HB 701 - Relating to Schools – Requires the DOE to purchase agricultural products for school meals programs that have a farm within a school's regional administrative district. Requires the agriculture education program to arrange for opportunities for students to work, volunteer, or study on farms within a school's regional administrative district

Chair Tsuji, Vice Chair Hashem, and Members of the Committees:

My name is Robert Witt and I am executive director of the Hawaii Association of Independent Schools (HAIS), which represents 99 private and independent schools in Hawaii and educates over 33,000 students statewide.

HAIS supports the intent of House Bill 701 and finds that the aspirations expressed in this measure are in many cases aligned with the goals of our own new farm-to-school initiative, GROW HAWAII.

Nevertheless, we are very concerned that this measure may be requiring the DOE to be in compliance with some very noble and urgently needed goals without enough "readiness" or internal "capacity."

Whereas the DOE and HAIS and its various partners are moving in the direction outlined in this measure, this may be the kind of situation where "too much, too soon," is being asked of a department already stretched to the limit, with regard to human and financial resources.

Mahalo for the opportunity to testify.